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UNIVERSITY OF SOUTHAMPTON
FACULTY OF LAW, ARTS & SOCIAL SCIENCES
School of Education

**Plagiarism in Higher Education:
Consensus and consistency when punishing student cases**

by

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Thesis for the degree of Doctor of Philosophy

January 2009

UNIVERSITY OF SOUTHAMPTON

ABSTRACT
FACULTY OF LAW, ARTS AND SOCIAL SCIENCES
SCHOOL OF EDUCATION

Doctor of Philosophy

**PLAGIARISM IN HIGHER EDUCATION: CONSENSUS AND
CONSISTENCY WHEN PUNISHING STUDENT CASES**

by Julie Price

This research focuses on the punishment and sanctions awarded to student cases of plagiarism within a Higher Education (HE) setting. More specifically, this research investigated two key aspects: the extent and nature of consensus amongst those who work and study within HE; and whether penalties could be applied consistently. Consensus and consistency should be evident in any punishment system if it is going to be viewed as fair by the community who use it, and by those who receive a penalty as a consequence of it. Hence, this research is important if the HE community is to develop a shared understanding of this very complex and sensitive topic area, and develop fair and just practices when punishing student cases.

The research used a mixed methods approach and consisted of an initial exploratory study of interviews followed by two main studies: the first using a survey and interviews in order to explore the nature and extent of consensus, and the difficulties in achieving consistency; the second developed a new tool in order to measure and quantify inconsistent decision making, and to explore whether some penalty systems achieved a greater or lesser level of consistency when punishing student cases of plagiarism. Educational theories (Engeström's (1987) Activity Theory and Wenger's (1998) Communities of Practice), along with literature from assessment marking (where fairness, consensus and consistency are also important principles), were used to help provide context and understanding for the findings of this research.

It was found that consensus does not exist within or between communities which work and study within HE: there was evidence of diverse opinions regarding appropriate sanctions for cases of student plagiarism. It is probable, therefore, that some individuals would view a penalty outcome unfair even if the penalty regulations have been strictly adhered to. This thesis also found that consistency of penalty award can be difficult to achieve if the system is highly flexible and non-prescriptive, even when those applying it are compliant. However, non-compliance, due to a disagreement with the penalty system, is also of concern and this thesis has shown that this would result in inconsistent penalties being awarded. It would appear that the HE *community* must *negotiate meaning* (as described by Wenger (1998)) more clearly and/or develop an agreement and better understanding of the *tool* and *object* (as described by Engeström (1987)) before it will be possible to develop a penalty system for the punishment of student plagiarism which would be viewed as fair by all those working and studying in HE. Hence, it is suggested that developments should focus more strongly on the learning and teaching aspects of academic integrity, such as appropriate research skills, acknowledgement and citation, and also assessment design in order to reduce the need for punishment resulting from plagiarism.

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Acknowledgements

This thesis documents a personal journey and I am reminded of the words of John McLeod, from his poem "It's the journey that's important..."

And thus it's always been
That question pondered down the ages
By simple men with simple ways
To wise and ancient sages....
How sweet then, quietly knowing
Reaching destination fair:

"It's the journey that's important,
Not the getting there!"

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Abbreviations

BBC	British Broadcasting Company
CAI	Centre for Academic Integrity
e.g.	For example
ESL	English as a second language
etc	Etcetera
HE	Higher Education
i.e.	That is
IML	Institute for Interactive Media and Learning
JISC	Joint Information Systems Committee
JISCiPAS	Joint Information Systems Committee internet Plagiarism Advisory Service
MSc	Master of Science
OIA	Office of Independent Adjudicators
PAS	Plagiarism Advisory Service
PDS	Plagiarism detection software
PM	Prime Minister
RAE	Research Assessment Exercise
THES	The Times Higher Education Supplement
TV	Television
UK	United Kingdom
US	United States
USA	United States of America

Chapter 1 Introduction

The purpose of this chapter is to introduce the broad issues within the topic area of plagiarism, primarily but not exclusively in Higher Education, and to outline the overall aims and research questions of this work. Later chapters will explore the literature in more depth and will give explicit details of the studies employed, their findings and conclusions. However, before providing the reader with an introduction to plagiarism it is worth explaining my own personal reasons why this thesis was undertaken, and to provide context for situating it firmly within the University of Southampton.

1.1 Personal experiences and a developing interest in plagiarism

In the two years prior to starting this thesis there were two key events (described in more detail below) which were primarily responsible for stimulating my initial interest in plagiarism: a student plagiarism case for an undergraduate finalist studying on a programme on which I taught, and the arrival of the Joint Information Systems Committee (JISC) Plagiarism Detection Software (PDS), now called TurnitinUK. Other key incidents which occurred during that time and since, which I will not describe in detail here, have also provided me with a determination to ensure that students on the programmes for which I have direct responsibility receive appropriate teaching of academic integrity and information literacy so that they know, understand and follow expected citation and acknowledgement practices.

The student case left the teaching team of tutors (of which I was one) frustrated and angry that the student had been dealt with, in their opinion, far too leniently. The student had been found to have extensively plagiarised a piece of coursework, but the plagiarism panel decided that this student should be given an opportunity to resubmit the work without any marks penalty. This decision was primarily due to mitigating circumstances, the details of which were not revealed to tutors. Resubmission with the work to be marked out of 100% was afforded to the student despite the fact that this student had been caught and punished previously for plagiarism in their second year: a fact which the plagiarism panel were aware of, and a fact which negated any

claim by the student of ignorance of plagiarism and the need for proper citation and referencing. Interestingly, the resubmitted work from this student was also found to contain extensive sections of plagiarised work, and the leniency shown by the plagiarism panel ultimately proved to be unwise.

It was shortly after this student plagiarism case that I became aware of the JISC PDS. Initially, this appeared to me to be a system which would simplify plagiarism detection, and had the potential to eradicate the ‘hit and miss’ nature of finding plagiarised text. My early impressions were that the PDS would systematically find plagiarism and reduce the hours of searching to find the plagiarised sources. Of course, time has shown that this was not quite the panacea I thought it would be. However, this service *is* useful and, to this end, I have developed a plagiarism policy for the programmes on which I teach which specifically uses TurnitinUK. For first year undergraduates it has been used as a learning and teaching tool, and for second and third year undergraduates the tool acts primarily as a deterrent (J Price, 2006).

My growing interest in plagiarism, and a belief that this would be a blossoming and important topic in Higher Education, led me to the decision to undertake my PhD in this topic area. An early exploratory study (which will be explained later in this thesis), coupled with my experiences and frustrations from the student case highlighted previously, meant my attention was firmly focused on how plagiarism is dealt with in Higher Education in terms of penalties and sanctions once a case is found and proved. Hence, the broad focus of this thesis is to explore penalties awarded to plagiarism cases within Higher Education.

My interest in plagiarism has been maintained throughout the time I have been completing this thesis due to several factors: involvement with the University of Southampton’s Academic Integrity Working Group, tasked with reviewing and amending the University’s academic integrity policy; my involvement, as a representative of University of Southampton, with a plagiarism project based at Imperial College London which has produced teaching materials for students covering citation, referencing and plagiarism; and my role in reviewing the TurnitinUK originality reports generated by the plagiarism policy indicated previously (J Price, 2006). The fact that academic integrity and plagiarism is integral

to my work at University of Southampton means that I will draw on extensively, although not exclusively, the University throughout this thesis: I will use examples from Southampton which help provide context and background and most, although not all, of the studies recruited participants from within the University.

Having provided a personal context to this work, it is now pertinent to review the wider context of plagiarism to aid the reader in understanding, more fully, the aims of this thesis.

1.2 Academic integrity and plagiarism: where does it all fit?

Academic integrity is a fundamental principle underlying education, and University of Southampton is no exception in using this principle to create a policy of expected working practices for both staff and students. The Centre for Academic Integrity (CAI) defines academic integrity as “a commitment, even in the face of adversity, to five fundamental values: honesty, trust, fairness, respect, and responsibility.” (Centre for Academic Integrity, n.d.) Academic institutions normally have policies and regulations exemplifying such underlying core values. For example, Oxford Brookes University (2005) present an opening statement on their Student Conduct Regulations and Disciplinary Procedure web page:

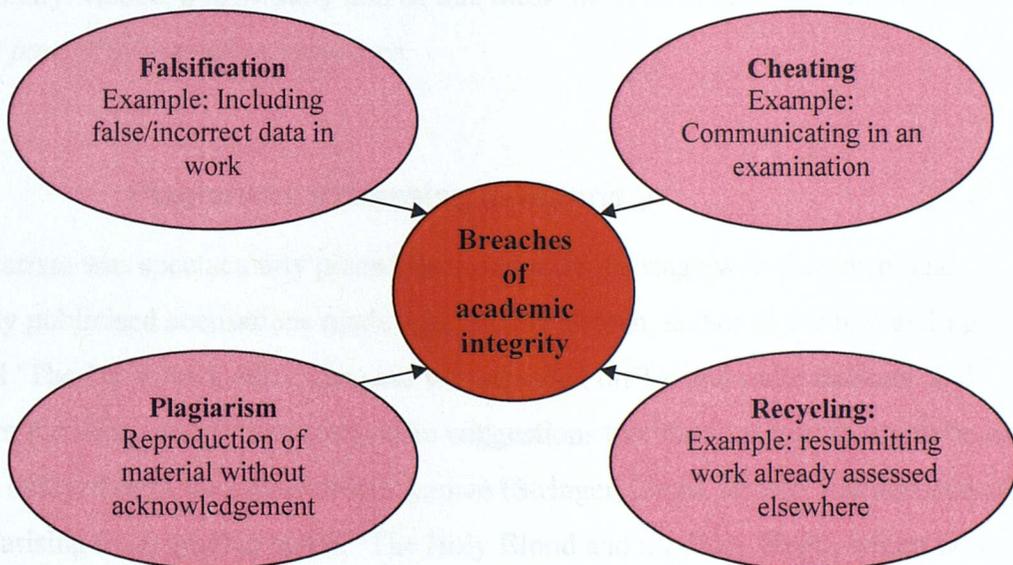
“The Student Conduct Regulations and Disciplinary Procedure are intended to set and maintain acceptable standards of behaviour within the University community, to encourage individuals to accept their obligations to the community, to protect the rights of members of that community to participate freely in the educational purposes of the University and to help maintain the University's good name and standing.”

The University of Lancaster produced an institutional framework document in 2003 which was later revised (Park, 2006) and which demonstrates that the University strongly aligns with the notion of academic integrity indicated by the CAI. There is a section early on in the framework document which states that:

“Core values of academic integrity (honesty and trust) lie at the heart of our academic enterprise, and they underpin all activities within the University. The University values a culture of honesty and mutual trust, and it expects all members of the University to respect and uphold these core values at all times, in everything that they do at, for and in the name of the University.” (Park, 2006)

The University of Southampton’s policy also aligns with the key values identified by the CAI, suggesting academic integrity is about “conducting all aspects of your academic life in a professional manner” (University of Southampton, 2006). The University of Southampton policy document exemplifies its meaning with a list of expected ‘behaviours’, for example, “respecting the rights of other scholars.” (University of Southampton, 2006) The act of plagiarism, broadly defined as “the stealing of someone else’s work and presenting it as your own” (Collins Compact English Dictionary, 1994: 655) therefore, is a breach of academic integrity. Compared to the definition of academic integrity provided by the CAI, plagiarism involves dishonesty and is, therefore, a breach of, at the very least, their first fundamental value. In reviewing the University of Southampton’s academic integrity policy document, plagiarism means that the individual does not acknowledge the work of others and breaches the third exemplifying note that states that academic integrity involves “Fully acknowledging the work of others wherever it has contributed to your own.” (University of Southampton, 2006) The act of plagiarism, therefore, sits alongside acts such as falsification of data, taking notes into examinations, and other such breaches of academic integrity as shown in Figure 1.1.

Figure 1.1 Breaches of academic integrity according to University of Southampton (University of Southampton, 2006).



1.3 Defining plagiarism

As indicated previously, a dictionary definition for plagiarism is “the stealing of someone else’s work and presenting it as your own” (Collins Compact English

Dictionary, 1994: 655), and provides a simple starting point. However, as will become apparent in the overview chapter (chapter 2), plagiarism is far from simple. For example, according to Park (2003) plagiarism can be defined along a continuum from inadvertent plagiarism to blatant cheating and there may not be, therefore, an easily definable single point at all. Where it might be located along the extended continuum from collaboration to copying is even less clear. This is demonstrated by Culwin and Lancaster (n.d.) who, in their diagram, show two different points: between collaboration and collusion they suggest there is a point where plagiarism *may* begin; between collusion and copying they suggest there is a point where plagiarism *definitely* begins. This difficulty in defining plagiarism highlights just one of the complexities surrounding this topic area, and throughout this thesis it will become clear that plagiarism is a complex, multifaceted subject.

I was lucky enough to meet Jude Carroll at the JISC Plagiarism Conference (2004), just nine months into my work on this thesis. I recall her stating, both in a workshop and in her keynote speech, “Welcome to plagiarism, it’s complicated.” There is no doubt she is correct since, as indicated above, even defining plagiarism becomes problematic once we look beyond the straight forward definition provided in any dictionary. Hence, one primary aim of this thesis must be to make sense of at least *some part* of this complex topic area.

1.4 Plagiarism: increasing in notoriety

Plagiarism was spectacularly placed on the worldwide stage with the recent and highly publicised accusations made against Dan Brown, author of the best selling novel ‘The Da Vinci Code’. The case was reported on TV and radio stations, and before the court case started there were suggestions that the film release might have to be delayed until the outcome was known (Stringer, 2006). Brown was accused of plagiarising from another novel, ‘The Holy Blood and the Holy Grail’, which was written by Baigent and Leigh some two decades earlier. The final outcome found in favour of Brown leaving Baigent and Leigh with huge costs (Hamilton, 2006). The high levels of publicity surrounding the case put plagiarism firmly in the public eye. Previous to this, other recent instances to gain public notoriety have been the Iraqi dossier (Whitaker and White, 2003), the admission of ‘unintentional borrowing’ by

the young author Kaavya Viswanathan (Bone, 2006) and the defeat of Madonna in a plagiarism case over her 1998 song Frozen (BBC News, 2005) to name but a few.

1.5 Plagiarism in Higher Education: also an increasing problem?

Whilst public awareness of plagiarism has grown in more recent years, it has long been seen as a ‘problem’ within academia. For example, Moeck (2002: 479), when referring to the stores of essays and other academic work in US halls of residence, reports that “In the 1960s freshmen students heard stories about the sorority and fraternity house file cabinets bulging with treasure troves of academic “goodies”...” However, there appears to be concern amongst the academic fraternity that the incidence of plagiarism is on the increase, and that some institutions may not be dealing with the problem (Mertz, 2005). The rise in plagiarism in UK institutions was evidenced in a PM special report (Radio 4, 2003) which was broadcast shortly before this PhD project was proposed, detailing the findings of a survey on plagiarism in Higher Education in the UK. It was stated in the programme that in a survey, which was carried out in the summer of 2003, 1600 cases of plagiarism were reported by 31 universities, although some universities had no figures to report, and others only logged ‘serious’ cases. Of the 31 universities who responded to the survey, 10 reported plagiarism to be ‘*occurring much more*’ and 14 reported ‘*more*’ than previously. Since then, more and more alarming statistics have appeared in the news. For example:

- Baty (2005) reported that dissertations were being sold on eBay;
- Baty (2006) reported that by extrapolating figures from one survey it was possible to estimate that there are 90,000 undergraduate plagiarists in this country;
- In ‘Today’s News’ (2006) it was estimated that 1,000 British students have bought essays from internet sites;
- Shepherd (2006) reported that copying from friends was common practice (one in six), and that 10% of students admitted to searching the web for essays;
- Hooper (2008) reported that there was an increase in plagiarism in several universities with cases at University of the West of England rising to 300: a

1% increase over the previous year. The article also highlighted “contract cheating” as a major problem.

Whilst Rosamond (2002) suggests it is not possible to determine if plagiarism is indeed on the increase, most likely because of poor records and difficulties in discovering plagiarised work, he believes two factors have been responsible for increasing the limelight on plagiarism. The first, he suggests, is auditing and quality mechanisms requiring institutions to make their regulations and procedures more transparent, and the second being the selling of papers on the internet. With the rapid expansion of the internet there is now, more than ever before, easy access to vast and varied sources of information and data making it easy to plagiarise (Gresham, 2002; Park, 2003). The internet in this case can be blamed for making it harder to spot plagiarism. In light of the extensive availability of materials accessible on any subject, tutors cannot be expected to know, with any level of familiarisation, *all* the information on their subject which has been published in *all* the various sources, in *all* the various languages (books, journals, news papers, magazines, material on the internet etc). On the other hand, the advent of the web can be seen as a helpful tool to the tutor: it has been suggested that a simple and quick search on the web is all that is needed to show a student has plagiarised (Mann, 2003). If plagiarism is indeed increasing, Higher Education institutions are going to have the ever increasing problem of dealing with it in this technology driven age.

1.6 Dealing with plagiarism in Higher Education

In cases of plagiarism, the point at which cheating begins and prosecution takes place, not necessarily the same point on the continuum, is clearly up for interpretation by individual institutions, and is, at best, a ‘grey area’. In 2000 it was reported by Baty that the Quality Assurance Agency’s code of practice, in draft at the time of his report, “says that institutions must give students clear guidance on what is deemed academic misconduct” (Baty, 2000). This places a heavy burden of responsibility firmly at the foot of the institutions rather than entirely at the feet of the student. An interesting case of plagiarism is cited in Steffani and Carroll (2001), whereby a student successfully avoided punishment for plagiarism on the grounds

that (he) was not given advice or guidance pertaining to referencing of materials. Consequently, there are two fundamental problems for institutions which arise:

1. How to ensure that students do not commit plagiarism in the first place;
2. How to identify and punish those who do plagiarise.

The former fundamental problem is clearly a learning and teaching issue where students need to be guided from a point of ignorance to one of understanding and hopefully good practice. Macdonald and Carroll (2006: 235) highlight this particular fact when calling for a 'holistic approach' to plagiarism. They suggest that a holistic approach should include "ensuring students have the appropriate information and skills within the context of a scholarly/academic approach to learning." It should be acknowledged, of course (albeit cynically), that in teaching students about plagiarism and best practice in avoiding it, this may actually lead to students being better tooled to commit it without detection.

The latter fundamental problem (2 above) is, in simple terms, a process and procedural issue where plagiarism needs to be identified and a prosecution case needs to be built in order to show that a student has 'crossed the line', given certain criteria to define that line. This raises issues of complexity, however, in regard to finding/identifying plagiarism in the first place, and then defining the line and the interpretation of the 'gravity' of the offence. It has been suggested that these two things should ideally be considered separately, i.e. show they have done it and then determine the appropriate penalty (Carroll, 2002). Institutions need to define at what point prosecution should take place and the varying degrees of penalty which should be awarded if guilt is demonstrated. The term penalty at this point is taken in the broadest sense. The range of penalties might span considerable breadth of options (as shown in several sources, for example, from the AMBeR project (Tennant, Rowell and Duggan, 2007)): it could simply be that the student is given a warning and is shown how to correct their work, through to more severe punishments such as failing the year or expulsion. With 'common knowledge' not requiring acknowledgement, and the fact that expectation of student performance will vary according to discipline and level (Steffani and Carroll, 2001), it may not, of course, be possible to define a *single* line beyond which a student is guilty of plagiarism and punished.

1.7 Researching plagiarism and the scope of this thesis

Despite the increasing interest, and consequently the increasing volume of literature being published in the field of plagiarism, this area is growing so fast, particularly with the development of cheating strategies (use of web sites and bought essays for example), and detection strategies (use of detection services and tools such as that provided by TurnitinUK), that further research in this area was, at the time of starting this thesis, and still is paramount. At a Plagiarism Discussion Forum held on 30th April, 2003, Professor Slater reported that “We currently have inadequate strategies to deal with plagiarism” (Slater 2003). This scepticism of the status quo at that time was echoed by Utley (2003) who stated that:

“The furore surrounding the apparent explosion of plagiarism has yet to produce a consensus on the best way to detect or prevent copying and collusion in higher education.”

Similarly, Park (2003) was also calling for:

“UK institutions to develop cohesive frameworks for dealing with student plagiarism that are based on prevention supported by robust detection and penalty systems that are transparent and applied consistently.” (Park, 2003: 483)

Consensus and consistency, it would appear, therefore, are key principles to be upheld when dealing with plagiarism cases. Hence, it is important at this stage that these terms are defined.

Agreement is defined as “To be of the same opinion...to be consistent” (Collins Compact English Dictionary, 1994: 15). In the context of sanctions in plagiarism cases, this would mean that two or more tutors would agree that for ‘case X’ the penalty should be ‘penalty Y’. For example, it might be that tutors could agree that a bought essay from the internet and submitted by an undergraduate student should receive a mark of zero. It could also be, however, an agreement regarding the characteristics of the student, or the nature of the case, and how this affects a penalty choice. For example, it might be that tutors could agree that final year undergraduate students should receive a harsher penalty than a first year undergraduate student, or that a greater amount of material plagiarised should receive a harsher penalty.

Wherever *agreement* is the key concept throughout this thesis the term *consensus* will be used.

In returning to the example of the bought essay and the penalty of zero for the work, if that penalty award has been agreed for that particular characteristic of a plagiarism offence, it will be important that this penalty is the only penalty applied every single time such a case is proven. The notion of the same type of cases being given the same penalty for different students alludes to the notion of consistency, which is defined as “Holding to the same principles.” (Collins Compact English Dictionary, 1994: 176) In dealing with cases of plagiarism this might also mean that, if there is an agreed principle such as treating a postgraduate harsher than an undergraduate, then if two similar cases come forward whereby only the level of the student is different, the penalty awarded has to, therefore, be a more lenient penalty for the undergraduate student. Hence, wherever the notion of ‘*holding to the same principles*’ is the key concept, the term *consistent/consistency* will be used.

It is interesting to note that Carroll and Appleton (2005) and Yeo and Chien (2007) use the term *consistent* when actually referring to the notion of *agreement*, which is at odds with the proposed use of the term in this thesis. In order to avoid confusion, when referring to Carroll and Appleton’s work or Yeo and Chien’s work, the meaning, according to that used in this thesis, will be inserted in square brackets, next to the term used in Carroll and Appleton or Yeo and Chien’s work. This should help to make it clear to the reader exactly what is meant by the terms used.

Research into plagiarism could be undertaken in prevention, detection or punishment, and each are potentially extensive and hence, it is beyond the scope of this thesis to explore each and every one of these facets of plagiarism. However, it is evident from some authors that there is a lack of willingness on the part of tutors to pursue cases of plagiarism (Martin, 1992a). If Higher Education institutions are to hold up plagiarism as an offence, then tutors within that working environment must have the confidence and willingness to seek out, and deal effectively with offenders. Previously, institutions had little guidance on how this can best be achieved to ensure consistency of penalty and fair treatment of those involved. Indeed, Macdonald and Carroll (2006: 233) suggest that “Before 2000 in the UK...[universities did not often] state procedures for dealing with offenders.” Although, it must be acknowledged that this situation has improved rapidly in recent years with help from

such sources as the JISC Plagiarism Advisory Service (PAS), more recently renamed JISCiPAS, and soon to be renamed as plagiarismadvice.org, and authors such as Carroll. Carroll, for example, has run workshops around the country, written a key text on plagiarism (2002), written helpful documents which can be found on the JISC PAS web site, and has also been a key figure at the three JISC Plagiarism Conferences (2004, 2006 and 2008).

The focus of this thesis will be in punishing plagiarism once it has been found rather than addressing the questions of deterring or detecting it. This decision was taken because, as will be seen in the next chapter, this was the area least researched compared to prevention and detection when this thesis was started. Carroll (2002), Park (2003) and Deech (2006) have all called for punishments to be fair, appropriate to the 'crime', just and applied consistently. Hence, the broad aim of this thesis is to explore these principles with the following research question:

1. Is there consensus and consistency when punishing cases of plagiarism?

The expectation, when considering this question, was that a lack of consensus and consistency would be found, although the level and nature of it was not predicted. Hence, two further research questions for this thesis were outlined for investigation:

2. If a lack of consensus exists and there are difficulties in applying sanctions consistently, what is the nature and extent of the disagreements and difficulties?
3. Can anything be done to move Higher Education institutions, and those that work in it, towards achieving the principles of consensus and consistency?

As will be seen in later chapters, these questions can be refocused into two key aims with related research questions. Hence, suffice to clarify at this point, the aims and research questions of this thesis are:

Aim 1:

To explore and attempt to understand the nature and extent of consensus and consistency, or more likely the lack of it, amongst individuals when punishing cases of plagiarism.

Related research questions:

1. Does consensus exist, within and between individuals working and studying in a Higher Education Institution, regarding the sanctions which should be awarded to students found guilty of plagiarism?
2. If consensus does not exist, can we understand the nature of disagreements?
3. Can individuals working or studying in Higher Education apply sanctions consistently for different cases of plagiarism?

Aim 2:

To explore and evaluate possible solutions to move Higher Education institutions, and those that work in it, towards achieving the key principles of fairness, appropriateness, justice and consistency.

Related research question:

1. What is the influence of different penalty systems and sanctions on decisions made for cases of student plagiarism?

Chapter 2 Overview: plagiarism in context

2.1 Introduction

This chapter provides an overview of the literature which currently exists in the area of plagiarism. Plagiarism is reviewed as a topic in its own right although, as acknowledged in the introduction, it is a sub-topic within the area of academic integrity and cheating which also includes misdemeanours such as copying in examinations and fabrication of results. The broader issues of cheating and academic integrity will not be discussed in this overview since there is too much literature to cover with such a generic topic.

Whilst the focus of this thesis is on plagiarism in Higher Education, this particular chapter will not be limited exclusively to literature dealing only with plagiarism at undergraduate and postgraduate level. This is because it is useful to have a broader view of the topic area in the first instance, and also that work undertaken in, or written about, other settings, for example, in schools and colleges, may well have relevance to Higher Education situations, even if it has not been explored or commented on specifically within that context.

In the introduction it was highlighted that there are three key areas which could be explored for the topic of plagiarism: prevention, detection and punishment. This chapter, therefore, will provide an overview of each of these three areas. However, first it is necessary to define key terms and set plagiarism in context with fraud, cheating and copyright.

2.2 The relationship with fraud, cheating and copyright

Whilst the origin of plagiarism appears to go back to ancient times, in the more modern era the 1700's was a critical point in history when tracing back the advent of plagiarism (Howard, 2000) and copyright. Mallon (1989) suggests that the word plagiary was first used by Ben Johnson in the early 17th century to mean literary theft (cited in Park, 2003), and several other authors detail important publications and acts

during that century linked to these two terms (see Angéllil-Carter, 2000). It is clear, therefore, that the basic concepts we now assign to the words plagiarism and copyright are several hundred years old. Undoubtedly though, time has moulded and reshaped them.

At this point it may be prudent to take the approach Angéllil-Carter (2000) took in trying to determine what plagiarism is. Hence, a starting point is to compare definitions of the words plagiarism, fraud, cheat and copyright.

Plagiarism “To steal ideas or passages from (another’s work) and present them as one’s own.” (Collins Compact English Dictionary, 1994: 655)
Thesaurus alternative words: copying; theft (Collins Paperback Thesaurus, 2001: 544)

Fraud “Deliberate deception or cheating intended to gain an advantage.” (Collins Compact English Dictionary, 1994: 334)
Thesaurus alternative words: deception; cheat (Collins Paperback Thesaurus, 2001: 295)

Cheat “To act dishonestly in order to gain some advantage or profit.” (Collins Compact English Dictionary, 1994: 136)
Thesaurus alternative words: deceive; defraud (Collins Paperback Thesaurus, 2001: 112)

Copyright “The exclusive legal right to reproduce and control an original literary, musical or artistic work.” (Collins Compact English Dictionary, 1994: 183)
Thesaurus alternative words: none given in the Collins Compact English Dictionary (1994)

Deception and dishonesty clearly link the first three, however, plagiarism must be a sub-set of fraud and cheating since the latter two certainly have a wider connotation than plagiarism alone. For example, inventing fictitious results in an experiment for

an assessment would be cheating and fraudulent, but it could not be deemed plagiarism as no unattributed copying has taken place. This view aligns with some Higher Education tutors' views as reported by Flint, Clegg and Macdonald (2006). However, they also report that some staff *would* classify such activities as plagiarism. Indeed Flint *et al* (2006: 149) even found that one of their interviewees believed "cheating in a test or exam constitutes plagiarism." If guilty of plagiarism, particularly if intentional, however, it must be fraudulent due to deception, and is cheating due to dishonesty, undertaken most likely in an attempt to improve assessment grades, and hence, gain advantage. Fraud, cheating and plagiarism may not be completely synonymous, but there is understandably interplay and overlap, as illustrated by the examples above. Similarly, it can be seen that "Plagiarism of published material...almost always involves a violation of copyright laws" (Stone, 2003: 47), and is a fraudulent act. The key here is that the written word is protected. Whilst ideas can, in theory, be plagiarised, they cannot be protected by copyright laws (Angélil-Carter, 2000).

Logic would suggest that the 'idea', however, *should* be conveyed by the written word and so *should* have *some* protection. However, the Da Vinci Code case may well negate this argument since ideas in Brown's book clearly overlapped with those in the earlier published novel, *The Holy Blood and the Holy Grail*, even if the direct text did not. Yet Brown defended the accusations of plagiarism successfully. It is possible, therefore, that plagiarism within academia and plagiarism in publishing are understood and operate differently within each of these spheres: plagiarism of ideas in the world of publishing may appear more open to interpretation than within academia. This could explain why, as far as copyright is concerned, Angélil-Carter (2000: 17) goes so far as to suggest that "Old laws of copyright are not adequate to deal with the exchanges of information possible on electronic networks, and global conference networking", and goes on to suggest therefore, that "The concept of plagiarism may have to undergo substantial transformation." (Angélil-Carter, 2000: 17)

2.3 What is plagiarism?

The challenge of defining plagiarism sounds easy on the face of it, although, as already indicated in the introduction, this does not turn out to be the case. Barrett and Cox (2005: 108) allude to this apparent contradiction between the simplicity and complexity of defining it when they suggest “Plagiarism is superficially an easy concept and most students will be able to give a definition.” Go to any dictionary and a definition can be found. However, there is one author, Howard, who reports a lack of consensus for its definition and, therefore, suggests it is not even possible to define it (Howard, 2000). Her reasoning is that “it does far more work than it admits to.” (Howard, 2000: 474) An interpretation of Howard’s meaning might be that the notion of it being ‘copying without acknowledgement’ is too simplistic, as there are issues to be unpicked around this act which muddy the waters and blur the edges of such a neat and tidy definition. Such issues as intent, cultural background, expectation and conventions of the subject area they are writing in, and nature and extent of the copying and presentation, to name but a few, complicate the seemingly simple principle. All these issues will be discussed throughout this overview and hence, will not be expanded further here. However, it is worth noting at this juncture that Howard has a radical suggestion: to abandon the use of the term completely and to replace it with “more specific, less culturally burdened terms: *fraud*, *insufficient citation*, and *excessive repetition*” (Howard, 2000: 475). Howard, as will be shown later in this chapter, is not alone in calling for a rethink about the terms we use, however, exchanging plagiarism for use of a term such as fraud would seem to be a swap to yet another potentially highly charged term. If her intention is to suggest softening the perceptions of the term then this is achieved with her latter two suggestions. However, fraud is a term commonly associated with criminality, not just cheating in educational contexts. I am not convinced, therefore, that anything would be gained by using the term *fraud* rather than *plagiarism*.

The likelihood of the term disappearing, or being replaced within Higher Education discourse in the near future, is very slim indeed. Firstly, it has been around for a long time. McLemee (2004) suggests it was first used in the first century AD by a Roman poet who accused another writer of copying his work. Secondly, institutions and academic writers alike continue to use and debate the term with increasing fervour.

The JISC Plagiarism mailing list is just one example which could be cited to evidence this fact. It is possible, of course, that a revolution *may* take place in the future to rid us of the term, but there is little evidence of it gaining enough head of steam just yet, with only a few academics apparently voicing the challenge of change, for example Howard (2000) and Hunt at the JISC Plagiarism Conference in 2004. That said, the University of Southampton has chosen to rewrite their cheating/plagiarism policy and change it to an academic integrity policy, placing a positive emphasis on ‘good behaviour’ rather than focussing on ‘bad behaviour’. Of course, this has not eliminated the use of the term plagiarism since it appears in the list of breaches of academic integrity. Hence, at this point, it seems sensible to take the view that it will not disappear and that it *can*, therefore, be defined.

Like many things which need defining, it is possible to find definitions of plagiarism which are worded in such a way that their meaning can be interpreted slightly differently from one another. Angélil-Carter (2000), for example, highlights this by comparing four different definitions of plagiarism. Three of them, she suggests, show a strong indication towards “intentional misrepresentation” (Angélil-Carter, 2000: 16), but in the fourth she suggests “The sense of intentional misrepresentation is much weaker.” (Angélil-Carter, 2000: 16) Generally, however, the underlying principle is that plagiarism is pertaining to *stealing* the work of others, a term already seen in the dictionary definitions provided. For example, Stone (2003) amalgamated several definitions to conclude that:

“Plagiarism is the use of another person’s idea, work, words, data, results or illustration without giving the actual author proper credit, and thereby or otherwise representing that the material is one’s own.” (Stone, 2003: 47)

There is little doubt that many definitions, and much of what is written about plagiarism, give an emotive and negative stance to plagiarism. For example, in the introduction the Collins Compact English Dictionary definition was given which uses the term ‘stealing’ which, by dictionary definition, is “to take (something) from someone without permission or unlawfully” (Collins Compact English Dictionary, 1994: 858). The act of plagiarism is a breach of academic integrity and hence, can be seen as ‘bad behaviour’. So it is hardly surprising that a negative stance is taken. Levin (2003) even goes so far as to suggest that “academia seems to be in the grip of a ‘moral panic’”, and that this has resulted in students being “faced with regulations,

instructions and injunctions containing emotive language and terminology that is open to a variety of interpretations.” (Levin, 2003: 7) Levin does not give specific examples himself and so, in searching several university sites to find examples to illustrate his point, it would seem that institutions are, in fact, making changes to their regulations to reduce this problem. I was unable to find examples which I felt illuminated Levin’s point. It is quite feasible, of course, that regulations have been revised since Levin published his work and so examples to which he was referring might no longer exist. Or it could be, of course, that a more extended search may have found such examples. That said, plagiarism is still often hidden within a general cheating or assessment policy or academic integrity policy, as with the University of Southampton, which is usually several pages long. Such policies are not likely to be read by students with any great attention unless, of course, they are accused of plagiarism or some other act of cheating. Perhaps the extended length and academic language used in such policies may result in students not reading or understanding the policy fully and hence, misinterpretation could result. Indeed, Macdonald and Carroll (2006) firmly believe that institutions must take responsibility for ensuring that students are aware of their policies, and should not rely on simply placing the information into handbooks in the hope that students will read and understand it.

In writing this thesis, I have opted to use such words as ‘crime/criminal’, ‘punishment’, ‘prosecution’ and so on, all of which may seem extreme and judgemental, but they serve their purpose in not trivialising plagiarism. This is not to say that I agree or disagree with their intimation of severity in this context, but more that I think this reflects the general feelings surrounding the topic and is a useful way to illuminate such aspects to the reader. Macdonald, back in 2004, stated that:

“Plagiarism is a serious threat to academic standards, and it is perfectly justifiable to use militaristic metaphors such as ‘the war against plagiarism’ and ‘traitors in the ranks’.” (MacDonald Ross, 2004: 1)

Although, he does go on to suggest that *he* is “more sympathetic to anarchism, postmodernism, and other movements of thought...provided they are not used to subvert our attempts to eradicate plagiarism.” This would suggest that he accepts that the influence of progress may soften the notion of the wrongfulness of plagiarism, but that this should not mean acceptance and no action, either in terms of prevention or punishment.

Leask, at the JISC Plagiarism Conference (2004), discussed the use of metaphors and the fact that many give the impression that it is a power struggle between, for example, the academy and the rest of society. In this it could be interpreted that two sides exist and oppose each other, and that academia views itself as holding values which they believe places them on the moral high ground, above those who are 'uneducated'. However, such values *might* be seen as antiquated, Victorian and less relevant today, given the widening participation agenda is resulting in an influx of increasingly diverse students who may not hold the same views as those in Higher Education previously (Cummins, 2008). A new generation of student, in tune with modern society and a relaxation of attitudes towards numerous things, as seen in society generally, may mean that academia has to soften their previously stringent views, rather than current students falling in line with old beliefs and values. Leask (2004) put forward the suggestion that it would be nice if the war metaphors could be abandoned and replaced with more positive ones, and continues to express her concerns two years later when she writes:

“In this paper I argue that the use of crime, war and battle metaphors in the construction of plagiarism position staff and students in higher education institutions as protagonists and are not helpful.” (Leask, 2006: 183)

It is difficult, however, to see how we might achieve the disappearance of such terms. Maybe if there is less talk about plagiarism and more about citation then the negative context of plagiarism could be lost, as it would not be the topic of conversation. The fact that plagiarism has become so 'high profile' may have resulted in Levin's (2003: 2) comment that “In this climate there has come into being something of an anti-plagiarism 'industry' in the UK, mounting a 'witch-hunt' against plagiarism.” Both academics and publishers, of course, have vested interests in ensuring work is acknowledged appropriately and that 'originality' is clear to the reader (Anson, 2008), but if Levin is correct with his assessment of the situation, then it will be necessary to temper and control what could become a wave of extremism. Personally, I am not as sceptical as Levin because plagiarism seems to have attracted interest from a broad range of individuals, many of whom are interested in understanding plagiarism and bringing resolution through sensible, fair and just means. In this country key influential individuals and organisations such as

Carroll, Deech and JISCiPAS would, I am sure, counterbalance any witch-hunt movement if it gained too much momentum.

At this point it seems pertinent to return to Howard's suggestion, alluded to earlier, of not using the word plagiarism but replacing it with something more appropriate (Howard, 2000). Hunt, at the JISC Plagiarism Conference (2004), commenting after one key note speech, suggested that it might be better to use the term 'text appropriation', and that some sections of text appropriation within a piece of work might be good and other sections not so good. Reddy, at the JISC Plagiarism Conference (2006), asked why we could not use 'copying' rather than plagiarism, and Levin (2006: 23) calls for the use of 'lifting' to replace the terms 'stealing' and 'theft'. Hence, the word plagiarism *could* disappear altogether if such alternative descriptions were used.

In tracing the origins of the word, Angélil-Carter (2000: 16-17) suggests "it has been regarded as a criminal activity – parallel to stealing other people's offspring!" It appears in some literature, however, that 'intention to deceive' is a key element. If this is the case (although it is acknowledged that not everyone would agree with this position), then one critical factor in plagiarism cases which are being, or should be, taken forward for punishment is the burden of proving intent to deceive. This must go beyond simply showing it has happened, to showing that it was the intention of the student to cheat in this manner. It is interesting to note here that Angélil-Carter (2000) argues that most undergraduates do not intend to deceive but *can* end up plagiarising work, if we take the definition in the strictest sense, as part of the learning process. Her point, however, is that most undergraduate writing may not actually be plagiarism at all if intent to deceive becomes a key defining factor. This will be explored, along with the burden of proof for intent, in more depth later in this chapter. If Angélil-Carter is correct, however, with her assumption here, then perhaps it is worth considering a change of term for undergraduate students, such as text appropriation rather than plagiarism as suggested earlier, but that plagiarism could still be used in other situations, such as for postgraduates or academics, who are experts in their field and are more likely to know and understand the requirement for acknowledgement. That said, the interviews undertaken by Flint *et al* (2006)

demonstrate that there may still be confusion amongst academics and that the assumption they understand plagiarism may be misguided.

However, at this point it is worth noting that academia may be at odds when deciding if intent is a key aspect and that academics (and others) can, in fact, plagiarise without intent. This was aptly illustrated by a heated debate which took place on the JISC Plagiarism e-mail list (June 2006). Smith (pseudonym) wrote:

“The paragraph to which he [a list member] refers in the extract below, which is at the foot of page X of my paper, should have been indented. By an error on my part (now corrected), it wasn't. Just as well that I'm not a student at [a UK Higher Education institution], where - even though that paragraph was properly footnoted - 'we are clear that this would be regarded as plagiarism!'”

Jones (pseudonym) replied with:

“I would argue that plagiarism does not require an intent to deceive - if the work appears to pass the work of others off as your own, then it is plagiarism. Hence, when [Smith] says: "a beautiful example of how a simple error in setting up a document can lead to the writer being accused of plagiarism", I think that should actually read: "a beautiful example of how a simple error in setting up a document can lead to the writer committing plagiarism".”

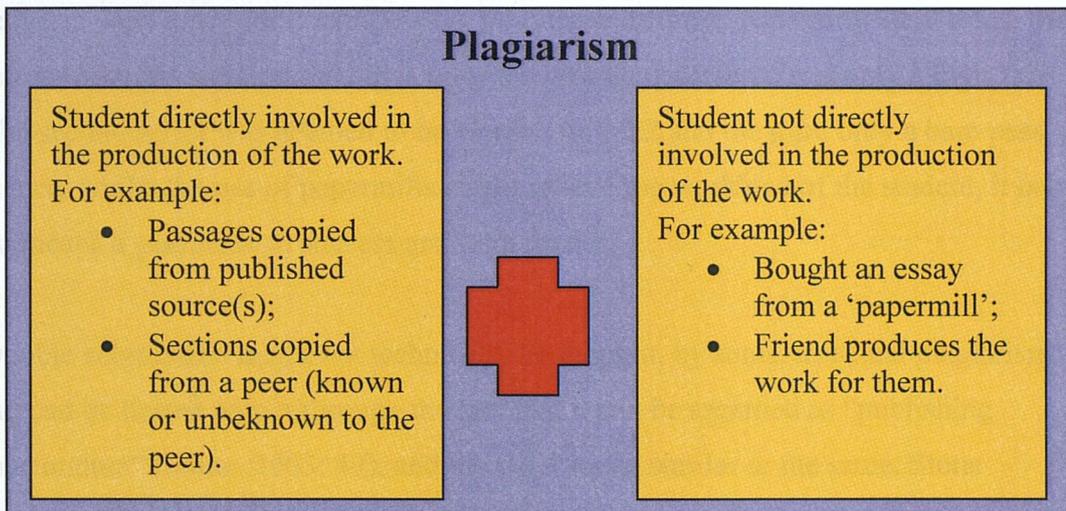
Hence, it would seem that one major debate about plagiarism is fuelled, fundamentally, by whether intent should or should not be considered, and presumably, ultimately influence the imposed punishment.

2.3.1 Manifestations of plagiarism

Many authors highlight different forms/types of plagiarism, either in terms of the ‘mechanics of the writing style’, or the nature of the plagiarism. In reviewing Evans (2000), Franklyn-Stokes and Newstead (1995), Martin (1994) and Park (2003), it is clear that there are many different forms of plagiarism, and not all listed infringements by one author coincide completely with those identified by other authors. However, an overview of the literature would suggest that plagiarism ranged from: copying of written text; stealing ideas and arguments; having work produced by others; recycling work; and inappropriate or missing acknowledgements. In all cases the key point is that the work does not acknowledge the true source of the work, material or ideas.

The fact that there are so many different categories and descriptions for plagiarism highlights why there may be so much difficulty in dealing with it. Even if plagiarism is easily defined as a basic concept, the difficulty is using that as a yard stick against which to judge the written work which is handed in. However, one thing which does become clear is that plagiarism can very broadly manifest itself into two forms (see Figure 2.1) when we consider the plagiarists involvement in the act: one is where the student, or anyone for that matter, has actually done the copying; the other is where someone else has done the work without input from the student (or any individual) who ultimately hands in the work claiming it to be their own.

Figure 2.1 Two forms of plagiarism



For many tutors the most fraudulent behaviour is most likely when the student has not done any work at all in creating the essay, not even cutting and pasting. The use of already written, off the shelf essays is not a new concept. Paper stores of essay banks in halls of residence were rumoured to exist in US colleges in years gone by (Moeck, 2002). However, the internet has increased the accessibility of them, with sites offering anything from previously written essays on generic topics to work specifically 'written to order'. Gresham (2002) describes the problem:

“Essays bought by students is a form of plagiarismToday such essays can be bought on the web. Sites such assell essays for varying costs. Some try and protect themselves from legal ramifications by placing disclaimers which place the responsibility with the student if it is handed in as

their essay, others are open regarding their intent e.g. Cheater.com” (Gresham, 2002: 16).

Possibly the most notorious individual in the UK linked with such essay papermills is Elizabeth Hall. Once an academic at the University of Central England, she now offers to produce work for students, essays right through to theses, which, she claims, are detection proof (Curtis, 2002). She even offers to put in ‘mistakes’ so that the work doesn’t appear too good and risk raising suspicion (Major, 2002). It even appears that she is expanding her operation, and Curtis (2002) reports that “in some cases they [academics working for Hall] are even marking essays they have written themselves.” It is interesting to note here that the quality of the work produced by such papermills is questionable. On a BBC Radio 4 programme called ‘Brains for Sale’ (broadcast on 15th April 2005), an illustration was undertaken whereby three requests were made for bought essays from three different papermill sites. When the returned scripts were marked by a tutor the best mark attained was only a high 2:2. The second script was deemed to be worth a mid 2:2 and the third only a bare pass. Hence, whilst the use of papermills might relieve the workload of the student, it is by no means a guarantee to success and high grades.

Double submission might not technically be thought, by some, as actual plagiarism but can be linked with it through the fact that it can be regarded as “publishing misconduct” (Stone, 2003: 47), and the work looks similar or the same. Stone explains the difference between the two by the fact that “double submission and double publishing involve the work of the same author(s). Plagiarism involves the work of one author being appropriated by another.” (Stone, 2003: 47) In some senses, double submission/publication is plagiarising oneself and therefore, probably should be included within a broad definition of plagiarism.

But academia must ask where to draw the line. In the introduction, the notion of a continuum rather than a fixed point has already been alluded to. Park (2003) suggests that plagiarism can be defined along a continuum from inadvertent plagiarism to blatant cheating. At one end there is the student who commits plagiarism through simple bad academic practice, for example, citing a source but not making it clear that the words they have written are taken directly from the original author’s work: the example of the missing quotation marks. It should be acknowledged that

ignorance, that is, not even realising they are cheating, is likely to play a part at this 'lower end' of the continuum. Interestingly, some authors, as highlighted by Park (2003), suggest it should not be forgiven even if it is inadvertent. Rosamond (2002) points out that ignorance is no defence in cases of law and so is not a legitimate defence in academia. Angélil-Carter (2000: 21-22), on the other hand, suggests that "Generally it is accepted that unintentional copying is 'sloppy scholarship' which is usually condoned though at the same time disapproved of." At the far extreme of the continuum there is the student who knowingly copies work from another person (fellow student or other personally unknown author) without acknowledgement, for example, copying a project or essay and handing it in as their own work. Whatever definition is used, Stefani and Carroll (2001) suggest that *all* definitions of plagiarism should mention *intent*. Angélil-Carter (2000: 22) points out that "It is where plagiarism is intentionally deceptive that it is most strongly condemned." Intent, however, is much harder to prove compared to demonstration that copying has taken place.

This may be part of the reason why issues around plagiarism are so complex. The indication is that authors view plagiarism differently, and Park (2003: 473) highlights this by suggesting that "Whilst many regard plagiarism as malpractice, others view it as poor practice." This brings the point back to the issue of intent highlighted previously. There would seem to be a continuum along which plagiarism lies, but it appears that at some presumably definable point, the line is crossed from plagiarism which can be forgiven, because it is unintentional, to plagiarism which is intentional and, therefore, is seen as 'breaking the law' or fraudulent. Whilst plagiarism per sé may not have legal connotations world wide, Moeck (2002: 480) points out that in the USA "In at least 14 states statutes make the sale of essays, term papers, theses and dissertations to students illegal." It is unclear as to why the 'selling of work' is illegal in the USA and not elsewhere, but what is probably more interesting is that it would appear, from this statement, that buying them is not illegal. This would be akin to punishing a drug dealer but having no penalty on the drug user who has purchased the drugs. Something which would seem at odds with usual forms of justice.

2.3.2 The relationship of collaboration and collusion with plagiarism

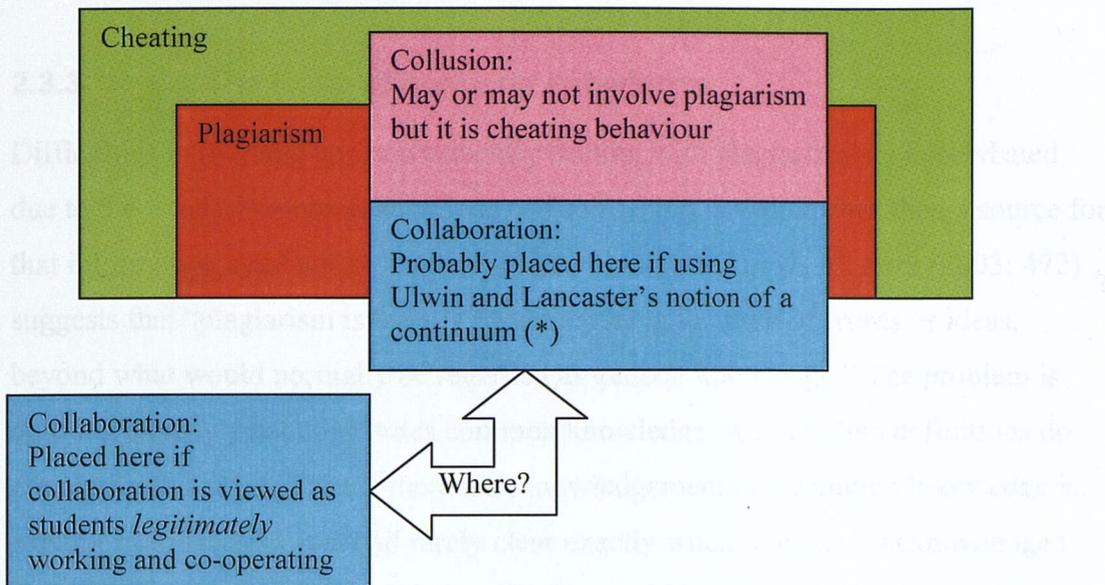
As already indicated in the introduction, collusion and plagiarism may be linked at some point (Culwin and Lancaster, n.d.). Whilst collaboration, where individuals legitimately work together or cooperate (Collins Compact English Dictionary, 1994: 159), may be specifically built into assignment work and may be valued as a skill to be developed in Higher Education (Carroll, 2002), collusion, which is defined as “illegal cooperation” (Collins Compact English Dictionary, 1994: 160), would be considered as cheating. Collaboration is given a positive spin whilst collusion has a negative one, with intention to deceive implicitly implied.

Not all collusion, however, takes the form of plagiarism. An example of non-plagiaristic collusion might be one student helping another to work on an assignment which is meant to be completed by the individuals alone and without help, but neither student directly copies from the other. This is assuming, of course, that plagiarism involves text and not ideas, as previously debated, or help of a different nature, for example, proof reading or discussing ideas with the student. The activity would definitely become plagiaristic if one student gave the other student their work to directly copy. Hence, it is possible to see that plagiarism can occur within collusion, but not all collusion is necessarily plagiaristic, depending on the definition used. Figure 2.2 attempts to provide a visual representation of the possible relationship between cheating, plagiarism, collusion and collaboration. Depending on the view of collaboration taken by an individual, it could fit partially inside, or completely outside, the cheating/plagiarism boxes.

The complexity of the interrelationship between these different activities is aptly demonstrated by Barrett and Cox (2005: 110) when they cite an extract from Keele University as follows:

Collusion is another form of academic dishonesty (cheating). It is similar to plagiarism. It is acceptable that students may well work together and exchange ideas. Indeed, in some instances such co-operation, collaboration or team-working, is encouraged. However, if the collaboration results in pieces of work submitted by individual students as their own work but which are essentially the same or very similar, collaboration becomes collusion. (Keele University:
<http://www.keele.ac.uk/depts/aa/regulationshandbook/plagiarism.htm>)

Figure 2.2 The relationship between cheating, collaboration, collusion and cheating: where does collaboration go?



In the Keele University extract it is clear that tutors may give ‘permission’ for students to work together, therefore, giving collaboration legitimacy. The difficulty may arise, of course, if collaboration is seen as legitimate by the students but not so by the tutors. It is imperative, therefore, that tutors give very clear guidance to students as to the parameters allowable in working with each other for each and any piece of assessment. The boundary between collaboration and collusion may well be clearer in the minds of staff than it is in the minds of their students. Perhaps the collaboration box fits as indicated by the star (*) in Figure 2.2 if we assume that collaboration has been allowed by a tutor but acknowledgement of that collaboration is expected but is not present in the work.

It is also possible that each student in a case of collusion may be guilty of breaking different regulations; one plagiarism and the other ‘academic dishonesty’ of some other kind. The fact that plagiarism can result from collusion means that this form of plagiaristic activity will be considered and discussed further within this thesis. Hence, no further discussion will occur at this juncture, other than to point out that when Barrett and Cox (2005) investigated staff and student views of plagiarism, collaboration and collusion, their results suggested that there may be “considerable agreement as to what constitutes plagiarism and collusion in the student cohorts”

(Barrett and Cox, 2005: 117); with plagiarism being viewed as the less acceptable of the two.

2.3.3 The issue of common knowledge

Difficulties in defining and consequently dealing with plagiarism are exacerbated due to the issue of common knowledge. If something is well known then a source for that information need not be attributed since ‘everyone knows it’. Park (2003: 472) suggests that “plagiarism is usually used to refer to the theft of words or ideas, beyond what would normally be regarded as general knowledge.” The problem is defining exactly what constitutes common knowledge. All too often definitions do not clarify this at all. Even if there is acknowledgement that common knowledge is exempt from citation, it is still rarely clear exactly when references/acknowledged sources are, and are not, needed. Angéilil-Carter (2000) suggests that it may be particularly difficult for students to differentiate between that which can be deemed common knowledge and does not, therefore, need a source acknowledged, and that which cannot and, therefore, does need a source acknowledged. Add to this other issues such as different expectations due to the level of the student, the discipline within which they are working, and the assessment criteria, it is not difficult to see that common knowledge can create understandable difficulties for students when deciding what should, and should not, have a source acknowledged in their work.

2.3.4 Definition of plagiarism to be used in this thesis

From the above discussions it is clear that many definitions for plagiarism can be found. It is important, therefore, to clarify which definition will be used for this thesis. As indicated at the end of Chapter 1, the research questions aim to explore consensus and consistency when punishing cases of plagiarism, with a specific focus within Higher Education. It is important, therefore, that this thesis explores a variety of different cases which are likely to be experienced in the Higher Education sector. Such cases, as evidenced in the literature, from personal experience and from discussions with tutors at conferences, will vary greatly in terms of the nature of the plagiarism itself and the type of student committing the offence. Hence, for the purposes of this thesis, a simple but broad definition of plagiarism will be used. This

will enable the investigation of many forms of plagiarism and will give the widest scope to this work. The definition of plagiarism, for the purposes of this study, needs to encapsulate both direct and indirect involvement of the student, as found in Figure 2.1, and the different forms of definitions and types of plagiarism, as alluded to previously. Hence, the following definition, provided by a key author in the area of plagiarism, will be used:

“Passing off someone else’s work, whether intentionally or unintentionally, as your own for your own benefit.” (Carroll, 2002: 9)

Carroll explains that this is widely used in institutions and goes on to fully explore each of the sections of the phrase (Carroll, 2002). For the purposes of this thesis, a key aspect is that this definition encompasses many forms of copying, from many different sources, being considered as plagiarism. Importantly, it includes collusion and does not restrict itself to intentional deception.

2.4 Different views of plagiarism

The problems of plagiarism, both in terms of defining it and dealing with it, are compounded by the fact that different people, institutions, cultures, establishments and professions, all view the act of ‘copying’ differently. For example, Ashworth, Bannister and Thorne (1997: 201) found that “In general, plagiarism is a far less meaningful concept for students than it is for academic staff.” Angélil-Carter (2000) highlighted different views held by tutors within the same institution. Martin (1994) gives examples whereby plagiarism occurs but is ignored, for example, ghost-writing of speeches. Anson (2008) shows that, if we look beyond academia, plagiarism can be acceptable and even helpful in some circumstances. Not *all* cultures criminalise it. Croxford (2001: 58) suggests that “the location of what cultures view as integrity varies.” The Far Eastern cultures, for example, have been cited as being predisposed to accepting plagiarism. Angélil-Carter (2000) explains that in the Chinese culture ‘copying’ is a form of flattery and is viewed positively rather than negatively. Sowden (2005), when discussing plagiarism and multilingual students, with particular reference to Chinese students, writes:

“It is not unreasonable to assume that a culture which tolerates the idea of students sharing knowledge and responsibility in this way, is one which is less likely to discourage copying and the appropriation of ideas from other sources without acknowledgement.” (Sowden, 2005: 227-8)

In response to the Sowden article, however, Liu (2005) states that plagiarism is not, in fact, acceptable practice in China, even if it *is* clearly a problem. Le Ha (2006), also responding to Sowden, warns that inaccurate beliefs about acceptability of such behaviour within that culture, and presumably others, would lead to false stereotyping of international students and would certainly be misleading: the argument being that culture is only one of many influencing factors (Liu, 2005; Le Ha, 2006). Moving away from the Far Eastern cultures, Banwell (2004) reported that many Greek students “did not have much experience of routinely referencing their sources in their written work.” Interestingly, Carroll, at the JISC Plagiarism Conference (2008), when outlining the international perspective of plagiarism, noted that the Swedish do not even have a word for collusion, and in Norway it is common practice to ‘boil’ ideas, a ‘think tank’ approach which aligns with collaboration.

We live in a multi-cultural society and can never presume that values are the same between individuals and groups of people. Higher Education in the UK is increasingly targeting diverse groups, particularly from overseas, and hence, cultural awareness is required, even if stereotyping should be avoided. Indeed, Leask (2004) suggests that “Culture affects the way we think, act and feel...Plagiarism cannot be fully understood or dealt with within a cultural vacuum...” Given that cultural diversity may result in a student having a different understanding of acceptable practice to that of the host institution, it is vital that institutions address this in the curriculum in order to ensure that everyone ‘knows the rules’ within the setting in which they are working (Macdonald and Carroll, 2006). This will be discussed further when reviewing how to deter plagiarism later in this chapter, however, as a closing note at this stage, Le Ha (2006) suggests that:

“To help students avoid being charged with plagiarism, it is necessary for academics to be explicit about what they expect in terms of citation and referencing and be willing to compromise over differences in writing practices.” (Le Ha, 2006: 78)

2.5 Who commits plagiarism and why?

Acts of plagiarism exist everywhere, although often we are not aware of it and sometimes little is done about it. Non-academic examples which spring to mind are many and varied:

- The Iraqi dossier produced by the British Government was argued to show significant overlap with a document produced by Ibrahim al-Marashi (Whitaker and White, 2003);
- Disney has used traditional folk stories as the basis for its many loved films (Lunsford and West, 1996, cited in Angélil-Carter, 2001);
- Park (2003) highlights the multitude of authors and other famous people who have been accused of plagiarism, ranging from Martin Luther King to George Orwell to Shakespeare to Steven Spielberg to Michael Jackson.

Only when accusations of stealing are taken to the law courts do the public become aware of specific cases and the issues which surround copyright/plagiarism. Famous musicians are one such example, whereby little known artists have accused them of stealing their music. Out of court settlements, before the case ever goes public, are likely to hide the true extent of what is really going on, a similar hidden issue to student and other plagiarism.

Since this thesis is focussing on plagiarism in Higher Education, no further discussion will take place regarding non-academic plagiaristic activity. The rest of this overview, therefore, will explore who commits plagiarism and why within academia, and will then proceed to review the literature on prevention, discovery and punishing those who commit plagiarism, within an educational context.

2.5.1 Academics

The current climate places tremendous pressure on academics to publish their research (Haupt, 2003). This is the case worldwide, but of particular interest for this thesis is what is happening in the UK. The Research Assessment Exercise (RAE), which takes place every four years, is probably the most influential driving force resulting in academics committing a breach of academic integrity. Indeed, McCall

(2006) states that “Researchers are under such pressure to publish papers in top journals that they are being driven to fraudulent practices, it was claimed last week.” Whilst McCall (2006) cites fraudulent behaviour such as fabrication or withholding of results, it is *possible* that academics may also be breaching academic integrity with behaviour more closely aligned to plagiarism. Indeed literature highlighted later in this chapter shows that this is, in fact, not possible but is actually occurring.

In the current UK RAE, academics put forward four submissions on which to be rated: the higher the ‘quality’ of the four submissions the higher the rating, with 4 under the new system, and 5 and 5* under the old system, being the ultimate goal.

Larkham and Manns (2002) verify the pressures exerted by the RAE in stating that:

“The individual unique creativity is upheld as the model of academic achievement...in the UK’s recent university-level Research Assessment Exercises, single authorship (as opposed to multiple authorship) in peer-reviewed refereed journals, being valued above all other forms of output....” (Larkham and Manns, 2002: 341)

Instances of academic dishonesty can be found in various forms. Haupt (2003) details his own experience of two separate instances of academic misconduct aligning with plagiarism. The first was when he was asked to review two papers from different journals but he found that the articles were virtually the same, breaking the rules of publishing through double submission outlined earlier (effectively plagiarism of oneself). Haupt (2003: 102) states “All but one section were word-for-word identical”, and he suggests that the authors “probably never figured on getting the same reviewer for both journals.” (Haupt, 2003: 102) The second instance he cites is even more unbelievable. He reviewed a paper which was plagiarised from his own work which had been published a number of years earlier. Incredulous as it may seem, he found that “these authors had copied word-for-word an article that I published many years earlier. They even used my results.” (Haupt, 2003: 102).

When journals find instances of plagiarism it *may* be publicly displayed in an edition of the journal. One example is a case of plagiarism discovered by the Signal Processing Journal and reported in 2003. The editorial team, after outlining “the rules of the game and plagiarism” (as per the title of the editorial), apologised to the original authors that their peer review process had failed to detect the plagiarism.

They then proceeded to present a 10 page, blow-by-blow account of the offence (Salembier, Thiran, Vesin, Vanderhgeynst and Kunt, 2003: 1-10). The account of the extent of the plagiarism presented the facts of the case by listing each ‘instance’, followed by the text from the original source, and then the text from the plagiarised article. The account of each instance was presented simply and factually, with no further comment. Only on one occasion did a note appear stating that “While the text of the above paragraph has been copied verbatim from the original paper, the offender added two references...” (Salembier *et al*, 2003: 2-3) The use of the term ‘offender’ probably indicates the disdain with which the editors viewed this case, since the definition of ‘to offend’ is “to commit a crime” (Collins Compact English Dictionary, 1994: 592). Interestingly, this public exposure, which was presumably there as a warning message to its readers, and, at the very least, to embarrass the plagiarists, did not state the sanctions imposed on the authors. It is questionable how hard hitting a warning is without a known penalty. It is possible, of course, that the publishers did not know what punishment was to be sanctioned at the time the 10 page exposure was published, either because they had not decided themselves what sanctions they would impose, or because they may have reported it to the plagiarist’s employer, leaving it for them to deal with.

In the future, however, it may become harder for academics to plagiarise or commit double submission as it has been reported that publishers are now thinking of using detection software. Carlson (2005) when reporting about an article in Nature writes:

“Publishers of academic journals and scholarly articles are starting to use specialized software to root out instances of plagiarism and self-plagiarism...the article notes that plagiarism software is also under development by academics to review articles for publication and run online journal archives.”

It appears that ‘what is sauce for the goose may also become sauce for the gander’. As will be discussed later in this overview, the use of detection software for student work is becoming more common place, but as yet it has been less common for researchers and staff when submitting ‘work’.

2.5.2 Students

Getting true figures for the incidence rates of student plagiarism is difficult, if not impossible (McMurtry, 2001). The PM report (18th July, 2003) and the Larkham and Manns (2002) study demonstrate the secrecy which surrounds this topic, with the reluctance of institutions to report any figures at all, or to cooperate with plagiarism investigations, respectively. It is, therefore, most common for student plagiarism to be investigated subjectively and possibly more superficially. For example, incidence rates have been explored by asking students in anonymous questionnaires to report how often they have cheated themselves, or have experienced others cheating (Franklyn-Stokes and Newstead, 1995 – one of the first UK studies of this kind). It is necessary, therefore, to view such studies with an acceptance of their limitations: students may not, for example, always tell the truth in anonymous questionnaire studies. This is not to negate the importance of such studies, the difficult nature of the topic dictates their methodology, but there must be an acknowledgement of their limitations none-the-less.

At the time this thesis was started, suggested incidence rates of plagiarism were generally alarming. Franklyn-Stokes and Newstead (1995) reported that more than 50% of their sample were involved in cheating behaviours, with rates as high as 72% for allowing coursework to be copied, and 66% for paraphrasing but not referencing the source. It should be remembered, however, that their work superseded the advent of the information explosion created by the internet, and this may change such rates in the present. Jones (2003), for example, suggests “it is estimated that up to 10% of degree level work is now affected by so-called “mouseclick plagiarism””. Go to the Turnitin.com website and their links lead through to a statistics web page giving facts such as “Almost 85% of college students said cheating was necessary to get ahead.” The implication here is that many of that 85%, therefore, will engage in cheating as a means to an end. Maslen (2003) reported that “more than 1 in 12 students had used the internet to copy substantial portions of their essays”. Austen-Baker (2003) reported that only six essays in a batch of 60 he marked had no evidence of plagiarism, and this was for a group of law students!

It is not only undergraduate students in Higher Education who are plagiarising. Saltmarsh (2004) indicated a 15% plagiarism rate amongst her postgraduate students. As illustrated in the introduction, the alarming statistics showing plagiarism as an ever increasing problem have continued and give the impression, whether true or not, that plagiarism is now rife. Reasons for this upsurge will be discussed further on in this chapter.

Accepting that plagiarism is as big, if not a bigger problem now as in the past, there is only one study which seems to have set up a rigorous methodology to calculate plagiarism rates. Weinstein and Dobkin (2002) investigated internet plagiarism rates using a software package, (see later discussion regarding such packages), to identify plagiarism rates. Acknowledging that the package only identified 'copied' text, they used tutors to determine whether the identified text was plagiarised or not. In estimating the internet plagiarism rate, they were also able to extrapolate this to an estimation of an overall plagiarism rate. Their conclusion was that 28% of student papers are plagiarised, however, due to the categorisation process, they were also able to suggest that half of this was not really true plagiarism but more sloppy practice. This suggests that Angélil-Carter (2000: 114) may be right when she suggests that "plagiarism is much more a problem of academic literacy than academic dishonesty." However, their calculations still suggest that 14% of student papers involve plagiarism of a more serious nature. I am not sure that anyone could be drawn to give an acceptable percentage of plagiarised material in a student's work, although most, I am sure would place it at a very low figure, or might even suggest zero tolerance. This view was illustrated by one academic (who I was unable to identify) at the 2nd JISC Plagiarism Conference (2006) during a question session, when he claimed that one sentence could be deemed serious plagiarism if it was fundamental to that piece of work. I suspect that this would be a very rare case indeed for most student work, although it may be possible to see this being more of a reality in PhD or academic work at a higher level than that of undergraduate.

McDowell and Brown (n.d.) suggest that fears that plagiarism is increasing are a result of: increased student numbers; a move towards coursework and alternative assessments to unseen examinations; the expansion of available sources of information; and finally the need for high grades to ensure a desired career path.

Similarly, a range of ‘excuses’ aligning with McDowell and Brown’s list are presented in the literature to explain why students plagiarise (see Angélie-Carter, 2000; Franklyn-Stokes and Newstead, 1995; Gresham, 2002; Larkham and Manns, 2002; Moeck, 2002; Varnham, 2001). The reasons given for committing plagiarism are wide and varied: lack of time; pressure to get good grades; not understanding the value of referencing; not having been taught how to reference properly; attitude whereby they believe they are not doing anything wrong; difficulty in writing in the required style or subject language. Whether these are *reasons* or *excuses* is an interesting debate if we take the notion that an excuse has the more negative connotation, (the phrase ‘that’s an excuse not a reason’ comes to mind), in other words, an excuse is *not* good reason. For example, ‘lack of time’ could be a true fact for many students given they may have to work to support their studies, as well as complete their assessments, and look after a family if they are a mature student. However, most institutions have procedures in place which will be sympathetic to such problems, granting an extension on the submission date. Hence, ‘lack of time’ could be deemed an ‘excuse’. ‘Not having been taught how to reference’, on the other hand, may well be a ‘reason’ if an institution has not provided guidance and learning opportunities for students about citation, referencing and plagiarism. Few would probably deem themselves to be negligent in this, however, it might be up for debate as to whether an institution has done enough to ensure understanding of the student, and hence, negating the defence of ‘I didn’t know I was doing anything wrong’. Macdonald and Carroll (2006) believe that a holistic approach to student plagiarism includes clear identification of where students are taught the required academic skills and appreciation of academic integrity.

Bennett (2005) gives a comprehensive review of the available literature that attempts to explain why students plagiarise, and from this proposes a model showing the interplay of various key factors. For example, parental pressure and effectiveness of personal study skills was linked to the student’s fear of failure which would then influence the extent to which the student plagiarises. High parental pressure and poor skills would, presumably, lead to higher levels of plagiarism.

Bennett (2005) was also able to develop two further models: one for determinants of major plagiarism, and the other for minor plagiarism. Whilst some determinants were

more closely associated with one or other level of plagiarism, for example, 'financial situation' only appeared as a determinant of minor plagiarism, there were some factors which were associated with both models, for example, 'attitudes towards plagiarism'. In both models 'ethical position' appeared to be an important determinant: those with a strong ethical, moral distaste of plagiarism being less likely to plagiarise. Additionally, academic integration, (understood to be integration into the course and student cohort, resulting in students being comfortable with their course and their surroundings), was also a key feature in both models, where a lack of academic integration would more likely result in a student plagiarising. (Bennett, 2005) Such a model may help institutions pinpoint possible actions and their likely effect. For example, Bennett (2005) concluded that:

“Ineffective study skills were associated with substandard academic performance, lack of academic integration, and the tendency to plagiarise. Again, this suggests the desirability of concentrating resources on the development of study skills at the very start of a degree programme.”
(Bennett, 2005: 156)

The temptation is to assign blame on the student, but maybe academia must take some responsibility in driving some students to commit plagiarism. Ultimately, it may be that academics are expecting too much of undergraduates. DeVoss and Rosati (2002) and Angéilil-Carter (2000) both, in their own way, suggest that this may be the case. Levin (2003) points out that it is a lot to ask students, particularly in their early years, to think originally and produce original work. It all depends on what we mean by the word 'original'. At postgraduate level we might truly mean that work should be unique or novel and not have been done by someone else, but that is almost certainly not the extent of originality that we require, or expect, from an undergraduate. At this level originality may mean that a student produces something by themselves, that is, they have gathered available literature, made sense of it, and produced a piece of work based on their findings, according to their skills and views, which have been shaped by the process. In addition, work produced by students is often expected to take on the required writing style and vocabulary for the discipline in which they are working, and incorporate information from suitable sources, appropriately written (for example, paraphrased) and correctly referenced, to back up that idea. Even postgraduates and some academics can struggle to fulfil all of these requirements. An unrealistic expectation by tutors, combined with inexperience and

difficulty in coping with the work on the part of the student, is likely to result in plagiarism being the only option for some students. This was particularly highlighted for those working in a second language. Hyland (2001) writes:

“It is possible for Zhang, as for many ESL students, plagiarism was an act of desperation. After they mentally compare their texts with target ‘expert texts’ they may feel so overwhelmed...that plagiarism seems the most realistic strategy.” (Hyland, 2001: 380)

Whilst some have reported suggestions that certain subject areas are more prone to falling foul of plagiarism (Larkham and Manns, 2002), it is evident that this may not be completely founded. Certainly those writing about plagiarism come from a variety of subject backgrounds and posts. For example, Larkham and Manns (2002) work in the field of Planning and Housing, Galles and his colleagues (2003) in Economics, Gresham (2002) is a Library Director and McDowell (2002) is an E-Learning Director. Plagiarism is not geographically restricted either. Although much literature comes out of the USA, there are reports about plagiarism from all over the world: South Africa (for example, Angélil-Carter, 2000), the UK (for example, Larkham and Manns, 2002), New Zealand (for example, Varnham, 2001), and Ethiopia (for example, Teferra, 2001).

Academic subject areas may have their own genres for writing (see Angélil-Carter, 2002, Chapter 4) which may influence aspects of plagiarism, for example, how easily is it detected, but it would seem implausible to suggest that in academia any one subject area is totally immune. Plagiarism can permeate any subject, at any institution, in any place in the world. Hence, no subject, institution or tutor can bury their head in the sand under the guise that it won't and can't happen to them in their discipline. Any belief of immunity would likely result in students not being instructed on good practice and staff not being attuned to detecting it. Plagiarism would, therefore, occur through ignorance and would likely become common practice in assessments. If plagiarism exists everywhere, what may differentiate subject areas, institutions and tutors, therefore, is not *whether* it occurs, but more how it is perceived. It is this which then influences what is done about it. This aspect will be discussed later in this chapter.

It is interesting to note here that some students may well be debilitated by a fear of plagiarism. G Price (2006) investigated how dyslexic students set about their written assessments and it was evident that one dyslexic student spent large amounts of time drafting, writing and editing the work, partly because of a fear of plagiarism. This particular student had developed a colour-coding, note-taking strategy to clearly identify when text was a direct quote from a source. Even with such strategies in place, however, time to produce work was extensive. Not all students have so much time available for each piece of work and hence, they may either find no time for anything else in their daily lives, or they may rush the work and slip up.

2.6 Plagiarism and the Internet

It has been previously highlighted that the advent of the internet has influenced and exacerbated the problems within plagiarism. There is no doubting that it has changed the way we access information. Gone are the days of trudging up and down long library shelves picking out the academic journals we want and photocopying the relevant articles. In has come the ability to search databases and use search engines at the click of a button, in the luxury of our own home, or at a computer workstation, to find, almost instantly, and have access to, a diverse range of information on any topic. Certainly Carroll (2002: 14) suggests that “When academics worry about plagiarism arising from fraud rather than misunderstanding, most of the worries are about electronic resources.” According to Carroll (cited in *The Guardian*, 2005), the explosion of plagiarism as an issue for the academic fraternity started with the advent of the search engines in 1998: search, find, cut and paste became easy. However, Furedi (2006) puts an interesting argument forward when he suggests that, whilst the Internet makes plagiarism very easy for students, it doesn’t make otherwise honest students plagiarise. Hence, as he puts it, “Blaming the Internet simply distracts attention from the responsibility that the system of education bears for cultivating a climate where cheating is not seen as a big deal.” (Furedi, 2006)

Szabo and Underwood (2004) investigated cybercheating and the use of the Internet. They concluded that “The threat of use of the Internet for academic dishonesty by a substantial number of students is very real.” (Szabo and Underwood, 2004: 195) Interestingly they found that students were less concerned about plagiarising from

the web as they thought there was less chance of being caught (Szabo and Underwood, 2004: 195).

The other issue arising from internet sources is the fact that some students believe web based materials to be 'freely available' and, therefore, not requiring acknowledgement. Gajadhar, back in 1998, raised this debate by asking the question "How 'free' is the Internet?" She highlights that:

"A book has a physical, tangible presence, whereas the Internet is almost ephemeral. Without exception a book has a specific warning such as "all rights are reserved." Alas, this is not a prominent feature of the Internet."

Hence, this may cause confusion for students as to whether internet sources must be acknowledged. Student plagiarism of web based sources, therefore, may be inadvertent, and it is crucial that institutions make it abundantly clear that internet sources are not exempt from being cited. It is vital, therefore, that students develop their skills in Information Literacy (see Feetham (2005) for discussion of Information Literacy per sé) and hence, it may not be surprising that Boden and Stubbings (2006) suggest that Librarians may be key stakeholders in this educational process:

"By providing a good Information Literacy programme that teaches students to understand how to find and evaluate information, what plagiarism is, how to reference their work appropriately... Librarians can assist students to understand their responsibility regarding the use of information." (Boden and Stubbings, 2006: 7)

Whether Information Literacy is best taught integrated and embedded into the curriculum within all units (modules) or as a separate unit, or whether it is best taught by academic and/or library staff, is up for debate, although not here. However, it is clear that in this age of abundant information, the need for everyone in academia to develop these skills is very real indeed. Feetham (2005) reported that:

"Academic and support staff [in one particular Higher Education institution] saw the acquisition of information skills as essential for developing information literate students able to make effective use of information within higher education and employment." (Feetham, 2005: 61)

One question which occurred to Lester and Diekhoff (2002) was whether the 'cheater' has mutated into a different type of animal with the advent of the Internet. Within their investigation they explored the broader aspects of cheating, but also explored behaviours related to plagiarism. They stated their specific aims to be "to

assess the prevalence of on-line plagiarism and to see if and how Internet cheaters differ from those who cheat using more traditional, low-tech methods.” (Lester and Diekhoff, 2002: 907) They compared, via use of surveys, the characteristics, experiences and opinions of 453 students. After comparing all their chosen variables they ultimately concluded that “Internet cheaters are just exaggerated versions of their low-tech counterparts.” (Lester and Diekhoff, 2002: 909) They reported *some* differences between the groups, mostly, they surmised, linked to gender. They reported 65.2% of traditional cheaters in their sample were female, whereas 54.1% of Internet cheaters were male. Whilst the methodology is open to criticism, as with all surveys the question of whether a truthful response has been given is always there, the findings of this study would seem sensible. For example, the low-tech plagiarist may sit and ‘hand copy’ from a physical source, whereas the Internet plagiarist would ‘cut and paste’ from a web source. The act of copying is evident in both cases, even if the actual physical process of copying or the source differs. Lester and Diekhoff (2002) also reported that attitudes of traditional and Internet cheaters differed with Internet cheaters being more accepting of cheating behaviour. Hence, there would appear to be some change in characteristics of the cheater/plagiarist with the advent of technology, but not such that they become unrecognisable.

2.7 Deterring plagiarism but still catching the plagiarist

Different strategies are used to deter and detect plagiarism, for example, see Carroll (2002, chapter 3), Carroll and Appleton (2001), and Culwin and Lancaster (n.d.). Some strategies are more sophisticated than others and will be discussed in the next section, however, whatever strategies are used, it is interesting to question whether the tactics can be defined in terms of whether they are using a ‘stick or a carrot’, and/or whether they rely on internal or external moral standards. For example, the use of detection software and telling students up front that it will be used could be considered a ‘stick’ approach with no reliance on the student’s internal morals: it says to the student ‘we are using this technology to find those who plagiarise, and when we do find them we will punish them, so don’t do it, even if you think it is alright to do it’. The adoption of marking schemes which reward the use and appropriate acknowledgement of resources, on the other hand, could be considered a ‘carrot’ approach.

2.7.1 Strategies to deter the plagiarist

In thinking about deterring the plagiarist, it is useful to consider the analogy of the thief. There is the ‘opportunistic thief’ who takes advantage of a situation, for example, an unlocked door or partially opened window: the theft itself may not have been meticulously planned or premeditated, but the thief seizes the opportunity when it arises. They are not ‘professionals’ but ‘amateurs’. Counteracting such actions is relatively easy with careful forethought: not leaving valuables visible in the car, putting locks on windows and such like. In the same way academics can put strategies in place to stop, what might be called, the ‘opportunistic or amateur plagiarist’, for example, giving ample time for a piece of work to be completed (Evans, 2000). There are, however, the ‘hardened criminals/thieves’ and if they are determined to break into your home they will: no amount of alarms and locks will stop them. Similarly, there is the determined plagiarist who is not likely to be put off by many of the strategies which will work for most other students. It is appropriate, therefore, for Gresham (2002: 17) to suggest that “a comprehensive, multi-faceted response is required....policy, education, detection and pedagogy”, and for Christie (2003: 58) to express the need for a “multilayered approach.”

The key point, as Larkham (n.d.) points out, is what the student actually does with the information they access. He writes:

“The learning objectives set for most assessments...stress skills such as the selection, assembly and manipulation of information; using new ways, making new links and drawing new conclusions.” (Larkham, n.d.)

If this is the case then students would have little incentive to plagiarise if they are producing the work themselves (see Figure 2.1, left hand box), as credit is awarded for divulgence and use of sources, rather than hiding them. Unfortunately, however, this would not stop a student whereby they are getting someone else to do the work for them (see Figure 2.1, right hand box), and hence, the need for more than one strategy to deter plagiarism.

2.7.1.1 Honour codes

The idea of an honour code is that students sign up to the code which, according to McCabe and Pavela (2000), may require them, amongst other things, to do one or more of the following: promise they will not commit plagiarism; agree to report any incidence of plagiarism (or cheating) they come across; give assurance that the work they hand in is their own and no-one else's. Modified honour codes may even have students involved in plagiarism panels (McCabe and Pavela, 2000). Whilst this may be a fearful option to many academics, believing this would result in more lenient sanctions being awarded, McCabe and Pavela (2000) and Martin (1992b) suggest otherwise, surmising that students will actually be harder on their peers than many tutors would be. This will be tested out later in this thesis as part of the results reported in chapter 5.

Some criticisms and limitations can be levied at studies reporting on the success of honour codes as results may be biased by the methodology and/or the samples used/analysed. McCabe, Trevino and Butterfield (2001), for example, found that 10% less questionnaires were returned by non honour code schools, and only 41% of honour code schools returned their questionnaire. [It should be noted that it is assumed the term 'schools', as referred to in this article, represents the equivalent to Higher Education in this country, as this article refers to 'colleges' elsewhere and is published in the Journal of Higher Education.] It is questionable, however, as to how far such a sample can be considered truly representative of the population as a whole with less than a 50% return rate. Comparison between the samples may also be done only under caution, given the different return rates. The issue here is that considerable amounts of data may be missing due to a high non-response rate and hence, generalisations become problematic when those that return questionnaires may have particular characteristics not truly shown and representative of the whole group or population. Bias of the sample may then skew that data and lead to misguided conclusions. In the McCabe *et al* (2001) study there was also a bias in the return sample due to the fact that there were higher return rates from females, who they acknowledge report less cheating (McCabe *et al*, 2001). However, it would appear that the use of honour codes are successful, to some degree, in reducing the incidence of plagiarism (McCabe and Pavela, 2000; McCabe *et al*, 2001). McCabe *et*

al (2001) do, however, allude to the fact that students still have difficulty actually reporting instances of plagiarism, even in an honour code school. They suggest that “The value of reporting requirements in such policies may simply be the fact that they require students to wrestle with the dilemma of community versus individual values” (McCabe *et al*, 2001: 43), and presumably this may deter some students who otherwise might be tempted.

It is not just students to which honour codes apply, an honour code type of system exists for the academic too. In many instances, for a journal submission a letter must accompany the article being submitted which usually requires the author(s) to give assurance to the editor that the material is original, and that it is not being submitted to any other journal. As already seen, however, some academics do break this code of practice. The difficulty in catching the academic plagiarist is highlighted by Lobo (2003) in that:

“it is virtually impossible for reviewers and editors to uncover all cases of plagiarism, and this is left as a matter of trust for authors to adhere to all professional and academic standards.”

Maybe the flaw in using honour codes is that it assumes we, the human population, all have the same value set. DeVoss and Rosati (2002) recognise that this may not be a sound assumption:

“We can tell students that plagiarism is an academic crime, but we often assume that they understand what that means and that they hold academic honesty policies in as high esteem as we do.” (DeVoss and Rosati, 2002: 195)

It is for this very reason that Macdonald and Carroll (2006) suggest that an institutional holistic approach to academic integrity is flawed if it does not actively “promote academic integrity as a primary value for staff and students.”

2.7.1.2 Setting assessments which are difficult to plagiarise

Strategies suggested in the literature for setting assessments which are difficult to plagiarise are varied and wide ranging, for example: requiring the use of up-to-date sources within the essay (Gresham, 2002); making sure the assignment nature or title is changed each year (Hart and Friesner, 2004; Martin, 1992b); making sure that the assessment criteria is explicit, particularly guidelines involving correct referencing

(Larkham and Manns, 2002); setting work based around classroom sessions (Masur, 2001); requirement of an oral presentation linked to the work (McMurtry, 2001); use of portfolios which include multi-media work (Irons, cited in The Times Higher, 2005); asking to see drafts (Carroll, 2002); asking students to write in the first person (Angélil-Carter, 2000); asking students to reflect on some aspect of their work as part of the assessment, for example, the process they went through (Carroll, 2002). It is unlikely that adopting one single strategy will have much effect, but using a variety of them in combination and at different times, might.

The key, however, in setting assignments which are difficult to plagiarise may lie in consideration of Bloom's Taxonomy of Learning (Atherton, 2004; Carroll, 2002). It was suggested at the Netskills workshop on detecting and deterring plagiarism, (held in Oxford in March 2004), and in the accompanying resource materials, that opportunities for plagiarism are greater at the lower end of learning, where it is knowledge and comprehension based, and lowest at the higher end of learning, where learning is about evaluation and analysis (Netskills, n.d.). It follows, therefore, that *some* forms of plagiarism may be harder if assessments are based around the skills found at the higher end of Bloom's Taxonomy. For example, Davies (2004) reviewed an assessment with final year undergraduates whereby they were awarded a mark for their ability to mark an essay, rather than write one. He states that "awarding a 'mark for marking' rewards the demonstration of higher order skills of assessment." (Davies, 2004: 261) *If* assessments testing higher order skills are less easy to plagiarise, indeed Davies (2004) suggests that the assessment he outlines eliminates plagiarism altogether, then it follows that more plagiarism will occur, or that it is at least easier, if assignments are set which are more knowledge based and information reproductive, at the lowest end of the taxonomy. The 'tell me about X', in other words factual reproduction of knowledge, allows students to find, cut and paste from a source with relative ease in order to fulfil the requirements of the assessment. On the other hand, evaluation and synthesis requires reflection and student engagement. Carroll (2006) expressed a neat way to think about designing out plagiarism within assessments when she suggested that academics should set assessments where students have to 'make it', rather than it being something which they can 'find'. This may well link to Bloom's Taxonomy and higher order skills being harder to plagiarise.

The notion of ‘make it’, however, may still be too simple if we consider that assessments can be purchased, even ones which require higher order skills.

Ultimately, to eliminate the possibility of purchasing an assessment it is necessary to place some twist on the assessment which is not easily reproducible by anyone other than the student themselves. For example, a reflection on a seminar debate: only those in that particular seminar will be able to reflect accurately on it. Hence, the link between plagiarism and Bloom’s Taxonomy, or the ‘make it’ notion, may be rather simplistic and not as helpful as it may first appear in designing out plagiarism from assessments.

2.7.1.3 Teaching the value and conventions of citation and referencing

As alluded to earlier, it is important for tutors in Higher Education to think about their expectations of students when they first arrive. Personal experience is that many students, when entering a Higher Education institution, do not know about the use/value of referencing and citation, either in terms of avoiding plagiarism charges, or to demonstrate reading and add evidence to their work (accepting that this may be a rather simplistic view of the value of referencing). They also do not know *how* to acknowledge sources correctly. Some authors, for example, Gresham (2002), Hart and Friesner (2004) and Wingard (2002) agree with this sentiment in so far as they all suggest students need to actually be *taught* about referencing and plagiarism, whilst others disagree, suggesting that “students overwhelmingly understand” the role of referencing and plagiarism (Angélil-Carter, 2000). It is possible that academics’ views are coloured by their experience of students and their own acceptance, or otherwise, that a problem does or does not exist. Of course, understanding and knowledge about something does not necessarily result in appropriate action: we all know we should not speed but many do it anyway and hence, there may be less disagreement about the status quo than might be first implied. Certainly I would reaffirm my argument that the ‘value’ of acknowledging sources, as held up in Higher Education, is probably not understood by most students when they arrive in Higher Education and hence, students do not see the need to follow acceptable practice. Ashworth, *et al* (1997) investigated students’ views on

plagiarism and reported that many viewed it more akin to impolite behaviour, rather than something more serious. Consequently, they reported that plagiarism “ranked relatively low in the student system of values.” (Ashworth *et al*, 1997: 201) A value set which is likely to be at odds with many tutors who, as discussed elsewhere in this overview, will regard plagiarism much more strongly.

Interestingly, Hood (2005) suggests the use of the term “assuring assertion integrity”, in other words telling the reader where their ‘assertions’ or ideas have come from, rather than “avoiding plagiarism”. Never-the-less, regardless of whether the positive (assuring assertion integrity) or the negative (avoiding plagiarism) spin is placed on it, academics must ensure that their curriculum, at the very least, informs students of how to reference, but more ideally it should be built in as an integral part of the early learning experience (Macdonald and Carroll, 2006; Whitaker, 1993). This brings us back to the importance of developing skills in Information Literacy discussed earlier in this chapter. DeVoss and Rosati (2002: 201) even go as far as to suggest that plagiarism should be viewed positively in that it “can provide a scaffolding for discussions relating to appropriate research, good writing....” Showing good and bad examples can also help the inexperienced student learn the ‘how, what, why and when’ of referencing (Angélil-Carter, 2001; Ashworth, *et al*, 1997), and may reduce the need for, and incidence of, plagiarism. If value, and a positive side to the use and correct acknowledgement of sources, is to be seen by the student, then the marking criteria, of course, must reflect this and be explicit to the student *before* work is submitted.

The literature seems to deal with the notion of summative assessed work and how to make it ‘plagiarism proof’. However, the use of formative assessment may prove a useful tool. Biggs (2003) suggests that formative assessment can be useful in identifying misconceptions which students have, without the pressures of work being marked. Similarly, Macdonald and Carroll (2006) advocate the use of what they term ‘low stakes formative assessment’. The argument would be to set such assessments early on, when the chances of plagiarism are actually high. Students would be allowed to ‘make mistakes’ in order for tutors to highlight and explain the problems with their text, and to show them how such mistakes can be avoided. Hence, the relevance of citation and referencing may prove more meaningful to the student. An

advantage of such an approach is that it will “accommodate the fact that not all students are at the same stage of learning development.” (Macdonald and Carroll, 2006: 243) Macdonald and Carroll (2006) suggest that institutions should take on the responsibility of the ‘rehabilitation’ of offenders as well as the teaching of correct and expected academic practices: the use of low stakes formative assessments would certainly aid in achieving both these aspects. Of course, such a system would be highly time-consuming for tutors if there are also summative, high stakes assessments to be marked in a particular module and might not, therefore, have as much support as might first be thought.

An interesting approach taken by one tutor has been to reward the originality within a student’s work. Attwood (2008) reports that “he [Steve Bennett, principal lecturer in the School of Computer Science at the University of Hertfordshire] gives them [students] marks for the proportion of their presentations that are not copied.” Bennett used detection software to help him award students with an ‘authenticity score’ (Attwood, 2008). A discussion of the use of detection software to catch the plagiarist will be undertaken later in this chapter, however, this particular example demonstrates a novel and pedagogically focused use of the software.

2.7.1.4 Reducing or eliminating coursework as part of the assessment

The total eradication of coursework is one strategy that can be quickly dismissed due to the limitations such action would cause (as explained later), but is one which should be mentioned at this point. As previously reported, Franklyn-Stokes and Newstead (1995) found evidence of high rates of cheating behaviour, many of which would be deemed acts of plagiarism. Their conclusion was that “increases in the amount and importance of coursework are actually encouraging students to cheat.” (Franklyn-Stokes and Newstead, 1995: 170) The implication here is that to reduce the rates of plagiarism it would be necessary to reduce, or even eliminate, the amount and weighting of coursework on a programme of study. Larkham (n.d.) suggests that in some universities their reaction is exactly that:

“It is possible that changes to more continuous assessment and away from reliance on traditional unseen examinations have exacerbated the problem [of

plagiarism]: and some universities are deliberately moving back to requiring each module to comprise at least 50% examination assessment in response.”

There are many pedagogical and practical reasons for not doing this. In particular, it reduces the diversity of assessment, limits the skills and learning outcomes that can be tested (exams limit the test to written work and eliminate the assessment of other skills such as presentation and oral debating skills), and in many cases, as suggested by Mowl (1996), favours the student with good recall skills. This is true, of course, if the exam specifically tests recall; more innovative examinations may test skills other than simple recall. There is evidence, however, in addition to that of Larkham indicated above, that there is already a move towards in-class papers and examinations, not just in this country. Schmidt (2004), in an article for the Canadian news, reported that there is a move *away* from the traditional term paper: “Bernd Baldus admits in-class assignments are not the optimal way to assess university students ...but rampant plagiarism has left him no choice.” (Schmidt, 2004)

Another type of examination which may eliminate plagiarism is that of oral viva voce exams (MacLeod, 2006a). It would be difficult to see how a student could plagiarise when being quizzed in such a way by a tutor. Whilst such strategies are often used for students beyond undergraduate level, it is likely to be impractical on any grand scale for many courses with undergraduate level students, where numbers on courses are much higher and such a strategy would be enormously time consuming.

Since the total disappearance of coursework is not an option most institutions and staff would wish to take, discussion of this strategy, whilst technically valid, will not be continued here, other than to agree with Szabo and Underwood (2004) who state that:

“It would be a sad day for higher education if we had to return to total reliance on the traditional examination system but a *laissez faire* attitude to cheating will not only ensure that ‘qualified’ cheaters outperform hard working students, it will eventually lead to less rich and diverse assessment systems.” (Szabo and Underwood, 2004: 197)

2.8 Catching them at it

Often there appears to be a reliance on instinct on the part of the marking tutor: maybe they detect a change in writing style; maybe they spot errors (or not) in spelling, grammar or dates; or maybe they recognise the text. Writing something incorrectly is often an obvious mistake, but the reverse of this can also alert tutors. Masur (2001) highlights the case whereby a tutor became suspicious because a word was actually spelt correctly. Recognising text, however, may not be as easy today as in the past. McDowell (2002) highlights a worry amongst tutors he interviewed that they may not be able to recognise the text in this information abundant society. In terms of identifying a plagiarised script, Moek (2002: 487), for example, suggests that “If they [students] have cut and pasted several works into one product, there can be some glaring errors in the appearance and the syntax of the paper.” Gresham (2002) agrees that glaring ‘mistakes’ like this can alert tutors and result in detection. Unfortunately, however, not all plagiarism is so conveniently obvious.

Such techniques for detection are, to say the least, ‘hit and miss’ and it is likely, therefore, that many plagiarised pieces of work simply ‘slip through the net’ when a more thorough system of detection is not in operation. A problem with reliance on instinct is that it may be influenced by the bias of the marker. Angéilil-Carter (2000) alludes to the dangers of this. More specifically she writes:

“The marker uses his or her own knowledge about the student to make judgements about the appropriate level of sophistication for this student. The conclusions at which the marker may arrive at may be fairly accurate, however, there are several possibilities that are not taken into account.”
(Angéilil-Carter, 2000: 79)

Angéilil-Carter (2000) goes on to list possible flaws within the tutor’s judgement, suggesting that false accusations are possible in many cases. This would be particularly true if there is little or no ‘hard evidence’. False assumptions about a student’s capability and hence, false accusations of plagiarism, may well be more frequent for students who are working in a second language (Angéilil-Carter, 2000). This may lend argument to the need for anonymous marking of *all* work. At the University of Southampton, for example, examination scripts are marked anonymously and there is a move towards anonymous Examination Boards. However, at the time of writing, marking of coursework anonymously is not

currently universally adopted across the University. This *could* result in biased marking, including accusations of plagiarism. There is, of course, the counter argument that plagiarism may be spotted if the student is known to the marker and the work appears ‘out of line’ with the standard of their other submissions, or capabilities as evidenced in class: an argument that could count against the use of anonymous marking. Indeed, MacDonald Ross (2008) indicated that knowing the student and identifying it as their work was crucial in deterring students from plagiarising, and he saw anonymous marking as a hindrance.

Park (2004) also points out that relying on the individual marker to spot and pursue cases of plagiarism without the use of other methods of detection places a heavy burden of responsibility on tutors, something which they may not be comfortable with:

“However, relying solely on marker vigilance places a great onus of both practical and moral responsibility on the individual marker, who is held accountable as custodian of the academic integrity and reputation of the institution.” (Park, 2004: 299)

The problem in the academic world is that there is often confusion as to the nature of the evidence required. In the judiciary system concrete/hard evidence is needed to bring a case forward and attain a conviction, hence, many believe this is also the case for academic plagiarism. There is the view that the institution must provide evidence of guilt (Varnham, 2001), rather than the student defend and prove their innocence. Larkham and Manns (2002) highlight the problem in stating that “disciplinary proceedings increasingly require evidence in terms of the original source material.” There is an interesting aside here, as this seems to suggest ‘evidence’ needed in the past may not have been quite so rigid or concrete.

Finding the original sources, however, in this information abundant society, can be akin to ‘looking for a needle in a haystack’. It should be pointed out that this view aligns with criminal law; however, not all institutions operate with such a rigid requirement. Carroll (2006), for example, suggests that there must be support for an academic judgement as to whose work this is, and that if it is possible to show it is not their own work then plagiarism can still be proved. She suggests that it is possible to determine plagiarism has taken place even if matched sources cannot be

found. Carroll, at the JISC Plagiarism Conference (2006), ran a workshop exploring the issues of evidence, explaining that at Oxford Brookes University they work with the ‘balance of probabilities’. Such a stance means that matched sources are no longer the definitive requirement for a case to be built and punishment to be given; although, it is acknowledged that it does make the accusation ‘water tight’. Carroll (2006) explained that it takes tutors at Oxford Brookes University no longer than 20 minutes to build a case, with as much onus being placed on the student to provide evidence of innocence as there is on the tutor to provide evidence of guilt. Whilst a gut reaction of ‘this isn’t the student’s own work’ is not enough to build a case, it may well be enough to trigger further investigation. Guilt, according to examples given in Carroll’s workshop, can be demonstrated with several factors being evident, and none necessarily based on matching text. Carroll (2006) provided an extensive list of factors which, on their own, may not always prove guilt, but in combination will provide an increasing probability of guilt:

- “Discussions with the student about how they produced the work;
- Lack of draft working produced by the student;
- An inability of the student to produce copies of relevant research/articles on which the work is based;
- Change of writing style and grammar;
- Use of complex statistics not normally understood by a student at that level;
- An inability to explain details about the work and the meanings of passages or ideas within it;
- The work being far better than usual for the student (difficult to ascertain with anonymous marking);
- The use of old references and none within the last three years;
- The use of a mix of referencing styles;
- Formatting variation throughout the work;
- The work not addressing the whole question but only one small aspect of it.”

The point here is that the presence of just one of these factors may create doubt that the work has been undertaken by the student. The presence of three or four turns doubt into firm conviction and provides a platform for action.

The need to move from matched sources to the balance of probabilities arises from plagiarism including work not actually undertaken by the student: the outsourced/bought essay. This is very different to showing that the student has copied without attribution. The ‘bought essay’, or copied work, may be well referenced with relevant sources and hence, not show unattributed sources in the

strictest sense, yet plagiarism has still been committed. Of course, if the student has indeed copied work themselves, then finding and matching sources to the work will provide undeniable evidence and hence, the introduction of detection software has helped in this task.

More recently, therefore, detection software has been developed, for example, Turnitin.com. Many of these detection systems work on the principle of comparing material within an essay with other ‘published’ material, as is the case for work uploaded to Turnitin.com and its UK ‘sister’ TurnitinUK. In reality, they are often simply a more complex version of a Google search. Indeed, Masur (2001) suggests using google.com by simply entering a “distinctive phrase from the student’s paper” as a simple tool to check if a piece of text is plagiarised. The advantage of using the Turnitin service is that the system not only trawls web based material, but also material held in its own database (previously uploaded work) and hence, *may* be able to identify more/different sources than a simple Google search, *and* should indicate cases of text collusion.

Not surprisingly the number of available software packages for detection of plagiarism has increased in recent times. Detection has become big business. At the JISC Plagiarism Conference in 2006, it was reported by Malcolm Read, the JISC Executive Secretary, that 63% of Higher Education institutions in this country had now signed up to TurnitinUK. From small acorns oak trees grow. Hence, detection software may increase the number of cases found and self perpetuate the need for their use, making a tidy profit along the way.

All detection software work in slightly different ways and have different costs involved, either in terms of licensing or time investment. For example, DeGroot (2000) and Gresham (2002) highlight one particularly interesting product called Glatt Plagiarism Screening software which:

“removes every 5th word from an electronic copy of a suspected student paper and then measures the accuracy and time it takes a student to insert the correct words to determine whether that student was the original author.”
(Gresham, 2002: 18)

As yet, however, there seems to be no evidence as to the effectiveness of this system for detecting plagiarism.

There is a double limitation, however, with software packages that compare and match text in an essay to material that is published. The first is that they can only make comparisons to material published on the web which is easily accessible, i.e. it normally cannot view material accessible through password protected gateways. Although, it must be acknowledged that over time this problem is disappearing. For example, more and more journals are allowing TurnitinUK to get behind the gateway. The second is that the software can only match text, it cannot determine whether that text has been plagiarised: if the text has been referenced and acknowledged correctly then plagiarism has not occurred. This means that some materials cannot be checked against, in the case of gateway restricted access, and there is still work to be done on the part of the tutor to determine if there is a case of plagiarism as the system only matches text per sé. Even with the latest development in the TurnitinUK service, whereby matched text in quotation marks can be ignored in the report, the role of the tutor is still not eliminated: after all, quotation marks could be placed around text without the source itself actually being acknowledged. Academic judgement is still needed to determine the nature and extent of any plagiarism. Many of these software packages market themselves as plagiarism detection software packages when in reality they are not, because ultimately they cannot determine if plagiarism has actually taken place. It is only once the detail of the package is reviewed that it then becomes clear that some of these services are not claiming to be able to actually detect plagiarism, but rather match text.

One thing plagiarism services such as TurnitinUK do achieve is to reduce the chances of papermill essays being used several times over as each essay that is uploaded to its data base is kept there for future comparison. This means that if the same essay is bought and handed in by another student, either at the same or a different institution, it will then be identified if Turnitin is used by both the institutions involved. This does highlight the fact, however, that for such services to work most effectively, they need to have access to the same data base whereby all essays are uploaded to one central point, or there needs to be just one service. A monopoly, however, as with many businesses or commodities, may not be the best

option. Of course, matching software will not help tutors discover the bespoke bought essay and Regan (2008: 1) provides a stark warning:

“Online papermills have significantly changed in the last few years, evolving into professionally designed sites touting custom writing services. This evolution reflects the industry’s reaction to the pervasive use of Turnitin and its perceived effectiveness in detecting student plagiarism.”

Pessimistically Regan (2008) suggests that we may be only at the beginning of an era when buying bespoke essays may be a very attractive option for students.

Whilst the use of detection software may be thought of as a policing service, to find and provide evidence when the crime has been committed, there is also the acknowledgement that the mere threat of it can be a deterrent. Weinstein and Dobkin (2002) put this to the test whilst they were investigating plagiarism rates. They split their participant group into two: a control group and a treatment group. All participants had their essays checked by a detection software package, but only the treatment group were told of this *before* handing the essay in. It is important to note here that the authors were aware of the ethical issues in taking such action, but took adequate precautions to reduce any ethical criticism which could be levied at them. For example, papers were collected anonymously and limited information was collected which linked students to the particular piece of work: they only collected class level information; tutors were not informed of plagiarism rates of individuals or of class averages; and class tutors agreed not to take action against students as a result of findings from the experiment. In comparing the plagiarism rates between the two groups, they tentatively found that the threat of using a software detection service might have some effect in reducing rates of plagiarism, although there were methodological flaws which did not enable them to be more forthcoming with their conclusions. For example, they reported that they had concern that the treatment group consisted of younger students than the control group. In addition, they found different submission rates for the groups which they state “imply that the measurement treatment effect could be overestimated.” (Weinstein and Dobkin, 2002: 24)

Similar findings to that of Weinstein and Dobkin were reported by Braumoeller and Gaines (2001) who reported:

“Warning students not to plagiarise, even in the strongest terms, appears not to have had any effect whatsoever. Revealing the use of plagiarism-detection software to the students prior to completion of an assignment, on the other hand, proved to be a remarkably strong (though still not absolutely perfect) deterrent.”

The use of detection software is not simply limited to detection or as a deterrent alone. It could have a more supportive role to play as a learning and teaching tool (Price and Price, 2005a). As reported at the JISC Plagiarism Conference (J Price, 2006), on the undergraduate sport programmes, here at University of Southampton, a plagiarism policy was developed for use on these programmes. The policy outlines that first year students should upload an essay at the end of their first semester to TurnitinUK. The work is uploaded after it has been marked and returned. When the TurnitinUK originality report is returned the student would take it to their personal tutor for discussion and reflection. At this point referencing, citation and plagiarism issues can be reinforced in a one-to-one tutorial, and supplements the teaching of citation which students receive in a study skills based unit. This practice, however, has now developed to embed seminars for the students into a study skills based unit whereby they review their originality reports in a specified teaching session. This approach has been taken since few students were found to attend the personal tutorial sessions, and the effectiveness of this system was compromised by the low use of the personal tutorial opportunity.

Much of the literature focuses on the use of detection software for detection and hence, may be feared by many students. There is possibly a need to think more laterally about the use of such packages to help focus on a positive learning experience, rather than a negative ‘catch them and prosecute them’ experience of such services. Maybe, if tutors saw wider relevance to detection software beyond the notion of catching the plagiarist, then they may be more willing to adopt such tools. Certainly plagiarism discussion forums suggest that some institutions are adopting the service for use by students prior to handing in work in order to allow them to check for correct referencing and citation.

The debate has now started as to the value and problems of such a strategy. It would appear that the jury is still out:

“Although, there is conflicting advice as to the advisability of allowing students access to non-originality detection systems in advance of coursework submissions there appears to be no empirical evidence to support either position.” (Culwin, Warwick and Child, 2008: 1)

Price and Price (2005b) reported that not all tutors welcome the use of detection software with open arms. The fact that tutor input is still required to determine if there was a case of plagiarism to answer seemed to be the main issue highlighted by tutors, since this means there is not the time saving aspect to it which they had hoped for.

So far this review has focussed on plagiarism in terms of the written word. It is worth, at this juncture, reviewing plagiarism of ‘ideas’. Stealing ideas, as indicated previously, can also be considered plagiarism. However, detection and proof in this case is infinitely harder than for the written word. An example is the best way to illustrate this. Angélil-Carter (2000), throughout her book uses chapter sub-titles, analogies and illustration of dance and music to emphasise her points regarding plagiarism. Levin (2003) also uses the analogy of learning to dance to illustrate his point regarding plagiarism. As Levin does not acknowledge Angélil-Carter in his work it might be easy to accuse him of stealing an idea from Angélil-Carter. It is highly likely, however, that each had the idea to use dance as an illustrative technique independently, but if we take the strictest definition of plagiarism, which includes the stealing of ideas, then it is *possible* that Levin *could* be accused of plagiarising from Angélil-Carter. The use of analogies, of course, is commonplace: indeed they have been used in this thesis and merely demonstrate the difficulty in catching the plagiarist who truly steals ideas. It is not unusual for researchers to develop similar ideas in parallel and hence, there are inherent difficulties with plagiarism of ideas. If the written word is difficult, then proving plagiarism of an idea becomes extremely difficult. In addition, as pointed out by Carroll (2005), it may also be difficult to prove plagiarism in terms of defining common knowledge.

Another example of the problems with identifying ideas and their origin is illustrated within this thesis. In devising the investigations to answer the research questions of this thesis I had, what I considered at the time, was an original idea: to create case studies and present them to groups to see if there was agreement over the penalty to

be awarded. This thought arose from my literature search and, in particular, arose out of the question of equity of treatment. Several months later I went to my first plagiarism conference and, to my surprise and horror, a session run by Jude Carroll used exactly the method I was planning to use. My idea was far from original: she had been doing this for some time. It sent me into a panic. I questioned how many others of my ideas were not truly original. I could not understand how I did not know that someone else had had this idea before me. I swiftly went and spoke to Jude Carroll. It turned out that she had been using this method for some time in seminars and workshops but had never published the method or any of her findings: although she has now! Her method has been published in the *International Journal for Educational Integrity* (Carroll and Appleton, 2005). This explained why I had not found this method during my original literature search but I am now in a position to acknowledge her as the originator of this idea. It did not, however, allay my fears that what I, or others, may think is an original idea may not be after all.

2.9 Punishing cases of plagiarism

2.9.1 The cost and the apathy

There is little doubt that finding and taking a case of plagiarism through an institution's judiciary process can take a considerable amount of time and effort (Larkham and Manns, 2002), and involves many different factions of an institution: tutors, panel members, administrators, and registrars, for example. The time and effort can often be deemed 'fruitless' or not worth it. Wolff (2006) explains that "like the House of Lords, all the plagiarism committee can do is to hold things up a bit." In other words, the time and effort spent on a case will not actually stop a student graduating and, ultimately, their misdemeanour might not even affect their final classification, depending on the sanction awarded, of course. Hence, it is not surprising that apathy can manifest itself at times. Lester and Diekhoff (2002: 910) suggest that "faculty members are reluctant to work aggressively to deter academic dishonesty, feeling that they will not be supported at the administrative level." Apparent apathy may simply be a result of tutors not wanting to "play the role of police or disciplinarians." (Masur, 2001) Hence, tutors may be making a conscious decision not to pursue cases, rather than not spotting it. Indeed Pickard (2006: 225)

reported that some tutors “have no confidence in the system and felt they could deal with it more appropriately themselves.”

The dislike of being a disciplinarian may be justified if Martin (1992b) is correct in suggesting that such an approach is “educationally counterproductive.” Park (2004) may provide a possible reason for such a view when he states that:

“Staff can also be reluctant to accuse students of plagiarism because they feel that it breaks down the relationship of mutual trust between teacher and taught and replaces it with an inappropriate ‘Big Brother’ surveillance regime....” Park (2004: 293)

There is no doubt that time and hassle are considerable factors for many tutors and hence, some institutions are trying strategies to remove or reduce the hassle factor from the tutors themselves. For example, at Oxford Brookes University there is a system whereby tutors hand over a case, once it is suspected, to academic integrity officers, previously called academic misconduct officers, who investigate and handle the case. (Carroll, 2005; Jones, 2003) It appears, from discussions at the JISC Plagiarism Conference (2006), that others are following suit. It will be interesting to monitor the success, or otherwise, of such a system over time. Suggestions by Carroll and Seymour, at the JISC Plagiarism Conference (2006), are that the system, whilst not without some problems, is working better than previously when tutors dealt with cases.

Some authors suggest that fear of legal action may have its part to play in the reluctance to prosecute the plagiarist. Park (2003: 475) points out that plagiarism is a “legal minefield”, and he further points out that “legal cases involving plagiarism have ended up in court in the USA.” (Park, 2003: 475) Although Standler reported, in 2000, that “In *every* plagiarism case that I have found....the court had upheld the punishment imposed by the college.” This does, however, bring the emphasis back to the need for hard evidence in order to be on safest ground, and parity of treatment within the education system. Sellani and Harrington (2002: 142) may, therefore, have good reason to suggest that “The risks [of prosecution] can be enormous, as the administrator’s case needs to be able to stand up in court.” Of course, this suggests that administrators have the responsibility for prosecuting cases, yet in reality they are only guardians of the procedures and ensuring that the policies and procedures of

an institution are followed. Realistically, this tends to be at the point that a case is brought to them. As suggested by Flint *et al* (2006) and Yeo and Chien (2007) decisions about a case, particularly whether to pursue it, are often made well before this by the marker and/or an academic responsible for the course/module or programme. The problem may lie in a lack of clarity of the definition, policies and procedures which operate in an institution: this may be true for some academics as much as it is the students. Indeed, Angéilil-Carter (2000) goes as far as to suggest that only the procedures are usually clear and that most other aspects are not. This may be why legal challenges are viewed as a viable option.

Indeed, in May 2004, news hit the headlines that a student, who actually admitted to plagiarism, was intending to take his university to court and sue them for negligence (BBC News, 2004). His defence of his actions was that he had been doing it throughout his time at university and had never been pulled up for it until he was about to finish his final year. It was reported that the student claimed:

“I hold my hands up. I did plagiarise. I never dreamt it was a problem....I can see there is evidence I have gone against the rules....If they had pulled me up with my first essay at the beginning and warned me....it would be fair enough. But all my essays were handed back with good marks and no one spotted it.” (BBC News, 2004)

Recently, since 2005, the Office of Independent Adjudicators (OIA) has been set up in this country to deal with complaints within Higher Education. This has provided students with a viable grievance alternative to going through the legal system.

Baroness Deech, who was the first Independent Adjudicator, reported, in her keynote at the JISC Plagiarism Conference (2006), that the OIA deals with relatively few cases regarding plagiarism (2.8% of complaints) but that this small number does not negate the importance of such cases. She surmised, at that time, that the numbers of complaints may rise as the OIA became more established and known to the student body. The role of the OIA is not to challenge academic judgement, and few cases come to the OIA where the student does not admit to committing plagiarism, but to ensure policies and procedures have been adhered to (Deech, 2006). Only when an institution has not followed their policies and procedures correctly will the OIA find in favour of the complainant.

Simon, Carr, McCullough, Morgan, Oleson and Ressel (2003) suggest that some tutors may be reluctant to take plagiarism cases forward as they feel it may reflect poorly on them and their ability to teach. This was particularly found to be the case for tutors who were described as ‘sceptical’ of the process and the administrators. Such tutors tended to “deal with cases of suspected academic dishonesty in a more private manner.” (Simon *et al.*, 2003: 201) The notion of condemnation if a case is reported would suggest that there is a belief that if no plagiarism is reported this means no plagiarism is committed, and must be a result of good teaching. Yet this is nonsense. Plagiarism not being reported does not mean it is not happening. The logical counter argument to the poor teaching argument would be that, in finding cases of plagiarism tutors are vigilant markers who know their students and the research in their topic area, and should be congratulated. It is surprising, therefore, that academics would put forward such an illogical reason for reluctance to act.

The fact that cases may be dealt with behind the scenes, at marker level, demonstrates the difficulty in determining the true rates of plagiarism. This is because such tactics will invariably lead to cases not being reported, prosecuted, or kept on any institutional record.

2.9.2 Sanctions

Plagiarism is, quite rightly, a sensitive topic area since it involves accusing and prosecuting acts of cheating. However, the secrecy which surrounds it has resulted in only limited data being reported on such issues as sanctions. Such secrecy possibly results from the insecurities of institutions when dealing with plagiarism. This may be due to a fear to show it is happening at their institution, and/or it could be a fear that their judicial systems do not align with others. Larkham and Manns (2002) report a reluctance by some institutions to engage with their research, even so far as to deny them access to copies of documentation containing institutional policies. Park (2004: 301) suggests that “The literature on plagiarism by students (Park, 2003) is relatively silent on the question of appropriate punishment or sanctions...” He suggests this might be because local considerations need to be taken into account and hence, a ‘one-size-fits-all’ approach may not work (Park, 2004). Even if local considerations are necessary, Park (2004) is certainly correct in suggesting that the

principles of transparency, appropriateness, fairness and consistency should be present in all policies and procedures designed to deal with the punishment of cases of plagiarism.

As discussed earlier in this chapter, plagiarism is seen by many as stealing and intentional misrepresentation. It is not surprising, therefore, that such an act usually results in negative consequences for the plagiarist. Moeck (2002: 489) concludes that:

“Simply, cheating is theft; plagiarism is forgery; collusion and complicity is conspiracy. These acts are all crimes. The consequences of committing a crime is punishment.”

This implies, on the face of it, that all plagiarism should be punished in some way, a zero tolerance strategy. Griffiths, Rotheram, Burke *et al* (2000) go as far as to suggest that sanctions should be tough in order to make it clear that it is seen as a serious misdemeanour. McDowell and Brown (n.d.) even suggest that publicity of plagiarism cases should be used to demonstrate to students that an institution is serious about such misdemeanours. Examination of the literature, however, suggests that, whilst penalties are often highlighted in policies and regulations as potentially devastating, they are not always imposed: it was reported that less than 2% of cases resulted in a student being expelled from their programme (BBC News, 2008).

Larkham and Manns (2002) alluded to the potential penalties for different institutions in student plagiarism cases. These ranged from giving a zero for the plagiarised work (Larkham and Manns reported this to be the most common penalty), to a student being thrown out of the institution. Other penalty examples include: a recorded warning (Carroll, 2006); marking the work minus the plagiarised sections (Carroll, 2006; Park, 2004); resubmission of work for a capped mark (Carroll, 2006; Park, 2004). Interestingly, Carroll (2004), in a workshop, gave out a list of 12 different sanctions, all of which, she discovered, were being used by different tutors and schools at Oxford Brookes University prior to their decision to streamline and coordinate their procedures. The more recently published findings from the AMBeR Project (Tennant, Rowell and Duggan, 2007) identified 25 different penalties being used across Higher Education institutions. The operation of such an enormous range

of penalties immediately highlights the problem that cases are not likely to be dealt with in a co-ordinated and similar fashion across the Higher Education sector.

Aware of the problems of inconsistency, Carroll and Seymour (2006) reported that at Oxford Brookes University they have now developed a misconduct tariff which defines a breach of academic integrity at three levels (negligent academic practice; academic malpractice; academic misconduct), and provides clear guidance as to which penalties can be given, dependent on the breach level (Carroll and Seymour, 2006). The clear guidelines with streamlined penalties, and the introduction of academic conduct officers, who work as a community of practice, has resulted in a more defensible system with improved consistency when dealing with cases (Carroll and Seymour, 2006).

However, Larkham and Manns (2002: 343) conclusion was that “the sanctions generally applied suggest that plagiarism is not viewed as an overwhelmingly serious offence.” From the following examples, it would be fair to say that this could also be applied to non-student cases:

- The Government received some poor press over the Iraqi dossier but were hardly brought down by it;
- Academics careers are often unaffected (Martin, 1992a). It would appear that sanctions can be relatively menial, for example, they might be banned from publishing in a journal for a period of time (see Lobo, 2003 for an example of a two year ban). However, there are always lots of other journals they can publish in! That said, it would appear that academic dismissal is now a possibility for those who commit serious plagiarism. Tahir (2008) recently reported that the Durham Business School had dismissed a Dean for plagiarising substantially in his DPhil thesis and a journal article. The DPhil had been awarded by the University of York back in 1986. It was reported in the Times Higher Education Supplement (3-9 July 2008: 15) that a Professor at Columbia University had been sacked for plagiarising “the work of a former colleague and two students.”

It seems logical that the punishment should fit the crime, but if we accept the argument from Angéllil-Carter (2000) and Martin (1994) that most student plagiarism

is *not* intentional, then harsh sanctions may not be the answer most of the time, and may not be seen by many as fair or appropriate. At this point it is worth noting the comments from Introna, Hayes, Blair and Wood (2003), who suggest that:

“For them [academic commentators and disciplinary committees] the ugly face of plagiarism is work that displays major or relatively major – and by implication intentional – acts of plagiarism.” (Introna *et al*, 2003: 41)

However, they go on to suggest that major plagiarism in a piece of work is not necessarily synonymous with an intention to cheat (Introna *et al*, 2003: 41).

Whilst Standler (2000), from a purist viewpoint, suggests that the matter of “intent of a plagiarist is irrelevant”, Martin (1992b) suggests there should be a greater focus on the student learning from their mistake(s) rather than being punished for them.

Introna *et al* (2003: 54) agree when they state that “we require an institutional framework that supports rather than alienates [students].” Howard (2000), who suggested the terms *fraud*, *lack of citation* and *excessive repetition* should be used rather than plagiarism, puts an interesting view forward:

“Fraud? Lets go right on getting angry about it...And lets deal with everything else as issues of pedagogy....give an F for an insufficiently cited paper; a reduced grade for excessive repetition, in which summary masquerades as analysis; and a required revision for patchwriting.” (Howard, 2000: 488)

This would certainly allow for a more flexible approach by tutors, and one which would not get bogged down by judiciary processes. The possibility, however, for injustice or inequalities between students would be a real and justified concern, as highlighted by Macdonald and Carroll (2006) and other such authors who call for punishment systems to be fair, particularly as much of the judgement would be left to individual tutors.

Park (2004: 298) calls for a system which “treats plagiarism as unacceptable or inappropriate behaviour, rather than criminalising it...” At Lancaster University, Park (2004) reports that their penalty system takes account of the likelihood of intent, or at least knowledge of what they are doing, by having a lenient first stage which gives the student the benefit of the doubt early on, but which rapidly increments to more serious penalties thereafter when students are likely to know about referencing, citation and plagiarism.

The veil of secrecy surrounding plagiarism can create a further problem in dealing out sanctions. Sanctions awarded need to be consistent with the 'crime' and consistently applied, but plagiarism panels that are often convened to deal with cases rarely consist of the same panellists from one case to another, particularly over time. They also frequently do not have previous cases as a reference, other than if a member has sat on previous panels. Usually their only point of reference is the institution's regulations (Larkham and Manns, 2002). If we also consider that individuals may mark alone and thus may be the sole guardians of policy and punishment, it is perhaps pertinent that Flint *et al* (2006: 152) suggest that "instances of plagiarism are mediated [by staff's personal and internalised definitions] before consulting policy" and may give rise to unfair and inconsistent decisions. Given the increasing awareness of the need for equity of treatment in the world at large, it would seem that this secretive practice cannot continue. Indeed, Larkham and Manns (2002: 348) suggest that if the secrecy persists it "will continue to give rise to allegations that plagiarism is effectively being condoned." If it is conceived that it is condoned by some tutors and institutions and not others, then the flood gates are open for legal challenges. The legal system constantly refers to previous cases and outcomes to align their argument and penalties. This practice must permeate to academic plagiarism procedures too, or equity between students within and between institutions cannot be guaranteed. Larkham and Manns (2002) may have foreseen this problem when highlighting that lesser penalties were often imposed if students attended the plagiarism panel. Surely their presence should not make any difference if there is a criteria-based penalty system judged on the evidence presented. Only if new and relevant evidence is presented by the student could a change of penalty be the outcome, particularly a lesser one.

The subjective nature of determining sanctions is likely to lead to disparity between students, between subjects and between institutions.

"Once the cost of enforcing cheating is recognised, the tolerance level for cheating should, on efficiency grounds, be set as low as is feasible. The feasible level may well depend on what most faculty and administrators believe is "fair"". (Galles, *et al*, 2003: 717)

However, fairness is subjective. A simple example to highlight this would be the use of drugs in sport. The perception of what is fair will differ greatly across the population: some will suggest that use of any drugs is unfair; others will see the use of only certain drugs as unfair; some will even regard the use of drugs as a totally fair strategy for any sports person in order to ‘level the playing field’, the view being that if some do it and we can’t stop them, then we should let everyone do it. As soon as we get into subjective value sets, however, the outcome of consistency is likely to disappear.

There is no doubt that during the time this thesis has been undertaken, the debate regarding penalty sanctions and concerns regarding consistency have been increasing. This was aptly illustrated just as this thesis was being finished by the findings of the second phase of the AMBeR project (Tennant and Duggan, 2008). The report found concerning inconsistencies. There were clear differences between institutions in the penalties awarded to cases and the executive summary concluded that “Concerns that the application of penalties for student plagiarism is inconsistent across the Higher Education sector would appear to be upheld by the findings of this research.” (Tennant and Duggan, 2008: 4) Hence, the challenge is set for academia to develop policies which can be applied consistently by those who use them. Most recently Yeo and Chien (2007) have taken up that challenge and are trying to develop a proforma which will reduce inconsistent decisions [although it should be noted that they are investigating consensus rather than consistency as defined in this present thesis].

2.10 Aims and related research questions

Plagiarism, it would appear, is here to stay. The fundamental problems of defining it, recognising it, deterring it and punishing it remain constant, even if the world within which it operates has changed. There is an ever increasing amount of literature being generated on what has become a ‘hot topic’ in Higher Education. Levin (2006), however, suggests that research needs to move on from the initial, as he puts it, “lightweight surveys” and headline grabbing plagiarism rates and calls for more helpful research into, amongst other things, policies and practices, and how they are actually operating in institutions. It is clear from the literature review that all areas of

plagiarism are problematic, but it would seem that there is more help and advice on prevention and detection than there is on how to deal with and punish plagiarism once it is found. As Rosamond (2002) suggests:

“In many ways it is not the clear-cut cases of plagiarismthat provide us with headaches. Rather it is plagiarism at the margins....These dilemmas become all the more acute with increasingly sophisticated information technology that raises profound questions of intellectual property. Formal regulatory instruments such as university statutes may have trouble keeping pace with such developments....” (Rosamond, 2002: 173)

As already illustrated in this chapter, there have been authors such as Park and Carroll who call for transparency, consistency and fairness when dealing with cases of plagiarism, yet there is little in the literature to show institutions how to actually achieve this, other than with generic principles. Park’s 2004 paper explaining the system used at Lancaster University, Carroll and Seymour’s 2006 paper explaining the system at Oxford Brookes University, and Yeo and Chien’s (2007) papers being the exceptions rather than the rule during the writing of this thesis. This would suggest that dealing with cases of plagiarism once they are found is likely to be problematic for many institutions and hence, the area of sanctions, and how and why these are used in cases of plagiarism, is in need of further investigation.

As explained by Carroll “Once plagiarism has been detected, investigated and confirmed, it is important that the student is punished fairly, consistently and in accordance with the principles of fair justice.” (Carroll, 2002: 73) Deech, at the 2006 JISC Plagiarism Conference at Gateshead, chastised Higher Education institutions for not working to these principles, highlighting that there were a range of penalties which were, in her view, “too great to be defensible.” She called for institutions to work together to achieve consensus and consistency in their penalties awarded to cases of plagiarism. Deech, who at that time still headed up the Office of Independent Adjudicators (OIA), had major concerns that penalties were sometimes too harsh. She specifically cited the case of a final-year student who was thrown out for a single act of plagiarism without being given any credit for previous work. She also held the view that similar cases were dealt with differently across the Higher Education sector:

“She [Ruth Deech] said that universities would risk legal rebukes, or unfavourable rulings from her office if they failed to ensure that their

definitions of plagiarism had been made clear and that their punishments were well defined and applied consistently and proportionately.” (Baty, 2006)

Without both consensus and consistency being present when punishing cases of plagiarism, a penalty system may potentially result in unfair and unjust penalties, either real or perceived, being awarded to a student who is found guilty. In particular, if there is a lack of consistency this brings about the problem of differential treatment. Inconsistent treatment of students in cases of plagiarism was highlighted in The Times Higher Educational Supplement (THES), following the 2006 JISC Plagiarism Conference, when a leading story reported that:

“Students do not know what constitutes plagiarism, staff do not know how to deal with it and universities do not know how to punish the perpetrators. Baroness Deech rightly took the academic world to task for failing to deliver a consistent message to students, who face anything from a mild rebuke to expulsion - assuming the marker has not simply turned a blind eye.” (THES, 2006)

Deech (2006) further highlighted the issue of awarding disproportionately harsh penalties. She cited the case of a student who had been penalised for having plagiarised just 12 words in an entire dissertation to illustrate her point. She explained that students will regard a penalty as unfair if they receive a harsher penalty compared to their friend, at another institution, who has committed the same or similar offence. This raises one fundamental question: can academia (tutors and administrators within an institution as well across the institutions themselves) agree a level of penalty for a particular offence? Deech (2006) would appear to be optimistic, suggesting that “It cannot be impossible for the sector to come together and share levels of punishment.” (Baty, 2006) This would assume, of course, that once levels of punishment are agreed, they can be administered according to the guidelines such that similar cases would receive the same punishment each and every time they arise. Deech (2006) was clearly calling for both ‘agreement’ (consensus) amongst academics and a system which could be administered ‘fairly’ (consistently).

In the early stages of this thesis (back in 2004), having conducted an initial exploratory study (details of which can be found in later chapters), it was decided to investigate the issues and problems of consensus and consistency when dealing with plagiarism once it has been found. This decision was, since then, vindicated by the fact that Deech, two years later, was highlighting it as a key issue in Higher

Education. Hence, it is appropriate at this juncture to reaffirm the aims and research questions of this thesis. The aims and research questions of this thesis are:

Aim 1

To explore and attempt to understand the nature and extent of consensus and consistency, or more likely the lack of it, amongst individuals when punishing cases of plagiarism.

Related research questions

1. Does consensus exist, within and between individuals working and studying in a Higher Education Institution, regarding the sanctions which should be awarded to students found guilty of plagiarism?
2. If consensus does not exist, can we understand the nature of disagreements?
3. Can individuals working or studying in Higher Education apply sanctions consistently for different cases of plagiarism?

Aim 2

To explore and evaluate possible solutions to move Higher Education institutions, and those that work in it, towards achieving the key principles of fairness, appropriateness, justice and consistency.

Related research question

1. What is the influence of different penalty systems and sanctions on decisions made for cases of student plagiarism?

Chapter 3 Concepts and Theories

3.1 A conceptual framework for exploring plagiarism

The review of the plagiarism literature that has been presented so far in this thesis has revealed three central concepts: consensus, consistency and fairness. It is through these concepts that researchers and practitioners need to seek to understand and explore plagiarism and, in particular, plagiarism punishment. In this chapter I will seek to expand on these concepts through an exploration of a separate but related area, that of assessment. In addition it will be helpful to explore educational theories which may help with an understanding of the complex human situation embraced within this thesis and provide a means by which findings can be interpreted. To this end this chapter will also review Engeström's Activity Theory (1987) and Wenger's (1998) ideas relating to Communities of Practice. However, prior to this it would be helpful to consider the meanings and relationships of fairness, consensus and consistency.

3.1.1 Relationships between fairness, consensus and consistency

The word 'fair' or 'fairness' is synonymous with 'reasonable' and 'just' (Collins Compact English Dictionary, 1994: 298), and 'unbiased', 'equitable', 'even handed' and 'impartial' (Collins Paperback Thesaurus, 2001: 261). 'Just' is defined as "fair and right" (Collins Compact English Dictionary, 1994: 457) and alternative words offered in the thesaurus are 'decent', 'equitable', 'impartial' and 'unbiased' (Collins Paperback Thesaurus, 2001: 410). When considering such terms it is possible to see that some, such as 'equitable', might be easier to evaluate than others, such as 'reasonable' or 'fair' which almost certainly are not.

Equitable treatment would mean ensuring similar or same conditions or circumstance result in the same outcome, or that an outcome is proportional to the condition or circumstance. This is recognisable as consistency as discussed and defined in chapter 1. Hence, consistency would logically have to be present for fairness to exist. As long as the conditions or circumstances could be defined and the outcome is known,

consistency could, therefore, be determined or measured. The problem arises, however, in attempting to ‘measure’ what is reasonable, fair or decent beyond a view of consistency, since these are much more personal to the individual. This is best illustrated with an example: one person might think it fair and just that someone who has committed a murder be given a life sentence in jail, however, someone else might think that outcome lenient and believe that capital punishment is the only fair penalty: ‘a life for a life’. Although this is an extreme example it does illustrate aptly the point that the concept of fairness goes beyond simple consistency, and that outcomes could be consistent but not necessarily considered to be fair. Low levels of consensus for an outcome would mean that many individuals might consider an outcome as unfair even if consistency *were* present. Therefore, an exploration of *both* consensus and consistency is necessary to capture these crucial concepts linked to fairness. With consideration of both consensus and consistency it should be possible to assess if a system operates fairly and, just as importantly, would be *viewed* as such.

3.2 Assessment marking: an educational parallel with plagiarism?

In assessment marking, as with the punishment of plagiarism cases, the principles of fairness, consensus and consistency exist and are necessary, even if the terminology used within the literature might be slightly different. These three fundamental principles which have already been identified by authors in the field of plagiarism such as Carroll, Deech and Park, as necessary when punishing cases of plagiarism, are also crucially important in assessment and marking. This is aptly illustrated by Saunders and Davis (1998) who particularly highlight the importance of consistency in assessment marking:

“Consistency of standards in assessment is important for all assessed work. It incorporates issues such as the subjectivity of the individual lecturer, uniformity between lecturers for a single piece of work and ensuring the same standards across pieces of work from similar modules for different courses including those in other Higher Education institutions.” (Saunders and Davis 1998: 162)

What is recognisable here is that they are referring to both consensus and consistency within the marking process. The parallels between assessment and punishing cases of

plagiarism can be illustrated more clearly if Saunders and Davis' (1998) statement is broken down and considered as separate concepts.

- Subjectivity of the individual:
 - Assessment: Markers need to be consistent when awarding marks to a set of scripts (consistency);
 - Plagiarism: Individuals or panels need to be consistent when awarding penalties within a programme of study (consistency);
- Uniformity between lecturers:
 - Assessment: Markers need to award the same mark for a piece of work or for work of the same standard (consensus and consistency);
 - Plagiarism: Individuals or panels need to treat similar cases the same (consensus and consistency);
- Uniformity between modules & institutions:
 - Assessment: Standards should be comparable and similar across students, programmes, departments and institutions (consensus and consistency);
 - Plagiarism: Sanctions should be comparable and similar across students, programmes, departments and institutions (consensus and consistency).

The achievement of consensus and consistency in both assessment marking and punishing cases of plagiarism, therefore, goes a long way to ensuring equity, justice and fairness exists for all students. Hence, fairness, whilst sometimes not explicitly stated, is an underlying outcome if consensus and consistency are ensured. There must be a strong relationship, therefore, between these three terms. Given that fairness is *not* likely to be seen to exist without consensus and consistency, it is the latter two terms which will provide a focus for the remainder of this chapter. That is not to dismiss, however, the fact that what constitutes a fair outcome may be relative to the views of an individual and, therefore, fairness in the eyes of the person receiving a mark for assessed work, or a penalty in a plagiarism case, is not guaranteed even if consensus at a global level and consistency are, in fact, evident. Many assessors have probably experienced, for example, students who believe a mark awarded to their assignment to be 'unfair' as, in their opinion, it is worthy of a higher mark. However, the focus on consensus and consistency from this point

onwards does acknowledge that perhaps these factors can be 'measured' and possibly 'manipulated/controlled' in a way that fairness cannot and may, therefore, be more tangible a concept to work with.

In the assessment literature the key terms referring to the principles of consensus and consistency are also sometimes termed inter-rater and intra-rater variability, as found in Barrett (1999), or intra-judge reliability and inter-judge reliability, as found in Biggs, (2003). Barrett (1999: 2) defines inter-rater variability as "consistency between examination markers", and would parallel consensus in that similar individuals agree on the same penalty for a particular plagiarism case. The "consistency within examination markers" (Barrett, 1999: 2), or intra-rater variability, would parallel consistency of treating similar plagiarism cases the same or different plagiarism cases proportionally. Given the parallels which exist between consensus and consistency in plagiarism and the assessment literature, it is helpful to review the 'marking variability' literature further.

Assessment marking variability has been known to exist for a long time in education, McCulloch (2007) suggests as far back as 1890. It is an issue today for all levels of education, and there is scepticism and plenty of examples which can be found in the literature exemplifying the problems of marking variability: M Price (2005: 219) suggests "There have been many studies that provide evidence of a wide variation in marks from the application of standards by multiple markers"; Barrett (1999) reported that two markers, amongst a group of markers, awarded markedly more generous grades; White (2007) recalled a particular case where two examiners disagreed on the mark to be awarded to a student for their work, with the initial mark from each examiner being two or three classifications apart (White could not recall whether it was a first class mark versus a 2:2 or a third); Saunders and Davis (1998) reported variations in dissertation marks between tutors, with the review of literature sections providing the greatest variation in marks, a standard deviation of 8.6 for marks in this section was reported; Magin and Helmore (1998) reported high levels of marking differences between tutors marking presentations; Bell (1980) found marking agreement between tutors to be low for essays; Smith, Sinclair, Simpson, van Teijlingen, Bond and Taylor (2002) reported one student had been marked as

‘outstanding’ by one tutor and as a ‘fail’ by another. It is hardly surprising, therefore, that Race (1999) suggests that:

“Even under good conditions, there is abundant data on the problems both of inter-assessor reliability and intra-assessor reliability. This suggests that even the best groups of assessors find it a difficult and complex process.” (Race, 1999: 63)

The recognition of, and concerns over, marking variability is not only held amongst academics but extends to students as well. Barrett (1999), for example, reports that:

“Many students hold the cynical view that their examination performance is something of a lottery, dependent on the questions they answer and the person who marks their paper.” (Barrett, 1999: 2)

Another author, Milthorpe (2002: 288), writes “it is a commonplace in University common rooms, and in the haunts of students, that some lecturers are ‘easy markers’ and some are ‘hard markers’”. It is evident, therefore, that consensus and consistency can be highly problematic in assessment marking and it is a key aim of this thesis to explore whether similar diversity and inconsistency exists in the award of sanctions in cases of plagiarism.

Marking, of course, provides two key functions: feedback to students as part of the learning process, and provision of grades for calculation of an award (Gibbs, 1999). Gibbs (1999) suggests that only for the latter is marking reliability a necessity. When specifically considering Higher Education awards, given that degrees are awarded on the basis of grading work undertaken by students, it is, of course, disconcerting to think that this process could be so problematic and variable. This variability makes degree classifications potentially inaccurate within a programme of study. It is important, therefore, to explore why marking variability may exist and to highlight the measures taken to reduce variability and inaccuracy.

3.2.1 Why does assessment marking variability occur?

Exploration of why marker variability might exist reveals that reasons are varied and complex. M Price (2005), for example, suggested that guidelines might not be read, interpreted or applied correctly by a marking tutor, possibly exacerbated by time pressures. Biggs (2003: 163) also highlights that reliability “requires that they [teachers/judges] know what their framework of judgement is, and how to use it.”

Certainly for plagiarism it is possible to surmise that some of these problems might also be applicable. It is not infeasible that tutors might not know all guidelines and regulations for an institution, particularly during periods of change (Macdonald and Carroll, 2006), and that this could lead to inconsistent awards of penalty (Macdonald and Carroll, 2006). Institutions do have academic integrity and plagiarism regulations but, as found with assessment marking, it is likely that anything within those guidelines left open to interpretation *could* feasibly lead to differences and inconsistent outcomes (Flint *et al*, 2006).

The assessment literature would seem to suggest, however, that it is the subjectivity of assessment marking which creates the greatest problems, and Milthorpe (2002) highlights this aptly when he states that:

“There are two difficulties... The first is to ensure that all assessors use the same scale, and the second is that different assessors may look for, not different standards, but different kinds of responses.” (Milthorpe, 2002: 287)

The idea that individuals might look for, and place, different values on aspects within assessed work alludes to an important key component of Higher Education, that of ‘academic freedom’. M Price (2005) perhaps recognises this problem when flagging up that one reason for marker variability might be an “unwillingness [by markers] to internalise someone else’s view of the standard.” This would suggest that a marker might fundamentally disagree with a set of marking criteria and could then make a conscious decision to deviate from, or even ignore, those set criteria. It is also possible that even if tutors agree the criteria, their interpretation of those criteria might differ. It is possible, of course, that similar disagreements might also exist between a tutor or administrator and institutional policies for academic integrity and plagiarism. As found in assessment marking, it is not beyond the realms of possibility that tutors and administrators could choose to ignore or deviate from the penalties outlined for plagiarism cases, resulting in inconsistencies occurring.

It may not come as any great surprise that such disagreements might happen within Higher Education, however, because, as stated above, at the heart of academia is the notion of ‘academic freedom’ and the right to express and explore alternative views. In the UK this is best illustrated by the Education Reform Act (1988) which states that University Commissioners are:

“To ensure that academic staff have freedom within the law 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 or privileges they may have at their institutions.”

This is not unique to the UK. For example, the Canadian Association for University Teachers has a policy statement regarding academic freedom holding up similar fundamental philosophies:

“Academic members of the community are entitled, regardless of prescribed doctrine, to freedom in carrying out research and in publishing the results thereof, freedom of teaching and of discussion, freedom to criticise the university and the faculty association, and freedom from institutional censorship. Academic freedom does not require neutrality on the part of the individual. Rather, academic freedom makes commitment possible. Academic freedom carries with it the duty to use that freedom in a manner consistent with the scholarly obligation to base research and teaching on an honest search for knowledge.” (Canadian Association for University Teachers, 2007)

Similar statements regarding academic freedom can be found for the USA and other countries.

There is the question, however, as to whether there might be occasions when such disagreements and acknowledgement of academic freedom should *not* interfere with actions. Arguing for change but operating within the current structure/criteria/regulations until change is exacted, is very different to deliberately choosing to ‘not play within the rules of the game’ simply because you disagree with them. Certainly debate and disagreement could be viewed as healthy in order to move forward ideas and theories, and is the academic vehicle for progress and change. However, it would seem unhelpful and unjustified when such disagreement results in rebellion and inconsistency where students are then affected. This could certainly be argued for both marking of assessments *and* dealing with cases of plagiarism. However, Flint *et al* (2006: 152) when investigating staff perceptions of plagiarism suggest that “many staff place considerable value on academic professional judgement and may perceive centralized policy to pose a threat to this.”

In reviewing the assessment literature, it is clear that grading reliability is so crucial in assessment marking that strategies are used to ensure, as far as possible, that

inconsistency and unreliability are minimised. Hence, these strategies will now be explored more fully.

3.2.2 Reducing assessment marking variability

Academia has clearly recognised that there is a problem and this is illustrated by Milthorpe (2002: 287) when he suggests that “The assessment of work of students is a fundamental activity of universities, but it is a singularly unsatisfactory activity...[because it] is highly subjective.” It is not surprising, therefore, that ways have been sought to reduce that variability and ensure greater reliability and validity. Indeed Gibbs and Habeshaw (1989) suggest that tutors must accept the subjectivity and unreliability of marking but find ways to limit it. Barrett (1999: 6) perhaps is a little more optimistic when he suggests that whilst “It is unrealistic to expect perfect agreement between a group of raters. Nevertheless, it is not unrealistic to seek to obtain consistent ratings from raters.”

The two *key* areas highlighted in the literature to reduce marking variability are: to ensure marking criteria or guidelines are used; and to use moderation or double marking. Examination of the literature regarding marking criteria can reveal the existence of debate regarding assessment validity: whether or not the assessment tests the learning outcomes; whether the marking criteria make correct judgements of the standards achieved; whether norm referencing or criteria referencing is used. Although it is interesting, valuable and necessary for such research and debates to take place, it was not felt to be central to the issues of consensus and consistency pertinent to this particular thesis, nor is there the time to give justice to this debate. Hence, discussion will remain focussed on the ‘operation’ of marking criteria to reduce marking variability rather than on all the issues of validity. Although, it has to be acknowledged that separating reliability and validity would, if this were a thesis specifically addressing assessment, almost certainly be seen as simplistic, foolhardy and unjustified.

Many institutions outline the requirement for marking criteria to be used and made transparent to students. For example, in the University of Southampton’s Quality Assurance Handbook for the academic year 2006-07, it was stated that “Criteria for

assessment should be as clear as possible to tutors, examiners and students to ensure equity, validity and reliability.” (Note that this handbook has now been superseded by a new Quality Handbook.) The Institute for Interactive Media and Learning (IML), at the University of Technology, Sydney, provides similar advice:

“Once the goals of assessment have been determined it is necessary to describe the criteria that will be used to judge whether the desired level of performance has been achieved. Learning objectives consist of three parts:

- the student action;
- the content; and,
- the standard required to meet the objective.

Assessment criteria relates to the third part of the objective, the standard of performance.

Criteria are developed by analyzing the learning outcomes and identifying the specific characteristics that contribute to the overall assignment. These are the standards by which learning is judged.” (IML, 2007)

The assumption, of course, is that provision of marking criteria will ensure reliable and accurate marks are given to a set of assessment scripts. Gibbs and Habeshaw (1989: 112) certainly suggest that “explicit criteria also increase the likelihood that different markers will come up with the same marks”, and Norton (2004) suggests it is better than having none at all: “using a marking scheme that sets out assessment criteria is more accurate than some sort of intuitive overall judgement.”

Unfortunately, however, provision of marking criteria alone does not guarantee reliability and reduced marking variability. For example, Saunders and Davis (1998) found marking variability amongst a set of tutors *despite* marking criteria being provided. They reported that when marking dissertations, marking variability was determined by a number of factors: “the longer a lecturer had spent assessing a dissertation, the lower the grade it received” (Saunders and Davis, 1998: 164); inexperienced tutors awarded higher marks than experienced tutors; different tutors interpreted and understood the criteria differently. Littlefield and Troendle (1986: 3) put forward the suggestion that markers may find the marking criteria does not align with their own “preconceived category prototypes” and, therefore, simply ignore the criteria and review the work more generally against these preconceived ideas.

The challenge, therefore, is to not only set up appropriate, effective and clear marking criteria but also to ensure that markers understand, interpret and follow them

consistently. Certainly M Price (2005) suggests that if markers do not understand the standards then they are less likely to apply it reliably/consistently. However, there *are* practical steps which can be taken. Saunders and Davis (1998) suggest that consensus and consistency in marking can be improved if tutors are involved in the development of the criteria, and that they are revisited periodically; Brown and Knight (1994) suggest that marking criteria need to be agreed amongst all markers; Littlefield and Troendle (1986: 5) suggest that marking criteria should “use global judgement scoring in combination with marking detailed criteria.”

It is appropriate at this point to consider the parallels with plagiarism. Certainly in similar fashion to the setting of assessment criteria, institutions present regulations for academic integrity which should allow tutors, managers and administrators to assess, judge and punish cases of plagiarism consistently across departments, schools and faculties. However, subjectivity, differences in interpretation and opinions, as evidenced in assessment marking, is more than likely to also exist in plagiarism and is beginning to be discussed and evidenced in the plagiarism literature, for example, see Flint *et al* (2006). Hence, this thesis will explore whether or not consensus and consistency can be improved with the provision of specific guidelines. Whilst the assessment literature would suggest such measures may help, it is possible to surmise that provision of guidelines might *not* completely eliminate inconsistent practices since inconsistency remains a problem in marking of assessed work, even when marking criteria is used.

The discussion of marking criteria thus far is focussed on achieving reliability within a group of scripts, or possibly within a programme. However, one important aspect to Higher Education is that there is a degree of comparability of standards across the sector, which would also require consensus and consistency across programmes and institutions. Brown and Knight (1994) highlight that if we only consider reliability in terms of marking reliably at a local level then there is likely to be inconsistencies across the Higher Education sector. They suggest, therefore “that a case begins to emerge for working towards agreements amongst Higher Education institutions about the criteria and standards to be applied.” (Brown and Knight, 1994: 29) Certainly, this parallels the call from Deech (2006) for consensus across the Higher

Education sector when dealing with cases of plagiarism as already indicated earlier in this thesis.

A second key strategy found in the literature for improving marking variability is that of double marking or moderation/monitoring (Saunders and Davis, 1998; Barrett, 1999). White (2007) provides an explanation of the difference between these two different types of activity: double marking involves two markers independently grading a script and then discussing a final mark. Moderation, or monitoring (the term used by White (2007)), is more holistic, with the moderator reviewing a sample of scripts to assess if they have been ranked appropriately and pitched appropriately: the assumption being that if the sample appears to be appropriately graded then so too will be the entire set of assessments. In double marking, individual marks can and would be changed, whereas with moderation, whole cohorts would have their marks 'shifted' if marks were deemed inappropriate. The key difference is that with double marking the marks for individual students could be changed, or not, and by any amount deemed appropriate by the markers; in moderation all scripts might have their mark changed but by the same amount, for example, all marks increased by 5% if the pitch of marks was deemed to have been too harsh, or scripts within a particular classification band may be reviewed and marks changed.

It is interesting to note that some authors refer to moderation as a process of amending marks according to a 'mathematical formula'; for example, Magin and Helmore (1998) and Milthorpe (2002). In these cases a review and realignment of marks is not subjective and does not involve a reviewer looking at the work per sé, but rather manipulating marks so that all assessors' marks are brought in line with each other, or with a common standard. Magin and Helmore (1998), for example, manipulated tutor marks so that all tutors had a similar mean and standard deviation for their set of assessment scores. As this is a very different form of moderation this will be referred to as 'marks manipulation'.

Strategies such as double marking and moderation have been advocated in the literature to improve consistency (Barrett, 1999; Brown and Knight, 1994; Saunders and Davis, 1998; White, 2007). However, Brown and Knight (1994) suggest the time consuming nature of this means it may not be the most efficient option, and White

(2007) does set out several concerns regarding the use of double marking. White finally concludes that “I believe there is an overwhelming case for saying that monitoring is on balance the vastly superior system.” (White, 2007) However, there are still advocates of the more time consuming double marking practice. Smith *et al* (2002: 497), for example, suggest that double marking has “value in reducing marker error and subjectivity....” It is possible to consider that the model at Oxford Brookes University, as outlined by Carroll (Carroll, 2005; Carroll and Appleton, 2006), demonstrates that similar practices are already occurring in academic integrity and plagiarism. The use of academic integrity officers who meet during the academic year to discuss cases and penalty awards could be considered a retrospective moderation system. Whilst it may not change past outcomes, it would certainly influence those made in the future.

Whatever strategies are used, the fact still remains that education requires accuracy, reliability and validity with marking, yet this is something which is extremely difficult to achieve. In many assessments subjectivity cannot be eliminated totally, even with the use of marking criteria, and not all academics would want to lose that element of subjectivity anyway. Milthorpe (2002), for example, suggests that not everything can be ‘measured’ and hence, some elements of a marking criteria must be left vague and to the judgement of the marker. Furedi (2007), who is also not worried by the existence of subjectivity in marking, is more concerned by the drive to get rid of it in order to achieve consistency:

“The belief that there is something intrinsically undesirable in academics adopting a different approach to marking essays is symptomatic of the managerial ethos that prevails in higher education. Consistency may well be useful for bureaucratic calculation but it will lead to the diminishing of intellectual diversity and the transmission of creative thought.”

This returns to the point of academic freedom and the balance between the quality assurance requirements and the need to allow academics the freedom to disagree.

In the related fields of plagiarism and assessment marking common themes exist: groups of individuals (tutors and administrators) within an educational establishment are responsible for decisions and administration of processes for which consensus and consistency is a desired goal, and the outcomes of which affect students. Therefore, Engeström’s (1987) Activity Theory may hold relevance because of the

goals, activities and interactions of the various communities already outlined, and Wenger's (1998) ideas relating to Communities of Practice may hold relevance because the different communities involved in assessment and plagiarism punishment (students, tutors and administrators). Hence, the next sections will provide a brief explanation of these theories and a discussion of their potential relevance and usefulness for this thesis. It should be noted, however, that it will not be practical to give a full and detailed description and debate regarding these theories as this would be a thesis in itself. However, the following sections will provide an overview of the key concepts and ideas for these theories, paying particular attention to those which may resonate most usefully to the area of punishment of plagiarism in student work.

3.3 Engeström's (1987) Activity Theory

Activity Theory has emerged and evolved from its roots in the work of Vyogotsky and Leontiev (Hedegaard, Chaiklin and Jensen, 1999). The evolution of the theory has, according to Seale (2007: 4601), turned it into a "multidisciplinary theory that offers a framework and set of concepts, for describing activity that provide both an individual and social perspective on practice." Nardi (1996a) suggests, however, that rather than being a 'theory' as such, it is a "powerful and clarifying descriptive tool." (Nardi, 1996a: 7)

It is worth at this juncture explaining that the term 'framework' will be used throughout this thesis at times when the term 'tool' might perhaps be more appropriate or preferred. As will be seen below, the term 'tool' has specific meaning and connotation in Activity Theory, hence, the need for an alternative term when making reference to the educational theories as an instrument to help understanding.

Activity Theory considers the relationships and interactions between the key components of any activity, i.e. between the *tool*, the *subject*, the *object*, the *rules*, the *community* and the *division of labour* (Kuutti, 1996). It provides researchers with a framework to help them understand human activity. Seale (2006: 160) elucidates further when she explains that:

“...it will not enable us to predict what behaviours or activities might occur..., but it might be able to offer a useful framework for describing current practice with a view to understanding what is and is not working particularly well.”

It would appear to be a flexible framework in that it can be applied to many activities in a variety of different situations. For example, Seale (2007) uses Activity Theory to help explore the factors involved in making e-learning accessible in Higher Education. Other examples of how Activity Theory can be used to explain, interpret and explore human activity are provided by Engeström, Miettinen and Punamäki (1999) and Nardi (1996b). Hence, if punishing plagiarism, which is the focus of this thesis, were deemed to be an *activity*, then Activity Theory could be used to help understand and interpret the findings of this research. It is useful, therefore, at this point to explore some of the key concepts of this theory and to determine if they align with those within this thesis.

3.3.1 The basic concepts of Activity Theory

Nardi (1996a: 7) suggests that Activity Theory embodies the idea that “you are what you do.” Importantly, the complex notions behind this statement which link consciousness to human activity are located within, what she terms, the social matrix: a matrix that comprises of people and artefacts. Activity Theory provides a framework which links together all the different components which are involved in an activity. This includes a link to the aim or desired outcome of the activity. Hence, the framework can include people, organisations, ideas, concepts and rules, all of which are considered alongside the end point of the activity, i.e. the outcome. The exact nature of the framework depends primarily on the nature of the activity and the desired outcome or *object*. Perhaps objective would be a more appropriate term since in many activities a physical object is not the goal, but rather an outcome or objective is.

Before continuing further it would seem sensible to start with a definition for *activity*, and also a definition for each of the identified six components in the framework. It is important to do this since Seale (2006: 161) suggests that “confusion can arise in understanding these terms, because they mean different things to

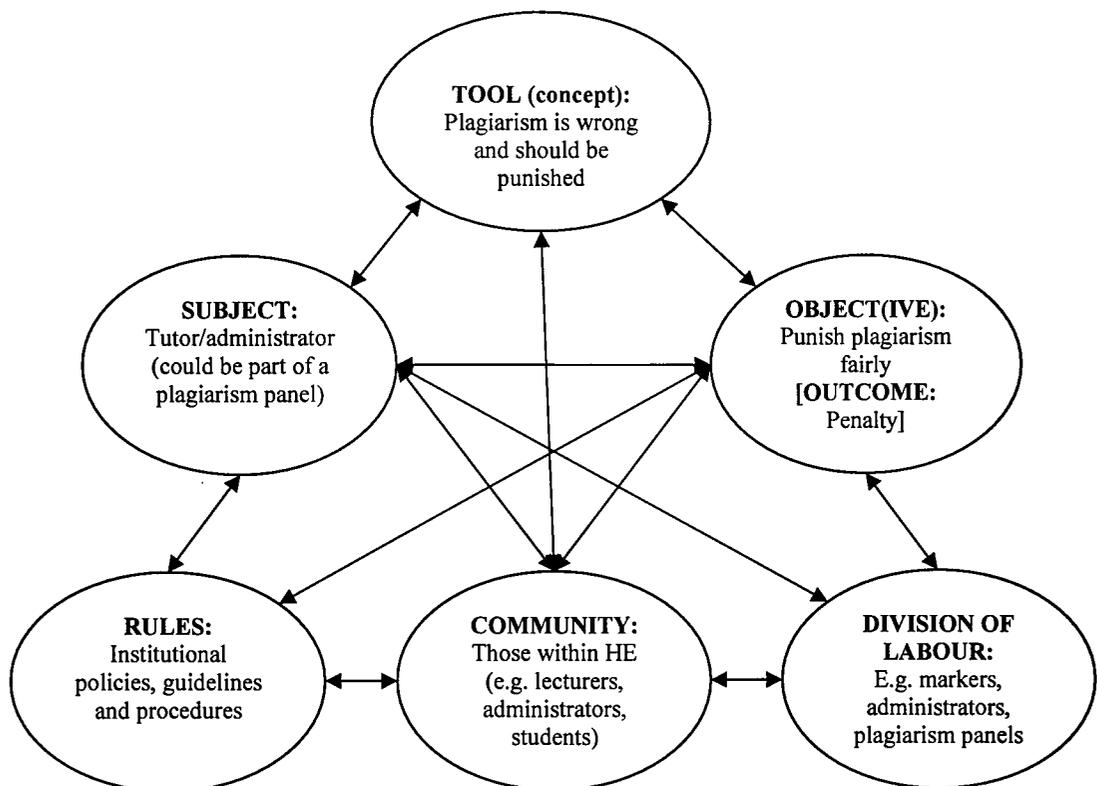
different people....” It is also helpful at this juncture to attempt to align these components to the area under investigation within this thesis.

According to Kuutti (1996: 27) “an activity is a form of doing directed to an object, and activities are distinguished from each other according to their objects.” Kuutti (1996: 27) continues with the suggestion that an *object* can be “a material thing, but it can also be less tangible”. This suggests, as indicated previously, that the term *objective* may provide a clearer perception of the meaning of this particular term. In this thesis the *activity* could be considered as ‘punishing plagiarism’, however, that could also be considered as an *action* or an *object (objective)* which is part of a broader overarching *activity*. A parallel example to demonstrate this concept would be to consider a Police force. Their *activity* is ‘to uphold the law’ rather than ‘to prosecute criminals’. However, in undertaking the *activity* the resultant *object* and *outcome* is the prosecution and punishment (acknowledging this is actually undertaken by the courts rather than the Police) of those who break the law. Hence, it was decided to set the *activity* pertaining to this thesis as ‘policing student plagiarism’ with the *object* or *outcome* being ‘to punish those who plagiarise’. In order not to forget that a central concept to the punishment of plagiarism is that of fairness, the word ‘fairly’ was added to the *objective* descriptor.

Kuutti (1996) explains that the *subject* is the person undertaking the activity and that a *tool* mediates between the *subject* and the *object*. In this thesis the *subject* would more than likely be the tutor or the administrator of the institution, and the *tool* could be the notion or belief that plagiarism is wrong and that it should be ‘dealt with’ and ‘punished’. Whilst a belief or notion may, at first, appear to be a strange allocation to the term *tool*, Kuutti (1996: 28) explains that “a tool can be anything used in the transformation process, including both material tools and tools for thinking.” The *tool* is also influenced by historical developments and will evolve over time (Engeström, 1999). This could certainly be considered the case for plagiarism and the evolving ideas of what plagiarism is, how to prevent it, how to find it and how to deal with it once it has been found. The *outcome* of this activity would be the award of a penalty and would, therefore, be the result of interactions between the three components of *object, subject* and *tool*.

This original and rather simplistic three-way framework, however, does not capture the true extent of influences interacting for an activity and hence, the framework has been expanded (Engeström, 1999) to incorporate three further components: *rules*, *community* and *division of labour* (Engeström, 1999). *Rules*, according to Kuutti (1996: 28), “cover both explicit and implicit norms, conventions and social relations within a community”; a *community* refers to “those who share the same object” (Kuutti, 1996: 28); and *division of labour* “refers to the explicit and implicit organisation of a community...” (Kuutti, 1996: 28) In this thesis, therefore: the *rules* could be identified as the institutional policies and guidelines, in particular those which pertain to plagiarism and punishment thereof; the *community* would be the staff working within the institution; and the *division of labour* could be considered as the tutors or markers, administrators and plagiarism panels, all of whom may have their part to play in the policing and punishment of student plagiarism. Hence, figure 3.1 attempts to show how the Activity Theory framework could be developed for the topic of this thesis.

Figure 3.1 Application and adaptation of Engeström’s (1987) Activity Theory to the policing of plagiarism in Higher Education.



There are five key concepts central to Activity Theory: *transformation, motivation and consciousness, mediation, history and development, and contradictions and conflicts* (Kuutti, 1996; Seale, 2006). The most relevant concept to this thesis is *contradictions and conflicts*, particularly given the first aim of this thesis is to explore and attempt to understand the nature and extent of consensus and consistency. Hence, it is on *contradictions and conflicts* as a key concept of Activity Theory that I will now focus attention.

One helpful aspect of Activity Theory is that it can be used to explore and understand when, where and/or why things breakdown or go wrong. As Engeström (1999: 32) suggests: “The analysis of the activity system may illuminate the underlying contradictions that give rise to those failures....” According to Seale (2006: 164) “contradictions manifest themselves as problems, ruptures, breakdowns or clashes.” If we now return to one of the aims of this thesis it is possible to see how Activity Theory might help.

As stated at the end of chapter 2 the first aim of this thesis is “to explore and attempt to understand the nature and extent of consensus and consistency, or more likely the lack of it,” The framework presented in Figure 3.1 provides a systematic approach for the focus of attention. For example, Activity Theory suggests that “tools mediate the relationship between subject and object” (Seale, 2006: 163). Hence, in exploring the underlying views of the tutors (the *subject*) and why they awarded certain penalty options, it would be possible to determine if the *tool* has the correct assumptions. If a *contradiction* is found this could explain why and where some of the problems surrounding consensus and consistency exist when punishing plagiarism.

Identifying *contradictions* within the framework may also provide evidence of where researchers and practitioners should focus their attention in order to bring about change. For example, Seale (2006) found that applying Activity Theory to e-learning and accessibility enabled key questions to be identified which could help researchers focus on those aspects which would elicit change and improve future practice. This would prove useful for the current thesis because, although other authors have

documented some research findings demonstrating different views of plagiarism and, therefore, the potential for inconsistent decisions, no-one to my knowledge has, to date, used Activity Theory to explore and explain punishment and sanctions within student plagiarism.

As with many models and theories, however, seldom is there a ‘perfect fit’ with the research topic or research questions, and this theory was no exception. Davydov (1999) outlines the “unresolved problems” (Davydov, 1999: 41) with Activity Theory under eight headings: understanding transformation; collective and individual activity; structure and components of activity; understanding communication; connections to other theories; the biological and the social; and organising interdisciplinarity. Whilst not wishing to dismiss the importance of these problems, for me the most fundamental problem was at a practical level rather than a philosophical one. When first considering this theory and the possible resulting framework there was one particular problem which was identified: it was difficult to see where the student would fit in with the activity system. Whilst the student is not directly involved with the activity itself, if we choose to define the activity as policing and/or punishing plagiarism, they do need to be considered since the outcome of the activity affects them directly. Their views, particularly if they disagree with the outcome, would potentially result in complaints and appeals as discussed in previous chapters. Hence, the interaction between the student and the outcome would not normally be evident in the framework but it was my own feeling that it should be. As can be seen in Figure 3.1 the framework, therefore, was adapted and the student has been added as part of the *community* in order to explore *contradictions* which may occur relevant to this group’s opinions and involvement with the activity, even though it may be considered peripheral to the activity in the strictest sense. Perhaps a three-dimensional framework would have been more appropriate, whereby the student could be added as a *second subject* and could link to some, but not necessarily all, of the other nodes. However, it was decided that adding the student in to the *community* would suffice for an initial analysis, particularly since a further theory (see section 3.4) was to be considered alongside this one which may reduce or even negate the problem as identified here.

Engeström's (1987) Activity Theory also conceptualises *boundary zones* and *boundary-crossing*. As Activity Theory is a theory relating to learning, the *boundary zone* can be conceptualised as a zone whereby different groups may have a similar *object* and hence, can transfer knowledge, understanding or practice relating to that *object* and may learn from each other and each other's experiences. Daniels, Leadbetter, Warmington *et al* (2007: 532) explain that:

“Standard notions of professional expertise imply a vertical model, in which practitioners develop competence over time as they acquire new levels of professional knowledge.... By contrast, boundary-crossing suggests that expertise is also developed when practitioners collaborate horizontally across sectors.”

This may be a useful concept if we consider the *activity* for this thesis as common across the education sector with different *activity systems* in operation within different parts of the sector. However, as will be seen later in this chapter, a similar useful concept for learning and transfer of knowledge can be found in Wenger's (1998) Communities of Practice with the idea of *brokers*. Hence, no further discussion of *boundary-crossing* will take place here.

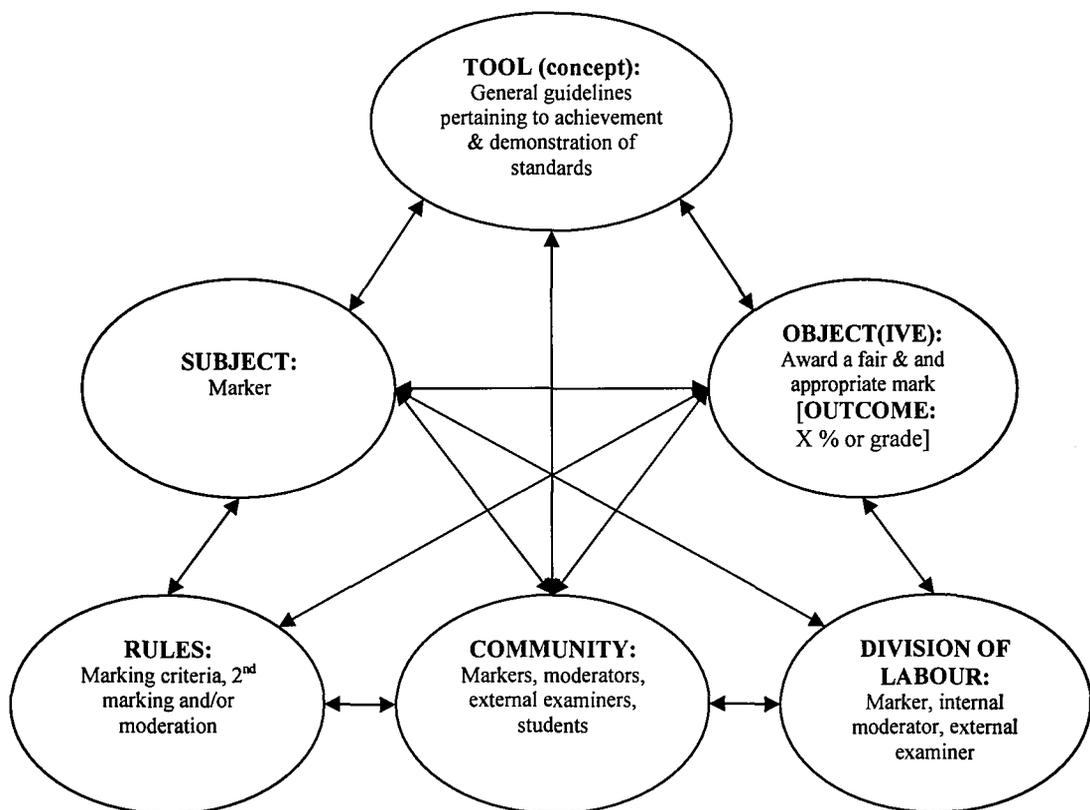
3.3.2 Using Activity Theory: an illustration with assessment marking

At the start of this chapter assessment marking was highlighted as an area with similar central concepts to that of plagiarism punishment: marking should be fair. Hence, it is helpful at this juncture to provide an illustration of how Activity Theory could be used to enable understanding of the problems and issues experienced within assessment marking. If assessing and marking student work is considered as an *activity* it is possible to create a framework for that activity as shown in Figure 3.2.

As previously indicated, Activity Theory can provide a useful framework for the identification of *contradictions*. From the literature presented in section 3.1 of this current chapter it is possible to identify *contradictions* or points of failure. For example, the fact that inter and intra marking variability exists would suggest that *contradictions* exist between the *subject* and the *rules*, and the *subject* and the *community*. This can help researchers to focus attention towards designing research in order to explore these *contradictions*. If the exact location and nature of the

contradiction can be determined it may be possible to change some aspect within the framework to improve the situation. It is possible, therefore, to use the framework in a similar way for the work within this thesis: the framework can help identify the nodes of the activity and this can help the researcher to identify areas for investigation.

Figure 3.2 Application and adaptation of Engeström's (1987) Activity Theory to assessment marking.



Activity Theory, by its very nature, places activity as the central focus. However, there are other theories which have a different central focal point or conceptual framework and hence, Activity Theory was not deemed to be the *only* theory of potential usefulness for this thesis. Consequently, a second theory was explored: Wenger's (1998) theory of Communities of Practice.

3.4 Wenger's (1998) theory of Communities of Practice

Engeström and Miettinen (1999: 8) state that “In education, situation learning in communities of practice has emerged as an attractive and controversial new approach.” This alternative approach has gained momentum in recent years and hence, its relevance will be considered for this thesis. Similar to Activity Theory, Wenger's (1998) Communities of Practice has been used to help researchers understand and interpret findings within educational research. Seale (2004), for example, used Wenger's (1998) Communities of Practice in her paper which reviewed the development of accessibility practices in e-learning.

Wenger's (1998) social theory of learning is outlined extensively in the text ‘Communities of Practice: Learning, Meaning, and Identity’. Whilst this may not immediately appear relevant to plagiarism, and in particular the punishment of those who have been found to have plagiarised, the key concepts central to Wenger's ideas of *practice*, *community*, *participation* and *identity*, all do, in fact, have relevance to the issues being dealt with in this thesis:

- Dealing with plagiarism found within academic assessments occurs within the educational system, and in the case of this thesis the focus is on Higher Education specifically. Higher Education at a general level, the individual institutions, and those working within them (students, tutors and administrators) could all, therefore, be considered *communities* and individuals within those *communities* have to deal with cases of plagiarism found within student work;
- Punishing cases of plagiarism could be considered a *practice* which takes place within those *communities*;
- The *identity* of individuals within those *communities* may affect the *practice* which takes place, the decisions which are made within them, or their view of rules, regulations and decisions. For example, as discussed previously in chapter 2, a marking tutor may not view their role as one which should include policing and punishing acts of plagiarism, and that taking on such a role would “breakdown the relationship of mutual trust between teacher and taught...” (Park, 2004: 293) Such a view might make them reluctant to operate institutional policy or may colour their interpretation of regulations.

Hence, Wenger's ideas of Communities of Practice may provide resonance within plagiarism which takes place in an educational setting, and the specific areas under investigation in this thesis of punishment once it is found.

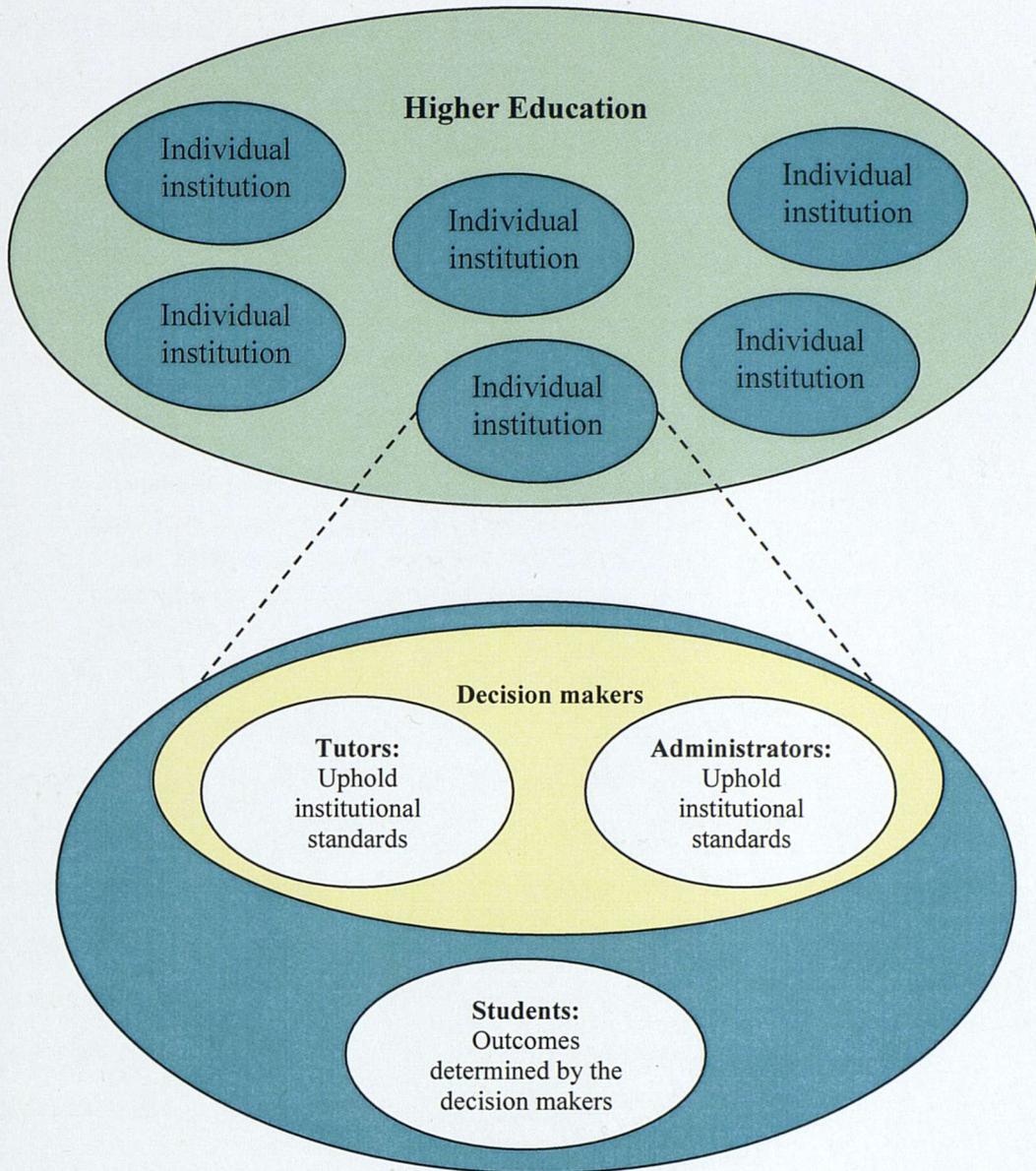
Wenger (1998) points out that the value of theory is not that it will provide answers or "tell you just what to do" (1998: 9), but more in the fact that it can "act as a guide about what to pay attention to, what difficulties to expect, and how to approach problems." (1998: 9) Hence, this theory will be useful in this thesis to explain and understand the findings and to point a way forward for the *community* to learn, understand and develop over time. It will not provide solutions to the questions but may help to illuminate the path by which to find such solutions.

3.4.1 We all belong to Communities of Practice

Wenger (1998) argues that we all belong to many different Communities of Practice and that these *communities* shape our knowing, our understanding, the way we perceive ourselves and are perceived by others, and provides the meaning of what we do. *Communities* comprise of individuals but those individuals can belong to and operate within several different *communities*, some formal and some more informal. Figure 3.3 shows the individuals and *communities* which might be involved in an educational practice such as assessment marking or plagiarism punishment in Higher Education.

In considering a Community of Practice and its helpfulness when investigating aspects of plagiarism, it is necessary to determine what constitutes or defines a *community*, and to explore aspects which influence compliance to *rules* which have been set by that *community*. Hence, the next section will outline Wenger's key concepts.

Figure 3.3 Communities of Practice in Education



3.4.2 A community in the making

The Collins Compact English Dictionary (1994: 165) provides five definitions under the term *community*. Some provide a clearly defined boundary, for example, in terms of geographical location: "all the people living in one district". Others have less clearly defined boundaries, for example, "the public; society". It is this less distinct, less strictly confined *community* that Wenger conceptualises. Wenger suggests many Communities of Practice are informal and indeed suggests that they "rarely come into explicit focus, but...are also quite familiar." (1998: 7) The more formal

communities such as those attending a school, or individuals living in a parish council community, or those belonging to a club or sports team, therefore, sit alongside less formal, and perhaps less obvious *communities* such as the family unit, those who chat to their friends on MSN, or those who go to a music concert to see their favourite band.

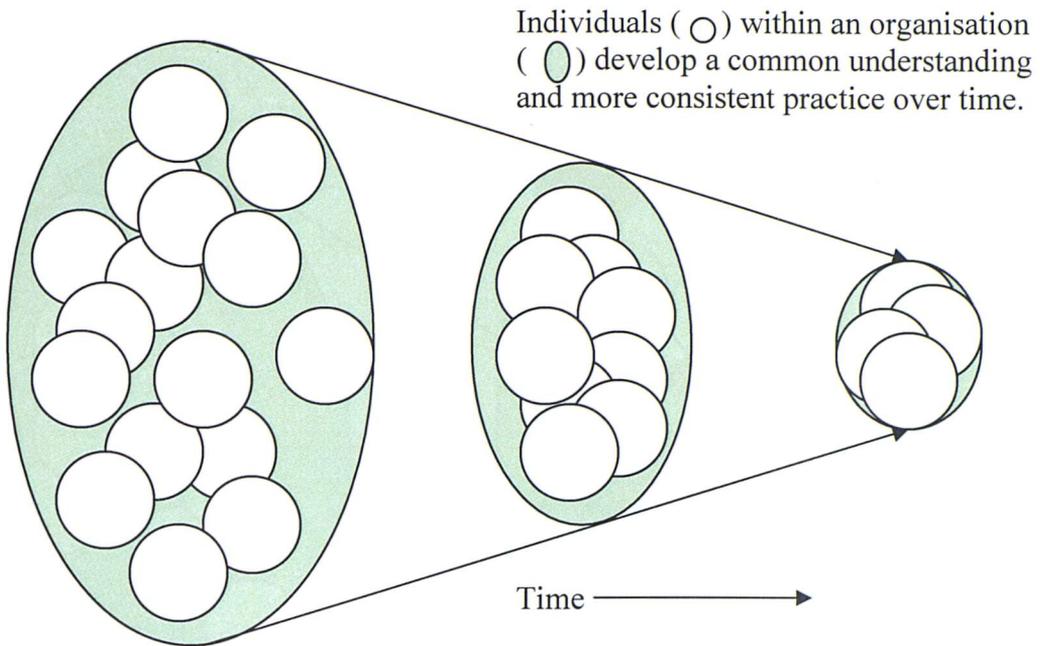
Communities of Practice are to some extent fluid, flexible and evolve over time.

Wenger explains this by stating:

“Being alive as human beings means that we are constantly engaged in the pursuit of enterprises...as we engage in their pursuit together, we interact with each other and the world...Over time, this collective learning results in practices that reflect both the pursuit of our enterprises and the attendant social relations. These practices are thus the property of a kind of community created over time by the sustained pursuit of a shared enterprise” (Wenger, 1998: 45)

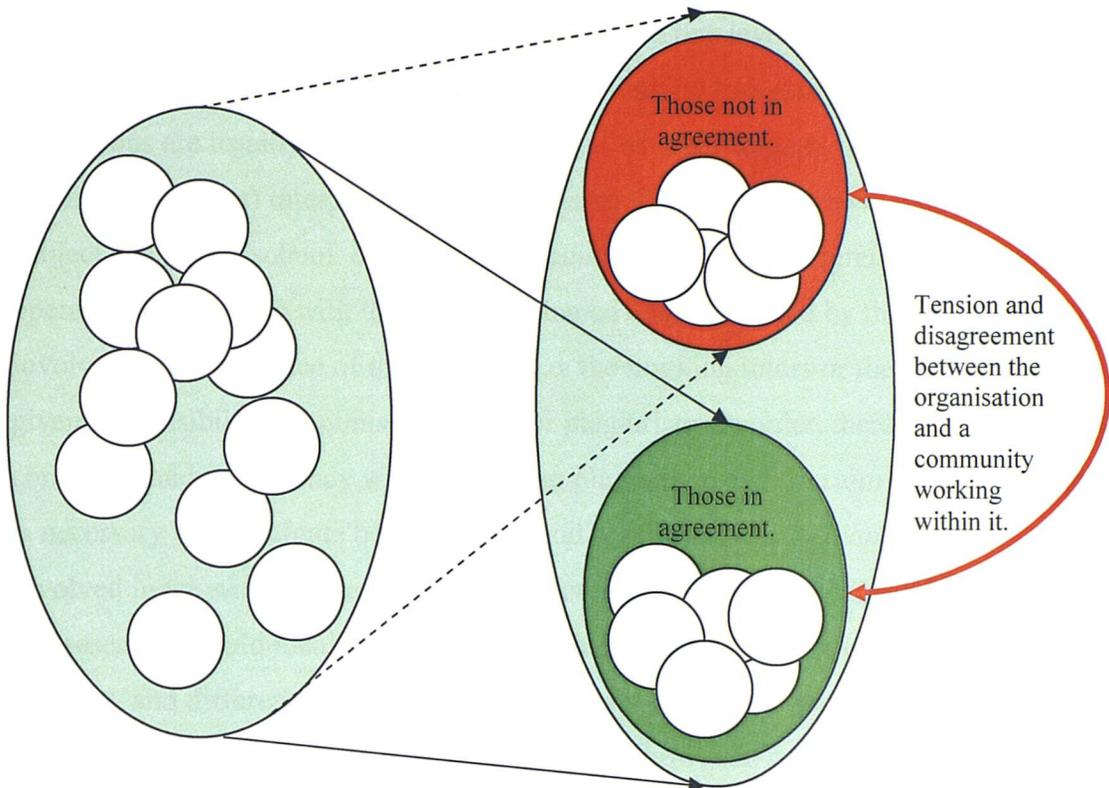
The notion of a *community* pursuing a *shared enterprise* which results in participation and development of practice might suggest harmony, conformity, agreement and the pursuit of a shared, common goal, however, Wenger (1998) acknowledges that *communities* also experience tensions, disagreements and non-compliance. It is possible to surmise, therefore, that in the early stages of a Community of Practice there may be different practices, beliefs and possibly even goals but that, over time, this may evolve into a ‘coming together’ and harmonisation. Such an evolution is represented in Figure 3.4.

Figure 3.4 Evolution of a Community of Practice



Of course, evolution may not result in complete harmony since the creation of harmony within a sub-set of a *community* may still be at odds with others *within* the organisation (a *different community*), or at odds with the overarching organisation itself (the *larger community*). An example of this would be the pay dispute in UK Higher Education institutions in May 2006. Some tutors refused to mark assessed work until the pay dispute was resolved. The tutors belonged to the institutional *community* whose goal or *shared enterprise* was to grade assessments and award qualifications. However, the dispute created a sub-set *community* at odds with the achievement of that goal: some tutors refused to mark assessed work at all and jeopardised the calculation and conferment of degrees at summer Examination Boards (*community 1*), whilst others carried on with their normal marking routine and even marked other colleagues' assessments (*community 2*). Interestingly, another *community* of tutors (*community 3*) marked the assessments but refused to provide administrators with a list of the awarded marks. It is possible, therefore, to see: how *sub-communities* can form within a larger *community*; how local *communities* and practice can form within a larger *community*; and how dispute and disagreement can potentially be a driving force behind the creation of *communities* at odds with each other. Figure 3.5 provides a representation of *communities* where individuals might be at odds with each other.

Figure 3.5 Dispute and disagreement within communities



An important aspect to Wenger’s theory is the notion of *participation* and *reification*. *Participation*, according to Wenger (1998: 55) “suggests both action and connection”. In other words it is about individuals both belonging to a *community*, conceptually and practically, and acting within and according to it. *Participation*, Wenger suggests “is a source of identity.” (1998: 56) Whilst *participation* in its most straightforward sense of ‘taking part’ may not be difficult to understand within any concept, the suggestion from Wenger (1998) that *participation* goes beyond this, may not be such an easy concept to grasp. The example provided by Wenger (1998) to explain this broader concept of *participation* is for a claim’s processor:

“Claims processors are not claims processors just while they work in the office. Of course, that time of intense engagement with their work and with one another is especially significant. But they do not cease to be claims processors at five o’clock.” (Wenger, 1998: 57)

Reification is when “A certain understanding is given form.” (Wenger, 1998: 59)

Seale (2006: 179) suggests that this can manifest itself in the production of “a range

of laws, procedures or tools.” In the case of this thesis, therefore, *reification* could be considered as the development of rules, regulations and guidelines created from the notion that plagiarism is wrong (which could be, at one level, viewed as a *negotiated meaning*) and should be punished (possibly pertaining to a *shared enterprise*). Such regulations are usually set at institutional level with participants of the process (tutors and administrators) interpreting them and using them at a local level, within their subject discipline, school, department or faculty. The local interpretation and operation of the *rules* will, therefore, be shaped and influenced by the individuals involved at the coal face of the practice, i.e. the marking tutors or the administrators given responsibility for punishing cases of plagiarism. In order, therefore, to explore consensus and consistency when punishing plagiarism, as is the aim of this thesis, it is necessary to investigate beliefs, views and practices of all the *communities* involved in the *shared enterprise*. Hence, returning to Figure 3.3 it can be seen that any research should ideally include data gathering from tutors, administrators, students, and different institutions. The difficulty of placing ‘the student’ within this framework, as with Activity Theory, once again, however, comes to light. If the *shared enterprise* of punishing plagiarism is considered, then the student is not actually part of that *shared enterprise*, however, if the larger *community* of Higher Education is considered, and the *negotiation of meaning* is that plagiarism is wrong and should be punished, they do form a *sub-community* who may or may not agree with that particular *meaning*. The resultant actions of the *community* with authority to punish plagiarism does affect the student population (the student *community*) and hence, students were, as for the Activity Theory framework, factored into the concepts used in this thesis as shown in Figure 3.3.

The practicalities of gathering data from all involved *communities* must, of course, be balanced against the ideal and may result in compromise. Chapter 4 will outline the specific method choices and participant selection for this current thesis. At this point, however, it is simply worth noting that participant recruitment proved difficult and it was not always possible to gain data from all the *communities* which would have been desirable.

Over time *communities* evolve, change shape and direction, and develop their practices through *participation* and *reification*. It is likely, therefore, that with that

evolution a level of coherence is developed, and along with it comes a *shared repertoire*. Deech (2006) was calling for Higher Education to come to some level of consensus regarding the punishment of student plagiarism and this would require a common agreement of outcomes and practices. According to Wenger (1998) a *shared repertoire* can be “routines, words, tools, ways of doing things...or concepts that the community has produced or adopted in the course of its existence, and which have become part of its practice.” (Wenger, 1998: 83) Young or new *communities* would not have had time to develop such a *shared repertoire* and hence, this aspect of development could become a focus for attention in research: the development and exploration of diverse and new practices in order to help a *community* develop a *shared repertoire*. By the very fact that Deech (2006) has reprimanded Higher Education for inconsistent practices would suggest, at this point, that the plagiarism *community* is still in the early development stages and has yet to have defined a *shared understanding* or *repertoire*. This thesis will explore whether this is the reality of the situation or not.

Wenger (1998) suggests that the bringing together of *communities* and the development of a *shared repertoire* can be aided by *brokers*, or individuals who belong to several *communities*. Such individuals can move between two or more communities and, for example, disseminate good practice and help the development of learning and understanding. As already indicated previously, this concept could be deemed similar to that of *boundary-crossing* in Activity Theory. Both theories would require consideration of how the learning is, or could be transferred, and by whom. Hence, either concept (*brokers* or *boundary zones*) would be useful for this thesis but there would appear to be no added value in consideration of both. Hence, Wenger’s (1998) notion of *brokers* will provide the key area for discussions later regarding learning and transfer of knowledge. It will be necessary, therefore, to return to this idea of *brokers* at the end of this thesis when considering how Higher Education might move forward and develop from its current situation: the current situation as found and reported in chapters 5 and 6 of this thesis.

Wenger’s (1998) Communities of Practice can be a useful concept for analysis in many different situations. Hence, the next section will illustrate this fact by using concepts from the theory to evaluate assessment marking.

3.4.4 Using Wenger's Communities of Practice: an illustration with assessment marking

The application of the concepts within Wenger's (1998) Communities of Practice can help researchers to formulate appropriate questions in order to focus attention on specific areas of need, and can help to drive a future research agenda. In the case of assessment marking, therefore, we might ask:

- Does the *community* have a *shared enterprise*, or is there evidence of disagreement and non-compliance?
- If disagreement and non-compliance exist, what is the exact nature of the disagreement and what can be done to move individuals from conflict to agreement?
- Does Higher Education have an effective *shared repertoire* of practices in assessment marking which result in the award of appropriate and fair marks?

In reviewing such questions, the literature can be used to determine 'the current state of play'. For example, the literature would suggest that the Higher Education *community* has developed a *shared repertoire* of practices with the use of marking criteria, moderation and second marking, and the use of external examiners.

However, it is clear that the *community* who participate in marking student work is yet to agree precisely what should constitute, for example, a first class piece of work. By the very fact that tutors can sometimes disagree on marks for a dissertation by several classifications, for example, (as highlighted by Saunders and Davis, 1998) it is clear that the marking *community* has not yet fully *negotiated meaning* even if they would appear to agree on a *shared enterprise* (to award a fair mark to assessed work). Introduction or further development of practices would be limited in their effectiveness until the *community negotiates meaning* with regards standards of assessed work. Certainly this could in part suggest that Brown and Knight were right in arguing "that a case begins to emerge for working towards agreements amongst HE institutions about the criteria and standards to be applied." (Brown and Knight, 1994: 29)

Similarly to assessment marking, the concepts within Wenger's (1998) Communities of Practice can be used to develop research questions for this investigation into the punishment of plagiarism. Hence, in considering plagiarism, the Communities of Practice concepts might suggest it would be appropriate to explore whether the *communities* within Higher Education have *negotiated meaning* for plagiarism and punishment and if not, why not. This theory, therefore, aligns appropriately with the aims of this thesis:

1. To explore and attempt to understand the nature and extent of consensus and consistency, or more likely the lack of it, amongst individuals when punishing cases of plagiarism – an investigation of *negotiation of meaning, shared enterprise and conflict*;
2. To explore and evaluate possible solutions to move Higher Education Institutions, and those that work in it, towards achieving the key principles of fairness, appropriateness, justice and consistency – an exploration of the effectiveness of *rules*.

3.5 A case for both theories

It is clear that *both* Activity Theory and Communities of Practice could be used to help explore, understand and explain the work within this thesis. It is interesting to note, at this juncture, that whilst these two theories have been presented independently, some of their concepts and terms coincide or have notional similarity. Fundamentally, both theories are theories of learning and have a socio-cultural underpinning which recognises that an individual's views and actions are influenced by human interaction with our environment, both past and present, in the broadest of contexts.

There are also other similarities between the theories which are easily recognisable. For example, both theories incorporate *communities* although they place them at different focal points. In Engeström's (1987) Activity Theory there is the individual involved in the action, the *community* involved with the *activity*, and the *division of labour* within that *community* for any given action or *activity*. Hence, the *activity* is the central focus and driving force, rather than the *community* itself. In Wenger's (1998) Communities of Practice, on the other hand, the *community* is the central

focal point with their *shared practice* and understanding, rather than the activity itself.

There are other overlapping concepts or components such as the development and use of *rules* and regulations, and the influence of concepts and beliefs is factored into each theory. The apparent similarity between the notion of *brokers* and *boundary-crossing* has also been highlighted. Hence, it is possible to see how both would provide a different but valuable perspective for this thesis. Whilst both theories will have their advocates (it is not uncommon for researchers to have a preference with models and theories), it would not seem sensible, at this stage, to abandon one theory in favour of the other, particularly, when it would appear that both could have their uses. This decision was not so much a philosophical one but rather a pragmatic one, as neither would appear to fit perfectly with all aspects of this thesis but both could be useful. Further explanation of my stance as a pragmatic researcher will follow in the next chapter, but suffice to say, at this point, chapter 7 will return to both Activity Theory and Communities of Practice to discuss the findings of this thesis.

3.6 Summary

The assessment literature would suggest that academia is aware of the problems and issues of consensus and consistency and are putting strategies in place to reduce marking variability, but it is still grappling with the fact that consensus and consistency may be a necessary but seemingly unachievable aim. Indeed, it was recently reported that “Lecturers’ marking of student work is “inherently frail” and assessment procedures would struggle to stand up to legal challenges.” (Attwood, 2007b) The rest of this thesis sets out to explore whether or not the same problems exist when punishing cases of student plagiarism in Higher Education.

This chapter and the previous one have reviewed the literature for both plagiarism and assessment marking, and also for relevant theories in education. Although research into the area of plagiarism is relatively young in comparison to that of assessment marking, there are still large amounts of literature that can be found in the area of plagiarism. However, perhaps due to it being rather newer, much of it focuses on less sensitive areas and those which are easy to explore, such as prevention,

advice and surveys affirming why students plagiarise. There would appear to be fewer really innovative, empirical research studies evident in the literature, and particularly in the area of punishment and sanctions. There are even fewer which attempt to use educational theories or models to explain and understand plagiarism, or develop new theories or models which are appropriate to the topic area. Hence, the rest of this thesis will focus specifically on the punishment of plagiarism and will attempt to utilise Activity Theory and concepts from Communities of Practice to provide a clearer explanation and understanding of the findings.

Chapters 2 and 3 have highlighted that key individuals have identified and called for fairness, consensus and consistency when punishing cases of plagiarism, yet Deech (2006) has suggested that Higher Education is far from achieving this goal. By turning to the assessment literature, where the same key principles should apply, it is possible to draw potential parallels between marking and punishing cases of plagiarism. The assessment literature, which is more advanced than that of plagiarism, highlights potential issues, problems and solutions which plagiarism may be able to use to draw upon and learn from: marker variability parallels the potential lack of consensus and consistency which might be found in punishing plagiarism; the use of marking criteria aligns with the use of institutional regulations in plagiarism. Hence, the following chapters (chapters 5 and 6) will explore consensus and consistency specifically within plagiarism and punishing student cases, and chapter 7 will then return to the assessment literature and related theories and concepts in order to outline final conclusions and recommendations. Prior to chapter 5, however, it is necessary to outline the method considerations for this thesis which will be outlined in chapter 4.

Chapter 4 Method considerations

4.1 Introduction

The purpose of this chapter is to review the broader methodological issues pertinent to this thesis as a whole, and map the studies undertaken in this thesis against the research questions. Any *specific* method details or necessary further critique of a method choice which is only relevant to a *particular* chapter, therefore, will be explained and discussed in *that* chapter rather than this one.

4.2 Setting out a research stance

Grix (2002) argues that before starting research all researchers must know and understand the ontological and epistemological basis of research, and should decide on their own particular research stance. His argument is that this acts as a driver for the ultimate choice of methods to be used by the researcher. Patton (2002), on the other hand, argues that this is an unnecessary first step in the research process:

“...this book offers a pragmatic strategy of matching concrete methods to specific questions, including the option of tactically mixing methods as needed and appropriate. My practical (and controversial) view is that one can learn to be a good interviewer or observer, and learn to make sense from the resulting data, without first engaging in deep epistemological reflection and philosophical study.” (Patton, 2002: 69)

Hence, this chapter will, in part, attempt to position myself as a researcher in terms of my ontological and epistemological stance. However, it will also take the pragmatic view of Patton and explain the reasons for selecting particular methods to answer the research questions, without necessarily directly linking them to any ontological or epistemological position.

4.2.1 Positioning myself as a researcher

This thesis outlines a personal journey and hence, it is worth spending a short time explaining my background and demonstrating the shift in my perspective as this thesis has evolved. At the start of this PhD I was firmly ensconced in the objectivist/positivist camp. This was due to my background being in the scientific field of physiology (more specifically human exercise physiology), and because I

took the ontological position that “social phenomena and their meanings have an existence that is independent of social factors.” (Bryman, 2004: 541) The research methods which I had embraced prior to starting this thesis were experimental, laboratory based and highly controlled, with quantitative, statistical analysis to test hypotheses. As I have travelled through this PhD work, however, my stance has ‘softened’, particularly following a move into the School of Education which has resulted in greater exposure to alternative views and methods of research. In particular, the criticism of positivism, that “positivism is less successful in its application to the study of human behaviour” (Cohen, Manion and Morrison, 2000: 9), seems now, to me, to be justified.

Whilst I cannot take the extreme view of constructivism, whereby there is no one reality but reality is specific to the individual (Gubba and Lincoln, 1994), I can see that the ‘knowable world’ may have shades of grey, and that the degree of shading will differ according to each individual. My view now, it could be argued, therefore, is a postpositive stance where “Reality is assumed to exist but to be only imperfectly apprehendable....” (Gubba and Lincoln, 1994: 110) As further explained by Creswell (2003):

“Postpositivism reflects a deterministic philosophy in which causes probably determine effects or outcomes. Thus, the problems studied by postpositivists reflect a need to examine causes that influence outcomes such as examined in experiments...The knowledge that develops through a postpositivist lens is based on careful observation and measurement of objective reality....”
(Creswell, 2003: 7)

Gubba and Lincoln (1994: 110) suggest that the ontology of postpositivism is that “reality must be subjected to the widest possible critical examination to facilitate apprehending reality as closely as possible (but never perfectly)”, and this will logically lead to the acceptance of a multiple methods approach by a researcher.

However, pragmatism, as illustrated by Patton (2002), provides an alternative approach to research. For the pragmatist the concern is the solution to the problem rather than the philosophical stance per sé and hence, pragmatists will use a variety of different methods to understand and solve the problem (Burke Johnson and Onwuegbuzie, 2004; Creswell, 2003; Patton, 2002). The research question, therefore, is the starting central driver, and the key is to adopt the most appropriate method to

answer the question (Patton, 2002). A pragmatist will have to adopt a mixed or multiple methods approach regardless of their ontological or epistemological stance.

Mixed methods research, according to Creswell (2003), is defined as:

“One in which the researcher tends to base knowledge claims on pragmatic grounds.... It employs strategies of inquiry that involve collecting data either simultaneously or sequentially to best understand research problems...the final database represents both quantitative and qualitative information.”
(Creswell, 2003: 18)

Methods are used concurrently “to provide a comprehensive analysis of the research problem” (Creswell, 2003: 16), or across several sequential investigations to “elaborate on or expand the findings of one method with another method.” (Creswell, 2003: 16) Even though some researchers may acknowledge the use and value of mixed methods, not all would agree, however, that they should be mixed *within* a study:

“Situationalists find value in both qualitative and quantitative research, believing that certain methods are appropriate for specific situations...but should not be integrated in a single study.” (Petter and Gallivan, 2004: 3)

The change in my philosophical stance from objectivist/positivist to that of pragmatist has led to my acceptance that *both* qualitative and quantitative, or inductive and deductive investigations have their place in research. Additionally, I hold to the view that methods *can* be mixed *within* a study. Hence, the work in this thesis, as evidenced in later chapters, does involve an array of methods to answer the research questions.

It is worth clarifying at this juncture a distinction between pragmatism (resulting in the use of multiple methods) and mixed methods research. The pragmatist accepts the use of an array of methods appropriate to the research question. For example, as a pragmatist this would mean that:

- If I wanted to investigate the body’s physiological responses to a particular form of exercise I would design an ‘experiment’, although not necessarily laboratory based, with confounding variables eliminated or controlled, and I would formulate hypotheses which would be statistically tested using the quantitative results which have been gathered;

- If I wanted to investigate the experiences of Physical Education teachers who teach children with a severe disability I would accept that an experimental approach would not be appropriate, and so I would more likely use a qualitative approach such as using interviews.

Hence, given the discussions thus far, if asked, I would position myself as a pragmatic postpositivist. That is to say that I do not align with the views of extreme constructivism but I would not use quantitative, positivist methods of research if they were not the best approaches for a particular research question.

Returning to the distinction between the use of multiple methods and that of mixed methods research, the latter is not simply about being pragmatic, but lies more in the fact that a mixed methods approach will provide ‘added value’: a richness or completeness to the data which will enable a deeper and fuller understanding of the research question. Importantly, that completeness would not likely be achieved by use of a single method or without a mixed methods approach. A mixed methods approach was used for this thesis and further discussion regarding its adoption will come later in this chapter.

4.3 Methods in plagiarism research

Plagiarism, as a research subject in its own right, seems to have emerged and accelerated within the last decade. Prior to this, plagiarism usually appeared as a result of investigations into the broader area of cheating. Whilst the literature available on plagiarism is now extensive, much of it has, until more recently, taken the form of advice and guidance or simplistic empirical research of rates or reasons for plagiarising. For example, in terms of advice to tutors, Carroll’s ‘Handbook for Detering Plagiarism in Higher Education’ (2002) gives help and advice on: how to design courses and assignments which reduce the chances of plagiarism; how to best inform students; and provides helpful information on detection and institutional policy. The JISC PAS web site also has an increasing resource base to help tutors deter and detect plagiarism.

As far as research beyond advice and guidance is concerned, the available literature becomes more limited, although it is acknowledged that this has changed over the

time course of completing this thesis. As evidenced in the overview chapter of this thesis, there have been numerous investigations based around questionnaires to students asking about cheating behaviours: whether they have cheated or plagiarised; whether they know someone else who has cheated or plagiarised; why they cheat or plagiarise. An early example of this type of investigation is that of Franklyn-Stokes and Newstead (1995). However, other forms of research, particularly in the mid-late 1990s, but even extending into the new millennium, are rather harder to find. This may be why Levin (2006), as highlighted previously, called for research to move on from the initial, as he puts it, “lightweight surveys” and headline grabbing plagiarism rates, and calls for more helpful research into, amongst other things, policies and practices and how they are actually operating in institutions.

The overview chapter does show that there is some evidence that plagiarism research is indeed now moving away from the simple *who, why, how often* and *how much* exploration, and is now becoming more innovative and helpful on a practical level. For example:

- Barrett and Cox (2005) investigated whether collaboration and collusion are understood with the use of cases presented to students and staff;
- Saltmarsh (2004: 445) theorises plagiarism as a ‘consumptive practice’ by “drawing on the poststructuralist theory of consumption developed by Michel de Certeau”;
- Cummins (2008) explored student plagiaristic activity in terms of theory relating to envy, her proposal being that the plagiarist may not be envious enough to deter them from plagiarising;
- Anson (2008) used Activity Theory in his research of accepted writing within different communities and how education presents a very narrow view to students at odds with reality in the outside world;
- Park (2004), Carroll (2004) and Carroll and Appleton (2006) give details of institutional policy and practice and provide some reflection of its instigation and operation. Whilst these particular articles and conference presentations do not undertake studies in a more traditional sense, with methods of data collection such as questionnaires, they show that experience, application and reflection are now finding their way into educational literature;

- Yeo and Chien (2007) are exploring ways in which to get agreement amongst academics as to the severity of a case of plagiarism, and are developing a proforma which can help to move academics to a point of consensus.

Hence, the nature of research and dissemination of practice and experience in plagiarism is definitely shifting and expanding, both in terms of the questions asked, the investigative methods used, and the nature of the literature being reported.

An example to illustrate how plagiarism research is progressing is the fact that a book by Sutherland-Smith was published just as this thesis was being finished. Sutherland-Smith (2008) explores plagiarism and the internet and puts forward a 'plagiarism continuum', which could possibly be thought of as a newly proposed model, and which proposes two axes: the horizontal axis spans intentional to unintentional plagiarism and the vertical axis spans from approaches to plagiarism, to teaching approaches. This has been developed from Sutherland-Smith's research, and in her book she presents examples of teacher and students interviews illustrating their views and beliefs regarding plagiarism. Gaining an understanding of views and beliefs is an important step on from simply reporting plagiarism rates. The review at the back of Sutherland-Smith's book states:

"This book challenges Higher Education educators, managers and policy-makers to examine their own beliefs and practices in managing the phenomenon of plagiarism in academic writing."

It is also interesting to note that Sutherland-Smith builds into her continuum the uncertainty created by an unknown future. This is particularly pertinent to the internet where developments are often rapid and unpredictable (Sutherland-Smith, 2008). Hence, in the illustration of her model the perimeter lines are dotted to show that the model *may* expand and alter with new developments and possible changing attitudes.

Sutherland-Smith's book is an apt illustration that the focus of research and the challenges set down to those working in Higher Education is changing. There is acknowledgement that Higher Education needs a deeper understanding of the issues involved in this topic in order to reach solutions and respond to the nature of the problem. A full understanding and the development of helpful solutions will not be

reached without searching questions being asked, and diverse research methods being used, going hand-in-hand with the development of theories and models. To this end it is hoped that this current thesis will help the progress of understanding in the topic area of plagiarism.

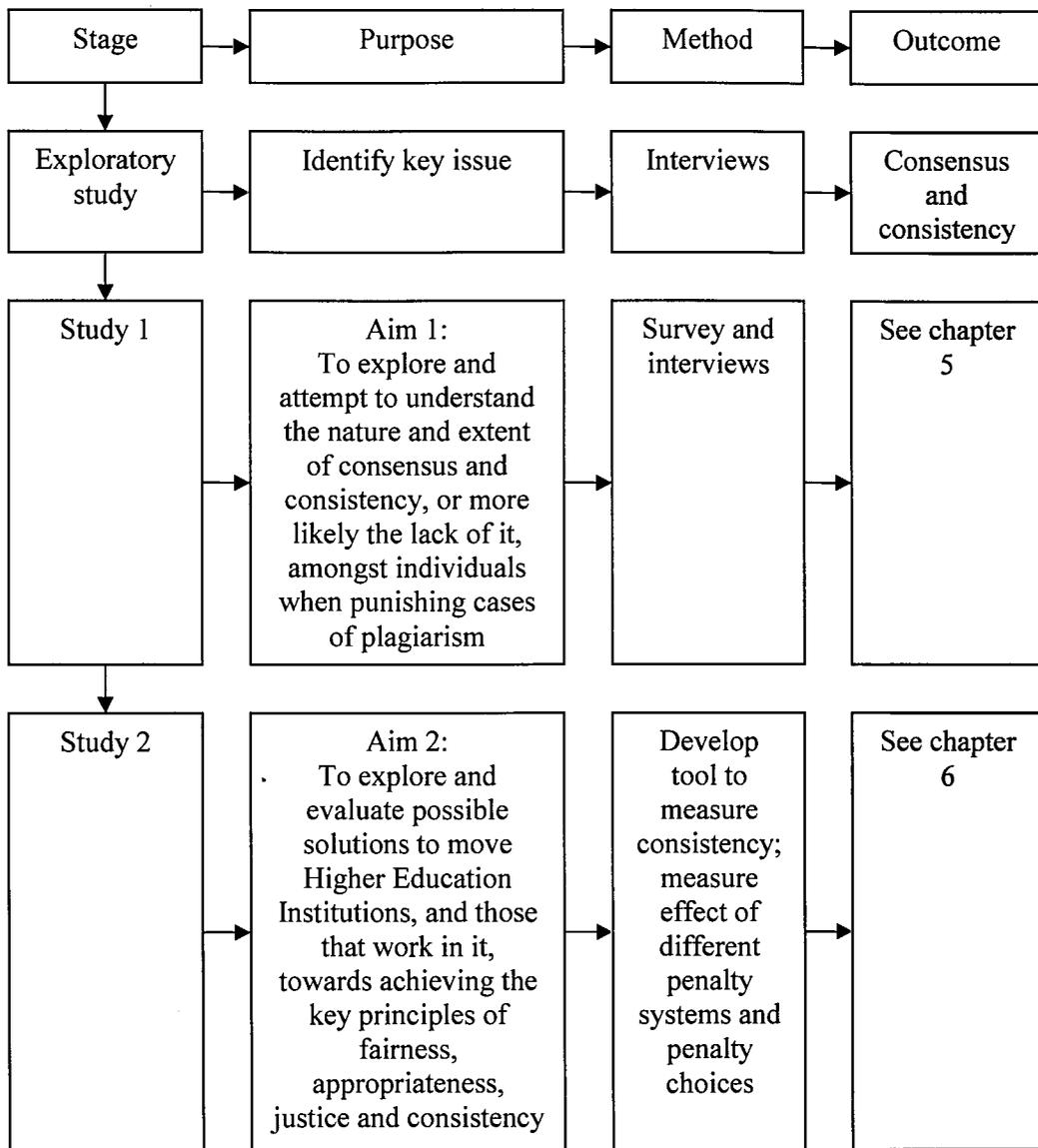
4.4 Selection of methods for this thesis

“Looking at a situation, any researcher wants to know clearly *what* is going on and *how* things are proceeding – and usually wants as well to understand and explain coherently *why* things occur as they do.” (Miles and Huberman, 1994: 90)

This PhD thesis is no exception when wishing to explore *what is going on, how things are proceeding, and why things occur as they do* within the topic of plagiarism, and more specifically in relation to penalties. The research undertaken involved a three stage approach: an exploratory study and two main studies (see Figure 4.1).

The major issues for me, at the start of this thesis, were: that I was a scientific rather than an educational researcher; and plagiarism, as a research topic, was new to me. As a new researcher in this field, therefore, my first task was to identify a particular problem to investigate. The specific problem to be investigated was identified via two routes: firstly, through a review of the literature; and secondly, by investigating, in an initial exploratory study, the issues and experiences of those working in Higher Education with regards to plagiarism.

Figure 4.1 Schematic of the research process



4.4.1 Methods for the exploratory study

The term exploratory study has been used here in order to describe the initial study which was undertaken for this thesis, and to ensure that it is distinguishable from any other pilot studies undertaken within this thesis. The need for this distinction becomes apparent when the variety of meanings associated with the term pilot study is explained.

Pilot studies are a common feature of research and are conducted for many different reasons: indeed van Teijlingen and Hundley (2001) list sixteen such possible reasons. Although not *always* undertaken (Sarantakos (1998) suggests that

sometimes pilot studies are not conducted, particularly in qualitative research), researchers commonly use pilot studies. Key reasons for running pilot studies are to test out methods or instruments, or to practice what they are going to do in a main trial in order to resolve glitches, check for validity and reliability, and ensure the main trial runs smoothly (Mason, 1996; Oppenheim, 1992; Sapsford and Abbott, 1992; van Teijlingen and Hundley, 2001).

One reason for conducting a pilot study which is specifically highlighted by van Teijlingen and Hundley (2001) is to help researchers in “developing a research question and research plan.” As indicated previously in this chapter, being a new researcher in the area of plagiarism meant that I needed to develop my knowledge and appreciation of the topic area and hence, such a pilot study (termed exploratory study from this point onwards) provided a vehicle for this. Importantly, however, running an exploratory study also enabled me to identify a specific research topic within the general field of plagiarism. It should be noted at this point that the use of the term pilot study in the remainder of this thesis will refer to the testing out of methods as indicated previously.

An initial broad aim of exploration, as for the initial exploratory study in this thesis, aligns with the notion of *qualitative descriptive research* which Best and Kahn (1998) describes as research which:

“...uses nonquantitative methods to describe *what is*. Qualitative descriptive research uses systematic procedures to discover non-quantifiable relationships between existing variables.” (Best and Kahn, 1998: 24)

In order to explore ‘issues and experiences’ three main methods were considered: questionnaires, focus groups, and interviews. The use of focus groups was quickly dismissed as it was clear from the existing literature, as outlined in the overview chapter, that the sensitive nature of the topic area may result in participants being reluctant to engage in any study which would not completely protect their anonymity. Even if the anonymity of students, or cases which the participants recounted, could be assured, and the participant’s data could be reported anonymously, the identity of those taking part would be known by all other individuals attending a focus group session. Hence, questionnaires and interviews

were the two methods given greatest consideration. Ultimately interviews were chosen for the exploratory study for the following reasons:

- More in-depth information could be gathered. Miles and Huberman (1994: 10) suggest that “Another feature of qualitative data is their richness and holism”;
- It is less impersonal and was, therefore, likely to reduce resistance of tutors to participate in the exploratory study;
- It is a good method for getting information on beliefs and experiences (Miles and Huberman, 1994: 10);
- Interviews *have* been used previously when investigating plagiarism (Ashworth *et al*, 1997; Flint *et al* (2006); McDowell 2002), all be it to a lesser extent than questionnaires.

It is acknowledged, however, that when using interviews the following disadvantages arise:

- It can be time-consuming. Miles and Huberman (1994: 2) suggest qualitative research can be labour intensive. Consequently the number of subjects interviewed is often limited, therefore, the data can be ‘skewed’ or a-typical, that is not to negate the value of the a-typical case, however;
- People may be reluctant to participate as it can expose very detailed information. It was hoped that the sensitive way in which the interviews were conducted and reported, and the subject recruitment strategy, would alleviate this as a major problem.

The exploratory study identified the issue of consensus and consistency as a key area of concern and it was decided that this would become the focus of this thesis. Hence, the specific aims for this PhD were developed:

1. To explore and attempt to understand the nature and extent of consensus and consistency, or more likely the lack of it, amongst individuals when punishing cases of plagiarism;
2. To explore and evaluate possible solutions to move Higher Education Institutions, and those that work in it, towards achieving the key principles of fairness, appropriateness, justice and consistency.

Although the exploratory study was an integral part of the research process and development of the aims and research questions for this thesis, it should be noted that only the findings relating specifically to consensus and consistency will be presented in chapter 5. The data collected from the exploratory study was vast and varied and extends well beyond the focus of this thesis, hence, it is not appropriate to present or discuss *all* aspects of this work. The qualitative findings from the exploratory study which have been presented at the start of chapter 5, and which related directly to consensus and consistency, have been selected because they provide a backdrop and context to the main research focus of this thesis.

4.4.2 The decision to adopt a mixed methods approach

It was necessary to consider the approach and methods to be used for this thesis. Having completed the exploratory study the research questions were refined to provide a clearer focus for this research. It was at this point that different methods and strategies were considered. Choosing appropriate methods for any research study is vital to their success. As discussed earlier in this chapter, methods employed by researchers are normally a result of their epistemological and ontological stance, however, Brannen (2005) warns that this may severely limit researchers:

“However, if researcher paradigms are all important in shaping the choice of methods then the researcher is likely to rule out particular methods from the start and not be governed by the research process and the context as it unfolds.” (Brannen, 2005: 8)

Certainly at the start of this thesis I found myself being limited in just this way. In the early stages of this research I found myself asking “I want to investigate X so how can I design an ‘experiment’ or ‘a questionnaire’ to investigate it?” I was being driven by my positivist background and experience. It was not until I faced up to the obvious limitations of this approach that I allowed myself to become free of such constraints. At this juncture, therefore, I focussed more on the questions and a suitable strategy to answer such questions. At the start of this research I was the researcher described by Brannen (2005: 8) as “A quantitative researcher may be more concerned with the actions and behaviour of informants while they may also have an interest in informants’ meanings, framed in terms of attitudes.” Revisiting the research aims does, indeed, show this to be the case.

It was decided that a mixed methods approach should be adopted, however, Mason (2006: 3) provides a stark warning: “mixing methods for no good reason other than the sake of it can produce disjointed and unfocussed research.” Hence, it should be noted here that there were both strategic and pragmatic reasons to support the decision for a mixed methods approach.

4.4.2.1 Using mixed methods: more than just pragmatism

The central theme of this research is to explore the punishment of student plagiarism. Returning to the theories of Engeström (1987) and Wenger (1998), as outlined in chapter 3, it is possible to see that this research attempts to ask questions which connect different parts to the application of a fair punishment system. As already discussed in chapter 3, Activity Theory can enable researchers to identify *contradictions* and *conflicts* between the different key components of an *activity*. For example, *rules* can be seen to mediate between the *subject* (the tutor), the *community* (other tutors, administrators and students) and the *object* (fair punishment). Hence, exploring how individuals apply *rules*, the outcomes, and the thoughts of those making the decisions can help to illuminate any *contradictions*. Investigating the effect of changing those *rules* can also show how such a decision could affect the *object*. On the other hand, Wenger’s (1998) Communities of Practice can help us to develop and design a series of questions around the central theme. For example, we might wish to explore whether there is evidence that the *community* has a *shared enterprise*, or whether there is evidence of *negotiated meaning* or conflict, disagreement and non-compliance. It can be seen, therefore, that this research is multi-layered within a narrow area of focus: that of sanctions and punishment in plagiarism. It would have been unwise to dictate methods according to a particular epistemology or ontology when this layering is evident. Indeed Brannen (2005: 8) suggests that:

“...whether those who apply a paradigm rationality will apply both qualitative and quantitative methods will depend upon the extent to which they seek to produce different levels and types of explanation.”

This would suggest that multi-layered research would be more likely to employ a mixed methods approach in order to discover a variety of types of data and explanations.

Mason (2006) reviews six broad strategies which might underpin the use of mixed methods research and the logic which lies behind them. The strategies outlined by Mason (2006) are: for a close-up illustration of a bigger picture, or for background; to ask and answer differently conceived or separate questions; to ask questions about connecting parts, segments or layers of a social whole; to achieve accurate measurement through triangulation; to ask distinctive but intersecting questions; and opportunistically. It can be seen that this research fits with Mason's (2006) third strategy whereby Mason explains that "these [multiple components] deal with integrated parts of a whole." Prior to critiquing the arguments around such a stance and logic it is necessary to consider the pragmatic reasons for using mixed methods. This is particularly necessary since I have become, as indicated previously, a pragmatic researcher not restricted by the bounds of ontology or epistemology.

4.4.2.2 Pragmatic reasons for using mixed methods

In order to select the appropriate methods for the research questions, and taking a pragmatic view, it was necessary to consider the meaning of key terms within the aims and select appropriate methods to answer them. Blaikie (2003: 11-12) provides an explanation of the key terms explore, understand and evaluate:

- Explore: "Is to attempt to develop an initial rough description, or possibly, an understanding of some social phenomenon."
- Understand: "Is to establish reasons for particular social action, the occurrence of a social event or the course of a social episode, these reasons being derived from the ones given by social factors."
- Evaluate: "Is to monitor social intervention programmes to assess whether they have achieved their desired outcomes, and to assist with problem solving and policy-making."

He describes the first two as part of 'basic research' and the third as 'applied research'. Hence, the nature of the questions within this thesis, and the methods most appropriate to answer them, meant that a mixed methods approach was most suitable

in order to explore, understand *and* evaluate. Further explanation of the method choices can be found later in this chapter (sections 4.4.3 and 4.4.4).

4.4.2.3 A critique of adopting a mixed methods approach

It is clear that there may be different strategies and reasons for adopting a mixed methods approach to any research. It has been identified that a mixed methods approach for this thesis was adopted in order to ask questions about connecting parts, segments or layers of a social whole (strategy three of Mason's (2006) list), and also for pragmatic reasons. Hence, it is necessary to critique the use of mixed methods and to discuss the implications of such an approach, as there are both strengths and weaknesses.

As indicated previously, this research was multi-layered and hence, the 'challenges and opportunities', as Mason (2006) calls them, must be considered. The logic behind the use of mixed methods to research connecting parts or layers (one of Mason's (2006) six strategies) is that of integrative logic. Mason (2006), therefore, suggests that:

“...it is important for researchers to recognise that their assumptions about how levels or layers of data fit together are the result of *theories* or models of integration, and that other theories are always possible.” (Mason, 2006: 7)

It was for this reason that Engeström's (1987) Activity Theory and Wenger's (1998) Communities of Practice were used for this thesis. The difficulty is that these theories may not provide a perfect fit. An issue regarding the positioning of the student within the chosen theories for this thesis, for example, has already been highlighted in chapter 3.

Mixed methods research, as indicated previously in this chapter, can result from a pragmatic approach towards research and leads to the use of both qualitative and quantitative methods. Burke Johnson and Onwuegbuzie (2004) argue that such a pragmatic approach can be highly beneficial to research:

“The goal of mixed methods research is not to replace either of these approaches [quantitative and qualitative] but rather to draw from the strengths and minimize the weaknesses of both in single research studies and across studies.” (Burke Johnson and Onwuegbuzie, 2004: 14-15)

Burke Johnson and Onwuegbuzie (2004), in their paper, provide a comprehensive analysis of the strengths and weakness of both quantitative and qualitative methods and hence, will not be reiterated here. However, a key point made by these authors and, given the nature of this thesis, one worth specific consideration here, is that a mixed methods approach can allow researchers to take the best of both paradigms, and the best of all their methods in order to conduct research. Burke Johnson and Onwuegbuzie suggest that the result is “a superior product.” (Burke Johnson and Onwuegbuzie, 2004: 17) It would seem, therefore, that a mixed methods approach should be the panacea researchers have been waiting for. However, it would appear that such an approach is still seen to have disadvantages. Burke Johnson and Onwuegbuzie (2004) present both the advantages and disadvantages of pragmatism and mixed methods research alongside that of each of the single paradigms (qualitative and quantitative research). By the very fact that they are arguing that the time has come for researchers to accept pragmatism and mixed methods as a third paradigm, this would suggest that the biggest disadvantage might be that it still needs defending. This might suggest, therefore, that mixed methods research may not, as yet, be totally accepted by some researchers as a legitimate approach. That said, this chapter has already shown that there is literature being published on mixed methods as a legitimate research approach, and that there are advocates of such research.

One particular difficulty with adopting a mixed methods approach which is highlighted by Brannen (2005) and Mason (2006) is that this approach may cause tensions if an epistemological or ontological stance of the researcher or team of researchers is at odds with any of the chosen methods or data analysis, or choose simply not to engage too closely with theory, epistemology or ontology. Whilst the issues of team based research is not relevant here, it must be acknowledged that this thesis has been a journey for me in terms of the use of theory and consideration of my particular stance as a researcher.

It is interesting to note that Brannen (2005: 9) suggests that “some of the advantages of mixed method research may not emerge until the *end* of the research process.” Certainly this would be true for this research. The journey in undertaking this research has:

- Forced me to consider my ontological and epistemological stance as a researcher, something which those at the positivist, quantitative end of research rarely do. Indeed Brennan (2005: 7) states:

“How quantitative researchers actually identify themselves is less evident since those writing about quantitative research typically give much less attention to epistemological and ontological assumptions in discussing their research.”

- Provided me with new skills in qualitative research. Before undertaking this thesis, for example, I had never conducted an interview for research purposes. Certainly skill enhancement is identified by Brannen (2006) as one possible reason for undertaking mixed methods research, although it has to be said that this fact was not actually part of the conscious decision process.

Having decided that a mixed methods approach was appropriate for this research it was necessary to then design the studies for each of the aims and related research questions. Hence, the next section provides an explanation of the methods chosen for each of the aims and related research questions within this thesis:

Aim 1

To explore and attempt to understand the nature and extent of consensus and consistency, or more likely the lack of it, amongst individuals when punishing cases of plagiarism.

Related research questions

1. Does consensus exist, within and between individuals working and studying in a Higher Education Institution, regarding the sanctions which should be awarded to students found guilty of plagiarism?
2. If consensus does not exist, can we understand the nature of disagreements?
3. Can individuals working or studying in Higher Education apply sanctions consistently for different cases of plagiarism?

Aim 2

To explore and evaluate possible solutions to move Higher Education institutions, and those that work in it, towards achieving the key principles of fairness, appropriateness, justice and consistency.

Related research question

1. What is the influence of different penalty systems and sanctions on decisions made for cases of student plagiarism?

4.4.3 Methods to address aim one

The research questions arising from the first aim *could* be considered as ‘what’ type questions: for example, the questions could be combined and reworded to become ‘what is the nature and extent of consensus and consistency?’ A ‘what’ type question is one which “can usually be answered with simple descriptions, that is, simple summaries of characteristics...” (Blaikie, 2003: 51) However, a key aspect to aim one was to try and understand ‘why’ certain decisions were being made. To ‘understand’ a social phenomenon there needs to be some attempt to answer the question ‘why’. It is only once the ‘what’ has been identified that the ‘why’ can then become the focus of attention (Blaikie, 2003). Hence, the ‘why’ question for aim one could be considered as ‘why did individuals choose particular sanctions?’ The first aim of this thesis, therefore, has both ‘what’ and a ‘why’ related research questions and leads to the necessity of a mixed methods approach: one part of the study to give a quantifiable measure of consensus and consistency, and another to explore why decisions were made or inconsistencies occurred.

In mixed methods research Brannen (2005: 14) suggests that “researchers need to consider the *ordering* of their methods.” The quantifiable measure was necessary before any meaning to those decisions could be explored, hence, phase one collected quantitative data to determine the extent of consensus and consistent decision making, and phase two followed up the results with a qualitative investigation to provide context and meaning to the quantitative data.

Phase one for the first study used a method similar to that of Carroll (2004) (see chapter 5). Descriptions of plagiarism cases were presented to individuals who were asked to indicate the sanction they would award from a list of penalty options. This generated frequency data for the cases and penalty options. Comparisons were made across individuals and groups for the different cases in order to explore the extent of

consensus or disagreement. Cases were also paired to compare penalty choices and to see if participants had treated students the same or differently.

To explore the reasons why participants made their particular decisions, follow up interviews were undertaken which then helped to illuminate the nature of consensus or disagreement. During those interviews consistency was also investigated by asking participants if they were happy with their penalty choice once they could see cases side-by-side. Mason (1996: 42) explains that use of interviews alongside other methods may be used to “add an additional dimension, or may help you to approach your questions from a different angle, or in greater depth, and so on.” Without the interviews it would not have been possible to know if participants were happy with their choices and treatment of students. Although only a small number of interviews were undertaken, they provided invaluable insight into possible influences and difficulties in the decision making process.

4.4.4 Methods to address aim two

Aim two (to explore and evaluate possible solutions to move Higher Education institutions, and those that work in it, towards achieving the key principles of fairness, appropriateness, justice and consistency), and the arising research question (what is the influence of different penalty systems and sanctions on decisions made for cases of student plagiarism) *could* be considered a ‘how’ type of question: how do different penalty systems and sanctions affect consensus and consistency? Blaikie (2003: 13) explains that a ‘how’ question is one which “seek(s) appropriate interventions to bring about change.” In order to address the second aim, therefore, it was decided to investigate the effect of using different penalty systems, and ranges of sanction options, to determine whether consistency could be improved (see chapter 6). The influence of penalty systems and sanctions was chosen since most institutions have a range of penalty options, and varying degrees of guidance given to staff within their policy for punishing cases of plagiarism.

In order to investigate the influence of penalty systems on the decision making process, a quantifiable measure of consistency was required. At the time of this decision there was no known method of measuring this variable in plagiarism and

hence, a tool for measuring consistency was developed as a direct extension of the method and findings from study one. It is not unusual for research tools to have to be developed in order to address research questions (Denzin and Lincoln, 1998).

The design of the study meant that individuals were assigned to different penalty systems and, using the measurement tool, a rating for consistency was calculated. The consistency scores were compared to see whether one particular system provided greater consistency than other systems. Qualitative comments regarding the different systems also allowed evaluation of the views of individuals in using those different systems.

4.5 General method issues

The sensitive nature of the topic area, as already alluded to in previous chapters, and the methods chosen, provided several general issues which were pertinent across all of the studies: sample size and participant recruitment; contamination of results; and ethical considerations. Hence, these will be outlined and discussed in the remainder of this chapter.

4.5.1 Sample size and recruitment of participants

Sample sizes can be determined, and possibly limited, by several factors: time and money available to the researcher; the strategy for data collection, including the sampling strategy; and access to a population (Creswell, 2003). In researching plagiarism, one of the major influences is the sensitive nature of the topic area. Researching any sensitive topic area will bring with it problems of access to, and recruitment of, participants. Creswell (2003) illustrates where access, for example, may be problematic: wanting to interview truants, by the very fact they are truants it means that they are not around to be interviewed; wanting to interview an AIDS counsellor who may be too distressed to be interviewed; wanting to interview doctors who, by the nature of their job, have little time available. The consequences of researching into sensitive topic areas are that participant recruitment may be limited, with few willing to take part. This results in a potentially non-representative sample and hence, interpretation of data must be cautious, particularly with regard to

generality (Best, 1981). Hence, interpretation of data within this thesis is limited by the very nature of the small sample sets in some instances. However, this does not reduce its worth in terms of research. The case study, for example, with an 'n' of one, still has value (Creswell, 2003).

Throughout this thesis the issue of accessibility and sample size was also considered in terms of running pilot studies for each of the methods adopted. As discussed previously, in most research it is necessary to conduct a pilot study in order to test procedures, methods, techniques and measurement tools before embarking on actual data collection (Thomas and Nelson, 1996); although this may not always be possible. Cohen, Manion and Morrison (2000: 56) suggest that when a pilot "is not feasible it may be possible to arrange one or two scouting forays to assess possible problems and risks." Under normal circumstances the participants used in a pilot study should be 'similar' to the population of individuals to be tested in the main study, but should not be taking part in the main study itself due to possible contamination of the final results (van Teijlingen and Hundley, 2001). However, it was expected that low numbers of participants would be willing to take part in this research. It has already been highlighted previously that other researchers have found a reluctance of individuals/institutions to take part in such studies and to divulge information. Hence, in order not to limit access to potential subjects further, the use of pilot studies for study one and two of this thesis was carefully limited to an acceptable, but bare minimum (specific details will be provided in chapters 5 and 6).

4.5.2 Researcher contamination

In all research the influence of the researcher must be considered and minimised if results are to be valid and reliable. Contamination of results through the influence of the researcher is *potentially* evident in most forms of research, and particularly in education. An example is in observational research where the mere presence of the researcher may change the behaviour of those being observed (Miles and Huberman, 1994; Patton, 2002). Such a phenomenon is commonly termed the Hawthorne effect in sport science and medical research. Kent (1994:199), in the Oxford Dictionary of Sports Science and Medicine, for example, defines it as "A general improvement in performance which occurs when an individual receives specific attention."

Researcher contamination is a particular threat to internal validity, which is “the extent to which a researcher’s observations and measurements are true descriptions of a particular reality” (Kincheloe and McLaren, 1998: 287), because participants might change their behaviours, opinions and even physiological responses due to their interaction with the researcher or the research. In a human physiology based laboratory experiment, for example, a subject’s heart rate can rise, even before exercise has started, simply because the subject is anxious about participating in the experiment and having data collected from them. An example relevant to the work in this thesis would be that participants might give answers they predict the researcher wishes to hear, or they might not give a truthful account if they perceive that it might reflect badly on them in the opinion of the researcher (Lee, 1993).

The influence of the researcher is particularly relevant when researching sensitive topic areas (Lee, 1993), and whilst contamination cannot always be eliminated, it should always be considered and, where possible, minimised. Given the sensitive topic area of this thesis and the methods employed, the most likely contamination (and necessary ethical considerations, see the discussion at the end of this chapter) comes from my own relationship with the participants, since many participants used in this work have either been colleagues or students on courses on which I teach. Lee (1993) would seem to suggest that this relationship alone defines this research as ‘sensitive’, even putting aside the topic area of plagiarism. More extensive details of strategies to minimise the effects of researcher contamination will be given in the chapters where specific method detail is provided (chapters 5 and 6), however, it is worth noting here that such strategies as anonymising student responses from myself as the researcher was used in study two, for example.

Problems can arise due to the perceptions of the researcher and participant in regard to their relationship with each other and, therefore, where the balance of power lies as a result of that relationship. Patton (2002) highlights that the power relationship between the researcher and the participant can be a particular problem if it is imbalanced in any way. For example, if the researcher is a senior colleague or line manager and the participant is a junior colleague. This shows a power imbalance in favour of the researcher and may result in the participant withholding information or

providing false answers. Conversely, however, the power balance could lie in favour of the participant, for example, if a young researcher was interviewing a boss. This may mean that the researcher would be reluctant to investigate some aspects of their research with a particular participant for fear of reprisals. It can also potentially mean that the participant may be reluctant to divulge some information, particularly if they view such a divulgence will be detrimental to the dynamics of their relationship. Best and Kahn (1998) confirms that:

“Many studies have been conducted in which interviewers of different status have interviewed the same respondents. The responses were often significantly different both in how much the subject was willing to reveal and in the nature of the attitudes expressed.” (Best and Kahn, 1998: 321)

Even when the power balance appears neutral, for example, if a peer is interviewed, there may still be a contamination of results if the interviewee provides answers which they think fit what the researcher wants. Hence, power imbalances were considered carefully during this work to try and control or limit any effect from this. For example, participant codes were used in study two in order to match participant responses across several phases yet maintain participant anonymity from the researcher (see chapter 6). It must be acknowledged, however, that total elimination of this factor was not possible. For example, interviews were undertaken where a power imbalance existed, although all those who were interviewed were volunteers and were fully informed of the research.

4.5.3 Ethics

Research should be conducted in an ethical manner, although Punch (1998: 171) argues “that a professional code of ethics is beneficial as a *guideline*” but that “a strict application of codes will restrain and restrict a great deal of informal, innocuous research....” The drugs trial which went dramatically wrong in March 2006 (BBC News, 2006a) demonstrated just how important ethical considerations are in research. Whilst this thesis did not involve drugs trials and was not high risk for physical harm, ethical issues arising in this thesis were still carefully considered and all efforts were made to ensure ‘no harm’ to those participating.

Some of the ethical issues affecting this thesis have already been discussed in this chapter with regard to researching a sensitive topic area and researcher contamination and hence, will not be discussed further. However, other key ethical considerations do need further explanation.

Guidelines for ethical research involving humans include participants: being fully informed about what they are committing to; having the right to withdraw; remaining anonymous; and not be placed in position of high risk or harm (BERA, 2004; Fontana and Frey, 2005; Thomas and Nelson, 1996). Hence, the fundamental underlying principle is one of 'due care' for those taking part in research.

In exercise physiology, my original background subject area, laboratory based exercise tests are commonly used in research. Ethical considerations in such instances would include making sure that participants are not placed at undue risk of injury, illness or death. Hence, measures are put in place such as: ensuring suitable warm-up procedures are undertaken, a known factor in reducing injury (Wilmore and Costill, 1994); participants normally fill out a health-history questionnaire prior to exercise in order to check that they are able to undertake the exercise test, with disease, injury or illness, which increases participant risk to an unacceptably high level, usually being set as exclusion criteria; and blood pressure measurements are sometimes taken prior to exercise, those with high blood pressure are often excluded from participating since high blood pressure increases the risk of a cardiac event during exercise (Sharkey, 1997). Unless exercise physiology research is specifically in the area of illness and disease, in which case high risk participants are likely to be recruited, research in this area generally uses young, healthy and relatively fit participants in order to minimise the physical risks to the participant.

In educational research the nature of ethical considerations are perhaps less obvious, at first glance, compared to those which involve physical exercise and drugs testing but are, none-the-less, important. Educational research involving vulnerable groups or sensitive areas, for example, could expose participants to potential 'harm' if their identity is revealed. Hence, educational research must still include careful consideration of ethical issues, and all efforts should be made to protect the individuals taking part in the research.

Specific details regarding the conduct of the studies will be given in later chapters but, as a general rule, throughout this thesis participants were: informed about a study either verbally and/or via an information sheet; gave explicit consent for their data to be used; codes were allocated to participants when data analysis was undertaken; participants are never named but are identified by number or code when reporting results in this thesis; and precautions were specifically taken to avoid personal retribution. All studies went through the School of Education ethics procedures.

This chapter has discussed the broader methodological issues pertinent to this thesis and has provided an explanation for the method choices made in order to address the research questions. The next two chapters will provide specific details and findings of the two main studies undertaken for this thesis.

Chapter 5 *Consensus and consistency: is it a big problem?*

5.1 Introduction

In the first exploratory study undertaken for this thesis (as explained in chapter 4 and further details of which will follow later in this chapter), there was clear evidence, all be it from a small sample of interviewees, that disagreement and a lack of consistency exists when considering penalties for plagiarism cases. Some of the quotes and examples collected from that study, and presented here in the introduction to this chapter, help provide an initial insight into the possible lack of consensus and consistency which may exist amongst those working and studying in Higher Education. The findings provide a backdrop to study one which is the primary focus of this current chapter.

Whilst everyone interviewed in the exploratory study viewed plagiarism as fundamentally ‘wrong’, the strength of feelings expressed by interviewees did vary considerably. One interviewee, for example, stated “I think it is to be discouraged.” [Interviewee 1] The word ‘discouraged’ was used by more than one interviewee but seems relatively placid in comparison to some other views expressed. Words such as ‘cheating’ and ‘stealing’, on the other hand, suggested a much stronger distaste of the practice of plagiarism by some. One interviewee had a seemingly stronger view in stating that “I think plagiarism is unacceptable and I think it should be stamped out as much as possible.” [Interviewee 10] Another interviewee also expressed a very strong view of plagiarism:

“I view plagiarism as theft, pure and simple.... I mean it’s no different to breaking into a car, into someone’s house and stealing their property. In some ways worse because people are then potentially getting qualifications on the basis of work that isn’t their own. Of which I just view obviously as a despicable act all round.” [Interviewee 12]

The wide variation of views amongst the staff interviewed in the exploratory study aligns with the findings reported by Flint *et al* (2006: 148) who suggested that such variation “is not linked to disciplinary context but more tied to individual, personal interpretations and understandings.”

The exploratory study revealed that intention to deceive was a key factor for most interviewees in making the act worse, but also showed this as a key area for potentially inconsistent sanctions. Flint *et al* (2006) reported similar findings regarding personal academic judgement and intention being a key factor in the decision process for determining punishment. However, as already indicated, this would be a key area for inconsistent decisions. If a tutor or plagiarism panel believed the plagiarism to be unintentional then there was evidence that it might be dealt with differently, or more leniently, than if they believed there had been intention to deceive.

“...I’ve used my judgement to differentiate between plagiarism and poor academic practice.... So I sometimes use my discretion to think no, this is not plagiarism, they are not attempting to deceive me or any other reader, they simply don’t know how to reference and they don’t know how to critically engage with the literature they are reading. So I’ve imposed, if you like I’ve penalised the mark, or brought down the mark.... But I’ve never turned a blind eye to a case of plagiarism where, for me, the defining feature is that they’re attempting to deceive.” [Interviewee 12]

It is difficult to determine if such strategies are always done in the best interests of the student, or the member of staff who might be trying to avoid the hassle a formal procedure might bring. Simon *et al* (2003: 201) have certainly suggested that tutors may, in some instances, “deal with cases of suspected academic dishonesty in a more private manner.” The problem, however, is that this brings the potential for students to be penalised differently, depending on the tutor marking the work, and the tutor’s ability to decide if it is really plagiarism or not. Some tutors may decide to send a case on to a plagiarism panel, where another tutor may not. Some tutors may, as indicated in the example above, make a decision themselves as to whether it is plagiarism or not, and may exact their own penalty according to their own beliefs, rather than those set down by the institution in which they work. Hence, even if an institution has clear policies and procedures, inconsistencies can occur as tutors are the first point of the decision making process: firstly, they have to spot it, and then they have to decide what to do about it. This point was aptly made by Flint and colleagues (2006: 152) who found that:

“Our data revealed that some staff felt that, because their experience of the formal process did not match their personal understandings of how instances of plagiarism should be dealt with, they would be more inclined to deal with plagiarism at an individual and informal level.”

One key issue which was raised by one interviewee in the exploratory study was a lack of training and guidance for those sitting on plagiarism panels. It may not always be possible to have members of a panel who have had experience of such a task, and it is always likely that there will be a difference in opinion amongst its members:

“...one panel member said I am not going to penalise at all....other people who would be absolutely no question give them 0, throw them out. So I don't really feel that there is necessarily a kind of consistency or shared understanding of what is at stake.” [Interviewee 1]

One institution from the exploratory study had become increasingly concerned about the lack of consistency when penalising cases of plagiarism and was making efforts to ensure procedures resulted in less diversity regarding award of penalty:

“...the University a couple of years ago was very concerned at the lack of consistency with which plagiarism was being dealt with at the department level and at the faculty level. And so therefore, they [senior university members] wanted representation on a panel such that we could get much greater consistency as these students came up before various faculties” [Interviewee 9]

A second university, at the time the interviews were conducted, had just completed an audit of all cases and penalties awarded in the previous academic year. They were very concerned about the lack of consistency as evidenced by similar cases being awarded different penalties. Procedures and policies were being reviewed in order to reduce the likelihood of this occurring. Another department, as highlighted during one interview, was setting up procedures to monitor and ensure greater parity by having all the paperwork for cases reviewed by one nominated individual:

“...from next year the same procedures will kick in [for all year groups]....And I have to be given all the written records of the meetings, and I have to see the letter to the student informing them of the penalty before it is sent to the student, so that I can ensure that there is parity of the treatment...and that we don't have people going for harsher penalties for very similar types of offences.” [Interviewee 11]

A lack of consistency in punishing plagiarism cases, both within and between institutions and departments/schools, was evident in several of the exploratory study interviews. For example, in a case of collusion two students were dealt with very differently:

“And having given the student a good talking to then the mark was allowed to stand. But for the second student who didn’t turn up for the meeting, the tutor consulted [an individual in authority] who had the plagiarism policy....they decided to mark that student down to zero.” [Interviewee 10]

A more lenient approach to students early in their course was seen to be appropriate by one tutor, who explained that:

“...it could be that a misdemeanour by someone, particularly in the early stages of their course, might have catastrophic effects from a disproportionate punishment upon them. And therefore, we do need to have a more subtle approach....” [Interviewee 4]

Not all tutors agreed with this sentiment, however, and one tutor felt that differentiation for level of student should *not* occur:

“Well I think you have to treat it the same to be honest. But I think if you nail it in the first year and make them realise that it is serious....I would hope that by the third year you wouldn’t expect to see it.” [Interviewee 13]

Again, in contrast to this, there was evidence that not all tutors agreed with such a harsh policy for students in their first year:

“If it is at level one, a word in the ear of the student in explaining that this is whatever, and pointing it out and explaining that it is, you know, that they do understand what’s wrong, do they understand they shouldn’t do it again....” [Interviewee 1]

Cases of collusion and copying from a friend were the most common cases cited by those interviewed in the exploratory study. In most cases of copying, one student admitted guilt and the other was a ‘victim’ in that they had given their work to a ‘friend’ to read or hand in. In all cases, if one of the students was established as the ‘guilty party’ then they were awarded the penalty and the innocent student was, most commonly, given a warning rather than a penalty which affected their mark. It is interesting to note, however, that not all universities would treat students differentially in this manner. A discussion on a plagiarism e-mail group in 2005 highlighted that some institutions would regard both students guilty of cheating or academic misconduct to some degree and that penalties might be exacted on both (discussion from plagiarism@jiscmail.ac.uk, 2nd/3rd February 2005).

The examples in this introduction all show that individuals working in Higher Education institutions can hold very different beliefs regarding plagiarism, both in

terms of what it is and how it should be punished. These illustrations, however, provide only a small insight into the problems and issues that might occur. The aim of the present chapter, therefore, is to explore, in more detail, consensus and consistency in punishing student cases of plagiarism:

Aim To explore and attempt to understand the nature and extent of consensus and consistency, or more likely the lack of it, amongst individuals when punishing cases of plagiarism.

This aim can, as indicated in previous chapters, be broken down into the following research questions:

1. Does consensus exist, within and between individuals working and studying in a Higher Education Institution, regarding the sanctions which should be awarded to students found guilty of plagiarism?
2. If consensus does not exist, can we understand the nature of disagreements?
3. Can individuals working or studying in Higher Education apply sanctions consistently for different cases of plagiarism?

5.2 Method

In order to address the research questions of this chapter a mixed methods approach was used in two sequential phases. Reasons behind the method choices have already been discussed in previous chapters. Phase one involved the use of a survey approach to find out what penalties individuals would apply to a set of fictitious cases. Results were then analysed for consensus and consistency. Phase two then used interviews to explore the reasons why certain penalties had been chosen by respondents in order to better understand, in particular, any disagreements which were evident from phase one. The interviews also allowed the exploration of what appeared, at first analysis, to be inconsistent decisions. This chapter, therefore, will provide details of the two methods used, and will present and discuss key findings regarding consensus and consistency when dealing with cases of plagiarism.

Whilst this present study acknowledges the use of a method similar to that of Carroll (2004) and Carroll and Appleton (2005), it should be noted that a greater range and diversity of cases were presented in this current study for phase one and hence,

extends the work of these authors rather than simply repeats it. In addition, no one, to the best of my knowledge at the time of undertaking this work, has gone on to interview individuals about the decisions they have made (particularly students) and hence, phase two provides a unique insight into the reasons *why* individuals made the decisions that they did. That said, staff perceptions and attitudes regarding plagiarism *have* now been published by authors such as Flint *et al* (2006) and Pickard (2006).

5.2.1 Exploratory Study

The initial exploratory study was undertaken in the first year of this thesis. At the time it set out to explore all aspects of punishing cases of plagiarism in Higher Education, with a view to determining one key issue to explore further.

Consequently, this initial aim has developed over time, and the focus of this thesis has narrowed to an investigation of penalties awarded to cases and the problems of consensus and consistency. Hence, this section provides only very brief details of the method pertaining to the exploratory study. More extensive detail and discussion of the exploratory study method can be found in Appendix 1.

Thirteen interviewees took part in the exploratory study. All worked in Higher Education and had experience of either: finding cases of plagiarism (as a marking tutor); being part of a plagiarism panel (as an academic or an administrator); or had acted in a support role for students who had been accused of plagiarism (as a tutor or a support person). Several interviewees had experience of student plagiarism in more than one role. For example, some interviewees had found cases of plagiarism in assessed work *and* had experience of sitting on a plagiarism panel. The interviewees came from three Higher Education institutions in the UK but their experiences were recounted, not just from their current position and institution but from experiences at other institutions, or in other schools or departments within their current institution. Hence, data collected from the exploratory study was extensive and varied and only a small illustrative sample of the data has been presented in the introduction to this chapter.

The interviews were recorded, transcribed and verified before any analysis was undertaken. The software package NVivo was used to organise the data into themes

for analysis. A plethora of data was collected from the exploratory study, however, only a few illustrations have been used in the introduction of this chapter which illustrate a lack of consensus and consistency, the topic which has become the focus of this work. Other references to the findings of the exploratory study may be presented at pertinent points throughout the rest of this thesis.

The findings of the exploratory study not only provided a clear focus for this thesis but also provided key information for the development of the later studies. For example, interviewees in the exploratory study recounted cases they had experienced, the details of which were used to help create some of the cases for the remaining studies in this thesis. In addition, interviewees outlined the range of penalties which could be awarded within their experiences and this was used to develop the range of penalties presented in the later studies. The next sections describe in greater detail, how the cases and penalties were used in order to explore consensus and consistency.

5.2.2 Study one, phase one: consensus and consistency survey

Case studies were presented to participants (see appendix 2A) which described different types of plagiarism offences. Those taking part in the survey were provided with a list of predetermined penalty choices (see appendix 2B), and were asked to select the penalty which they felt was most fair and appropriate to each case, and to note whether they would keep a record on the student's file (see appendix 2C). In addition to the thirteen case descriptions, individuals were also asked to describe what they thought the characteristics would be of three separate cases, each relating to the three most severe penalties (see appendix 2C). Hence, the majority of the survey consisted of closed type questions where participants had to choose an option from the list provided. However, the last question was open and allowed participants to describe their own case with entirely free choice, other than to be guided towards the descriptive parameters such as 'amount of plagiarism' and 'level of student'.

A survey approach was chosen as it allowed for a large amount of data to be collected across a wider population than would have been possible in other methods such as interviews. Large amounts of data meant that frequency of choices could be

analysed to determine if there was a consensus of opinion regarding award of penalties, and whether individuals could generally be consistent when punishing different cases of plagiarism. Discovering the 'exceptional case' was not helpful for this study as population norms was needed rather than a small number of cases and hence, large numbers of participants were sought. A survey approach, therefore, was undertaken to gather large amounts of data quickly and effectively.

The next sections provide further detail regarding the cases, the penalties, the participants, and how the study was undertaken.

5.2.2.1 Selection of cases

Cases were developed from descriptions of cases, or criteria for penalties, which were described by interviewees in the exploratory study as they shared their experiences, and also from a review of the literature. This was to ensure that the case studies presented to the participants were within the realms of reality. The following helps to explain the development of the cases used in the present study and provides illustrative examples where appropriate.

- The use of real cases: One interviewee in the exploratory study described a case of a third year undergraduate student copying an MSc project from another institution [this was presented as case 3 in the present study]. In the real case it transpired that there were mitigating circumstances presented by the student at the time of the panel hearing, and the student was consequently allowed to resubmit a new project. However, it was decided not to add any mitigating circumstances to the case being presented in this present study in order not to over complicate the case. In addition, the exact nature of the circumstances was not divulged in the interview and so it was not deemed appropriate to make up circumstances which may not have mimicked the actual situation.
- Criteria for severity of penalty award: Most interviewees in the exploratory study suggested that the level or year of study of the student was a factor in determining the severity of the penalty. For example, a first year undergraduate would be awarded a less severe penalty than a third year undergraduate or postgraduate student. Hence, two cases [case 2 and case

11] were presented whereby all factors were exactly the same *except* for the fact that one was a case for a level one student (first year undergraduate), and the other was a case for a higher level student, a second year undergraduate. The factors identified during the interviews in the exploratory study which were used in study one to develop comparisons of cases can be seen in Table 5.1.

- Collusion cases: In the exploratory study the issue of collusion, and particularly the determination of guilt, was raised. Hence, three case studies, as alluded to by different interviewees, were presented in the present study where collusion had clearly taken place but under different circumstances. In the first scenario neither student owned up to plagiarising from the other [case 1]. In a second scenario one student was acting as a ‘friend’ in lending their essay to another student who ultimately plagiarises from it [case 7]. In the third scenario one student gives their essay to another to hand in for them and the ‘friend’ plagiarises from it [case 13]. All these cases were based on real cases cited by interviewees and created dilemmas for the plagiarism panels in awarding penalties.

Table 5.1 Factors determining the severity of a penalty as found from the exploratory study

Factor	Penalty harshness	Example case comparisons for study one of this thesis
Level of student	Higher level = harsher penalty	Case 2 v case 11
Extent of plagiarism	Greater amount = harsher penalty	Case 4 v case 10
Mitigating circumstances	‘Legitimate’ reason which has genuinely affected the student’s ability to complete the work = more lenient penalty	Case 9 v case 12
How many times a student has been warned/caught before	Serial plagiarism = harsher penalty	Case 5 v case 11
Intention to deceive	Intent = harsher penalty	Since intention to deceive is difficult to determine this was not explicitly investigated

A summary of the case descriptions are given in Table 5.2, however, the full descriptions, as presented to participants, are shown in Appendix 2A.

The definable characteristics of the case descriptions used in the present study were similar to that used by Carroll (2004) and Carroll and Appleton (2005).

Characteristics outlined the key features for each case: the nature and extent of copying; the description of the student, (UK or international, year of study); whether the student had been caught previously; any mitigating circumstances; and the source of the copied material. The exact cases used in this present study, as already indicated, however, were larger in number and more diverse than those presented by Carroll (2004) and Carroll and Appleton (2005). In addition, none of the actual cases in the present study were the same as those presented by Carroll and her colleagues. A summary of the case descriptions can be seen in Table 5.2.

Table 5.2 Summary of case descriptions

Case number	Student level	% text plagiarised	Mitigating circumstances	Source or copied from peer	Caught previously	English not first language
1		50		Copied from peer		
2	1	60		Books & journals		
3	3	Almost entire text		MSc dissertation		
4	2	25		Books & journals		
5	2	60		Books & journals	Once before	
6	1	60		Books & journals		Yes
7		50		Copied from peer		
8				Can't find a source		
9	2	60	Family crisis	Web		
10	2	75		Books & journals		
11	2	60		Books & journals		
12	2	60		Web		
13		50		Copied from peer		

As indicated previously, those taking part in phase one of this study were also asked to describe cases for the most severe penalties: fail the current year; reduce their degree classification; and course termination. They were asked to describe each case in a similar manner to the cases presented to them, for example, nature and extent of copying and so on.

Cases were presented in the same order for all those taking part, and the order was chosen so that cases being compared were not generally close to one another. It can be seen in Tables 5.1 and 5.2 that none of the example cases being compared were presented one immediately after the other. This mix, and also the fact that cases were presented with no backtracking allowed (see section 5.2.2.4 for further explanation), was to reduce the participant's ability to compare the current case to previous ones and hence, compare penalty choices whilst undertaking the questionnaire. It must be acknowledged, however, that complete separation of similar cases was not possible. As can be seen in Table 5.2, two similar cases where only the source material was different were presented as cases 11 and 12, and two similar cases whereby only the amount of plagiarised material was different were presented as cases 10 and 11.

5.2.2.2 Selection of penalties

The penalty options provided in phase one were based on those arising from the interviews in the exploratory study, presentations at the JISC Plagiarism Conference (2004), and from the literature in this topic area (it is worth noting that the AMBeR project results on penalties had not been published at the time of undertaking this particular study). Broadly, the first four penalties (no penalty; reduced mark; resubmission of same work; and resubmission of different work) reflect actions often taken by tutors when suspected cases were not sent on to a formal plagiarism panel, and penalties 5-10 (mark the work minus the plagiarised sections; work or unit given zero; fail the current year; reduce degree class; and remove from the course) reflect the penalties generally available to panels should they decide a case has been proven.

Whilst there is *some* sense of grading, with penalty 1 (do nothing) being the least severe penalty and penalty 10 (course termination) being the most severe, it was not possible to grade the penalties quite that differentially. It was clear from the

interviews in the exploratory study, for example, that some tutors simply reduced the mark of the work without the student knowing and that this was not systematically carried out. In most cases there was a sense in the interviews that a fairly lenient reduction was given since those taking this action viewed these cases as relatively minor and hence, did not proceed them on to a formal panel hearing. Penalty 5 (mark the work minus the plagiarised sections), on the other hand, as evidenced by previous interviews, was a penalty used by panels and was much more systematic and clear in what *should* and *should not* be marked. It was decided to keep both penalties as an option in study one and to separate them on the sheet, with the 'reduce the mark' option appearing first amongst the penalties which were usually used without a case being taken on to a panel, due to the sense that it was a small reduction as indicated earlier. This also opened up the possibility of exploring the decision process in choosing one or other of these seemingly similar penalties in phase two.

Several penalties were given sub-divisions. At the JISC Plagiarism Conference (2004) Carroll gave out a list of sanctions which she found had been previously used by tutors for confirmed cases of plagiarism. Resubmission of work, in various guises, appeared several times. In thinking about the use of resubmission, particularly given personal experience at University of Southampton, it is not unusual to cap marks when work is resubmitted. For example, when students fail a unit they may be asked to resubmit a piece of work, but marks are capped at a bare pass. Marks are capped in this way as a second attempt should not gain advantage over those who passed the unit at the first attempt. This also aligned with some of the resubmission options suggested by Carroll (2004). Since resubmission in the case of plagiarism would be a 'penalty', it was necessary, therefore, to give the option of either marking the work out of 100% or capping it at a bare pass, in this case 40% to align with normal policy at University of Southampton. This decision was taken because participants in study one were all from University of Southampton. Therefore, both resubmission options (resubmission of new/different, and resubmission of the same work but corrected) were given sub-divisions of marking the work out of 100%, or giving it a bare pass mark of 40%.

Further sub-divisions were given to some categories in relation to the type of warning given. Previously, in the interviews from the exploratory study, it was clear

that some tutors called in students for some kind of meeting, sometimes formally, but sometimes unofficially, to show the student their mistakes and show them how to reference correctly. In many ways this acted as a verbal warning as there was no evidence that any kind of written warning was given. Added to this is the fact that in the work place there is usually a stepwise graded set of warnings, in particular, verbal warnings followed by written ones, with a written warning being more serious than a verbal one. This graded step of warnings was felt to be appropriate for the present set of penalties, and so 'warning mode' was added to the sub-sections of options, giving a choice of either a verbal or a written warning.

The selection of penalties and their sub-divisions resulted in a large number of penalty choices. However, it was decided to keep all option choices since they reflected the true nature and diversity of what was potentially happening in Higher Education. It was clear from the exploratory study, and discussions at the JISC Plagiarism Conference (2004), that tutors do sometimes take it into their own hands to penalise plagiarised or poorly referenced work. This would result in a large number of possibilities of penalties being exacted and hence, the current penalty option list used in this study simply reflects that diverse possibility. Of course, subsequent to this study the AMBeR Project (Tennant *et al*, 2007) has shown that a wide range of different penalty options are in operation within Higher Education institutions.

In order to reduce the chances of the respondents being overwhelmed by the number of option choices, however, participants were instructed to view the left hand column first, that is, to primarily consider which of penalties 1-10 they would award. This reduced the initial number of options to be considered from 22 to 10. Only once they had done that were they asked to then consider any sub-divisions, if they existed. At most this gave them a choice of four options at that secondary stage, with four of the initial penalty options having no sub-divisions at all (penalties 6-9). It was hoped that highlighting two distinct stages would simplify the decision making process required for this study.

5.2.2.3 Selection of participants

As previously indicated, cases were presented to two distinct groups: tutors and students. Tutors were chosen because they are involved in spotting plagiarised work when marking, and then may also be involved in prosecuting and penalising cases of plagiarism. The tutors who took part all came from a variety of disciplines and had a range of experience in terms of teaching years in Higher Education. However, all were employed at the University of Southampton. Students were chosen because they produce the work being marked and scrutinised for plagiarism, and their views could then be contrasted with that of the tutors. The students who took part were all currently studying on undergraduate programmes at University of Southampton. The majority were studying on sports programmes, however, the questionnaire was also distributed to undergraduates from two other schools, as explained later.

Lee (1993) points out that sampling can be difficult when topic areas under investigation are sensitive. The sampling method used was ‘opportunistic’; for example, tutors were colleagues at University of Southampton. Whilst opportunity sampling, sometimes referred to as convenience sampling, may result in the potential threat to external validity and can, therefore, make it difficult to generalise to a wider population (Cohen, Manion and Morrison, 2000), it is necessary in some research in order to gain a sample population at all. Cohen, Manion and Morrison (2000: 102) point out that “Captive audiences such as students or student teachers often serve as respondents based on convenience sampling.” The necessity of convenience sampling in the present study is best illustrated by the fact that in the original plan for the study it was intended to have a broader population of students. However, two problems arose:

- Tutors in disciplines other than sport were unwilling to give up time in their teaching sessions for the cases to be presented to their students and hence, the questionnaires had to be given out at the start of classes, at the beginning of December, for students to take away and complete in their own time;
- 150 questionnaires were given to two classes: one a Humanities level two undergraduate class; the other a Social Sciences level two undergraduate class. Despite an introduction and explanation by myself, and reminders later by the unit tutors, only four responses were ever returned, and one of these

was only partially completed. This once again reinforces the impact of the nature of the topic and may reflect people's reluctance to engage with this sensitive topic, even when anonymity is ensured.

Hence, ultimately it was only possible to gather data from sports undergraduate students, as this was the only student population where I had some control and influence in finding time in the academic year to conduct the study. This clearly introduces bias into the sample group, the impact of which will be discussed later in this chapter. Because the students used in this study were on courses where I was a tutor, data presented in this chapter is *only* reported for those students who have given *explicit* written consent. Students were given a consent form to fill in to indicate either their agreement for their data to be used and reported in this thesis and elsewhere, or for their data to be withdrawn from the data set (see Appendix 2D). The impact of this, with regards to non-response bias, will be discussed later in this chapter.

It can be seen from Table 5.3 that sampling numbers were relatively low for the groups, particularly for a survey/questionnaire. Low numbers, plus the need for convenience sampling in all the groups, has meant that only tentative generalisations can be made as these factors may threaten external validity. However, it is still thought that the groups will reflect other similar groups. For example, students in this study are likely to reflect, to some degree, students more generally, although it is accepted that differences may still exist due to the exact nature of the course they are taking and the institution in which they study. In addition, the data from phase one was to be further explored with use of in-depth interviews in phase two. Hence, relatively low numbers were deemed acceptable given the multiple methods approach and the fact that findings could be triangulated due to the mixed methods approach.

Table 5.3 Sample populations in each category

Category	Tutors	Undergraduate level 1	Undergraduate level 2	Undergraduate level 3
Number of respondents	21	31	42	23
		Total students = 96		

5.2.2.4 Presentation of the cases

Cases were presented in the order shown in Appendix 2A. For tutors it was necessary to give the cases as a questionnaire so that it could be taken away, completed at a convenient time, and returned later. Return of the questionnaire was taken as consent for it to be used in this thesis. It was stressed to the tutors, when they were given the questionnaire, that they should deal with each case in order, and that they should not backtrack to review their previous answers. In other words, they were asked to deal with each case distinctly, as would be the case if they were to sit on a plagiarism panel. In addition, tutors were asked to write down the penalty they would themselves like to award and *not* to select the penalty they thought their institution would have awarded. Whilst this would have been interesting as a comparison, it was felt that this would complicate the questionnaire. Additionally, if tutors had never sat on a plagiarism panel or had never been involved in a plagiarism case it would have been difficult for them to predict a likely penalty outcome at their institution.

For the students on the sports courses the cases were presented on an overhead projector (OHP), one at a time, in the same order that the other groups were presented with cases in the questionnaire. By presenting on OHP rather than on paper, it was expected that this would alleviate any problem of backtracking and comparison to previous answers. The questionnaires were completed for the level two and three sports student groups during induction at the start of the academic year 2004-05, and the level one students completed the questionnaire at the end of a referencing and citation workshop which took place in week one of the academic teaching year 2004-05. At the induction sessions plagiarism, as an academic offence, is reinforced, and the level one workshop was part of a study skills based unit taught on the sport programmes which contextualises plagiarism within academic study.

This present study, therefore, was part of an awareness raising campaign regarding plagiarism which was being run for all students on the sports programmes.

In addition to the low numbers already discussed in this chapter, non-response error or bias must be a consideration for this work. It is a concern in most research (Best, 1981; Cohen, Manion and Morrison, 2000; Corbetta, 2003), and this study is no exception in that some students withdrew the use of their data from the study. In addition, some students simply did not return their consent forms. It was decided that without explicit written consent to use the data, questionnaire answers would be withdrawn. Hence, non-return bias is acknowledged for this study through those who did not return the consent form, and those who asked for their data to be withdrawn. The problem with non-response is that those who *do* take part in a study might not be a representative sample of the population as a whole (Best, 1981). Care must be taken, therefore, when attempting to generalise findings to a wider population and is an additional consideration to that of low return rates already discussed.

Of the 176 possible student data sets for this phase, only 96 are reported in this thesis. This corresponds to a response rate of approximately 50%. Whilst this might be considered low for some research, the sensitive nature of the topic predisposes it to sampling problems and potential biases (Lee, 1993). Chapter 2 has already highlighted some problems experienced by researchers in response rates for studies in the area of plagiarism. For example, Larkham and Manns (2002) who explored the treatment of plagiarism in Higher Education institutions in the UK had to admit that their “response rate was extremely low.” (Larkham and Manns, 2002: 342) Having to accept a low response rate for this current study, however, means that it is necessary to be cautious with interpretation and generalisations of the data.

It must be acknowledged that the results of this study *may* have been affected by the very fact that the sports students were taking a course on which I teach. On the positive side, it has already been pointed out that this resulted in the flexibility and co-operation of tutors, and students took part in the study as part of a package of initiatives aimed at raising awareness regarding plagiarism. However, consideration must be given to the fact that the student group *may* have given answers which they felt were ‘expected’ of them. When interviewing, the power relationship between the

interviewer and the interviewee can result in biased or untrue answers. The same issue could be applied to the current situation, even though the use of questionnaires was the chosen method, since the students were asked to put their name on the questionnaires. This was done so that follow-up interviews could be undertaken in phase two. At the time of undertaking this study the need for the participant to be identified to me was acknowledged as not ideal, however, in order to undertake phase two, no other means of returning to data from phase one was found, particularly as the interviews were likely to take place some time after the original questionnaires. As will be seen later in this thesis, dissatisfaction with this necessity led to the development of a coding system for the later study.

Returning to the present study, the reason for identification was explained at the start of the study, both verbally and on the front of the answer sheet. Students were made aware that a general invitation would be made for volunteers to take part in phase two, and that it was their right to decline the offer. Most students did provide their name so that their answers could be matched to their explicit written consent or withdrawal of data, however, some students chose to remain anonymous in phase one which immediately negated any possibility of them taking part in phase two. It was also decided that any such anonymous data would not be reported in this thesis since explicit consent could not be matched to the answer sheet, and that the decision to withhold identification indicated no consent at that stage. Hence, this is a second reason why non-response bias is evident in this study.

Every effort was made to reduce the likelihood of biased or false answers, for example: it was stressed to students that there was no correct answer and that a diverse set of answers was anticipated; the study was conducted at the very start of the academic year, long before coursework was due in or marking was going to commence and hence, reduced the likelihood that they would feel at risk that their assignment marks would be influenced by their responses; anonymity, when presenting the results, was assured; data was entered onto a data sheet by number/code immediately, and then actual data sheets were locked away in a filing cabinet and not reviewed until phase two, if, as and when students volunteered at that stage; the reason for the study was explained; and students were asked to give a quick, gut reaction response, rather than a long thought out one.

As shown in the results section, responses were indeed varied and students did not appear to be inhibited in suggesting an array of penalties, both harsh and lenient. Hence, it is believed that the potential threat to validity created by the necessity to use students from a course on which I teach has, at the very least, been minimised. In addition, further investigation of the reasons for their choices, explored in phase two, provided the opportunity to identify any problems with answers given within phase one.

As previously explained, all groups were asked to read the description of the case and then refer to the penalty sheet. They were advised to start by deciding which 'number' penalty to award and only then to look at the sub-categories within that penalty. In addition to the penalty, the questionnaire asked all respondents to indicate if they would keep a record of the case on the student's file. This was to determine if a more 'sympathetic' view was evident in any particular case. It was thought that this would be particularly relevant to innocent parties in the collusion cases, but might also be evident in other circumstances.

5.2.2.5 Additional information

Additional information was collected for each group, depending on the nature of that group. For example: tutors were asked if they had ever found a case of plagiarism, and whether they had ever sat on a plagiarism panel; and students were asked at what age they started their Higher Education study. Had the numbers of respondents been higher, it may have been possible to explore the data in relation to this information. However, low numbers, added to the fact that the data provided numerous issues to be explored without consideration of such other factors, it was decided *not* to use this additional information in the analysis.

5.2.2.6 Data analysis

One of the aims of this chapter was to investigate whether consensus and consistency existed, and comparisons were able to be made between the student and tutor group. Given the low numbers of responses in each of the individual student year groups, it

was decided to combine the students into one group rather than separate them out into their individual year groups.

In order to determine if consensus existed, the frequency for each penalty option was determined for each of the cases presented. In addition, the modal penalty, and the percentage of responses for the modal choice, was compared for each of the cases.

In order to determine if consistency existed, cases were compared as shown in Table 5.4. For example, in the interviews from the exploratory study it had been suggested that a more severe penalty would be given if a larger portion of the work was plagiarised. Hence, case 4 was compared with case 11. In these cases the only difference was the percentage of the work plagiarised: 25% compared to 75%. For each respondent the penalty awarded for case 4 was compared to the penalty given in case 11 in order to determine which was more severe. For example, if penalty 3B (resubmit, fully corrected, mark out of 100% with a written warning) was awarded to case 4, and penalty 6 (work given 0) was awarded to case 11, then the penalty was recorded as more severe for case 11.

Table 5.4 Cases compared to determine which was awarded the severest penalty

Comparison	Reason for comparison
Collusion cases: Case 1 (neither own up) v Case 7 (friend helping out) v Case 13 (asked friend to hand in work)	Compare <i>within</i> each case to determine differences of award to each party. Compare <i>between</i> cases to determine differences in opinion regarding the circumstances.
Case 2 v 11	To determine if level of study is dealt with differently.
Case 2 v case 6	To determine if foreign students are dealt with differently to home students.
Case 4 v case 10 v case 11	To determine if the amount of work plagiarised is dealt with differently.
Case 11 v 5	To determine if a repeat offender is dealt with differently to a student being caught for the first time.
Case 9 v case 12	To determine if presenting an excuse makes any difference in award of penalty.
Case 11 v 12	To determine if the sources plagiarised makes any difference in the award of penalty.

Difference in penalty severity was graded to be either slightly harsher or harsher towards a particular case: cases where the difference was a verbal compared to a written warning, for example, was graded as slightly harsher. It should be noted that in a few penalty choices it was not possible to determine which penalty was more severe. For example, penalty 2A (reduced mark with no discussion or warning) versus penalty 3D (resubmission of work with a bare pass maximum) would depend on how much the mark was reduced with penalty 2A. However, resubmission of work to be marked out of 100% was determined as less severe than option 2 (reduced mark), since the student was being warned and was being given a second chance. In cases where the penalty could not be determined, as for 2A versus 3D, the difference was logged as 'undetermined'. Only 26 of the possible 231 combinations of penalties were classed as undetermined. The choice of penalties, particularly in cases where the severity could not be determined, will be investigated later in this thesis. It is also evident when reviewing the results that the percentage of results which were undetermined was, on the most part, non-existent or relatively low (10% or less for both groups) and hence, this issue was less problematic than was originally thought. However, it should be noted that there were some instances of higher undetermined responses:

- 25% plagiarism versus 75% plagiarism: 22% of tutor responses gave an undetermined comparison;
- 25% plagiarism versus 60% plagiarism: 30% of tutor responses gave an undetermined comparison;
- 60% plagiarism versus 75% plagiarism: 22% of student responses gave an undetermined comparison;
- First year student versus second year student: 18% of tutor responses gave an undetermined comparison.

Data has been presented descriptively without the use of statistics, for example, with frequency graphs and percentage tables. Whilst Chi Squared analysis can usually be undertaken with categorical data such as this, it was not possible to use it for the data in this present study as the frequencies in some of the cells was below the critical value of five. The only way to resolve this would have been to combine categories.

However, whilst some categories could have been easily combined, others could not. For example, penalties 3 and 4 could have been combined since both these penalties allow the student to resubmit some work. The ‘do nothing’ option of penalty 1, on the other hand, does not easily combine with *any* other penalty. Hence, it was decided not to combine groups and to work with descriptive statistics only. Any inferential analysis of this data would also be unwise given the response rate was so low: Blaikie (2003) suggests that very high response rates are normally required for such analysis.

5.2.3 Phase two: exploring penalty choices and consistent decision making

In order to investigate respondents’ reasons for making certain penalty choices, and to explore issues of inconsistency, interviews were used as the investigative tool. Originally, it was thought that a mixed method approach using both interviews *and* questionnaires would be used. However, after running a pilot on the questionnaires, it became clear that a lack of response rate, coupled with a lack of in-depth answers, suggested that the questionnaires would not provide as helpful a set of data compared to even a small number of interviews.

The pilot for the questionnaire in phase two consisted of a questionnaire constructed using the same strategy as for the interviews, along similar lines to that of the interviews (see section 5.2.3.1), and then asking respondents to write their responses rather than give them verbally, as with the interviews. The questionnaires were given out to 15 individuals, however, only two were returned, and after reviewing the responses it was clear that answers were too short and superficial to be meaningful. The mixed method approach for phase two was, therefore, abandoned in favour of using interviews only.

5.2.3.1 Development of the interview questions

For each participant taking part in phase two of this study, their answer sheet from the first phase was reviewed, both in terms of individual cases, for example, the copied MSc dissertation, and when comparing cases, for example, comparing the

penalties awarded to a first offence versus a second offence (case 5 v case 11). Questions were then devised on an individual basis according to the answers respondents had previously given. This provided an overall common format for *construction* of the interview questions but allowed for each set of interview questions to be unique. This best aligns with the notion of semi-structured interviews as outlined by Mason (1996). Table 5.5 provides an illustration of how questions were designed for phase two, in accordance with phase one answers.

Table 5.5 Examples of previous answers with follow up questions

Individual cases presented previously		
Case 2: Level 1, 60% plagiarised, books & journals	Penalty selected previously: Resubmit new/different work, 40% max, verbal warning	Keep a record? No
Questions: <ul style="list-style-type: none"> • Why resubmit as opposed to any other penalty? • Why cap the mark at 40%? • Why give a verbal rather than a written warning? • Why not keep a record? 		
Case 7: 2 scripts, 50% plagiarised. A lent to B and B copied.	Penalties selected previously: A = Resubmit new/different piece of work, mark out of 100%, written warning B = Work given 0	Keep a record? Yes
Questions: <ul style="list-style-type: none"> • Why give student A a penalty? • Did you perceive student A as innocent? 		
Comparison of cases and penalties previously chosen		
1 st offence versus 2 nd offence	Penalties selected previously: 1 st offence = whole unit given 0 2 nd offence = whole unit given 0	
Questions: <ul style="list-style-type: none"> • You have treated them the same – was this intentional? • Explore further whether or not it was intentional. 		

Questions were not asked for *every* case and *every* comparison, but were generally selected on the following basis:

- If answers previously given appeared inconsistent, as in the case of treating a first and second offence the same, for example;
- That their answers would be worth further investigation, for example, if ‘reduce the mark’ was chosen then the participant was asked by how much they would reduce the mark, and why they chose this penalty over the ‘mark the work minus the plagiarised sections’ option which also appeared on the list of penalties.

An advantage of the interview method forming part of this study was that further questions could be asked to explore the participants answer more fully during the interview itself and hence, is the reason why the interviews were viewed as a method to obtain more detailed and in-depth information.

The final question, common to all participants, asked them to choose, from the original list of penalties, just five which they thought a *plagiarism panel* should have available to use and to then explain the reasons for their choice.

All the questions were designed to be open-ended to allow for each participant to give a detailed and personal response. Only in a few cases were 'yes', 'no' or X% possible.

5.2.3.2 Participants

5.2.3.2.1 Tutors

In phase one tutors were asked to indicate on their answer sheet if they would be willing to be interviewed about the answers they had given in a follow up study, and only those individuals indicating they would be happy to take part were approached for phase two. It is interesting to note, at this point, that less than 50% of tutors returning the questionnaire indicated that they would be amenable to taking part in a follow-up interview phase. This could be due to a lack of time to take part in such a study, however, it is also feasible that those declining did so due to the sensitive nature of the topic area and a reluctance to divulge their views any further. In addition, tutors who had taken part in the exploratory study were also excluded as it was felt that their views had already been expressed, and that many of their views would simply be repeated in the present study. This, therefore, did limit the pool of tutors to be approached for phase two.

Four tutors were interviewed for phase two. The tutors taught across three different subject areas, but all had an association with the School of Education at the University of Southampton.

5.2.3.2 Level three sports students

With the end of the academic year approaching at the time this study was undertaken, it was decided that there was too little time to develop individualised questionnaires for everyone. In addition, it was felt that interviews would investigate their views more extensively, particularly as their views would have been shaped by their completion of three years of study.

Volunteers were sought via two methods:

- In class – an outline of the preliminary findings of phase one was given at the start of one of the level three classes and then the follow up study was explained, along with the measures put in place to allay any fears that participation may have a negative effect on their degree marks and classification;
- Via e-mail – a letter (see Appendix 2E for key extracts) outlining the preliminary findings of phase one, the intention of the follow up study, and the measures in place to ensure participation did not affect their degree, was sent to all third year students via SportsNet, a virtual learning environment (BlackBoard) used for general notices and communication with students on the sports courses.

Six students volunteered to be interviewed and it transpired that they were staying in Southampton after the examinations had finished. It was possible, therefore, to arrange all interviews to take place *after* the final Examinations Board.

5.2.3.3 Procedures

All interviewees were given a set of documents prior to the interview taking place: general information (see Appendix 2F); an explanation of the topic areas to be explored (see Appendix 2G); details of the procedures for the interview and beyond, (this was similar to that used for the exploratory study). In addition, all interviewees signed a consent form prior to the start of the interview, (this was the same as outlined for the exploratory study). If, after reading all the documentation, volunteers were willing to proceed, the questions were devised on an individual basis (see section 5.2.2.1) and the interviews were conducted at a venue, time and date

acceptable to both interviewer and interviewee. All venues were quiet to ensure a clear recording was made, and all interviews were conducted by myself.

At the start of each interview all those taking part were: specifically asked not to name individuals but to use pseudonyms if necessary; students, in particular, were told *not* to reveal any plagiaristic activity which they had committed or knew about; it was also explained to interviewees that they may wish to change some of their previous penalty choices and that this would be discussed as part of the interview.

As with the interviews in the exploratory study, all interviewees reviewed and amended the transcripts of their interview. At that point they were able to withdraw any data they did not want reported. (The letter was similar to that used in the exploratory study.)

5.2.3.4 Data analysis

Analysis of the interview responses entailed identification and comparison of answers given for the different individual cases, and the comparisons of penalty choices for paired cases (see Table 5.3). Whilst NVivo was used to aid the process of data analysis, it did not always prove useful, given the diversity of the questions and individual nature of each interview question set. Hence, review of the scripts by myself was relied upon more so than was the case in the exploratory study.

5.3 Results and discussion

The data from the present study (phase one and two combined) generated such large amounts of data that only *some* of it has been presented here. The results presented have been chosen specifically because they best illustrate the findings and issues around consensus and consistency. The use of summary tables, review of particular cases, and integration of data from both phases, has been used to display the findings of this entire study. In particular, interview data from phase two will be presented alongside the more quantitative data from phase one where appropriate and suitably illustrative.

5.3.1 Consensus

This thesis aimed to explore whether consensus exists within and between individuals working and studying in a Higher Education institution, regarding the penalties which should be awarded to students found guilty of plagiarism.

Consensus, as discussed in previous chapters, refers to the notion of agreement and hence, consensus would be shown in the findings from the present study if participants chose the same penalties for particular cases. The existence of more diversity of choices, however, would show a lack of agreement and a lack of consensus.

Table 5.6 summarises the findings for penalty choices for each case. All data is presented according to the penalty option category 1-10 only, as categorisation accounting for sub-divisions (for example, 3A-D) distributed the data over too many options and became difficult to interpret. Even using the main categories only it can be seen that a wide range of penalties were selected by respondents for each case. The table shows that for case 8 the least number of penalty choices were used by respondents, but even then the spread was across penalties 1-5. Most other cases show a wider spread of selection amongst the group. It can also be seen that even modal penalties often had less than 50% of respondents selecting that penalty for most of the cases: cases 7A, 8, 9 and 13A being the only cases where more than 50% of respondents chose the same penalty option. It should be remembered, of course, that students would be awarded one penalty, and it would not necessarily be the mode choice as seen in the present study, it would be the penalty selected by the tutor or a panel. As pointed out by Carroll (2005), this may or may not be the same as the mode found in these results. Hence, whilst the mode may provide a sense of level of consensus, it does not reflect the true situation when dealing with cases of plagiarism.

Table 5.6 Summary of penalty choices (all respondents as one group, n = 117)

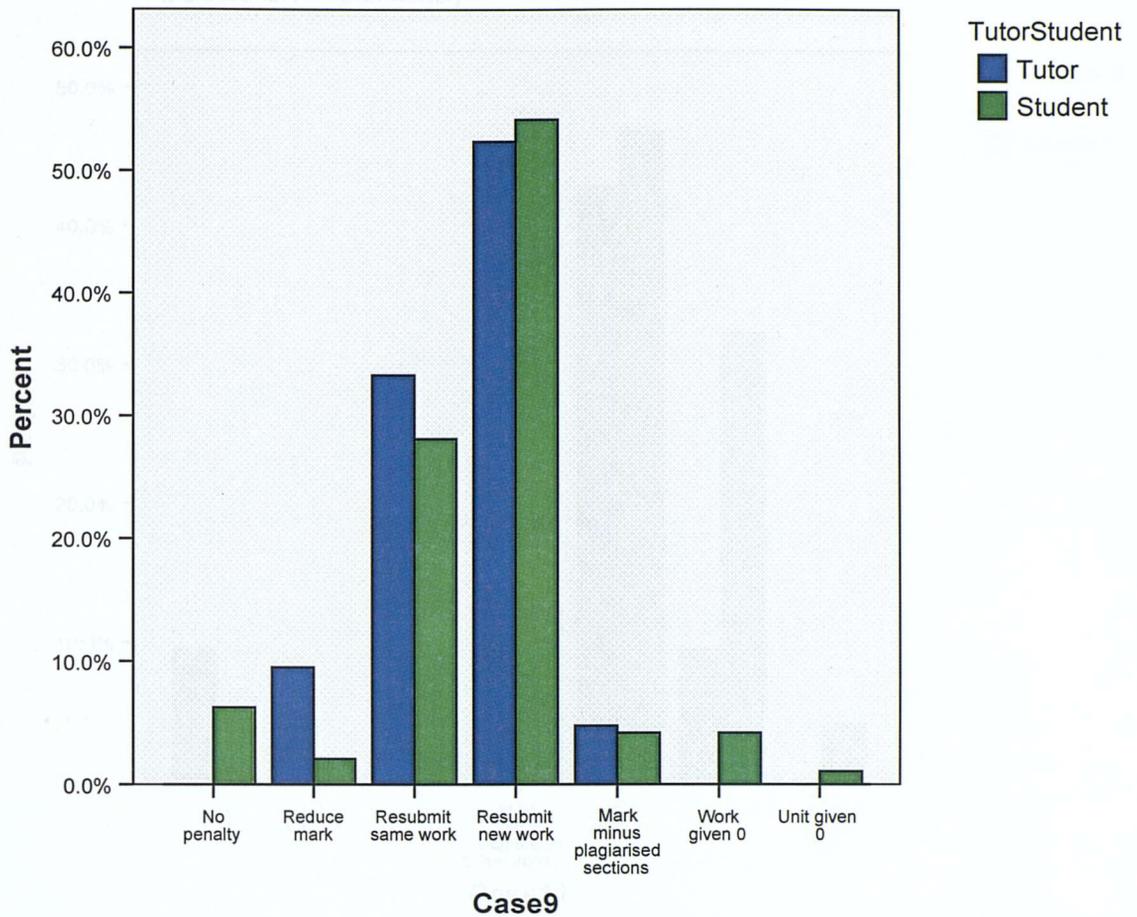
Yellow = penalty choice chosen by 1+ respondents Pink = mode	No penalty	Reduce mark	Resubmit same	Resubmit new	Mark minus plagiarised sections	Work given 0	Unit given 0	Fail current year	Reduce degree class	Remove from course
Case 1: Collusion – neither own up	Students A and B were treated the same by all respondents									
	4.3%	13.7%	9.4%	39.3%	21.4%	8.5%	3.4%			
Case 2: Level 1, 60% plagiarised, books/journals	5.1%	15.4%	23.1%	17.1%	19.7%	14.5%	3.4%	0.9%		0.9%
Case 3: Level 3, copied MSc dissertation		0.9%	0.9%	3.4%		8.5%	20.5%	24.8%	19.7%	21.4%
Case 4: Level 2, 25% plagiarised, books/journals	0.9%	13.7%	24.8%	18.8%	29.1%	10.3%	0.9%	0.9%		
Case 5: Level 2, 60% plagiarised, 2nd offence				6.9%	6.0%	28.4%	27.6%	13.8%	3.4%	12.9%
Case 6: Level 1, 60% plagiarised, books/journals, foreign	12%	8.5%	30.8%	23.1%	12.8%	9.4%	1.7%	0.9%	0.9%	
Case 7: A gave their work to B for them to read, as B found work difficult. Student B then copied.	Student A:									
	59%	15.4%	3.4%	14.5%		6.8%	0.9%			
	Student B:									
	1.7%	5.1%	4.3%	36.8%	10.3%	27.4%	8.5%	5.1%	0.9%	
Case 8: Can't match to a source	80.3%	10.3%	4.3%	4.3%	0.9%					
Case 9: Level 2, 60% plagiarise, websites, presents mitigating circumstances	5.1%	3.4%	29.1%	53.8%	4.3%	3.4%	0.9%			
Case 10: Level 2, 75% plagiarised, books/journals		2.6%	0.9%	4.3%	9.4%	43.6%	30.8%	7.7%		0.9%
Case 11: Level 2, 60% plagiarised, books/journals		2.6%	1.7%	5.1%	12.8%	46.2%	28.2%	3.4%		
Case 12: Level 2, 60% plagiarised, websites		2.6%	1.7%	4.3%	13.7%	47.9%	26.5%	3.4%		
Case 13: A gave their essay to B to hand in. B then copied	Student A:									
	79.5%	6.0%	2.6%	5.1%		4.3%	2.6%			
	Student B:									
	0.9%	3.4%	2.6%	17.1%	9.4%	35.9%	20.5%	6.0%		1.7%

It can be seen in Table 5.6 that the penalty option ‘reduce the degree classification’ was generally not a popular choice. The popularity of other choices then varied according to each case. For example, case 9 shows that resubmission, either of new or old work corrected, were the two most popular choices, with other penalties being chosen by very few respondents, whereas cases 2 and 3 show a much wider spread of penalty choice amongst the respondents.

From the results shown in Table 5.6 it would appear that consensus does *not* exist in most cases when all respondents are considered as one group.

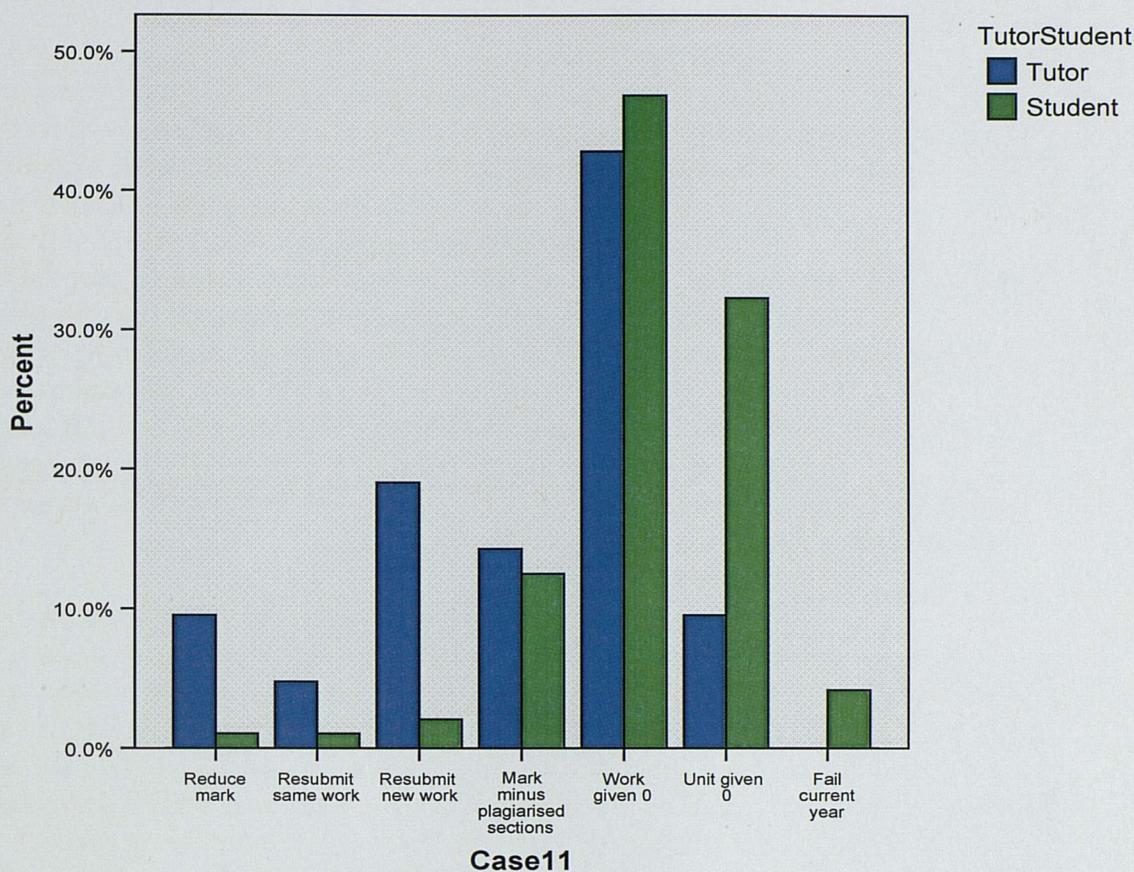
According to McCabe and Parvela (2000: 38) there may be a difference between tutor and student views. In fact, they go as far as to suggest that “A majority of students will support stricter penalties for academic dishonesty.” Martin (1992b) concurs when reporting that in many cases where students are involved in the discipline decision, for example, they may form part of a plagiarism panel, they [students] “are much tougher on cheaters than staff.” There is *some* evidence from the present study to support this. Although not all cases are presented in this chapter, it was found that for seven of the 15 comparisons which could be made (that is, ten cases dealing with one student only plus students A and B being treated as one comparison for case 1, and as separate comparisons for cases 7 and 13), student choice distribution was more towards the harsher penalties than for the tutors distribution of choices (see Figure 5.2 showing an example of this). Although it must be acknowledged that this *may* depend on the nature of the offence and may be skewed by the lower numbers of tutors taking part in this phase: 21 tutors compared to 96 students. Figures 5.1 and 5.2 show examples to illustrate the contrasting distributions seen in the phase one results. Figure 5.1 shows an example whereby tutor and student distributions appear similar, and Figure 5.2 shows an example of where students appear to have been generally harsher than tutors with their penalty choice.

Figure 5.1 Graph to show penalty choice distribution for tutors and students for case 9 (level 2 student; 60% plagiarised from web sources; presents mitigating circumstances)



Phase two interviews confirmed that consensus does not exist and extracts highlighted in Tables 5.7 and 5.8 provide examples which illustrate this. Table 5.7 shows extracts from the interviews exploring the penalty choices for case 2, a first year undergraduate student who had plagiarised 60% of their work from books and journals, and Table 5.8 shows interview extracts for case 4, a second year student who had plagiarised 25% of their work from books and journals.

Figure 5.2 Graph to show penalty choice distribution for tutors and students for case 11 (level 2 student; 60% plagiarised from books and journals)



It can be seen in Table 5.7 that three different penalties were selected with evidence of both different and similar criteria being used to determine the penalty. In examples 1 and 2, the fact that the student was at level one clearly steered the tutors towards selection of resubmission in order to make the student correct their mistake, yet in example 3, the level was taken into consideration to give a relatively lenient penalty in the eyes of the student, yet no ‘correction’ was afforded since the work was simply given zero. For the student in example 3, it would seem that the amount of plagiarism plays a large part in the decision making process which was not a factor mentioned by either tutor.

Table 5.7 Examples of the different views held by individuals for case 2 (level 1 student; 60% plagiarised from books and journals)

Example 1: Tutor 1	Penalty chosen: Resubmit new/different piece of work, 40% max, verbal warning
<p><i>What made you choose resubmission as your choice?</i> I think it was because I wanted them to actually do the work properly and to make them go through the process...I wanted them to go away and redo the work properly like the rest of the group did.</p> <p><i>Was that influenced by the type of student that was?</i> I think yes, because it was a level one student...I think in level one it is more about going through the process and learning about what plagiarism is....</p> <p><i>You've clearly gone for verbal rather than a written warning, I just wonder if you can explain that one?</i> Again if it was a first offence, level one I would think that verbally would be enough....</p>	
Example 2: Tutor 2	Penalty chosen: Resubmit the same work but corrected, mark out of 100%, written warning
<p><i>Why resubmit and why resubmit the same piece but corrected?</i> Because it was at level one, I think a lot of first years make the mistake by thinking they can take things out from books and not put the author name in, not give credit to the original author, and it's not that they do it intentionally, it's that they don't realise that it's part of the learning process. Therefore, to make them go back over their same work and put back in all the references that are, for the ideas and the quotes and everything, would actually probably have done them quite a lot of good, to show them exactly how that piece of work should have been presented in the first place.</p>	
Example 3: Student 5	Penalty chosen: Work given 0
<p><i>What made you choose this particular penalty?</i> Because it's a level one student, so they haven't necessarily got the experience of a level two or three student may have in terms of plagiarism, and because they've used books and journals which is quite a serious offence, but I think the main issue there is because they're a level 1 student, but 60% is quite a lot so I think that warrants work given zero on that.</p> <p><i>So you've gone in your mind more lenient because they are level one but more harsh because of the amount?</i> Yes, exactly yes, because I think the 60% is more than the 50% on the last one, however, we know they're a level 1 student here, and they may not have fully the prior knowledge that a, or they've just been introduced to these kinds of ideas, as opposed to level two and three which have had two years previous experience.</p>	

Table 5.8 Examples of the different views held by individuals for case 4 (level 2 student; 25% plagiarised from books and journals)

Example 1: Tutor 1	Penalty chosen: Work given 0
I think my reason behind it and thinking about what I would do now is that it sends out a message to them that they can't do it. It isn't a case that it's been copied from someone else it they have copied from books and journals quite clearly it's a quarter of the piece of work. There's an argument both ways I think it's more a case of send a message out for that piece of work that you cannot do that... Yes, it was a level two piece and I felt that at that stage they should be able to, they should not be doing that.	
Example 2: Student 6	Penalty chosen: Work given 0
<i>Straight away you've given the work 0, how would you justify that?</i> Because it's level two, hmm, that might be a bit harsh. I don't know, by level two you should know what you are doing. 25% is quite a lot of a 2000 word essay, so it's quite a large chunk of the essay that's been plagiarised then. Maybe I will stick by it and change it to zero for that unit or rather that piece of work.	
Example 3: Tutor 4	Penalty chosen: Resubmit same work corrected, mark out of 100%, written warning
<i>Why in this case have you gone again for resubmission?</i> Because I don't want to mark what they've done minus the plagiarised piece because 75% is not something one could validly mark, it's not up to the word count, it wouldn't be a coherent piece of work in my view, if you're taking out 25% of it. I don't see, in a sense, how one could mark with 25% missing. Would you just cross it out? Or would you just intellectually ignore it? If you cross it out would you get a pair of scissors and cut it out and read what's left? I don't really quite understand what, how one could, in any sense of the word, mark the piece of work without the plagiarised element to it. I don't think it's feasible to do that, so I would tend not to opt for, take the plagiarised work out. So that only leaves me with the option to ask the student to resubmit it. I didn't think the 25% was a big percentage to plagiarise really, therefore, I decided it would be marked out of 100. A written warning because this student is still on the course, they're still going to be doing level three later on, and so I wanted something on their record, something to warn them really, a bit more serious warning that what they are doing should not be repeated. It's the repeatable element of it that was my rationale to give written warnings.	
Example 4: Tutor 3	Penalty chosen: Resubmit same work corrected, 40% max, verbal warning
<i>Why have you gone for a verbal warning this time and not keep a record?</i> 25% plagiarism is marginal in terms of some students might legitimately, might think, genuinely think, honestly think that what we would consider to be heavy borrowing, 25% plagiarism and heavy borrowing are not that different in some people's minds and they might be excusable, self excusable in the mind of a student. They were not intending, as it were, necessarily to deceive. That doesn't mean to say that they've unattributed all the 25% of a proper source but at the same time they've not passed the whole work off, they're not trying to disguise the whole work as being somebody else's, in fact, 75% of it is still theirs. So I think I would say, look this is, this is on the margins of where heavy borrowing comes into excessive reliance without attribution and in that case I would want to talk them through that process such that I would want to make it clear that they are on the border and I think I would prefer to do that eye to eye, face to face. Hence the verbal.	
Example 5: Tutor 2	Penalty chosen: Mark work minus plagiarised sections, written warning
<i>Why have you chosen this penalty?</i> Probably because it's going to come out, if you take out all the plagiarised sections, it's 25% of the work, they're going to fail that anyway. It clearly shows them that they can't get away with plagiarism and to be honest, it saves us having to go through the formal processes of prosecution, that's too harsh a word, but the processes that we then have to go through as lecturers to formally, you know, if they claim against us. It's just so much hassle and so much work. <i>So you would see you doing that without actually declaring it and taking it onto a plagiarism panel? It's just something that you would do?</i> Yes. <i>What sort of level would you say% wise, you would actually send onto a plagiarism panel?</i> Probably when it gets to a third. A third of the work.	

In Table 5.8 it can be seen that in the first two examples the level of the student was a key factor, and both individuals agreed that it was appropriate to give the work a zero mark. However, in examples 2 and 4 there seems to be a difference of opinion as to whether 25% of the work being plagiarised could be regarded as a large amount or a little amount at level two and hence, the penalty choices differ between these individuals and additionally, differ with the first two examples. In example 4, the amount of plagiarism was viewed as relatively low and hence, a verbal warning was given, yet a written warning was given by the tutor in example 3 due to the fact that the offending student would be continuing on the course, and a written warning would provide evidence of the seriousness of the offence. In example 5, it is interesting to note that 25% plagiarism was viewed as relatively minor by the tutor such that it was not worth pursuing through any formal procedures. In this case it would seem that the amount was the crucial factor weighed up against more formal procedures and the likelihood of more serious penalties: it is clear that the tutor saw a critical point at which they should no longer be responsible for application of a penalty. These findings align with those of Flint *et al* (2006) who reported that some staff believed that ‘small amounts’ of plagiarised text was acceptable, although no actual percentage was highlighted in their article and it is clear from this study that the definition of ‘small’ is likely to vary considerably amongst tutors and students alike.

5.3.1.1 Using severe penalties

All groups were asked to describe three cases where they would use the most severe penalties: 8 being ‘fail the current year’; 9 being reduce their degree classification; and 10 being ‘throw them off the course’. Table 5.9 summarises the results for each of the groups.

Whilst the most common answers have been given, it must be acknowledged that there was often a large variation in descriptions, again showing there is little consensus for the use of such penalties. The results do, however, suggest that there is some evidence of grading taking place. For example, the most common description for the penalties excluded first year students and usually involved a high percentage

of material being plagiarised, or that the student had been caught and hence, at the very least, warned previously. In addition, when moving from penalty 8 (fail the current year) to 9 (reduce their degree classification) the level of student usually increased in the description. For example, if the case description for penalty 8 had an undergraduate level two student, then the description for penalty 9 might have an undergraduate level three student. However, the same cannot be seen between penalties 9 (reduce their degree classification) and 10 (remove them from the course) where the differences were very much less distinct.

Table 5.9 Cases suggested by respondents for use of severe penalties

Group	Penalty 8 Fail the year	Penalty 9 Reduce degree classification	Penalty 10 Course termination
Tutors	Most commonly undergraduate level 2 or higher and a repeat offender	Most commonly undergraduate level 3 and plagiarism found in a substantial piece of work or a repeat offender. One tutor stated they would never use this.	Most commonly undergraduate level 3 or postgraduate with plagiarism found in a substantial piece of work and had been caught previously. 3 strikes and you are out was very common. One tutor stated they would never use this.
Students	Wide variation in level, amount plagiarised and number of times caught.	Most commonly undergraduate level 3 or postgraduate with a large % plagiarised in a substantial piece of work, sometimes also having been caught previously.	Most commonly undergraduate level 3 or postgraduate with a large % plagiarised in a substantial piece of work, sometimes also having been caught previously.

5.3.1.2 Keeping official records

Table 5.10 shows the proportion of respondents who would *not* have kept an official record of the case on the student's file. In some cases, as for case 3 where a third year student has copied an MSc dissertation, there was a resounding acknowledgement that a record *must* be kept on the student's file. In other cases it would seem that a high number of respondents suggested no record should be kept,

as was the case for the ‘innocent’ students in cases 7 and 13 where other students had copied their work. Even in these cases, however, one third to almost a half still said they would keep an official record of the incident on the student’s file.

Table 5.10 Percentage of respondents who would *not* have kept an official record of the case on the student’s file

Apparent lack of consensus highlighted: Less / More		Tutors	Students
Case 1: Collusion – neither own up	A & B	10%	10%
Case 2: Level 1 student, 60% plagiarised from books/journals		24%	26%
Case 3: Level 3 student copied a previous MSc dissertation		0%	1%
Case 4: Level 2 student, 25% plagiarised from books/journals		5%	20%
Case 5: Level 2 student, 60% plagiarised, caught for the 2 nd time, previously caught in level 1		0%	2%
Case 6: Level 1 student, 60% plagiarised from books/journals, foreign student		14%	30%
Case 7: Student A gave their work to student B for them to read as student B found the work difficult. Student B then copied.	A	52%	58%
	B	0%	5%
Case 8: No evidence		33%	53%
Case 9: Level 2 student, 60% plagiarised from websites, but presents mitigating circumstances		14%	38%
Case 10: Level 2 student, 75% plagiarised from books/journals		0%	2%
Case 11: Level 2 student, 60% plagiarised from books/journals		0%	3%
Case 12: Level 2 student, 60% plagiarised from websites		0%	3%
Case 13: Student A gave their work to student B to hand in for them	A	52%	66%
	B	0%	0%

The ‘sympathetic’ decision of not keeping records on a student’s file was most evident for the following cases:

- Case 6 (an international student): 30% of students would not have kept a record;

- Case 7A (the student was innocent): over 50% of both groups would not have kept a record;
- Case 8 (no evidence): one third or more of respondents would not have kept a record;
- Case 9 (mitigating circumstances): 38% of students would not have kept a record;
- Case 13A (the student was innocent having asked a friend to hand in their work for them): more than 50% of both groups would not have kept a record.

In most cases, therefore, a high proportion of respondents indicated they *would* keep a record and advice is to do so (see later discussion in this chapter), although evidence from the exploratory study (but not reported or discussed in this thesis) would suggest that this may not always be carried out robustly.

However, as already highlighted, there were some cases where there was clearly a more sympathetic view taken by many respondents by proposing that *no* record be kept on file. In the cases where a student was ‘innocent’ (for example in case 7 and 13) such a sympathetic view is understandable if innocence is truly established. However, for some cases the reasons may be less apparent. For example, in case 6 (the international student) almost one third of students and 14% of tutors responded that a record should not be kept on file even though the case was proved and a penalty awarded. On the face of it, not keeping a record does not seem justified given the case and the penalty award, however, one tutor did provide a rationale for their decision to *not* keep an official record in this particular case:

Interviewer: *Why not keep a record because with 60% before you did?*

Tutor 3: Yes, this is level one and this is an overseas student, that’s the reason.

Interviewer: *OK.*

Tutor 3: They’re not excuses but there may be circumstances which you may wish to take into account in terms of not scaring a student to death and they’re going to be, some of these students will come from countries where written records have serious consequences. And I would not want them to think that at level 1, and if they’ve made one mistake of this kind, as it were, that their careers are going to be inscribed negatively for the rest of their undergraduate time. So verbal. Not the same at level two, not the same if they’re not overseas, in other words I am making discriminations between types of students, in terms of

level. And also what I consider to be an accommodation in the way in which universities ought to work.

It should be noted that differential treatment of international students in comparison to UK students will be discussed later in this chapter.

Similar results for record keeping were found for case 9 where mitigating circumstances were presented. Once again, it would seem justified to keep a record of the case on file since the student did plagiarise and was given a penalty, yet more than one third of students suggested otherwise. Unfortunately, the interviews in phase two did not shed any light onto this matter and it is not helpful at this point to speculate their reasons.

The difficulty in all these cases is that if no record is kept then it is impossible to track or even identify a serial plagiarist, and certainly the advice from JISC PAS is that records should be kept, even if the only penalty is to counsel or instruct the student (see for example Duggan, 2005, who reports verbatim a personal communication with Cameron). During the exploratory study the problems created by a lack of record keeping were highlighted, for example, the reliance on tutor memory for a student who had been caught previously and hence, less severe penalties being awarded as previous cases were not brought to the attention of panel members. It may be that tutors were more aware of this as a long term problem and hence, generally suggested that records be kept for most cases. This may explain why tutors generally had the lowest percentage of respondents who would not keep a record on file compared to the students.

Returning to the suggestion that students would be harsher than tutors when dealing with cases (see earlier discussion), results from this study, with regards to record keeping, would suggest otherwise. Table 5.10 shows that for every case except two (case 1 and case 13B) more students chose to *not* keep a record on file compared to tutors. Whilst there is some evidence from penalty choice that students are harsher than tutors in many instances, it would appear that they may be more lenient in terms of keeping a record on file, a decision which may ultimately result in more lenient penalties for repeat offenders.

It is interesting to note that approximately two thirds of tutors suggested keeping a record on the student's file for case 8, the case where plagiarism was suspected but no matched sources found. At this point the issue is whether or not records can, or even should be kept based on suspicion alone. If action is taken as a result of suspicion, for example, if the student is given a warning of some kind, even if not a more severe penalty, then a record of this must always be documented since this would negate any future claims of ignorance if the student is caught at a later stage in their studies (Carroll, 2005).

Overall, a lack of consensus is evident from the spread of penalty choices made by respondents for many of the cases presented in this study. There was evidence of a lack of agreement on the award of penalty between individuals and between groups, and there were differences of opinion regarding the nature of recording the offence. Carroll, at the JISC Plagiarism Conference (2004), similarly reported that she had experienced an array of responses when presenting tutors with case scenarios and a choice of penalties. Whilst the penalty choices and cases differ between the present study and those presented by Carroll, it does demonstrate that such variation can be expected.

It is possible, as demonstrated by the interviews in phase two, that the lack of consensus may stem from the fact that individuals seem to set their own criteria to align the penalty with the offence, and there appears to be a lack of consensus on the exact nature of those criteria. This aligns with the findings of Flint *et al* (2006: 154) who reported that "staff have highly personalized definitions of plagiarism" and this would, as seen in this study, result in the potential for different penalty selection by individuals. Even when criteria were common between individuals the selection of penalty still differed. This has implications for institutions in that guidelines and criteria is likely to be needed to make its own stance clear to all students and tutors operating within it, and that matching penalties to those criteria may have to be more rigid than many would like. It is interesting to draw parallels here with the study and findings of Yeo and Chien (2007). They reported that use of a criterion based system and proforma *could* result in a good agreement for the classification of how serious a case of plagiarism is. This would suggest that penalty choices thereafter should be a

simple next step. However, they do acknowledge that even if it is possible to agree on the seriousness of a case there is still:

“...the need for further professional development for staff to enable them to compare views and try to reach consensus in their understandings and hence how they should respond to particular plagiarism incidents.”

The interviews in the exploratory study revealed that some tutors prefer relative freedom of choice to select a penalty they feel appropriate to a case, a fact also highlighted by Flint *et al* (2006) who reported that staff “highly value” freedom to exact their own academic judgement.

5.3.2 Consistency

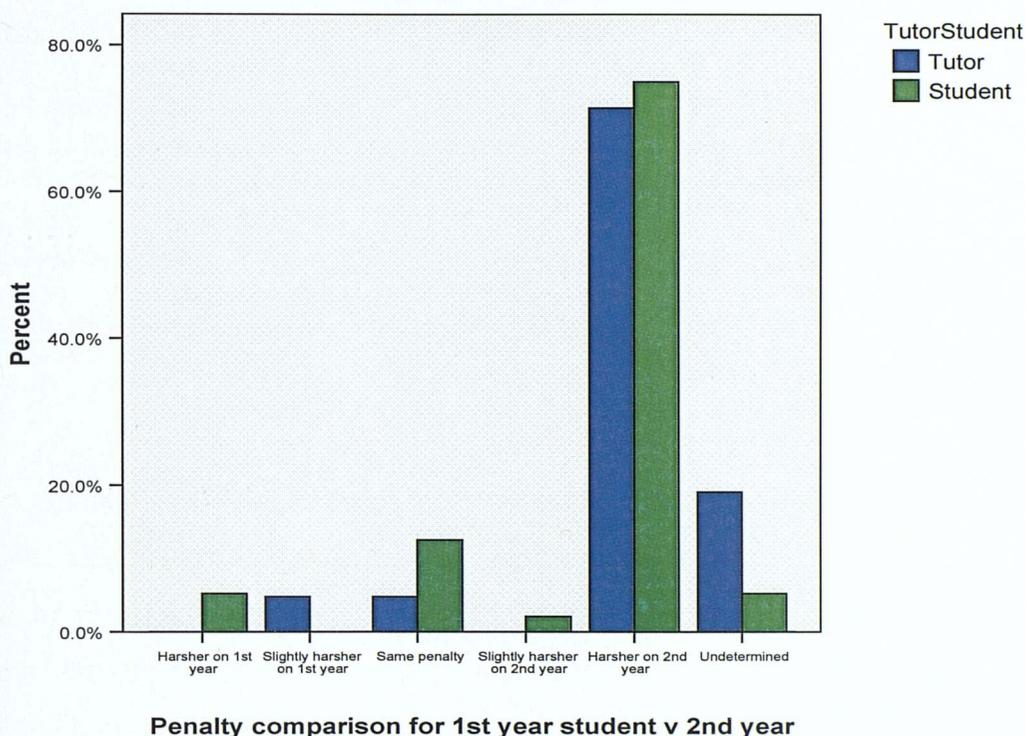
This thesis also aimed to investigate whether or not individuals could apply penalties consistently for different cases of plagiarism. Consistency results if the same or similar cases are treated the same, and if harsher penalties are applied appropriately and proportionally to the case. For example, harsher penalties might be applied to final year students than to first year undergraduates if that differentiation is deemed appropriate.

In order to determine if penalties are applied consistently the penalty choices for paired cases were reviewed. The pairs have already been highlighted in Table 5.4, however, at this juncture it is worth reminding the reader that when a comparison was made all descriptors of a case were the same but for one factor only. There are 15 possible comparisons, however, only a selection have been presented in this chapter in order to illustrate the findings. Whilst many interesting debates were raised by various comparisons, it was decided that many would have to be dealt with outside this thesis in order to maintain coherence and brevity in this chapter. Those issues which raise the potential for complex debates which *could* have been explored but have not are: treatment of students who have copied from different sources; treatment of a UK student compared to an international student; the effect of mitigating circumstances being presented; collusion comparisons (for example, the ‘innocent’ student, as for 7A and 13A, compared to the student who did the copying, the effect of non admission); the effect of the extent of plagiarism in the text. Results are presented here which take straightforward, key characteristics and which clearly

demonstrated the diversity of results in relation to consistency. In particular results presented in this current chapter are those which demonstrated high levels of consistency or high levels of inconsistency.

Evidence of apparent consistency was shown with the treatment of students who had committed the same offence but for their year of study (case 2 versus case 11). As seen in Figure 5.3, a large majority of the respondents treated the second year student more harshly than the first year student.

Figure 5.3 Comparison of penalties awarded to students whereby the only difference was their year of study (all other descriptors were the same)



During the interviews most interviewees identified that they would treat the second year student harsher because, by that stage, students should have learned about plagiarism and referencing and would know that they were doing something wrong. Several interviewees held the view that at level one the act of plagiarism was more likely to be unintentional, and that this was the main reason given for relative leniency over a higher level student. This aligns with the findings of the exploratory

study whereby the criterion of 'level of student' was identified as a key factor in determination of severity of penalty. This is also consistent with the findings of Yeo and Chien (2007) who found that when tutors used their criteria based proforma a first year case was ranked at a relatively low level. This might suggest, therefore, that all those who treated the students the same were being inconsistent. However, one interviewee was comfortable with the fact that he was treating a level one and two student the same by giving them both zero for the piece of work:

Interviewer: *You have treated them the same – was this intentional?*

Student 2: Yes I suppose so. Yes, I can't see how I could change either one really.

Interviewer: *Some people will treat the level two student harsher because they're level two, they've gone further through the course, that kind of thing, but for you you are saying that the level almost doesn't matter.*

Student 2: Work given zero is the kind of worst punishment you can give someone anyway.

Interviewer: *So you wouldn't be more lenient on the first year?*

Student 2: No, especially as it affects the other students as well. Obviously everyone hears about it if something's happened. It does have a knock on effect.

Interviewer: *So you would be very much, the level doesn't matter, you would have the same penalty regardless of level?*

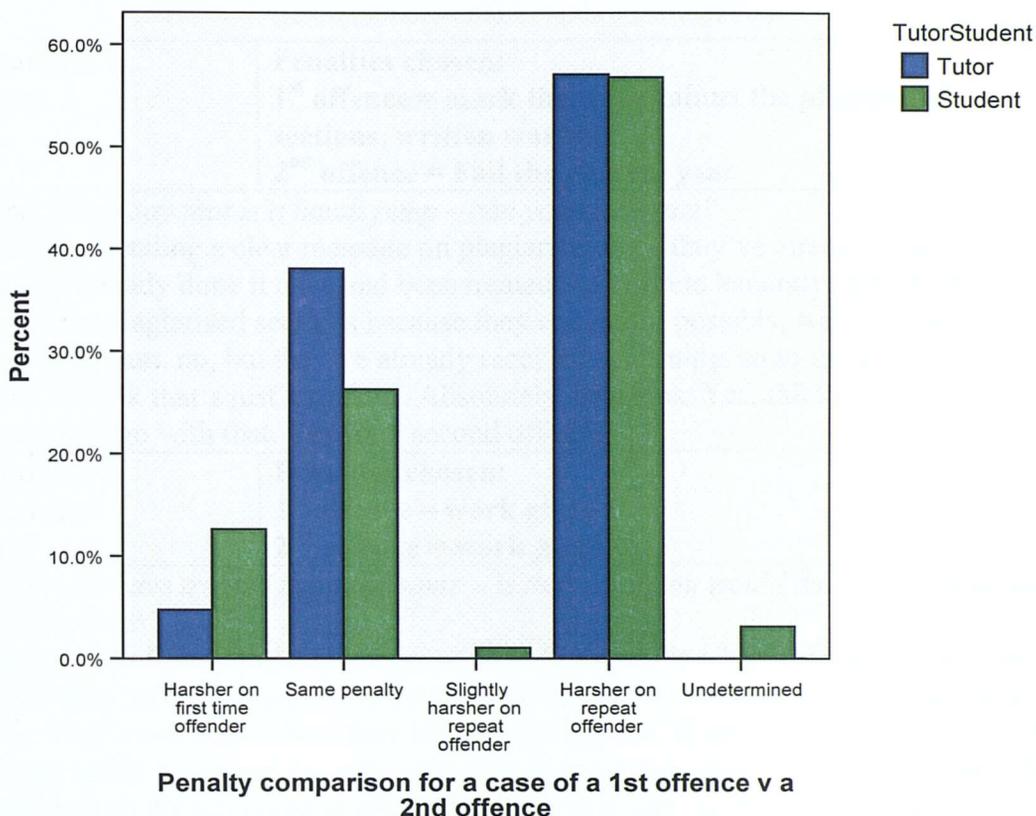
Student 2: They are only doing themselves out of marks, they can keep doing it all they want, they just keep getting zeros, they're not going to get a degree at the end of the day, are they?

It is possible, therefore, that for some who treated these students the same, they would view their penalty choice as acceptable and consistent. It is difficult to argue a similar viewpoint for those who treated the first year more harshly, although there were very few who did this. Hence, it is surmised that some of the respondents who treated the students the same *may* have done so through inconsistency, if they believe level of student should be a criterion for incrementing penalty severity, but that *all* those who treated the level one student more harshly were doing so because of inconsistent decisions.

A comparison which showed greater evidence of apparent inconsistent practice was where the repeat offender case was compared to that of a first time offender (case 5 versus case 11). The interviews from the exploratory study suggested that a student being caught for the second time would, more normally, be afforded a more severe

penalty than one being caught for the first time. Figure 5.4 shows that whilst over 50% of respondents in each group *did* treat the repeat offender more harshly, almost a third (both groups combined) selected the same penalty, and almost 10% (both groups combined) treated the first time offender more harshly.

Figure 5.4 Comparison of penalties awarded to a first time offender versus a repeat offender (all other descriptors were the same)



The fact that some respondents treated these students the same would suggest that it is possible that an incremental approach, whereby ‘severity of penalty’ is linked to ‘number of times caught’, is not necessarily seen to be appropriate or necessary by some individuals. Table 5.11 shows examples from the interviews demonstrating such contrasting views (examples 1 and 2). In example 2 it would appear that the incremental achievement of increased severity is seen to be achieved through the accumulation effect of a constant penalty awarded several times over, rather than by increasing the severity of the penalty for a repeat offender per sé. Whilst it is clear

that not all who treated the students the same were doing so unintentionally: example 3 demonstrates that for some, once the cases and penalties were viewed side-by-side, they considered their decision had indeed been inconsistent and promptly changed it to ensure the repeat offender was dealt with more severely.

Table 5.11 Examples of contrasting views when dealing with a student caught plagiarising for the first time versus a repeat offender

<p>Example 1: Tutor 2</p>	<p>Penalties chosen: 1st offence = mark the work minus the plagiarised sections, written warning 2nd offence = Fail the current year</p>
<p><i>Some might say that is a harsh jump – can you elaborate?</i> It's about sending a clear message on plagiarism once they've already done it. If they've already done it once and been treated really quite leniently in being marked minus the plagiarised sections because they could still possibly, well they wouldn't be able to pass, no, but they've already received a warning, so to therefore do it again, I think that's just atrocious. Absolutely atrocious. Yes, fail the current year, I would still go with that. Yes for a second offence.</p>	
<p>Example 2: Student 2</p>	<p>Penalties chosen: 1st offence = work given 0 2nd offence = work given 0</p>
<p><i>Again you have treated them the same – is that what you would do, seeing them side-by-side now?</i> The second offence [case 5] I suppose would have to be a harsher penalty. But like I say, if they've done it once they've got zero and if they've done it again they've got zero. That's two units where they haven't got a grade. If they want to keep going and getting zeros, I suppose the university gets their money, their work's not going to be published so it's not going to affect the writer in a way, so it is just up to the individual I suppose.</p>	
<p>Example 3: Tutor 3</p>	<p>Penalties chosen: 1st offence = mark the work minus the plagiarised sections, written warning 2nd offence = mark the work minus the plagiarised sections, written warning</p>
<p><i>You've treated them the same.</i> Case 11 is a first offence and 5 a second offence but I've treated them the same. I hadn't noticed when I made the assessment between the cases that there would be, had I were I to reassess that now, then I would actually with the second offence, I would not mark the work at all. <i>So you'd actually give the work zero?</i> Correct. Re-evaluating it, that would be more consistent.</p>	

Returning to Figure 5.4 it can be seen that approximately 10% of respondents overall treated the first offender more harshly than the repeat offender. Although no-one interviewed came from this group of individuals, it is difficult to find a justifiable reason to do this and hence, it is surmised that this result provides further evidence of inconsistency in the decision making process.

Respondents were forewarned that phase two would explore inconsistent decision making. Whilst there were many instances where interviewees were content with their penalty selection, there were also many examples where interviewees were clearly unhappy or unsure with the choices they had previously made. The content/not content scenarios were evident when reviewing both penalty choice selection for individual cases, *and* when a comparison of two cases was presented. Table 5.12 shows interview extracts where interviewees were: happy with their selection and did not wish to change their minds (example 2); were not happy on reflection and could not recall why they had made that choice (example 3); were surprised when shown the comparison but found it easy to select an alternative choice (example 4, this can also be seen for tutor 3 in Table 5.11); and were unsure of their decision and found it difficult to decide on the 'right' penalty (example 1). When reviewing the extracts for tutor 4 it is clear that for some of their decisions they considered themselves to have been consistent (example 2) but at some other point regarded their decision as inconsistent (example 4). It is possible, therefore for an individual to be both consistent for some comparisons and inconsistent for others.

When reviewing consistency it is clear that it can be difficult to make consistent decisions, even when cases are presented in a short space of time. The fact that backtracking was prohibited in phase one likens the situation, more realistically, to that more usually experienced by tutors or panel members in that they often find themselves dealing with plagiarism cases weeks or even months apart. If no reference to previous cases and decisions are available, as was found to be sometimes the case in the exploratory study, then memory, or gut feeling at the time the case is presented, has to be relied upon and it clear that inconsistent decisions are certainly very possible.

Table 5.12 Extracts from interviews where interviewees reflected on their previous penalty selection

<p>Example 1: Student 5 Evidence of vacillation</p>	<p>Case comparison: One student copied from the web, the other from books/journals Both awarded ‘whole unit 0’</p>
<p>I think possibly at the time when I filled this out originally, I possibly thought that they were similar in offence but there was nothing either side of whole unit, giving the whole unit zero. No I’m quite satisfied with those two being the same, I think possibly if one was more serious than the other it would be the web sources, possibly because it’s, well I don’t know actually. No I’m quite happy, I think they’re an equal offence I think, because at the end of the day you could have an electronic journal, now that’s a web source, but also you can have the hard copy of a journal, it’s the same thing.</p>	
<p>Example 2: Tutor 4 Happy with selected penalty</p>	<p>Case comparison: A first offender compared to a repeat offender First offender awarded ‘mark work minus plagiarised sections’ Second offender awarded ‘work given 0’</p>
<p><i>Are you happy?</i> Yes. I mean, it it’s a second offence they’ve had a warning of one type or another depending on whether they’d committed the offence earlier that year at level two or in year one, but they’ve basically had a warning because it’s a second offence. Therefore, then zero, yes, I’m happy with that.</p>	
<p>Example 3: Tutor 3 Now feels they have been too lenient</p>	<p>MSc dissertation been copied by third year student Penalty award of ‘reduce degree classification’</p>
<p>That surprises me. I think if they’ve copied a dissertation, I think it’s a very low practice and I think we terminate their degree. I don’t know why I said reduce their degree classification...No, I’m surprised that I said that.</p>	
<p>Example 4: Tutor 4 Surprised by comparison</p>	<p>Case comparison: A UK student compared to an international student UK student awarded ‘reduced mark’ International student awarded ‘work given 0’</p>
<p><i>It looks as if you have treated the foreigner more harshly, was this intentional?</i> No it wasn’t intentional. I didn’t realise I had done that. Is that the case? Is that right? <i>Yes.</i> Oh gosh, that’s scary isn’t it? No it wasn’t intentional, no. <i>So rationally and if you look at it now, you would want to treat them the same?</i> <i>Yes.</i> <i>So what would you do? Which penalty would you choose?</i> I’d choose the reduced mark with the written warning. <i>So you’d give both of them a reduced mark?</i> <i>Yes.</i></p>	

Knowing whether a decision is, in fact, inconsistent as far as the person awarding the penalty is concerned, however, is more problematic. This was aptly illustrated with

the example comparison for a first time versus repeat offender. There can be no obvious justification for treating a first time offender more harshly than a repeat offender and hence, this would be an example of inconsistent decision making. From the exploratory study it would appear that most would support treating the repeat offender more harshly and hence, if the outcome is that they were treated the same, this would, on the face of it, be an example of inconsistency. However, as seen from the interview extract for this comparison, one individual was happy to treat them the same and hence, regarded this as being entirely consistent. Therefore, whilst consensus can be determined relatively easily by the spread of penalty choices selected, the level of consistency cannot be determined by comparison of phase one responses alone. Retrospective reflection of their own penalty choices is needed to determine if individuals are happy with their selections, and if they intended to treat students the same or differently for the each of the comparisons.

5.4 Conclusion

The findings of the present study show that individuals working and studying in Higher Education *can* have very different opinions of what is an appropriate and fair penalty for different cases of student plagiarism. Even when the same or similar penalties are selected by individuals, their reasons for choosing that penalty can be varied, and it is clear that consensus does not exist amongst and between those individuals and groups who are involved in Higher Education study. In addition, it has been shown that individuals cannot always award penalties consistently, even when using their own value set of criteria on which to base their judgements. It is also clear that determination of consistency cannot be judged by reviewing penalty choice selection alone: some choices may appear inconsistent at first but turn out not be so with further exploration. Hence, it would appear that consensus and consistency is problematic: consensus does not generally exist and consistency can be difficult to achieve or determine, particularly it would appear, if a wide range of penalty options is given without guidance.

One of the key difficulties for achieving consensus, as already discussed in chapter 3, may be that the academic environment cultivates disagreement and debate (see discussion on academic freedom in chapter 3). This is evident throughout academic

writing and has certainly been demonstrated within the topic area of plagiarism, as seen, for example, through the many discussions on the JISC e-mail forum. If, however, agreement or consensus is going to be difficult to achieve then institutions have to turn their attention to attaining, at the very least, consistency when applying penalties to cases of plagiarism. Hence, this will be the focus of the next chapter.

Chapter 6 *Improving consensus and consistency: can it be done?*

6.1 Introduction

In the last chapter it was seen that consensus and consistency did not exist for the 117 participants in the study, however, consistency becomes a critical factor in a just and fair penalty system, as already outlined by Park (2003), Carroll (2004 and 2006) and Deech (2006). This chapter, therefore, turns its attention to the second aim of this thesis:

To explore and evaluate possible solutions to move Higher Education institutions, and those that work in it, towards achieving the key principles of fairness, appropriateness, justice and consistency.

Whilst it would appear from the last chapter that it *may* be difficult to move individuals towards a level of consensus, it *should* be possible to ensure institutional guidelines for penalty awards result in consistent decisions. At the very least this should be possible *within* any institution, even if consistency cannot be achieved *across* institutions, given the likelihood that institutions will develop and use different penalty systems. Higher Education institutions have different penalty systems which provide a set of guidelines and penalties to be awarded to cases. The level of guidance and the range of penalties available vary considerably. The AMBeR Project certainly illustrated this fact (Tennant *et al*, 2007). At one extreme there can be general guidelines with high levels of academic judgement being afforded to the individual or the plagiarism panel responsible for awarding a penalty. At the University of Southampton, although not at the extreme end of flexibility, the current guidelines do provide flexibility and allow some freedom for academic judgement, something which Flint *et al* (2006) reports is highly valued by staff. At the other extreme guidelines can be tight and penalties very prescriptive, as seen at Lancaster University (Park, 2004). Hence, combining the need for consistent decision making with the fact that institutions use different penalty systems, it is useful to investigate the effects of the following factors in order to determine if particular policies and practices can improve or worsen consensus and consistency:

- The number of penalty choices available within a penalty system – consensus and consistency may, for example, be affected if the number of penalty choices is changed;

- The range of choices available – consensus and consistency may be affected by how ‘spread’ or not the penalty choices are;
- The impact of guidelines – consensus and consistency may be improved if an institution provides guidelines to steer the decision process rather than affording complete freedom.

6.2 Method

Study two used a repeated measures design. Participants were split into three groups and completed four phases. Each group was given a different number and choice of penalties from which to make their selection: group A had 10 penalty choices; group B had 5 penalty choices; group C had an alternative 5 penalty choices. The four phases collected data for baseline criteria and penalty selections for each of the participants. Phase 1 used a questionnaire primarily designed to determine each participant’s baseline criteria: for example, whether they thought a first year undergraduate student should be treated the same, less harshly or more harshly than a second or third year undergraduate student. This was a necessary step given that, as reported in chapter 5, decisions may *appear* inconsistent but might actually not be. Phases 2-4 presented participants with case descriptions and asked them to select a penalty. The conditions of the penalty system changed with each phase: phase 2 gave participants complete freedom of choice and no guidance; phase 3 gave participants some guidance; and phase 4 gave all participants the same, highly prescriptive penalty system with no freedom of choice.

The overall study design and data analysis is shown in Figures 6.1, 6.2a and 6.2b, however, given the complexity of this study a more detailed explanation of design and analysis follows.

Figure 6.1 Schematic of the study design

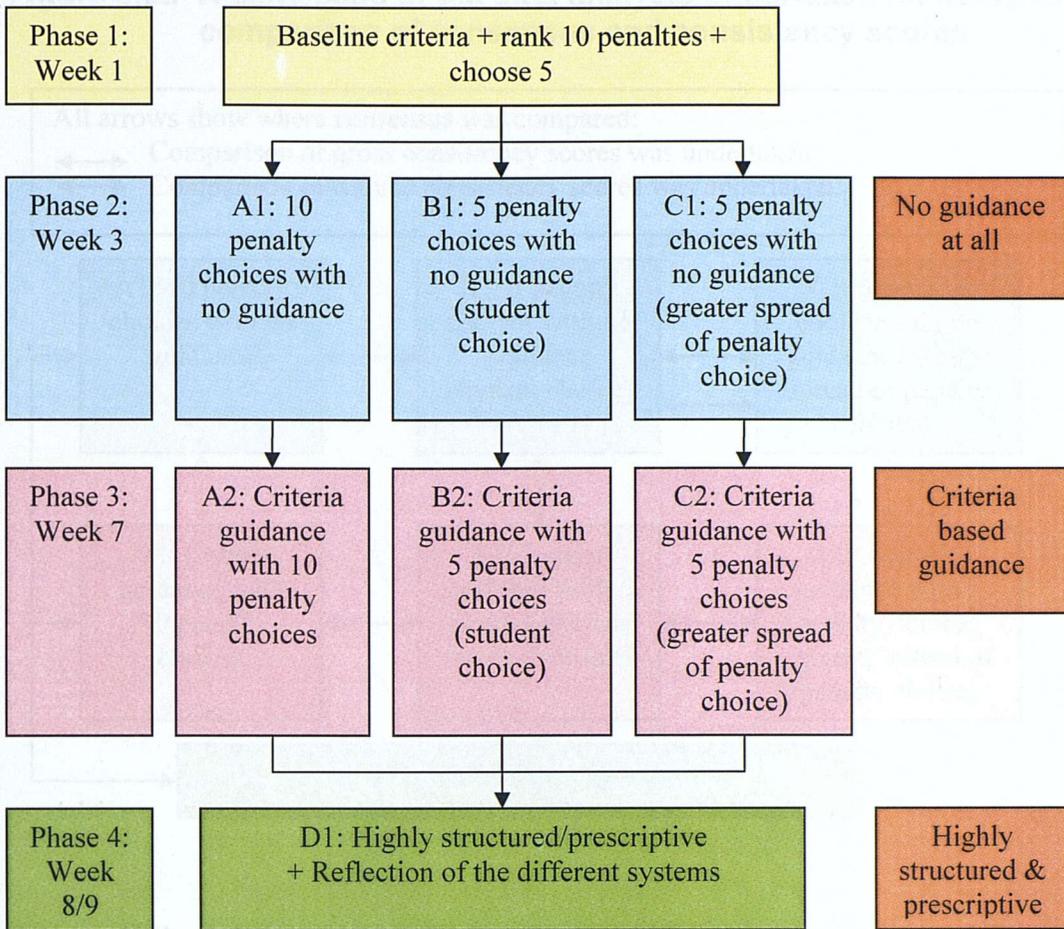


Figure 6.2a A schematic of the data analysis undertaken for study two - comparison of consensus and consistency scores

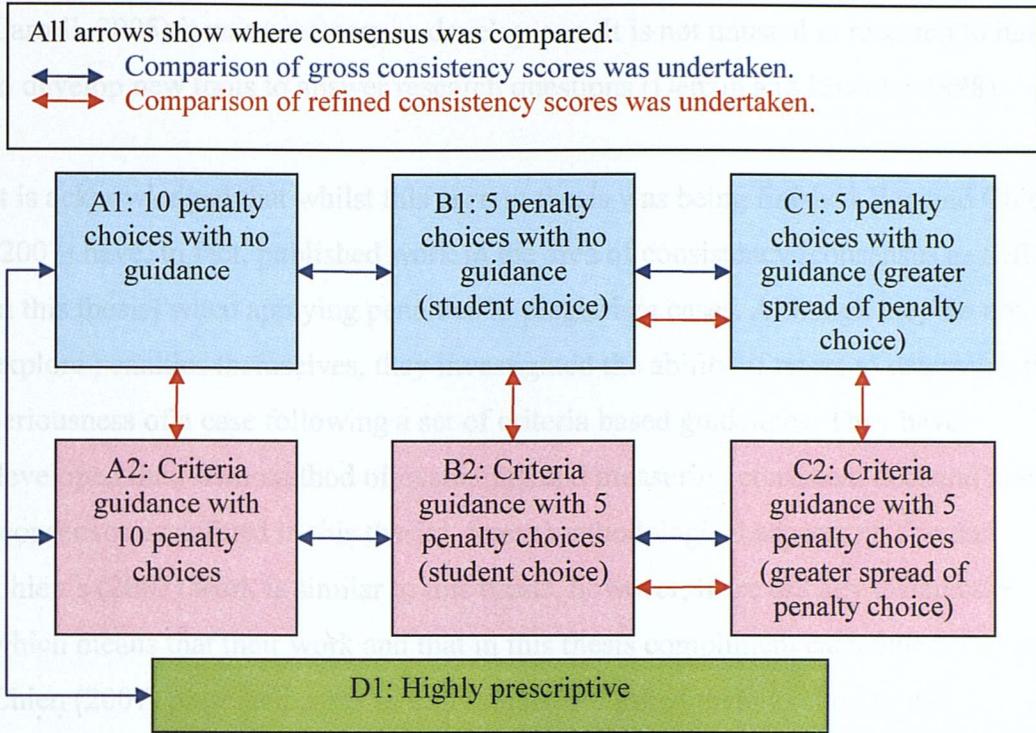
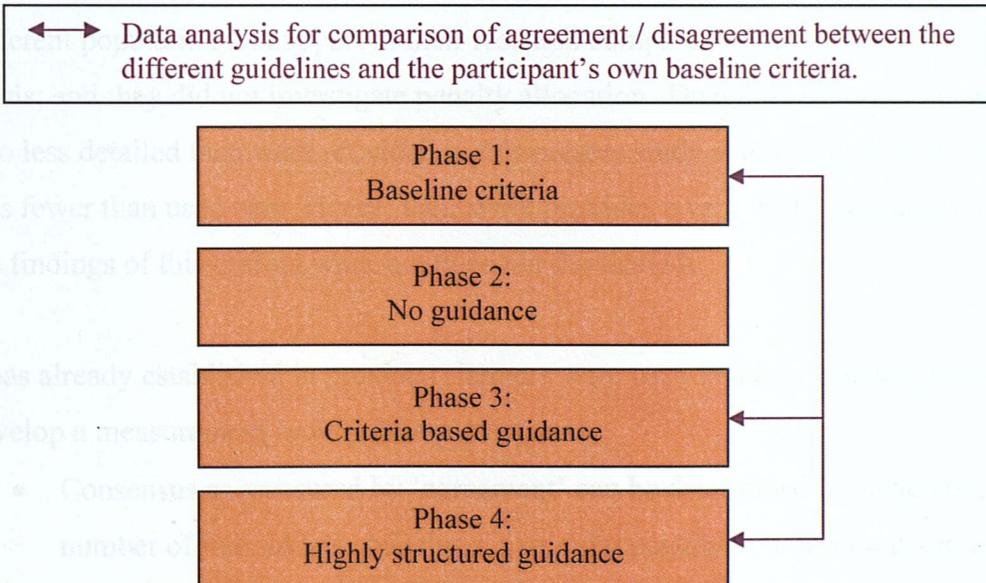


Figure 6.2b A schematic of the data analysis undertaken for study two - comparison of agreement / disagreement between the different guidelines and the participant's own baseline criteria



Firstly, in order to be able to compare consensus and consistency more extensively than in the previous chapter, a measurement tool was needed. As a measurement tool was not known to exist at the time this research was undertaken (and confirmed by Carroll, 2005) it was necessary to develop one. It is not unusual in research to have to develop new tools to answer research questions (Denzin and Lincoln, 1998).

It is acknowledged that whilst this current thesis was being finished Yeo and Chien (2007) have, in fact, published work in the area of consistency [consensus as defined in this thesis] when applying penalties to plagiarism cases. Although they do not explore penalties themselves, they investigated the ability of tutors to determine the seriousness of a case following a set of criteria based guidelines. They have developed their own method of evaluating and measuring consistent decision making [consensus as defined in this thesis]. Some methodological aspects of Yeo and Chien's (2007) work is similar to this thesis, however, there *are* key differences which means that their work and that in this thesis compliment each other. Yeo and Chien (2007) presented cases to individuals and asked them to classify the seriousness of the case by using a proforma they have developed. The presentation of cases is a similar method to that of Carroll (2004) and Carroll and Appleton (2005) and part of the method design in this thesis. However, Yeo and Chien (2007) have used a different method to that of the current study for measuring consistency [consensus]: they did not look at consistency as defined in this thesis; have a different population taking part in their research compared to the work in this current thesis; and they did not investigate penalty allocation. Their case descriptions were also less detailed than were provided in this present study and the number of cases was fewer than used here. Hence, their work provides a very useful comparison to the findings of this current work but does not duplicate it.

Ideas already established in previous chapters were used in the current study to help develop a measurement tool for this current study:

- Consensus as measured by 'agreement' can be determined by reviewing the number of individuals choosing a particular penalty option for a given case description;
- Consistency can be determined by comparing penalty choices for case descriptions which are the same, or case descriptions which differ only

slightly (by one characteristic only), for example, if the only difference between two cases was the level of the student, or the amount of plagiarism. However, in order to determine true consistency in such cases the set of criteria under which the person is operating must be established, for example, that a final year undergraduate should be awarded a harsher penalty than a first year undergraduate, or that a penalty should be harsher for a repeat offender. This is because it was shown in the previous study that some apparent inconsistent decisions may, in the view of the individual, be entirely consistent.

6.2.1 Development of a measurement tool

6.2.1.1 Measurement of consensus and consistency

As shown in the previous chapter, consensus can be determined by calculating the percentage of respondents who choose each of the penalty options. Cases presented to participants in the current study, therefore, were reviewed to determine whether most respondents chose one particular penalty option, or whether there was a spread of choices.

Determination of consistency, as shown in the previous chapter, can be found by comparing penalty choices for two cases. In the last chapter all cases were different such that comparisons were always made with cases which were similar but with one characteristic being different, for example, the level of student or the amount of material plagiarised. Awarding the same penalty to the same offence is also important in consistent decision making and hence, there were two comparisons which were viewed for consistency:

- A check to see if penalty awards are the same for cases which are exactly the same but are presented on two different occasions;
- A check to see if penalty awards are consistent when cases are similar but with only one criteria differentiating them.

In order to find a 'measure', therefore, the level of deviation from the 'expected' needed to be determined. This was achieved at a gross level by noting whether a

decision was ‘consistent’ or ‘not consistent’. If several comparisons were made then the percentage of consistent/not consistent decisions was calculated to provide a gross consistency score. This, however, is not sensitive to how large or small the scale of consistency/inconsistency has been. Hence, a more refined measure was determined by calculating how far away from consistency the comparison was found to be. This is best illustrated by two examples:

Example 1: Comparing two cases which are exactly the same.

- Case 1 is presented first and case 2 is presented some time later;
- Penalty choices in order of severity (least severe first): do nothing, written warning, resubmission, work given zero, unit given zero, throw them off the course;
- Penalty choice for case 1 was *work* given zero;
- Penalty choice for case 2 was *unit* given zero.

In example 1, the gross level measure is that the decision has been inconsistent since both cases are the same and, therefore, should have received exactly the same penalty. At a refined level the penalty choices are one increment of severity apart: either the penalty awarded to case 1 would need to ‘move up one’ to become ‘unit given zero’, or the penalty for case 2 would need to ‘move down one’ to become ‘work given zero’. The numerical value of one, therefore, could be assigned to this comparison.

Example 2: Comparing two cases where the only difference was that one student had been caught previously.

- Case 1 is a first time offender and case 2 is a repeat offender;
- Penalty choices, in order of severity (least severe first): do nothing, written warning, resubmission, work given zero, unit given zero, throw them off the course;
- Penalty choice for case 1 was unit given zero;
- Penalty choice for case 2 was resubmission.

In example 2, *if* we assume that the person awarding the penalty would want to treat case 2 harsher due to the fact that they had been caught previously and, therefore, should know that plagiarism is a breach of academic integrity, then the penalty award has been inconsistent since they have awarded a harsher penalty to case 1, the first time offender. At a gross level, therefore, this decision would be recorded as inconsistent. In order to become consistent, that is, to treat the repeat offender harsher, the penalty choice for case 1 would, at the very least, need to ‘move down’ to a written warning (a minimum jump of three places on the penalty options scale is required), or the penalty for case 2 would need to ‘move up’ by a minimum of three places to become more severe than the penalty awarded to case 1. It would also be possible, of course, to move each case by the necessary one or two places (still a total of three moves) in order to achieve a consistent decision. The minimum number of ‘moves’ in any direction, therefore, is three and provides a more refined measure of the degree of inconsistency.

These measures of gross and refined consistency/inconsistency were used to determine a ‘consistency score’. However, in order to determine if a decision has been consistent or inconsistent it is necessary to know the criteria for the decision making process. As illustrated in the previous study, decisions may not be inconsistent even when they initially appear so to others. Hence, in order for a consistency score to be determined there must be an indication of criteria on which the individual is operating. This *could* be determined by guidelines provided as part of the penalty system, for example, that the penalty should become more severe as the amount of plagiarism increases. However, if penalty choice is left entirely to the discretion of the individual then their own set of criteria must be established before a consistency score can be determined. This was achieved, therefore, by asking all participants to fill in a questionnaire (see Appendix 3A) which indicated their own views on whether or not cases should be treated differently or the same according to various criteria. Once again this is best illustrated with an example:

Participants were asked if they would treat a level three student either more harshly, the same, or less harshly, than a level one student. If respondents indicated ‘harsher on the level three student’ yet then treated a level one and three student the same when cases were compared, then the penalty award could be determined as inconsistent.

An initial questionnaire was, therefore, developed to determine each respondents view on criteria which had been highlighted from the exploratory study. Criteria which were explored were split into two sections: section A explored criteria such as level of student, amount of plagiarised material, source of plagiarised material, how many times a student has offended, nationality and mitigating circumstances; section B explored criteria involving students copying from their peers. This then set a 'baseline criteria' for each participant which was used to determine if penalty awards had been consistent or inconsistent.

So far consensus has been viewed in terms of level of agreement illustrated by the number or percentage of respondents agreeing a particular penalty award to a plagiarism case. However, agreement could also be determined by a measure of how much a person agrees with the criteria of the penalty system. For example, if someone believes that the penalty should become harsher as the amount of material plagiarised increases, yet the actual penalty system used suggests that the amount of plagiarism should *not* be taken into account, then there is a level of disagreement between the individual and the system. Hence, an 'agreement/disagreement' score was also found for each of the criteria outlined in the baseline criteria questionnaire, checking agreement for 10 factors as highlighted by the cases.

Appendix 3E shows an example data sheet for the measures of agreement score, gross consistency score and refined consistency score.

6.2.1.2 Case descriptions

The success of case comparisons employed in the previous study was used as a starting point for developing cases for the measurement tool. However, it was necessary to add case descriptions to the original set of 13 in order to make comparisons of cases which were exactly the same but presented at different times, (in the original set of cases in the previous study all cases were different in some way), as well as increase the diversity of the cases.

Adding cases increased the total possible number of comparisons which could be made. For example, several cases were added to expand the number of scenarios with differing amounts of plagiarised material. As cases were added to the list the number of possible comparisons was monitored. As the number of cases approached 25 it was found that over 40 comparisons could be made. At this point it was decided to add three more cases which elicited 50 possible comparisons, and which made the calculation of the gross inconsistency score very easy to calculate: simply double the number of consistent or inconsistent scores to find the percentage. Appendix 3B shows the list of all cases presented in the present study and all the comparisons used in the measuring tool.

Slight changes were also made to the case descriptions in light of experience from the previous study and feedback during the upgrade viva. For example:

- The wording for the case with a ‘foreign student’ was changed to state that “The student is from another country and English is not their 1st language.” This was undertaken in order to make the potential of language difficulties and cultural differences clearer to the participants taking part in the present study;
- One of the cases for mitigating circumstances provided more detail about the circumstances, that is, that a family member had died recently and the funeral was the day before the essay was due to be handed in. This was done to provide greater context to the situation. This scenario was chosen as it was one which many participants may have experienced or may sympathise with;
- The level of the student was indicated for the cases where a student had copied from a peer. This was done as it was clear from the interviews in the previous study that the absence of this descriptor caused confusion, and also resulted in a lack of consensus as this descriptor tended to be notionally attributed differently by participants.

6.2.1.3 Study design: penalty options and freedom of choice

In the previous study the penalty choices were an amalgamation of *all* penalty choices experienced by interviewees or found in the literature. This, however, created a large number of penalty choices and made it highly likely that consensus

would not occur simply due to the diversity and number of choices provided. It was decided, therefore, to reduce the number of penalty choices in the current study. One aim of the present study was to determine if the number or range of penalty choices had any effect on consensus and consistency, hence it was decided to reduce the penalty choices from the previous study to 10 in total, and to then have a second set of penalties with only half the number of choices.

In order to reduce the number of penalty choices to 10 it was decided to take out most of the sub-divisions from the previous study, It was also decided to eliminate choices which required personal interpretation and, therefore, resulted in differences of opinion between individuals regarding what, exactly, the penalty required them to do. This was a problem identified during the interviews in the previous study. Hence, the choices of verbal or written warnings when linked to another penalty were not used, and 'reduce the mark' and 'mark the work minus the plagiarised sections' was also eliminated from the original list. The penalty option of 'reduce the degree classification' was also eliminated from the list as it was rarely chosen in the previous study. Appendix 3C shows the 10 penalty choices used in this present study, and can be compared to Appendix 2B in order to see the changes made from study one to the present study two.

In order to find the refined consistency score it was necessary to list the penalties in order of severity to indicate a level of 'grading' to the system. In the previous study it was discovered that some individuals may have a different view on the severity of a penalty. For example, a personal view is that resubmission of a new piece of work is a harsher penalty than correcting and resubmitting the same piece of work. One tutor interviewed in study one, however, held a different view:

Interviewer: *Why resubmission of a new or different piece? One of the options was that they could resubmit the same piece fully corrected.*

Tutor 1: ...I think just that they should, I think that maybe I've made it easier for them, to give them another piece of work, rather than make them correct the bits that were plagiarised....

Interviewer: *So you actually see starting afresh as easier than going back and correcting?*

Tutor 1: Yes, I think it can sometimes be easier, otherwise you're still kind of looking at what you've got...

Hence, at the end of the first questionnaire setting baseline criteria, section C asked participants to rank the randomised list of 10 penalties in order of severity (see Appendix 3A). Analysis of the rankings (consideration of mean, median and mode) then provided the order in which the penalties were presented in the later phases.

In addition, this study aimed to investigate the effects of the diversity and number of penalty choices and hence, in section C of the first questionnaire (Appendix 3A) participants were also asked to select the five penalties they considered should be used in cases of plagiarism. The most popular five were then also used in the present study to contrast to the 10 penalty choice system. However, it was found that the five most popular choices excluded the harshest penalties and were all 'side-by-side' and 'central' in the list when the 10 choices were ranked in order. It was decided, therefore, to create a second set of five penalty choices which were more 'spread' and included at least one of the most severe penalties. The two sets of five penalty choices can be seen in Appendix 3D.

Combining the issues of penalty choice, relative freedom in the decision process and the use of guidelines to potentially 'restrict' choices (all which define the type of penalty system being used), it was decided to explore the use of relative freedom of choice without guidance (chosen as one extreme), the effect of guidance but still affording *some* freedom of choice (as seen at Oxford Brookes University, and explained by Carroll, 2004 and also seen at University of Southampton in the guidelines written in 05-06), and the use of a strict penalty system with little choice (as evidenced by Park, 2004, when outlining the system used at Lancaster University). This would enable a comparison of different penalty systems in combination with the effect of having a different range of penalty choices. The effect of giving relative freedom, therefore, was contrasted with increasingly strict guidelines which limit choice to the individual making the penalty decision (see Appendix 3G for details of the guidance and strict penalty system).

The final study design, therefore, allowed comparison of the effect of different penalty systems, both in terms of number of penalty choices and guidelines, as shown in Figure 6.1. Additionally, respondents were asked to comment on their likes/dislikes of the systems and to finally rank them in order of preference.

The original study design included focus groups as a fifth phase. However, it was clear that the results from the previous phases took so long to analyse, that returning to focus group discussion several months later would not have produced reliable or helpful results and hence, it was decided not to run the focus groups after all.

6.2.2 Data analysis

Figure 6.2a and 6.2b shows a schematic of the data analysis. The following sections provide a further explanation of the data analysis and conduct of the study.

6.2.2.1 Comparison of consensus and consistency: participant groups

This study was a longitudinal study whereby participants were placed into one of three different groups with every participant experiencing four phases. The allocation of different groups enabled manipulation of the penalty choices, and the multiple phases allowed manipulation of the penalty system and the guidance given to participants.

The study design, in terms of groups and participant numbers, was influenced by many of the factors discussed by Cohen, Manion and Morrison (2000, chapter 4). The *key* factors influencing the decision process will be explained further.

Comparison of three different penalty choice systems, plus the impact of guidelines, could have been achieved using entirely separate groups of participants for each scenario (10 penalty choices without guidance; 10 penalty choices with guidance; 5 penalty choices without guidance; and so on; an ‘independent’ group design), or by reducing the number of groups and having each group experience more than one ‘condition’ (a repeated measures design). For example, one group could experience the 10 penalty choice system on one occasion with no guidance and on another occasion with guidance. The decision to use the latter study design was made on the basis that the independent groups study design would have required seven groups of participants whereas the latter would only require three groups.

The main disadvantage of the repeated measures design was the requirement for participants to take part in a longitudinal study, committing them to four phases over an extended time period. However, it was felt that the advantages of the repeated measures design outweighed this disadvantage.

The design enabled comparisons to be made across the penalty choice number (10 penalties choices versus 5 penalty choices), for example, A1 compared to B1 compared to C1 (as shown in Figure 6.2a). It was also possible to compare the effects of guidance by comparing A1 with A2 and D1. All possible comparisons are illustrated in Figure 6.2a, however, it should be noted that the non-parametric equivalent to t-tests (Wilcoxon matched pairs for related samples and Mann-Whitney U for independent samples) were used if two groups were compared, and the non-parametric equivalent to ANOVAs (Kruskall-Wallis for independent samples and Friedman for related samples) were used when more than two groups were compared. An *apriori* of $P < 0.05$ was used to determine significant differences. This was adjusted appropriately if further tests (Mann-Whitney U) were required to locate a significant difference identified by a non-parametric equivalent ANOVA test (Ntoumanis, 2001: 161). The key deciding factors as to whether parametric or non-parametric tests would be used was made primarily on: the basis of the sample group sizes which will later be seen to be relatively small; the fact that measures could be viewed fundamentally as ordinal in nature; and that a normal distribution could not be assumed. These reasons are identified by Tomkins (2006: 25) and Ntoumanis (2001: 65) as appropriate reasons for using non-parametric statistical tests rather than parametric ones.

Further data analysis was possible by comparing the different penalty systems to the original baseline criteria set by each individual (see Figure 6.2b). This generated an agreement/disagreement score which could then be compared.

6.2.2.2 Participant information

There was a need to limit the information given to participants in order not to alert them to the exact measures being investigated. If participants knew, for example, that

consistency was a key measure, this may have increased their consciousness to the issue and increased their attention to detail on this matter. This would have influenced their choices and confounded the results. Hence, the information given to the subjects was restricted to a ‘need to know’ basis as shown in appendix 3F. Each information sheet was adapted to the group of participants being recruited, however, the basic information regarding the study remained the same for each group.

6.2.2.3 Presentation of cases

Cases were presented in the same order for each of the phases and for each of the groups, as shown in appendix 3B. This required consideration of the issue of recall which would have enabled comparison of answers and would likely result in increased consistent decision making. This could have occurred if participants back-tracked to check answers during a phase, and could also have occurred if participants remembered cases from one phase to the next. Measures were put in place to attempt to eliminate, or at the very least, reduce these possibilities:

- Cases were presented to most participants via OHP in a classroom situation where back-tracking was not an option, or via a BlackBoard test where the option to back-track was prohibited (a set function of tests in BlackBoard). For the few participants where Power Point slides had to be read by the participant, and where this was in *their* control, it was stressed strongly that they should not back-track. It should be pointed out that the number of respondents in this latter group was small (a total of 8);
- At least a two week gap between phase one and two, and a 3-4 week gap between phases 2 and 3, was imposed to increase the likelihood that participants would not remember previous answers. It should be noted that a long time gap was not imposed between phases 3 and 4 since the final penalty system gave no choice to the participant and hence, recall of previous answers should not have influenced the penalty award.

It was also decided to present cases in exactly the same order in each phase in case ‘order effect’ contributed to the penalty choice. If it did then this would at least be a consistent effect for each of the phases by keeping the same order of presentation.

6.2.3 Participant recruitment

Three different groups of participants were approached and/or recruited for this study: students, tutors and graduates. A total of 300 information sheets and phase one questionnaires were given out, however, only 78 completed the whole process *and* gave permission for their data to be reported in this thesis: a combined ‘return rate and completion rate’ of 26%. It should be noted that although tutors were approached to take part in the study, no questionnaires were returned from that particular group.

Participant numbers for each of the groups was as follows:

- 10 penalty choices (group A in Figure 6.1) – 27 participants;
- 5 penalty choices (group B in Figure 6.1) – 27 participants;
- 5 alternative penalty choices (group C in Figure 6.1) – 24 participants.

Students on the sports courses at University of Southampton, from all levels, were recruited for this study. One group (level one Sport Studies undergraduates) took part in this study alongside taking part in a level three undergraduate sport project. This was part of a coursework assignment whereby they had to review and compare research projects through active participation. This group, therefore, gave retrospective consent for their data to be used or withdrawn from presentation in this thesis. For all other students and graduates approached to take part, and where participation was not an assessment requirement, the information sheet was handed out along with the phase one questionnaire and submission of their responses at each phase was taken as consent.

The issue of participant identity, particularly given that for some students participation was part of a required assessment, was resolved by the use of coding. Each student was asked to create their own unique code and place this on each of their questionnaires. The code followed a formula such that they would be able to recall it from the formula each time it was needed. This enabled student identity to remain unknown to myself, but still allowed responses for each participant and each phase to be matched in order to complete the repeated measures comparisons detailed previously. The code formula consisted of:

- Programme initials and year of study;

- Day and month born;
- Mother's first name initial & maiden name.

Examples: SS2/31Jan/SJones

SML3/14July/MBounder

Given the difficulties in recruitment experienced previously, and in an attempt to facilitate a higher return rate, a prize draw was offered to the student participants: anyone completing all questionnaire phases was entered into a £30 (voucher) prize draw; and anyone completing all questionnaire phases, plus were in the group with the highest return rate, was entered into a £50 (voucher) prize draw. The winning students were identified by their code only and were then asked to collect their prizes from an administration office so that their identity continued to remain hidden from myself.

6.3 Results

6.3.1 Consensus

Although consensus has already been shown to not exist in the previous chapter, the concept of 'agreement' was revisited in this current chapter. This is because aspects not previously explored were now able to be analysed. This was due to extra data collected from this study design which was not collected in study one: consensus of baseline criteria was investigated to see if general agreement existed regarding the criteria for treating cases similarly or more harshly; and the effect of the penalty system on consensus was also scrutinised to see if consensus improved with particular penalty systems. Hence, the following three sections (6.3.1.1 – 6.3.1.3) explore consensus and add to the findings of the previous chapter.

6.3.1.1 Baseline criteria

Table 6.1 gives a summary of the baseline criteria set by participants. It can be seen that there were diverse beliefs amongst those taking part in this study. In many of the criteria it can be seen that opinions were split between treating students the same or differently. For example, 31 of all respondents (n=78) thought that students should

be treated the same regardless of the amount of plagiarism in their work, however, the remaining 47 thought there should be some grading within the penalty system such that those who plagiarised greater amounts in their work would receive a harsher penalty. Only for nationality and source material was there an almost unanimous belief that students should be treated the same. There were also few who agreed with total grading according to the level of the student. Otherwise opinion was split amongst the groups as to how students should be treated according to the various criteria.

Table 6.1 Baseline criteria of respondents (frequencies)

Criteria		Group A N=27	Group B N=27	Group C N=24
Level of the student	Treat all the same	16 (59.3%)	12 (44.4%)	10 (41.7%)
	Some 'grading' E.g. Level 1 less harsh but levels 2/3 the same	8 (29.6%)	9 (33.3%)	10 (41.7%)
	Total 'grading' E.g. Level 1 least harsh and level 3 most harsh	3 (11.1%)	6 (22.2%)	4 (16.7%)
Amount of material plagiarised	Treat all the same	11 (40.7%)	11 (40.7%)	9 (37.5%)
	Incremental E.g. 80% harsher than 20%	16 (59.3%)	16 (59.3%)	15 (62.5%)
Number of times caught	Treat all the same	4 (14.8%)	1 (3.7%)	3 (12.5%)
	Some 'grading' E.g. 1 st offence less harsh but 2 nd /3 rd offences the same	13 (48.1%)	11 (40.7%)	8 (33.3%)
	Total 'grading' E.g. 1 st offence least harsh, 3 rd offence most harsh	10 (37%)	15 (55.6%)	13 (54.2%)
Nationality	Treat the same	27 (100%)	26 (96.3%)	21 (87.5%)
	Treat differently	0 (0%)	1 (3.7%)	3 (12.5%)
Mitigating circumstances	Treat all students the same	12 (44.4%)	10 (37%)	10 (41.7%)
	Treat those with mitigation differently	15 (55.6%)	17 (63%)	14 (58.3%)
Source material	Treat web, books & journals the same	27 (100%)	27 (100%)	23 (95.8%)
	Treat books & journals differently to web sources	0 (0%)	0 (0%)	1 (4.2%)
Copied from peer	Treat all students the same	18 (66.7%)	18 (66.7%)	15 (62.5%)
	Treat students differently according to the circumstances	9 (33.3%)	9 (33.3%)	9 (37.5%)

6.3.1.2 Agreement with penalty award

Table 6.2 illustrates the consensus of participants for a particular penalty award for a selection of example cases. Comparisons can be made for each case between groups and between occasions when guidance was and was not given. It can be seen that consensus, in many instances, was not evident and that reducing the number of penalty options did not *always* improve the level of agreement either. For example:

- All cases and groups had a spread of penalties chosen by participants, regardless of whether guidance was given or not;
- Many of the cases had less than 50% for the mode choice;
- Although consensus was improved when going from 10 choices to 5 in some instances (case 2 no guidance group A compared to case 2 no guidance group B), this was not always found (case 2 no guidance group A compared to case 2 no guidance group C);
- The consensus, through mode choice, was sometimes improved if guidance was given (case 12 comparing no guidance given with guidance given), however, in other cases consensus was, in fact, worsened (case 13 comparing no guidance given with guidance given);
- In some cases the modal penalty choice was unchanged by giving guidance (case 13 shows that the modal choice for all groups whether given guidance or not was resubmission of new work marked out of 100%), however, in other instances the modal penalty choice was changed by giving guidance (case 2 and case 4).

Table 6.2 Summary of penalty choices when no guidance given and when guidance given

	No penalty	Written warning but no penalty on mark	Resubmit same, fully corrected, mark out of 100%	Resubmit new, mark out of 100%	Resubmit same, fully corrected, capped mark	Resubmit new, capped mark	Work given 0	Unit given 0	Fail current year	Remove from course
Group A / Group B / Group C = mode choice for the group Grey = other possible choices										
Case 1: Level 3, 60% plagiarised, repeat offender (3 rd time)	No guidance given									
						11.1%	22.2%	25.9%	22.2%	18.5%
					7.4%	7.4%	40.7%	44.4%		
				4.2%			20.8%	41.7%		33.3%
	Guidance given									
		3.7%				3.7%		25.9%	22.2%	22.2%
Case 2: Copying from peer	No guidance given									
				18.5%		37%	29.6%	11.1%	3.7%	
					11.1%	66.7%	22.2%			
				12.5%		33.3%	29.2%	25%		
	Guidance given									
				3.7%	3.7%	25.9%	33.3%	33.3%		
Case 4: Level 1, 60% plagiarised	No guidance given									
			3.7%	22.2%	22.2%	25.9%	25.9%			
				14.8%	25.9%	51.9%	7.4%			
				20.8%		45.8%	33.3%			
	Guidance given									
		7.4%	25.9%	18.5%	18.5%	22.2%	3.7%	3.7%		
Case 7: Level 3, 60% plagiarised	No guidance given									
		3.7%		7.4%	7.4%	14.8%	22.2%	37%	3.7%	3.7%
					7.4%	14.8%	48.1%	29.6%		
				8.3%		8.3%	50%	29.2%		4.2%
	Guidance given									
				3.7%	7.4%	11.1%	33.3%	37%	7.4%	
Case 12: Level 1, 20% plagiarised	No guidance given									
	3.7%	33.3%	22.2%	29.6%	7.4%	3.7%				
				66.7%	25.9%	3.7%	3.7%			
				75%			25%			
	Guidance given									
		48.1%	29.6%	3.7%	7.4%	7.4%	3.7%			
Case 13: Student with mitigating circumstances	No guidance given									
	3.7%	3.7%	29.6%	55.6%	7.4%					
				63%	22.2%	7.4%	7.4%			
				58.3%		41.7%				
	Guidance given									
		3.7%	22.2%	37%	11.1%	25.9%				
			44.4%	37%	18.5%					
			45.8%		41.7%	8.3%	4.2%			

6.3.1.3 Agreement with the penalty system criteria

Table 6.3 shows the mean agreement scores for each group of students. The agreement scores were similar for each group, although agreement was slightly higher with the highly prescriptive penalty system. Most participants agreed, in principle, with just over half the criteria, but it was extremely rare that someone agreed or disagreed completely with each of the penalty systems: 3 participants scored the maximum possible score of 10 with the criteria based system, and 5 participants scored the maximum of 10 with the highly prescriptive system. Group A had a significantly higher agreement with the highly prescriptive penalty system than with the criteria based guidance system.

Table 6.3 Mean agreement scores (mean \pm standard deviation)

	Penalty system: Criteria based guidance	Penalty system: Highly prescriptive
Group A	6.1 \pm 1.7 *	7.0 \pm 1.6 *
Group B	6.6 \pm 1.6	6.7 \pm 1.8
Group C	6.4 \pm 1.8	6.6 \pm 1.6
All participants	6.3 \pm 1.7	6.8 \pm 1.7
* P = 0.087 tending towards significance (higher agreement for group A with the highly prescriptive penalty system)		

6.3.2 Consistency

An inability to be consistent when given choice and freedom was demonstrated in chapter 5, however, the aim of the present study was to explore consistency further by determining the effect of different penalty systems on consistency. The following sections, therefore, outline the key findings regarding consistency from study two of this thesis.

6.3.2.1 Gross inconsistency score

Table 6.4 shows the gross inconsistency scores and it can be seen that group A (with 10 penalty choices) were significantly more inconsistent with their penalty decisions than the groups with 5 penalty choices when no guidance was given to any group. However, group A achieved similar inconsistency scores to the other groups once

criteria based guidelines were given. Each group became increasingly more consistent with their decisions when comparing scores with no guidance through to the highly prescriptive penalty system, although it is interesting to note that there were still inconsistencies occurring, even with the highly prescriptive penalty system. Whilst many participants achieved total consistency (100% consistency or 0% inconsistency) using the highly prescriptive system, some participants did not and gave the wrong penalty to some cases and hence, an inconsistency score was found for this scenario. Whether this was a mistake or not will be discussed later in this chapter.

Table 6.4 Gross inconsistency scores (mean \pm standard deviation)

% inconsistent	Group A **	Group B **	Group C **
No guidance	54.7 \pm 13.6 *#	47.8 \pm 11.5 #	43.8 \pm 16.9 *
Criteria based guidelines NSD between groups	36.0 \pm 10.4	37.6 \pm 7.1	39.5 \pm 10.0
Highly prescriptive NSD between groups	14.1 \pm 20.0	18.3 \pm 20.4	18.9 \pm 20.9
Significant differences: # P = 0.04 (Group A significantly higher inconsistency score than group B) * P = 0.029 (Group A significantly higher inconsistency score than group C) ** P = 0.00 for A and B, P = 0.002 for C (inconsistency score highest when no guidance given)			

6.3.2.2 Refined inconsistency score

Table 6.5 shows the refined inconsistency scores. Similar to Table 6.3, consistency improved dramatically when guidance was given. It should be noted that less statistical comparisons could be made for refined scores since the scoring scales differed (see figure 6.2a for possible comparisons). However, since groups B and C both had 5 penalty choices they *could* be compared. It can be seen that when no guidance was given, group C were significantly more consistent with their decisions, but that once guidelines were given the groups achieved similar inconsistency scores.

Table 6.5 Refined inconsistency scores (mean \pm standard deviation)

Refined score	Group A	Group B	Group C
No guidance	47.6 \pm 23.5 *	31.9 \pm 12.5 ** \$	27.5 \pm 12.7 # \$
Criteria based guidelines	24.4 \pm 10.3 *	21.0 \pm 4.8 **	22.3 \pm 8.5 #
Highly prescriptive	8.0 \pm 11.5	10.6 \pm 13.0	11.3 \pm 15.0
Significant differences: * and ** P = 0.00 (refined score significantly higher when no guidance given) # P = 0.065 tending towards significance (refined score higher when no guidance given) \$ P = 0.001 (group B significantly more inconsistent than group C)			

Table 6.6 shows data for two of the most extreme cases: case 1 the worst case of plagiarism described to participants and case 12 the lowest level of plagiarism described to the participants. It can be seen that when guidance was given several respondents chose a more severe penalty for case 1 and a less severe penalty for case 12. It must also be recognised, however, that many gave the same penalty to each of the cases, and that some even gave less severe penalties for case 1 and more severe penalties for case 12. In some cases this change in penalty choice resulted in a high percentage of a group using the most or least severe penalties once guidance was given. For example, group B had 70.4% of respondents using penalty option 10 once guidance was given compared to 44.4% when no guidance was given, and group C had 91.7% of respondents using the lowest penalty option once guidance was given compared to 75% when no guidance was given.

Table 6.7 shows the penalty spread (comparing the penalty awarded to case 1 and case 12) of participants before and after guidance was given. A slight increase in spread of penalties is evident, particularly for group B, however, no significant differences were found and hence, the spread of penalties chosen by respondents remained similar whether guidance was given or not.

Table 6.6 Indication of change when comparing being given no guidance to be given criteria based guidance

		Group A N=27	Group B N=27	Group C N=24
Case 1: Level 3, 60% plagiarised, repeat offender (3 rd time)	Number who increased severity of penalty once guidance given	8 29.6%	11 40.7%	8 33.3%
	Number who stayed the same penalty once guidance given	11 40.7%	14 51.9%	11 45.8%
	Number who decreased severity of penalty once guidance given	8 29.6%	2 7.4%	5 20.8%
	Number using the maximum severity of penalty when no guidance given	5 18.5%	12 44.4%	8 33.3%
	Number using the maximum severity of penalty when guidance given	6 22.2%	19 70.4%	8 33.3%
Case 12: Level 1, 20% plagiarised	Number who increased severity of penalty once guidance given	7 25.9%	2 7.4%	1 41.7%
	Number who stayed the same penalty once guidance given	10 37%	19 70.4%	19 79.2%
	Number who decreased severity of penalty once guidance given	10 37%	6 22.2%	4 16.7%
	Number using the minimum severity of penalty when no guidance given	1 3.7%	17 63%	18 75%
	Number using the minimum severity of penalty when guidance given	0 0%	20 74.1%	22 91.7%

Table 6.7 Mean penalty spread between penalty chosen for case 1 and case 12

No significant differences found (P>0.05)	Penalty spread when no guidance given	Penalty spread when guidance given
Group A	5.0 \pm 1.4	5.1 \pm 2.1
Group B	2.7 \pm 1.3	3.4 \pm 0.7
Group C	2.8 \pm 1.0	3.0 \pm 1.0

Table 6.8 shows the total frequency of errors for each case when using the highly prescriptive penalty system. It can be seen that several cases had a moderate to high frequency of error when the actual penalty which *should* have been awarded was compared to that which *was* awarded. For those cases which were exactly the same there does not appear to be any anomalous results such as a high frequency of errors in one compared to the other. All cases which showed a high frequency of error, where the participants had chosen a less harsh penalty than should have been awarded, involved cases where there was either: a low level of plagiarism on the borderline between penalty choices; or the case involved a student with mitigating

circumstances. The case which showed a high frequency of error, where the participants had chosen a harsher penalty than should have been awarded, involved a final year undergraduate who had high levels of plagiarism in their dissertation.

Table 6.8 Frequency of errors for each case when using the highly prescriptive penalty system

Case	Frequency of incorrect penalties awarded [n]	% of total possible errors $= (n/78) \times 100$
1	4	5
2	15	19
3	28	36
4	3	4
5	6	8
6	5	6
7	15	19
8	5	6
9	19	24
10	6	8
11	8	10
12	29	37
13	19	24
14	15	19
15	10	13
16	12	15
17	9	12
18	7	9
19	7	9
20	26	33
21	12	15
22	17	22
23	10	13
24	8	10
25	3	4
26	4	5
27	12	15
28	8	10
	Results which show a high frequency of error (30%+)	
	Results which show a moderate frequency of error (20%-29%)	
Other colours	Pairs of cases which were identical	

Table 6.9 Level of disagreement between selected penalty and actual penalty for cases with a high/moderate frequency of errors

Case	Brief description of case	Penalty that should have been awarded	Level of disagreement between selected penalty and actual penalty where treatment was harsher than should have been awarded for high/moderate frequency cases	Level of disagreement between selected penalty and actual penalty where treatment was less harsh than should have been awarded for high/moderate frequency cases
3	Level 2 student, 20% plagiarised from internet sources	2 = resubmit, fully corrected, capped at bare pass	1 gave a penalty 1 higher 1 gave a penalty 2 higher	26 gave a penalty 1 lower
9	60% of level 3 student dissertation plagiarised, particularly in Review of Literature and discussion sections	2 = resubmit, fully corrected, capped at bare pass	12 gave a penalty 1 higher 6 gave a penalty 2 higher	1 gave a penalty 1 lower
12	Level 1 student, 20% plagiarised from internet sources.	2 = resubmit, fully corrected, capped at bare pass	1 gave a penalty 1 higher	28 gave a penalty 1 lower
13	Level 2 student, 60% plagiarised from websites off the Internet, family crisis meant student had to rush home for the weekend.	2 = resubmit, fully corrected, capped at bare pass	2 gave a penalty 1 higher 3 gave a penalty 2 higher	14 gave a penalty 1 lower
20	Level 2 student, 20% plagiarised from books & journals.	2 = resubmit, fully corrected, capped at bare pass	1 gave a penalty 1 higher	25 gave a penalty 1 lower
22	Level 1 student, 60% plagiarised from books and journals, week before assignment due their Grandfather died, funeral was day before assignment hand in date.	2 = resubmit, fully corrected, capped at bare pass		17 gave a penalty 1 lower
Results which show a high frequency of error (30%+) as shown in Table 6.8				
Results which show a moderate frequency of error (20% - 29%) as shown in Table 6.8				

Table 6.9 shows the nature of disagreement between participants and the penalty system. When participants gave a penalty other than that stipulated by the penalty system there would appeared to be some consensus amongst the participants of the

direction and quantity of deviance. For example, for case 12, of the 30 participants who gave an incorrect penalty, 28 of them reduced the penalty by one and were, therefore, more lenient than the penalty system dictated. It is difficult to explain why a few participants deviated in the opposite direction to most. For example, in case 9 one participant awarded a more lenient penalty than stipulated by the penalty system and, given the serious nature of the case, it would seem sensible to assume this to have been an error. Reviewing the deviation for case 2 shows that participants were likely to have believed the penalty to be harsh and were sympathetic to the mitigating circumstances experienced by the student. Hence, all 17 participants in this case awarded a less harsh penalty than was dictated by the penalty system.

6.3.3 Preferred penalty system

Table 6.10 shows the preferred penalty system for each group. There was wide spread opinion as to which system was most and least preferred. The highly prescriptive penalty system was solidly placed as third choice for group A, and overall was least liked by two of the three groups, but was most liked by 40% of group B. The criteria based guidance penalty system was most liked by the other two groups.

Table 6.10 Preferred penalty system (modal choice for each group)

	Most preferred penalty system	Second choice penalty system	Least preferred penalty system
Group A (10 penalty choices)	Criteria based guidance (58%)	No guidance (42%)	Highly prescriptive (69%)
Group B (5 penalty choices)	Highly prescriptive (40%)	Criteria based guidance (48%)	No guidance (59%)
Group C (5 penalty choices including harshest penalty)	Criteria based guidance (54%)	No guidance (38%)	Highly prescriptive (54%)

Table 6.11 shows the qualitative comments regarding the different penalty systems. It can be seen that most of the good points highlighted had their counter argument highlighted as something disliked. For example, having 10 penalty choices was

viewed positively with regards to variety of choice, but that amount of choice was also seen negatively as it made it difficult to decide on an appropriate penalty. Some saw 5 penalty choices as a good variety, whereas others saw it as not being enough. The simplicity of the highly prescriptive penalty system was seen as a positive, but many respondents disliked its inflexibility and the fact that it did not take into account the level of the student or the amount of material plagiarised, other than for low levels of plagiarism (the threshold for change of penalty being at 20%).

Table 6.11 Key points from the qualitative comments about the penalty systems (likes and dislikes)

	What respondents liked	What respondents disliked
No guidelines	Group A (10 penalty choices):	
	Good to have variety and lots of choice	Difficult to decide as there are a lot of choices
	Group B (5 penalty choices):	
	Good amount of choice and range Quick and easy to make choice	No choice of no penalty and a warning Not enough choices Not severe enough penalties available
	Group C (5 penalty choices with harshest penalty):	
	Good spread of severeness and hence easy to choose penalty Didn't gradually get harsher	Penalty choice restricting Throw them off the course too harsh
Criteria based guidance	Group A (10 penalty choices):	
	Good to have large variety of choices Set criteria helps to make choices Additional guidelines good for inexperienced tutors	Penalties can be alike so difficult to decide Too many choices
	Group B (5 penalty choices):	
	Good variety of choices Criteria made process and decision easier	Not enough choices or flexibility Needed more severe penalties
	Group C (5 penalty choices with harshest penalty):	
	Clear differences between penalties Easier to categorise and make a decision	Not enough choice
Highly prescriptive system	Group A (10 penalty choices):	
	Quicker and easier, clear and simple Leaves less uncertainty Requires no thought	No allowance for special circumstances or year of the student or for a difference between 20% and 90% of work plagiarised Not much leniency or choice Unfair
	Group B (5 penalty choices):	
	Quicker and easier	Lack of flexibility and choice Unfair when big differences evident Penalties not serious enough
	Group C (5 penalty choices with harshest penalty):	
	More precise guidelines Simple Less susceptible to prejudice	Lack of choice and flexibility Some punishments were harsh No leniency Doesn't differentiate enough Assumes you agree with the criteria

6.4 Discussion

6.4.1 Consensus

Whilst it might have been anticipated that consensus would be greater with less penalty choices, the results would suggest that this is not always found and that

reducing penalty options can reduce consensus as well as improve it. In some cases consensus, as determined by the modal penalty choice, was unchanged by an alteration in the range of penalty choices. It is clear, therefore, from this study and the previous studies undertaken for this thesis, that consensus is not likely to exist, certainly not for many types of plagiarism cases. Consequently, Higher Education institutions are not likely to reach the consensus called for by Deech (2006), certainly not in the near future. Given this, it would seem that institutions will have to accept that there will always be individuals (tutors, students and administrators) who will disagree with penalty awards and/or the systems in operation at an institution. This would certainly concur with Flint *et al* (2006) who reported that individuals would take matters into their own hands if they disagreed with institutional policy. An institution, therefore, may need to set down the penalty system to be used and then decide how it is going to 'manage' the issue of disagreement.

The agreement scores (see Table 6.3) also showed that the mean 'agreement' with a system was between six and seven (out of 10) for all groups for both penalty systems. This would suggest that there is still quite a high level of disagreement with the penalty systems chosen for this study. This is despite the fact that the criteria based guidance actually aligns reasonably well with the criteria identified in the exploratory study as being those criteria taken into account when awarding a penalty. It also agrees closely with the criteria used for determination of severity of a case in Yeo and Chien's (2007) study.

It was clear when undertaking the analysis that views varied greatly as to whether amount, level of student, and number of offences should be treated similarly or not. It was not uncommon to see that respondents identified only partially with some of the criteria. For example, the guidance criteria system suggested incremental penalty awards for the level of student, however, many respondents suggested they would treat a level one student less harshly than a level two student, but that they would treat level two and three students the same, hence giving only partial grading of the penalties. This resulted in only a partial agreement with the guidance criteria based system. Although the lowest mean value of 6.1 ± 1.7 means the average sits at over halfway and errs on the side of agreement more so than disagreement, this is only

slightly over the central value of 5. The implications are that there is likely to be many cases where individuals disagree with a penalty outcome.

If *tutors* disagree with penalty decisions or systems then this raises the problem that they may choose to ignore the correct procedures and deal with cases themselves. This very situation was highlighted by Flint and colleagues (2006). The issues and problems this creates has been discussed in previous chapters and will also be discussed in the conclusion chapter, however, I would argue that institutions must work hard to develop staff understanding of why it has chosen to operate the system that it has. An understanding and respect of a policy, even if in disagreement with it, *may* at least result in most tutors 'playing by the rules', rather than totally ignoring them and taking the situation into their own hands. If the penalty system is clear to all those operating it and abiding by it then consensus of 'operation' can be achieved, even if consensus of the system itself is not universal in an institution. This has certainly been shown to be possible by Yeo and Chien (2007) in classifying the seriousness of cases.

Consensus of operation can be seen with other, sometimes contentious policies, both within and outside of academia. An example from within academia would be an attendance policy brought into operation for the sport programmes here at the University of Southampton. Students have their unit mark capped at 40% or 0% if they miss (without acceptable good reason) 25% or 50% of classes respectively within a unit. Not all tutors *agree* with this policy but all take the required class registers, and the administrative staff apply the penalty if a student crosses the capping threshold. A non-academic example would be the application of penalties for speeding. Not everyone may *agree* with the penalty of a fine and three points on a driving licence if caught speeding, but this is applied to those drivers caught breaking the speed limit. Compliance rather than agreement would appear to be the key for such systems to work, and this may be what is needed for an academic integrity policy to work fairly, or at least consistently.

If *students* disagree with the penalty system, and particularly if they think a penalty is harsh, then they may take further action if caught and penalised. Further discussion of this can be found in several other chapters of this thesis, however, it is worth

stating here that the key is to follow the procedures outlined in the penalty system and award a consistent penalty according to that system. As Deech (2006) pointed out, there will be no repercussions from her office (the Office of Independent Adjudicators) on an institution which has operated correctly within their penalty system. It is necessary, therefore, for institutions to manage student expectation on this matter. This will likely mean publicising the penalties openly and transparently to the student body. Yet it is questionable whether institutions do this with any degree of seriousness. Most publish their policies and regulations on the web and in handbooks, but in the exploratory study there was some indication that policies and penalties may not be *well* publicised and *understood* by the students. Park (2004) specifically identifies transparency as an important criterion and Macdonald and Carroll (2006) identify within their suggested holistic approach to plagiarism that institutions need to ensure that students understand academic expectations and conventions as well as institutional regulations. However, there is *some* evidence that Higher Education is waking up to this necessity. From information gleaned at a plagiarism seminar at Glamorgan in 2006 and at the JISC Plagiarism Conferences (2004, 2006 and 2008), there are indications that institutions are beginning to think about how they inform students about plagiarism and the institutional policy. It would appear that institutions are becoming aware that students not only need to know what plagiarism is and how to avoid it, but also need to know the actions that will be taken if they commit that particular infringement of academic integrity. Indeed, I recall a request being made to all Schools here at the University that information about plagiarism penalties be included in programme handbooks, in particular raising student awareness that course termination was a possibility and an ultimate penalty in serious cases. This was an institutional response to publicity of the now infamous 'Kent case' (BBC News, 2004). The problem, however, is that placing details on institutional web pages or in handbooks does not mean students will read it or understand it, or even care about it until they are accused of plagiarism. Hence, a much more proactive approach will be needed, possibly in the form of workshops or seminars, for example. Such strategies have been clearly advocated by Macdonald and Carroll (2006).

Deech (2006) called for consensus across the whole of Higher Education, but it is clear that this is not likely to happen anytime soon given the diversity of courses,

institutions and individuals operating within them. Hence, a tool to measure consensus is of little benefit in practical terms, other than to confirm that consensus does not exist. It is for this reason that further discussions in this chapter will focus on consistency as the major issue.

6.4.2 Consistency

The results showed that inconsistency was high, at over 40% when no guidance was given for the decision making process, but improved significantly ($P < 0.05$) when guidance was given, and improved even more when the system became highly prescriptive. Group A went from being the most inconsistent group (with their 10 penalty choices) to being the most consistent (although not significantly more consistent than the other groups) with the criteria based and highly prescriptive penalty systems. It is clear that providing guidance was helpful in improving consistency, although it should be pointed out that the level of inconsistent decisions still remained high, with over a third of decisions being inconsistent. Interestingly the provision of guidance improved consistency less for group B than it did for group C (although this was not found to be significantly different). One possible explanation could be that the guidance may provide a focus for individuals, in particular, to use the more extreme penalties. However, whilst there is some evidence that more respondents used the severest or lightest penalties once guidance was given (see Table 6.5), there is also evidence that the actual spread of penalties used did not change significantly (see Table 6.6) as a result of guidance being given. Use of the extreme penalties, coupled with increasing the spread of penalties being used, would result in greater flexibility and variety of choices possibly leading to greater consistency. However, there was no evidence of a greater spread of penalties being used after being given guidance, despite more respondents using the severest or least severe penalty options. Hence, it is difficult to determine why consistency improved with guidance. Acknowledgement must be given, at this point, that one possible explanation which will be discussed later is that the improved consistency was due to the method of measurement employed in this study.

Given the highly prescriptive nature of the final penalty system, it was surprising to see that some respondents did not achieve a 0% inconsistency score. It is difficult to

know, however, whether this was due to an error or misinterpretation of the system, or whether it was because respondents had decided to ignore the system and give, what they believed to be, a fairer penalty. It would have been useful, therefore, to interview those who were inconsistent using this penalty system to determine whether incorrect penalties were given mistakenly or were given deliberately. Unfortunately, this was not possible for two main reasons: it was over 12 months since respondents took part in the study before all data was collected and analysis was completed, hence participants were not likely to be able to recollect their actions; and interviews would have meant revealing a respondent's identity which had carefully been hidden from me. However, when the frequency of errors was reviewed, particularly for cases with moderate to high frequencies of error (see Tables 6.8 and 6.9), it is possible to see that it could be entirely possible that some participants deliberately chose to select a penalty which was different to that which should have been awarded. The types of cases where error frequency appeared moderate to high were cases where participants could have seen the case as particularly bad and hence required a very harsh penalty (as found for the plagiarised dissertation), or needed a more sympathetic response than the penalty system allowed, such as with low levels of plagiarism, level one students, or where mitigating circumstances had been highlighted. It could be surmised that in these cases participants may well have deliberately ignored the penalty system and awarded what they believed to be a more appropriate penalty. Certainly the work by Flint *et al* (2006: 152) would support this suggestion since they reported that:

“...our data revealed that some staff, because their experience of the formal process did not match their personal understandings of how instances of plagiarism should be dealt with, they would be more inclined to deal with plagiarism at an individual and informal level.”

In other words, they would choose to ignore the penalty system and the penalty which should be awarded, and they would choose what they believed to be a more appropriate penalty.

The call from Deech (2006) was not only for consensus but most importantly consistency. Ideally this would be across institutions, but at a practical level it is highly desirable *within* an institution, school or faculty, and *certainly* an absolute necessity within a programme of study. An institution would probably find it difficult

to defend similar cases being given different penalties simply because the students were on different courses or in different departments/schools, but it could certainly not defend treating students inconsistently *within* the same programme of study.

It is clear that the results from the present study suggest that the potential for inconsistent decisions is high unless an extremely prescriptive penalty system is used. Any institution wishing to operate a fair and equitable system have little choice, it would seem, but to develop a highly prescriptive penalty system and then ensure that this is publicised to, used by, and applied to, all operating within it (academic tutors, administrators and students).

6.4.3 Preferred penalty system

Two groups preferred the criteria based guidance penalty system and one group preferred the highly prescriptive penalty system. In addition the highly prescriptive penalty system was solidly in third place for two groups. It is not surprising that groups preferred *some* guidance, particularly for those with 10 penalty choices, since it was clear that the respondents were aware of difficulties in choosing appropriate penalties. A common theme of 'complaint' (see Table 6.11) for group A, with the 'no guidance' system, was that it was difficult to select a penalty when there were so many choices available to them. All groups acknowledged that once criteria based guidance was provided the decision making process seemed easier. Interestingly, the main issue raised by groups B and C, (even once the criteria based system was introduced), was that the choice of five penalties was too restricting, yet group A, who had 10 penalty choices, found the choice was made difficult by the extensive number and range of choices available to them. It is possible, therefore, that a suitable number of choices could lie between five and 10, i.e. seven or eight. However, this suggestion is purely on the basis that seven or eight dissects the number of penalty choices used in the present study. The effect of using this number of penalties would need to be subjected to testing to see if it would provide a suitable level of choice without adversely affecting levels of consistency. Although increasing penalty choices from five to seven *could* increase the chance of inconsistency, evidence from the present study would suggest otherwise (see Table 6.4) as long as criteria guidance is provided. Group A, with 10 penalty choices, were

similarly inconsistent to the other groups once criteria based guidance was given despite having double the number of choices of the other groups, as shown in Table 6.4.

Whilst the simplicity of the highly structured system was liked by many, as this made choice selection quick and easy, it was the least liked system overall for two of the groups. The work of Flint *et al* (2006) might suggest that the inflexibility of the system and the inability to exact personal judgement to a situation might be a major cause for complaint. In fact, however, the biggest issue raised within this current study was that it failed to differentiate for level of student or amount of plagiarism (other than for the threshold of above and below 20%). This is not surprising given that the original baseline criteria data (see table 6.1) shows that many respondents applied some level of ‘grading’ of penalty (level one treated less harshly than levels two and three), or even total ‘grading’ for these criteria (level one treated least harshly, level 3 treated most harshly with level two between). Such frustration would have been exacerbated by the fact that virtually all the cases were awarded penalty number 2 despite the diversity of the case descriptions. Whilst this could be considered problematic in not showing more diversity in the penalty awards of the system, it was a true reflection of how the system would work for the cases described. Students, therefore, who were the participants in this study, may well have felt the system unfair in not accounting for criteria which they clearly felt should result in incremental penalty awards.

6.4.4 The measurement tool

The measurement tool provided numerical scales to measure inconsistent decisions, however, it is by no means perfect. The 28 cases resulted in 50 comparisons, however, not all criteria had the same number of comparisons made: the level of the student and the percentage of work plagiarised had far more comparisons than the other criteria (13 comparisons for level and 14 for amount of material plagiarised); the effect of mitigating circumstances had the fewest comparisons (2). Hence, this particular tool as it currently stands, and consequently the score obtained, will be heavily biased by the consistency achieved in the two main criteria (level of student and percentage of material plagiarised). This may not be a problem for some

institutions which may see these as key criteria and areas where they want to measure consistency levels. However, other case descriptions and comparisons would need to be developed if an institution wanted a different bias within the tool, or less bias towards one or two key factors. The tool is, to this extent, flexible since case descriptions themselves can be changed. Hence, the tool provides a framework and a scoring technique (gross score and refined score) rather than a fixed finished product. Institutions would need to develop their own cases (if they did not wish to use those developed for this current study), and would then need to compare their scores over time using their own cases and comparisons. In other words, the scores can only be compared if the tool in its entirety is the same.

The use of the gross score as a measure of inconsistency, whilst helpful, lacks sophistication compared to the refined scoring system as it does not give a measure of *by how much* a decision has been inconsistent. The refined scoring system, however, may provide a more sensitive score but does still have some degree of estimation built into it. This is best explained with an example:

Criteria	A level 3 student should be treated harsher than a level 1 student
Penalty awarded	Both treated the same
Refined score	1

In this example the refined score is based on the fact that one ‘move’ of the level three penalty would make the penalties consistent with the criteria. However, this is only the minimum number of moves and it is possible that if someone was shown this comparison they would choose to ‘move’ the level three penalty more than one place on the penalty scale. This problem does not arise when penalties should be the same but are not, since the number of ‘moves’ required is not open to speculation. Hence, it is actually possible that the refined score *underestimates* the level of inconsistency. However, only revisiting the decisions with the respondents would allow the refined score to truly reflect the scale of inconsistency.

There was difficulty with question two on the baseline criteria questionnaire (see appendix 3A). The question was reworked following the pilot study, however, even the new version of the question still led to misunderstanding. For example, some

respondents indicated that they would treat the 80% harsher than the 20%, and the 60% harsher than the 50%, yet then indicated over the page that they would increment at 10%. The problem here is that if this were the case then 80% and 20% should be treated the same, as well as the 50% and 60% cases. In most cases where such an anomaly was present, the most sensible increment was chosen according to the three sets of answers given. In the example given here, the increment was taken to be at 55% and scores then determined according to this criterion. This does provide potential for error within the scores and hence, this question will need further refining in order to make its meaning clear and ensure answers accurately reflect the views of the respondents.

The tool, in its present form, despite the issues raised, does provide a system for measuring inconsistency which may be useful to Higher Education institutions in many different situations: testing out new penalty systems; staff training; monitoring consistency between schools/departments; and for monitoring changes over time.

6.4.5 Method issues

There are several method issues which may have influenced the results and hence, need further discussion. The design of the study meant that all participants experienced the 'conditions' (no guidance, criteria based guidance and the highly prescriptive penalty system) and the cases each time in the same order. This means that an order effect, or learning effect, *could* act as a confounding variable and influence the results. The learning effect could have taken place due to recall, both during a phase and from one phase to another, and backtracking during a phase. The study design attempted to eliminate these potential issues by:

- Leaving a long time period between phase 2 (awarding penalties to cases with no guidance) and phase 3 (awarding penalties to cases with criteria guidance);
- Prohibiting backtracking.

There was no need to leave a long time gap between the final two phases. This is because the prescriptive penalty system was so restricting that there was no 'decision making' for respondents, other than to apply the criteria and select the appropriate penalty. Interestingly, due to the fact that order effect for presentation of cases might

affect results, it was actually decided to keep the order the same for presentation of cases rather than mix these up. This actually allowed comparisons to be made across the groups, for example, because if decisions for the next case were in any way influenced by the description and decision of the previous case, this would at least be a 'consistent' variable for all groups on all occasions.

The strategies put in place to control confounding variables, therefore, are thought to be sufficient such that significant changes in scores are likely to be real changes rather than ones simply resulting from confounding variables. Hence, it is likely that whilst consistency may have improved slightly due to a learning effect, it is more likely to be due to real changes in consistency.

There could be a limitation with the findings in that students rather than tutors were used as respondents in this study. Whilst the use of tutors would have been the ideal and preferred option, since they would be the ones operating such systems, there was a problem of recruitment which meant that tutors did not form the respondent group taking part in this study. Despite efforts to recruit tutors to the study, no tutors took part. However, previous work in this thesis suggests that tutors have diverse and different opinions regarding the treatment of cases, just as students do, and that their decisions can also be inconsistent, just as can be the case for a student population. Hence, the key issue of recruiting respondent numbers for the study (even if that population is based on students) outweighed the need for tutors themselves to be the respondent group. Hence, conclusions are based on the fact that students and tutors will operate the penalty systems similarly, and that if improvements have been seen for consistency in the student group then a similar response would be seen with tutors.

6.5 Conclusions

The need for consensus and consistency when dealing with cases of plagiarism is being called for in the increased fee paying, student savvy world of Higher Education. The likes of Carroll, Park and Deech, from their various publications as outlined previously, show they are all advocates of a fair and just system to be administered by Higher Education institutions where a central key component of this

is consensus and consistency. The problem, in many cases, is that not only is consensus and consistency not happening across and within Higher Education, it is also not easily monitored or measured in any systematic manner. Hence, there is the need for a measurement tool to highlight where and why unjust decisions might be, or are being made. Whilst the specific measurement tool developed for this thesis may not provide a universal tool appropriate for *all* institutions, it does provide the principle of measurement and the framework which can be used to monitor local operation of a plagiarism policy. The tool can be modified and adapted according to an institution's needs and local systems by changing case descriptions and hence, altering the comparisons made. Ideally, institutions should measure the refined inconsistency score to fully understand the degree of inconsistency occurring from use of its penalty system. However, even the gross inconsistency score can provide invaluable information to monitor practices and likely outcomes. In particular, the use of this tool could provide the basis for staff training, awareness raising and debate, so that the issue of inconsistent decision making can be dealt with in an open and supportive forum. Perhaps the use of this tool could enlighten institutions who currently believe they do not have a problem to the fact that they do!

This chapter has reaffirmed the findings of chapter 5, that consensus and consistency do not exist, but more importantly has demonstrated that achieving these principles will be difficult even when systems are put in place to help the decision making process. It is clear from chapters 5 and 6 that consensus and consistency will be difficult to achieve when punishing cases of plagiarism. The next chapter, therefore, will attempt to draw together the findings of this thesis and discuss them alongside that of the plagiarism and assessment literature, and also using the educational theories and concepts introduced in chapter 3.

Chapter 7 Discussion and conclusions

This thesis set out to explore a key issue within the topic area of plagiarism in Higher Education. The exploratory study identified the combined issues of consensus and consistency when punishing student cases. Both consensus *and* consistency should be evident for a penalty system to be *viewed* as fair, with consistency a necessary component for a penalty system to actually *be* fair. The findings from the exploratory study suggested that consensus and consistency may not exist, hence, the work of this thesis has primarily focussed on the nature and extent of that lack of consensus and consistency. With a need for consensus and consistency to exist in any fair penalty system, this thesis has also explored factors which might influence the level of disagreement and inconsistency in order to find ways in which consensus and consistency might be improved.

The findings from the two main studies (chapters 5 and 6) have demonstrated that those working and studying within Higher Education:

- Can have widely different perspectives on the penalties which should be awarded to cases of plagiarism and hence, might view a penalty system or award unfair by virtue of the fact that the system or penalty awarded in a case does not align with their own views;
- Can find it difficult to apply penalties consistently, particularly when given a large number of penalty options and freedom of choice;
- Do not always apply guidelines correctly;
- *May* decide to ignore guidelines and instead award a penalty they believe to be more appropriate.

Chapters 5 and 6 have provided discussion in relation to these results without reference to the educational theories and, therefore, have been based on the logic of the findings and outcomes. It is now necessary to revisit the findings of this thesis in conjunction with the educational theories introduced in chapter 3: Engeström's (1987) Activity Theory and Wenger's (1998) Communities of Practice. The theories presented in chapter 3 have, therefore, been revisited and reworked in light of the findings from this thesis (see figures 7.1 and 7.2), and this process has helped to mould and modify ideas and concepts previously presented. Hence, this chapter

shows the journey of my thinking on the topic under investigation and may well demonstrate thoughts now contradictory to those presented in previous chapters.

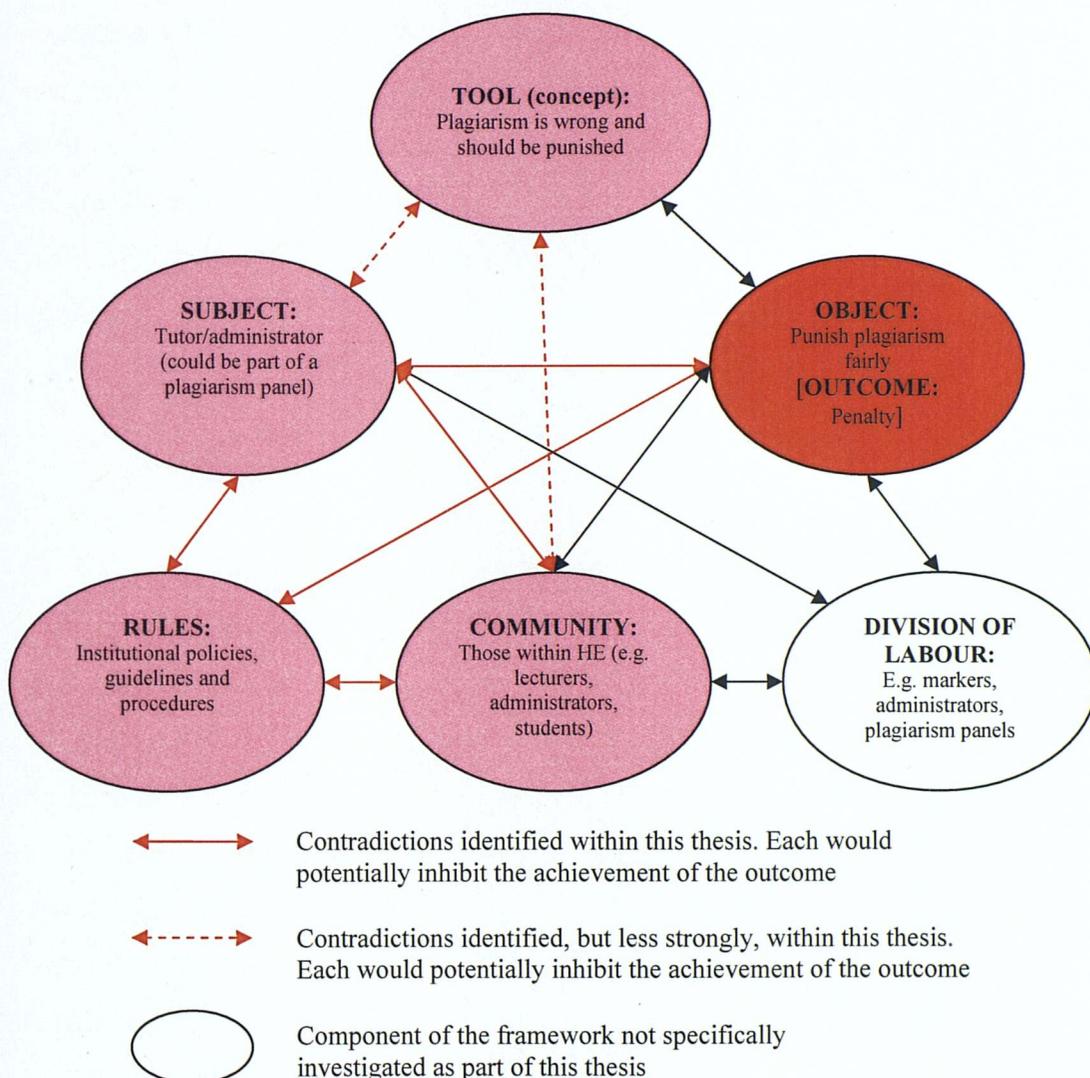
This chapter will discuss the findings of this whole thesis in relation to: providing an explanation; reviewing the limitations of this work; reviewing the issues and practical implications for Higher Education; and providing an indication for future research and development.

7.1 Activity Theory as a framework to understand and explain current findings

Figure 7.1 shows that this thesis has identified several *contradictions* which exist within Higher Education when the *activity* under scrutiny is punishment of student plagiarism. The exploratory study and study one, for example, have identified diverse opinions amongst those who work and study within Higher Education as to what an appropriate penalty would be for various cases of plagiarism. A surface level of analysis might suggest that everyone is seen to agree that plagiarism, in certain circumstances, is wrong and should be punished (the *tool* identified in figure 7.1). This is because everyone ‘punished’ plagiarism to some extent, even if it was only to provide a warning to the student. However, deeper analysis reveals that tutors and students (when considered as individuals rather than two different communities) may differ considerably in their opinion of just how wrong they believe it to be, or when circumstances dictate that students should not be punished, or should be punished less or more harshly. The interviewee, for example, who described plagiarism as “theft, pure simple” (see section 5.1), or another interviewee who remarked that it should be “stamped out” (see section 5.1), would appear to have markedly different views to that of the interviewee who merely stated that it is to be “discouraged”. There is also the fact that some tutors would appear to have an absolute view regarding plagiarism and others seem more forgiving of what they term ‘poor practice’. This diversity of view also becomes apparent if we compare to the literature such as Flint *et al* (2006) or Angélil-Carter (2000). Flint *et al* (2006) reported differences of perceptions of plagiarism. Angélil-Carter (2000) for example, explains that plagiarism could be the result of a learning phase which students naturally go through as they develop their writing skills. This would certainly suggest

that she might not have the same level of distaste of student plagiarism as some tutors and students in certain circumstances. These examples would suggest that *contradictions* exist within the Activity Theory framework between the *subject* and the *tool* and would, therefore, hinder the achievement of the *object* (to punish plagiarism fairly).

Figure 7.1 Application and adaptation of Engeström's (1987) Activity Theory to the policing of plagiarism in Higher Education revisited: contradictions and conflicts identified within this thesis



7.1.1 Contradictions aplenty!

Figure 7.1 shows that there are several *contradictions* which have been identified within the activity framework as a result of this research. In fact, it is only those

aspects relating to *division of labour* which have not been specifically investigated as part of this thesis and, therefore, do not have *contradictions* highlighted. This research suggests that all other relationships and interconnections between the components within the framework have *contradictions* evident and would indicate, therefore, a rather fragile, vulnerable *activity* in its early stages of development.

Contradictions can manifest themselves initially as disagreements or lack of consensus which can lead to a lack of consistency. For example, if consensus does not exist between the marking tutor and the institutional policy (i.e. there is a *contradiction* between the *subject* and the *rules*) then there is the potential for tutors to exact their own penalties, without following specified institutional guidelines, on work which they believe to be plagiarised. This will certainly lead to inconsistencies and consequently unfair punishments by virtue of different practices. Flint *et al* (2006: 152) certainly indicated their own findings suggested this would be a distinct possibility:

“Our data revealed that some staff felt that, because their experience of the formal process did not match their personal understandings of how instances of plagiarism should be dealt with, they would be more inclined to deal with plagiarism at an individual and informal level.”

Alternatively, some *contradictions* can lead directly to inconsistent practice. For example, as has been demonstrated within study two of this thesis, if the *rules* are highly flexible and left open to individual interpretation the *object* can be compromised due to inconsistent outcomes. Those inconsistencies can arise due to the different interpretations of tutors, or alternatively because the tutors themselves cannot operate the *rules* with any level of consistency. However, Flint *et al* (2006) reported that staff valued the ability to exact their own academic judgement and it is likely, therefore, that any inflexible system would be deemed by many tutors as inappropriate and an affront on a their position and role within an institution.

As discussed in chapter 3, it can be difficult to locate the student within Engeström's (1987) Activity Theory if we consider the *activity* of policing plagiarism. Hence, the next section will show how Wenger's (1998) Communities of Practice may provide an alternative theory to analyse and explain some of the findings of this thesis.

7.2 Communities of Practice: an added dimension for understanding

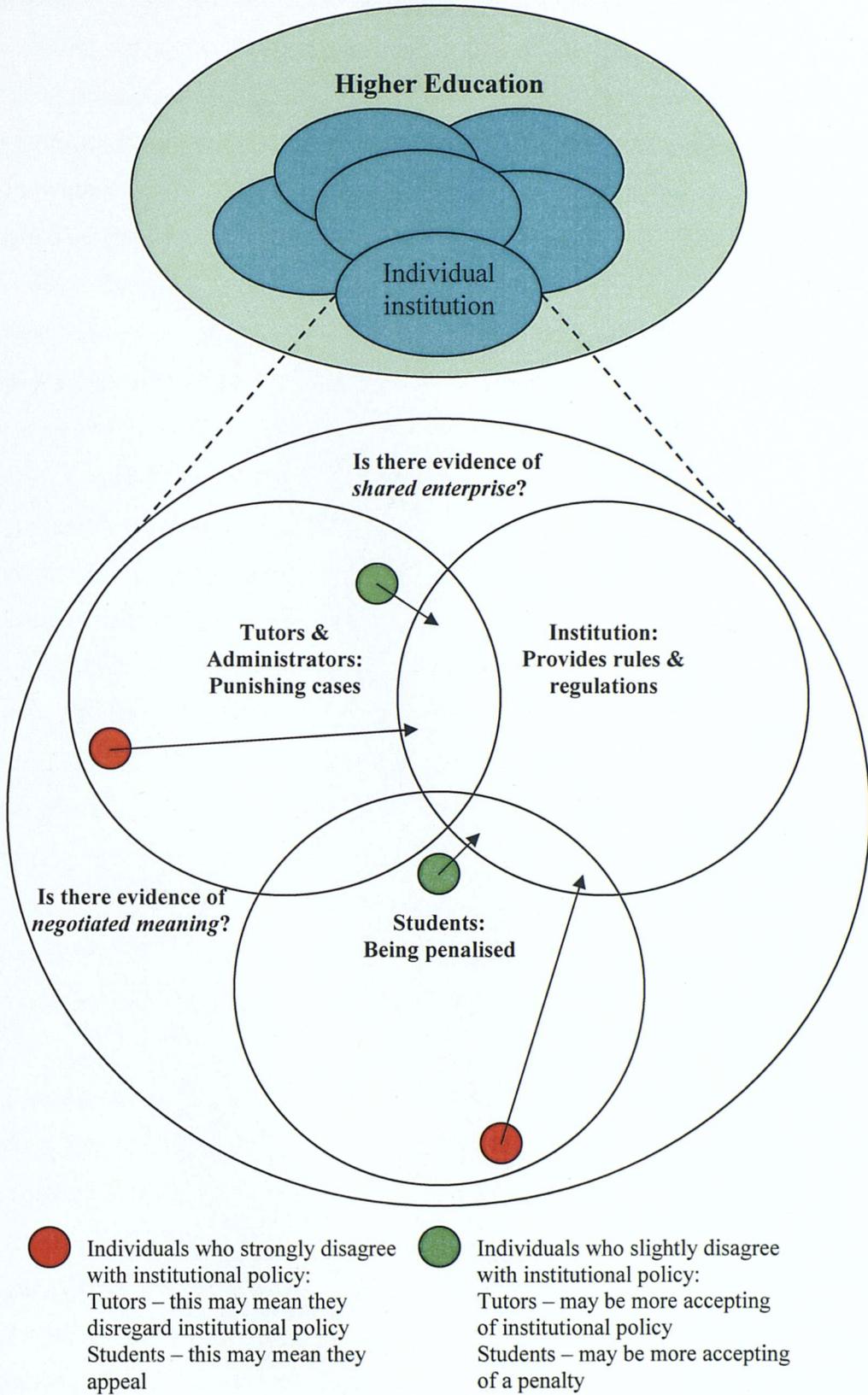
Figure 7.2 shows the interactions of the Communities of Practice which need to be considered for this thesis. As indicated in Chapter 3, Wenger's (1998) Communities of Practice can help researchers identify key questions for investigation. In investigating the aims of this thesis, the ideas conceptualised within Wenger's (1998) Communities of Practice might lead us to enquire whether there is:

- Evidence of *negotiated meaning*;
- Evidence of a *shared enterprise*;
- Conflict and tensions existing within and between the different *communities* and how these might be resolved.

The diversity of opinions found within this thesis regarding appropriate penalties for cases of student plagiarism would suggest that the Higher Education *community* has not yet come to a *shared negotiation of meaning* in this area. Hence, conflict and tension can be found within and between the different *communities* which constitute the overarching Higher Education *community*. Conflict is evident between groups and individuals: between tutors and their colleagues; between students and their peers; between tutors and students; and also potentially (depending on the exact nature of the policy in operation) between students and the institution, and between tutors and the institution.

The outcome of inconsistent penalty awards due to *conflicts* between a tutor and the institution have already been discussed previously using Activity Theory and hence, will not be discussed further at this point. However, conflict and disagreement between the student and the institution has not been discussed and hence, will now be considered.

Figure 7.2 Communities of Practice in education revisited



If consensus (or a *negotiated meaning*) does not exist between the institutional decision of a penalty award and that which a student deems fair, then there is the possibility that when a student is awarded a penalty they will perceive it to be harsh and unjustified, even if the decision is correct according to the 'system' being used by an institution. This is likely to result in student dissatisfaction and appeals, and legal battles *may* be instigated. An example to aptly illustrate this is for case 5 in study one (chapter 5) where a student is caught for the second time. In study one of this thesis the most popular penalty choices selected by the students for a second offence was to give the work zero (25%) and the unit zero (27%). Larkham (n.d.), however, details a second offence case where the actual outcome was to terminate the course. If such a harsh penalty was awarded to the students participating in this thesis, it would appear that many of them would be likely to view this as a harsh and unjust penalty and they may, therefore, wish to instigate complaint or appeals procedures. As Carroll (2005) pointed out, since students do not get a mode or most popular penalty but instead an individual decision made by a panel or member of the institutional staff, it is perfectly possible that the penalty awarded will differ from that which the student deems fair. It is also possible that students ignored the penalty system in study 2 in some instances because they deemed the penalty they should have given to be harsh and unjust, showing that students may disagree strongly with a penalty outcome and may be prepared to take action against it. In the case of study 2 students awarded a different penalty at odds with the prescribed system. It is possible, therefore, that if they were on the receiving end of what they believe is a harsh penalty it might be their decision to challenge that outcome.

Figure 7.2 shows two positions for students who disagree with the institutional policy. The student closest to the institutional boundary may well decide that the instigation of formal complaints or appeals procedures would be 'more hassle than it is worth', since the penalty is not that far outside their own boundary view of fairness. On the other hand, the student who finds their view of a fair penalty outcome positions themselves a long way from the institution may well be those who then challenge the decision: if it is deemed too harsh rather than lenient, of course.

The example provided here considers the *community* at a localised level, however, this example *could* be scaled up to a global level. If tutors, programmes, departments

and institutions do not have consensus (and *negotiated meaning*) on penalty awards then two students committing the same offence could be given different penalties, or a worse case of plagiarism could be given the same or a less severe penalty than a lesser case. The AMBeR project report has recently demonstrated that this is exactly what is happening currently in the Higher Education sector (Tennant and Duggan, 2008). Once again such inconsistencies open up the possibility for the 'hard done by' student to have grounds for complaint which, according to Carroll (2005), would be upheld if the system was shown to be arbitrary, even if the decision itself was fair according to the institution's policy. It is interesting to note here that the notion of unfairness due to arbitrariness would suggest that consensus should, at least to some extent, exist. For a penalty to be seen as 'not arbitrary' would mean that most individuals should see the penalty within the realms of fairness. Yet the evidence from this thesis and the most recent literature would suggest that the Higher Education *community* is still some way from achieving the shared understanding and agreement which this would require. Wenger (1998) suggests that over time Communities of Practice will *negotiate meaning* and develop a *shared practice*. The evidence from this research and the literature would suggest that this will be a huge challenge for Higher Education and that there is still a long and hard road ahead.

As indicated in these scenarios, the problem of dissatisfaction arises if the penalty awarded does not align with their own perception of what is fair and just. If there is a mismatch between the penalty awarded and the student's perception of what is fair, this is likely to result in a complaint from the student. If there is a mismatch between the penalty and the tutor's perception of what is fair, this is likely to result in staff penalising cases themselves behind closed doors. Hence, it is important for an institution to manage student *and* staff expectation, particularly as findings from this thesis would suggest that there is likely to be a mismatch for several of the student and tutor populations within an institution.

It is interesting to note at this juncture that Cummins (2008) highlights that those currently dealing with plagiarism in Higher Education were mostly educated within that system during the 1970s and 1980s and hence, may take a very different stance on educational matters to that of the current student population. The growth of the student population within Higher Education and the widening participation agenda

means that the background, views and socio-cultural background of current students are more diverse than ever before. This may signal a greater divide between the views and beliefs of tutors and their students. Indeed one very stark difference between many of those currently working within the Higher Education sector and those about to enter it as a student is highlighted by Reisz (2008). He points out that the new generation of students will be one which will never have lived in a time without computers (Reisz, 2008): the term ‘Google generation’ now being used to describe those who will not remember a time before information could be easily found through the web and the use of search engines (Reisz, 2008).

The concept of *negotiated meaning* intimates movement: a progressive change of direction or understanding over time. On the one hand that could be achieved by both *communities* (tutors/administrators and those who formulate and exact the penalty systems, and students) finding a ‘middle path’. However, it is also possible to view a scenario where one or other of the *communities* dominates the *negotiation*. This would likely result in one *community* having to move entirely or largely towards an acceptance of the other’s *meaning*. Whilst logic might suggest the more dominant *community* would be the institutions, tutors and administrators, it is quite feasible that the fee paying student could actually be, or may actually become, the more dominant *community*. There is already some evidence that in some areas academics are adopting and accepting new technology and available resources and are showing readiness to learn and change. Reisz (2008), for example, reports that:

“Their research indicates that academics and students are “driving the same car and in increasingly similar ways – the behavioural patterns are similar across the whole virtual scholarly community.””

Whilst Reisz’s (2008) article was focussing on the debate surrounding students’ ability to critically evaluate and use the resources which are available, and was not therefore, looking specifically at the problems this creates in regard to plagiarism, it does show that academics may be accepting of the need to, and advantages of, ‘moving with the times’. Although academic rigour and academic integrity may provoke very strong views in many academics, there is the possibility that a gradual shift of attitude can be achieved without academics staying steadfastly rooted to any extreme view. Of course, accepting the use of new technology is not quite the same as accepting what many academics might view as a softening of acceptable

standards. Certainly as the next generation of academics joins the system there may be a liberalisation of attitudes towards plagiarism and punishment. This will very much depend on the willingness for a cultural shift to take place amongst the *community*. However, it is likely that those in a position of influence to change policy will be from the ‘older generation’ of academics for some time to come and it will, therefore, depend on the attitudes of that particular generation of influential individuals.

If a *negotiated meaning* is not achieved between the institutional *community* and that of the student *community*, it is also possible to surmise that the increase in student numbers will result in more of them finding themselves located some distance away from the institution in terms of beliefs and value sets. The outcome of this could well be an increasing number of complaints and appeals, something which is already being increasingly seen in many facets of society and some areas of Higher Education.

7.3 So, we have a problem with consensus and consistency: does it really matter?

As demonstrated within this thesis, and continually within the literature, individuals within the academic *community* have, and still are, indicating a lack of consensus and consistency as an issue, and one which needs addressing within Higher Education. This is seen both for plagiarism and for assessment marking as discussed in chapter 2. For plagiarism, the likes of Deech, Carroll and Park, as shown in previous chapters, have, at various times, indicated either a need for consensus and/or consistency to exist when punishing cases of plagiarism. Even as recently as 2007 Reddy suggests disagreement (and hence, likely inconsistencies) is *still* his experience:

“...his [Reddy’s] personal experience had told him there was disagreement between lecturers, departments and even institutions on penalties for academic offences, and particularly on plagiarism.” (Attwood, 2007a)

As we also know, the AMBeR project (2008) has confirmed this is the status quo. Such a lack of consensus and consistency is problematic for Higher Education. If a lack of consensus and consistency exists within and across institutions then they are

leaving themselves open to disagreements and the potential (and justified) complaints, challenges and appeals, or even legal battles in the courts, as indicated by Deech (2006).

As already discussed, any fair penalty system must ensure consistency, i.e. awarding the same penalty to similar cases and awarding proportional penalties according to the circumstance. Ideally the penalty system should ensure this always occurs. The two studies undertaken for this thesis show that consistency, however, can be difficult to achieve, particularly if the penalty system allows high levels of flexibility and individual determination of the penalty by tutors and administrators. Any system which cannot ensure consistency leaves itself open to complaint.

As an aside, one interesting point to consider here is whether a student would ever find out if their penalty was different to another, similar case. My own experiences, added to indications from the exploratory study, suggest that plagiarism cases and outcomes are dealt with very privately and confidentially and are rarely made 'public knowledge'. Although the exploratory study revealed that tutors sometimes informally publicise plagiarism cases by 'mentioning them in class', it is not at a level of detail whereby students could compare cases and determine inconsistencies and injustice. It would be difficult to see, therefore, how a student would ever find out that their penalty was unfair on the basis of an inconsistent decision. Perhaps one way that this would come to light might be through the knowledge of a third party. The exploratory study revealed that it was usual for a 'friend' to accompany students into panel hearings, and that this can sometimes be an individual working within the institution, such as a Welfare Officer in the Student's Union, as would likely be the case here at the University of Southampton. Only if someone accompanying 'the accused' has experience of cases and outcomes might inconsistent practice come to light. Of course, inconsistent practice is not likely to be so apparent if the case is dealt with solely by the marking tutor. Consistency, therefore, may not be such a problem in terms of appeals and complaints for institutions since inconsistent practice may not be so transparent to the student body at large. Although it is difficult to see how an institution would wish to readily accept such unfair practice. Indeed, Yeo and Chien (2007: 187) suggest that "inequitable treatment is intrinsically unfair."

It is possible, as evidenced by Park (2004), to set up a penalty system with little flexibility, which is highly mechanistic, and which should ensure a consistent outcome for all cases of plagiarism. However, it would appear, from findings in this thesis, that this does not guarantee consistent practice, and it does not guarantee consensus of those operating it, or of those students on the receiving end. Consensus, or lack of it, would apparently (from the findings of this thesis, and concurring with Flint *et al* (2006)) impact on consistency if the system is too divergent from an individual's view. Therefore, the difficulty for institutions might not primarily be setting up a fair system based on consistency. Setting up such a consistent system is, to all intents and purposes, mechanistic and relatively easy to achieve. The difficulty is setting up a system which will be *viewed* as fair and, therefore, adhered to: a factor which hinges on consensus or close agreement with the penalty system and its outcomes. Returning to Activity Theory and Communities of Practice, this requires Higher Education to address the *tools* or *negotiation of meaning* before progress can be made in regards to a consistent penalty system. Hence, the next section will discuss these issues further.

7.4 Tensions: policy, practice and compliance

Study one showed that both students and tutors do *not* agree much of the time as to the penalty to award to a particular case. Such a lack of agreement is not new to education as demonstrated in the assessment and marking literature (see chapter 3). In plagiarism cases, as with marking of assessments, individuals would appear to hold their own set of values by which they judge a case or piece of assessment, and then apply a penalty or mark. Although the exploratory study showed there was some consensus regarding the key factors to be considered in plagiarism cases, and which aligned with the literature (Yeo and Chien, 2007, for example) such as level of student, and number of times a student had been caught, this did not mean that there was consensus of the resulting penalty. Hence, it may well be the case that the concept that plagiarism is not acceptable may hold slightly more common ground than that of applying penalties. This was clearly demonstrated in both studies of this thesis whereby cases would be awarded a penalty by most individuals, however, the diversity of opinions were seen in the actual penalty choices, the interviews which

followed, and the baseline criteria set in study two. Hence, there may be some initial common understanding beginning to formulate across the *communities*, however, it would appear to be at a very general conceptual level.

Yeo and Chien (2007) have suggested that a way forward in achieving some level of agreement is to provide a proforma which will allow individuals to grade the level of seriousness of a case, and which presumably could be used to help determine the appropriate penalty: a serious case leading to a harsher penalty. Indeed, they suggest that reasonable levels of agreement are possible using their proforma to determine the seriousness of a case. However, even if the translation of the case factors into a level of seriousness can be agreed (and this thesis would suggest that this might not actually be straightforward even if Yeo and Chien (2007) have shown it is possible), the translation to a resulting penalty award would still leave individuals comparing their subjective views of seriousness, and what they believe to be an appropriate penalty award, to that of the policy outcome. The findings of this thesis show great diversity of opinion exists amongst the *community*. For example, even if there was general agreement that an undergraduate finalist who is caught plagiarising is a more serious case compared to a first year undergraduate and, therefore, a third year should be treated more harshly than a first year (it should be noted that not everyone thought this, however, as shown in the baseline criteria of study two), this did not result in everyone agreeing that the first year should resubmit their work and the finalist be awarded zero for the work.

As outlined in chapter 3, marking variability, similar to judgements of penalties in plagiarism cases, is also influenced by marker judgements, values and most importantly subjectivity. Once again the theories help us to understand the points at which the breakdown in the *activity* or the tension within the *community* exists, and both would suggest there are problems at a very crucial and fundamental point.

Complete agreement amongst all individuals is not likely to happen. It is not evident in any other facet of life and there are many examples where opinions can differ widely: in politics there are parties who stand for very different beliefs and values, particularly if comparing those of the very far right and left of the political spectrum; the debate regarding capital punishment is always a topic which will reveal great

diversity of opinion; selection of the England Football Team will even create debate and disagreement amongst fans. Indeed Wenger (1998) seems to suggest that even well established *communities* who have had time to *negotiate meaning*, develop a *shared enterprise* and develop a *shared repertoire of practice*, will still not achieve complete harmony. Since Higher Education holds to the notion of academic freedom and, therefore, the encouragement of disagreement and debate to push the boundaries of knowledge and understanding, it is certainly likely that consensus for penalties of plagiarism cases will never exist at the individual level. Indeed, Yeo and Chien (2007) would seem to agree with these sentiments when they suggested that:

“Given that academics have wide ranging opinions of what is, and what is not plagiarism, the authors took the view that consensus will not be gained by defining the concept further...”

Hence, the question has to be considered as to whether consensus could be reached on a practical, larger scale.

At the institutional level consensus would become an agreement, by those who work in it, to ‘follow the rules’ set down by that institution: compliance rather than consensus. There would need to be the formulation of a policy with penalties which everyone would follow and would ensure consistent decision making. The ideal, however, is likely to be difficult to achieve in practice.

The setting of policy, and an expectation of compliance to it, means an institution imposes its policy on the individual. We can use Wenger’s (1998) *Communities of Practice* to help us understand what happens thereafter. Wenger (1998) provides an example of a company setting the *rules*, and those ‘on the shop floor’ developing local practices and interpretations in order to operationalise those rules. That very process may, therefore, create localised differences even within a relatively well defined *community* such as a Higher Education institution. Therefore, if this creates an issue of inconsistency the institution must find ways to ensure its *communities negotiate common meanings* and practices as they evolve over time. One way of achieving this is through the identification of what Wenger (1998) calls *brokers*. As explained in chapter 3, these are individuals who belong to more than one of the *communities*: they are “people who can introduce elements of one practice into

another.” (Wenger, 1998: 105) Wenger (1998) would appear to see *brokers* having a key role in helping a *community* to successfully *negotiate meaning*:

“Brokers are able to make new connections across communities of practice, enable coordination, and – if they are good brokers – open new possibilities for meaning.” (Wenger, 1998: 109)

When the *negotiation of meaning* needs to involve several distinct *communities* within Higher Education institutions (those who set policy, tutors, administrators and students) it is difficult to see who would or could act in such a role. Rarely do individuals span the membership of *all* these *communities* and it does leave the question as to how Higher Education is going to move forward and achieve a meaningful and acceptable understanding of plagiarism and appropriate punishment. It may be necessary to consider whether there are individuals who span several of the *communities*, even if not all of them, in order to progress the *negotiation of meaning*.

The imposition of policy in the case of plagiarism differs somewhat from the marking of assessments because, whilst there might be generic principles that, for example, ‘excellent work should be given a high mark’, specific marking criteria are usually determined at the individual or small group level. It is more usual for a lead marker to design specific marking criteria for the work, for example. There is the increased likelihood, therefore, of ‘buy in’ for assessment marking criteria which may not be evident for an institutional plagiarism policy. It is likely to be much more problematic, therefore, to achieve complete compliance to a policy in plagiarism. This is due to the fact that tutors can decide to disagree with it and, consequently ignore the institutional policy. A level of disagreement and, therefore, disengagement with an institutional policy is very possible given a tutor probably had nothing to do with the setting of it, and given that it may well not, therefore, align with their own views on appropriate penalties. This is problematic for plagiarism since the assessment literature would suggest that those operating a system are best involved in its creation (Saunders and Davis, 1998), or at least agree with it (Brown and Knight, 1994) in order to achieve greater consensus and consistency. The results from study two, whereby it could be surmised that participants decided to ignore the highly prescriptive penalty system and to award their own penalty, shows that it is entirely probable that tutors may decide to act outside of an institutional policy without the institution being aware of their actions. This confirms the work of Flint

and colleagues (2006) who indicated tutors could, and likely would, act outside of institutional policy if it did not align with their views.

Figure 7.2 helps us to conceptualise when tutors might or might not choose to comply. For tutors who have a view which is only slightly at odds with that of the institutional *community* and its policy, then the distance required to move into the institutional boundary might be small: in which case tutors might accept compliance over rebellion. However, if a tutor's views regarding plagiarism and punishment fundamentally differ from that of the institution, the distance to be travelled to reach the boundary of the institutional rule set becomes a journey too far, and they are likely to punish with a penalty which *they* deem is fair.

Across Higher Education institutions the problems of consensus become even greater, and it becomes much harder to see how academia would ever reach agreement for a penalty system. Returning to the notion of *brokers*, as in Wenger's (1998) *Communities of Practice*, they would need to belong to several institutions and have substantial influence within each of them to help *broker* the *negotiation of meaning* across institutions. Even if we consider conferences as a means of helping cross fertilisation of ideas, it is quite possible that many of those attending such conferences will not have the influence to change *meaning* and *practice* substantially or quickly. The difficulties in achieving progress are aptly demonstrated within the marking literature. Back in 1994, Brown and Knight were asking for Higher Education to accept the fact that there might be a need for common marking standards, yet, as far as I can determine, little would seem to have progressed this into substantial action or outcome. Whilst the use of external examiners is, to some extent, meant to ensure comparability of standards across institutions, Elsdon (1987) sceptically reported that:

“...one cannot escape the impression that in HE external examining may, not uncommonly, be a reasonable but cosy process of taking in each other's washing, which also looks good on job applications.”

Even when external examiners make recommendations it is normally at the discretion of the programme tutors as to whether they will act upon them. This raises the issue that in some instances of 'operation' staff within an institution are afforded and encouraged to use their own academic judgement, and yet in others, where staff

are expected to follow and comply with institutional policy and procedures, they are not. In assessment marking, tutors *can* choose to reject suggestions made by an external examiner, yet in the case of plagiarism they are expected to fully comply with institutional policy and are not given the freedom to disagree with it. Of course, as already indicated, the marking tutor can choose to ignore policy. Interestingly, at the most recent JISC Plagiarism Conference (2008), in one of the parallel sessions, there was evidence of a tutor choosing to ignore his institution's assessment policy of anonymous marking. (It should be noted that I have not named the individual here as I do not deem it appropriate to identify them in case of institutional repercussions.) However, this does show that defiance of regulations and policy is not exclusive to plagiarism or academic integrity.

Just over a decade after Brown and Knight's plea for common marking standards, Deech (2006) was making similar calls for common standards for punishing plagiarism cases: we might have a long wait if the progress on common assessment standards is anything to go by.

It is possible to think that there would be a little more optimism for consistency. Just as Barrett (1999) believed consistency should be possible for individual assessment markers, it would not seem unrealistic to expect consistency for plagiarism sanctions to be achieved at a local level, that is, *within* an institution. A key problem with consistency, as demonstrated in this thesis, is that individuals can find it difficult to be consistent with their own decisions, even when they have clear views on what factors should determine the level of penalty, and even when they agree to comply with the system. The results of study two, however, did show that consistency can be improved if some guidance is given. The use of guidance in applying penalties in plagiarism is similar to that of a marker following a marking set of guidelines.

The assessment literature discussed in chapter 3 shows that the challenge is not only to set out the guidelines, but to ensure that markers understand, interpret and follow it. This returns to the argument previously that problems are greater for plagiarism than for assessment marking due to the institution setting the policy rather than the individual and, therefore, a lack of *negotiated meaning*. The fact that institutional policy is set at a high management level not only means most tutors are not involved

in the setting of the policy, but it also means that the policy must be disseminated down through many more 'layers' of management and to a wider audience. This is less problematic for assessment marking which operates at a more local level: for example, the unit leader might only have to deal with a small team of markers within their own subject area. The difficulty of dissemination of information to staff is highlighted by Macdonald and Carroll (2006) who indicated the need for an institution to ensure its members are fully informed of policy and particularly new policy developments and changes.

However, hopes for consistency become somewhat tempered if we return to the fact that consistency still relies heavily on compliance. Hence, even if a penalty system is set up which is highly consistent when it comes to awarding penalties, if those within the *community* who are to operate it do not agree with it, they can always decide to not comply. Macdonald and Carroll (2006: 242) provide a clear warning on this fact:

“...individual decisions that could lead to inconsistent or unfair treatment...will invariably be the case if individual markers are responsible for initiating and applying sanctions or punishments.”

In the early stages of this thesis, if I were to have been asked whether I believed consensus or consistency to have been the more important component in helping us achieve a fair penalty system, I would have replied, with great conviction, that it was consistency. However, the findings of this thesis now suggest that consensus is, by far, the more important of the two. In different ways both Activity Theory and Communities of Practice help us to understand this. Engeström's (1987) Activity Theory shows that any *contradiction* with the *tool*, no matter how consistent the institutional rules, will result in inconsistencies and limit the achievement of a fair penalty system. Wenger's (1998) Communities of Practice shows us that it is only once the *community negotiates meaning*, that a set of *rules* or *practices* can be developed which will achieve the *shared enterprise* of a fair penalty system.

7.5 Where do we go from here?

It would be difficult to argue against the need for a fair penalty system for punishing cases of plagiarism. If one component of fairness is consistency, then there might be hope that, as with the marking of assessments, criteria, policy and guidelines are the

key to improved, even if not perfect, potential consistency. Study two demonstrated that provision of guidelines does indeed improve consistency. Although, it must be acknowledged that the provision of highly prescriptive guidelines may not be the answer to the eradication of inconsistent decisions. From the results from study two, and aligning with suggestions from Flint *et al* (2006), it is clear that that even with a highly prescriptive, inflexible system, there may still be inconsistent decisions because individuals may decide to ignore the guidelines and exact a different penalty, particularly if they disagree with the penalty which would result under the system. It is possible, therefore, that plagiarism policies are best following the advice of Littlefield and Troendle (1986: 5) when discussing the use of marking criteria: use “global judgement scoring in combination with marking detailed criteria.” Some flexibility for judgement of a case within clearly set out guidelines would allow individuals some, albeit limited, academic freedom to deal with, what is often, a complex human situation. Certainly this may help encourage tutors to comply more readily with a policy if some academic judgement is afforded them, particularly given that Flint *et al* (2006: 152) indicate such freedom is “highly valued”. However, it would be wise to take heed of Carroll’s warning that discretion has been the root of the problem (Carroll, 2005) and, therefore, that constraint may be a price worth paying. This would suggest it may be prudent to limit the amount of flexibility within any guidelines. At the moment this would appear to be far from the status quo: the AMBeR Project (Tennant *et al*, 2007), for example, reported a lack of clear guidance in most institutional policies which would result in high levels of flexibility and the high probability of inconsistency. The latest system at Oxford Brookes University (Carroll and Appleton, 2006) may provide a possible way forward: it would seem to align with a system which has clearer guidelines with some limited flexibility and, interestingly, the authors report that it is improving decisions and consistency across that institution.

The marking literature does provide a second suggestion for improving marking consistency which can be considered for plagiarism: the use of second marking or moderation. To *some* extent plagiarism already has these in operation in many institutions, as evidenced from the exploratory study interviews and the literature: panels are formed to decide on cases, which is similar to having multiple markers; Academic Integrity Officers at Oxford Brookes University (Carroll and Appleton,

2006) have regular meetings to discuss cases and penalties retrospectively, which is similar to the notion of moderation (and would fit with Wenger's (1998) ideas of *brokering*). It must be acknowledged, however, that unlike in the moderation process for marking, plagiarism cases would not have their penalty amended following such discussions. Instead, this process would 'moderate' future decisions in light of previous discussions and penalties in order to improve consistency over time. In other words there is a process by which understanding and *meaning* is *negotiated* amongst the *brokers* and practice will realign to the changes in *meaning* over time. This could, in some ways, be viewed as a similar process to marks manipulation, as found in the assessment literature, although with marks manipulation the 'new' manipulated mark is the one which the student is awarded rather than the original, which is not the case for the Oxford Brookes University example. A strategy of 'penalty manipulation' for plagiarism cases, similar to that of marks manipulation, would not be feasible due to the small numbers of cases and the delay it would cause. It is interesting to note at this point that this notion of 'learning over time' was put forward by part two of the AMBeR project (Tennant and Duggan, 2008) when they called for better recording, transparency (and sharing) of penalty awards across the Higher Education sector.

In the assessment literature second marking is acknowledged as costly in terms of time and efficiency (Brown and Knight, 1994) and hence, moderation is advocated as acceptable and preferable (White, 2007). However, the number of cases being brought forward for prosecution in plagiarism is currently very small in comparison to that of assessment marking: the AMBeR project reported rates of generally less than 1% (Tennant and Duggan, 2008). Hence, a second marking type of process may well be a viable option for plagiarism cases at the moment. It is acknowledged, however, that the rates given here are for cases being brought forward for prosecution and is likely to be an under representation of the actual level of student plagiarism occurring.

Having a *single* 'gatekeeper' within a school or department who always acts as the 'second marker' may well be necessary. This is because if two tutors look independently at one case, and two different tutors review a second case, then the diversity of opinion amongst those four tutors *could* be considerable as shown in this

thesis and, therefore, may still ultimately result in highly inconsistent decisions. It is only when there is one gatekeeper for *all* decisions that some level of consistency might be achieved. But this may not, in reality, be a practical, cost effective or even achievable solution for large schools, departments and institutions. It is also possible, of course, that as more institutions use software such as TurnitinUK the number of cases will rise, and this would affect the feasibility of a 'moderation' type process. Certainly, as can be seen in the overview chapter (chapter 2), many students admit to knowing others who have plagiarised, and if we combine that with the AMBeR project findings for the number of cases reported, then it would seem that we are likely to see a large increase in cases as institutions improve their ability to detect plagiarism.

It is not unreasonable to suggest that an identified individual could make decisions on their own if the policy and guidelines were clearly defined, as found at Oxford Brookes University, who have nominated Academic Integrity Officers, or at Lancaster as outlined by Park (2004). Hence, the discussion returns full circle to the argument for a relatively prescriptive penalty system and compliance to it. As any institution can only assure compliance and consistency to a policy once the case is 'declared', no system can ever be perfect given the starting point is the individual marker whose expectation of academic freedom may mean they choose to defy that policy.

The discussions thus far would suggest that whilst consensus and consistency should *both* be evident for a fair penalty system, consensus might now be viewed as a more central influencing factor. As already indicated, this would not have been my belief at the start of this thesis. However, it has become clear that consistency can be easily achieved mechanistically but is dependent on compliance which, in turn, is heavily dependent on consensus of marking tutors to that penalty system. Every penalty system is, therefore, potentially flawed by the necessity for compliance and the effect of consensus, or lack of it. Hence, the only sensible conclusion has to be that 'prevention is going to be better than cure'. If consensus and hence, compliance cannot be assured when dealing with cases of plagiarism, institutions might well be best placing a major part of their effort into teaching students the value of citation and correct referencing, designing plagiarism proof assessments, and rewarding those

who evidence their resources abundantly and appropriately. In other words, prevent students from plagiarising in the first place, or even wanting to, and it then becomes less problematic if the penalty system is flawed because, hopefully, it will not be needed (or at least not needed very often).

It is not possible, however, to forget completely about policies and penalties because cases of plagiarism are not likely to completely disappear. Even if we manage to teach students successfully about academic expectations in writing, we are still faced with forms of plagiarism which may occur for reasons other than misunderstanding of the rules: the bought essay for example would still mean that academia needs to decide on appropriate sanctions for such cases.

If effort is to be placed in the prevention of plagiarism then it would be wise for researchers in plagiarism (and academic integrity) to work closely with those exploring assessments and marking. If researchers work independently of one another and keep themselves as disparate *communities* in these key areas, then it is possible to project that assessments which might be designed to be plagiarism proof might not be easy to mark with any level of reliability or validity. Similarly, if assessments are designed without consideration of plagiarism then we might find that new and innovative assessments could leave themselves readily open to breaches of academic integrity, and in particular plagiarism. It is vital, therefore, that any new and innovative assessments are designed which deter or negate the possibility of plagiarism and which can, at the same time, be marked with high levels of validity and reliability. There are individuals such as Macdonald and Carroll who clearly have interests in both assessment and plagiarism and hence, it is individuals such as these who may be able to act as *brokers* (as described by Wenger (1998)) in the broadest sense, in linking together experience and expertise and the research *communities* for assessment and plagiarism.

7.6 Limitations and further research

As with all research studies the limitations and generalisability of results must be considered alongside the discussion of the findings. Although all researchers attempt

to design the 'perfect' study, rarely is that achievable, if ever, and the work in this thesis is no exception.

The limitations in this work have primarily been as a direct result of the sensitive nature of the topic area, the immediate impact of which has been the difficulty in recruiting participants for each of the studies. As a result, it has been necessary to accept low sample sizes and to use convenience sampling, both of which will certainly have created biases within the data. It is important, therefore, that the results from this thesis are not taken to represent global views or outcomes, but rather demonstrate and encapsulate a small part of the story. The generalisability of these results must be undertaken cautiously. Further work, therefore, should be undertaken to investigate whether similar results are found across different subject areas and at different institutions. This could even be extended to explore similarities and differences between pre and post compulsory education.

The fact that a new measurement tool for consistency was developed for this work provides a second potential limitation. It must be acknowledged that this tool, whilst developed out of the ideas and the findings of study one, and hence will have some degree of validity, requires further testing. It is only possible, for example, to compare consistency scores from elsewhere with those found in this thesis if the exact same cases are used and presented in the same order as in this thesis. However, the flexibility of the tool could be considered an advantage: the principles behind the method of calculation can be consistently applied, but the cases and comparisons can be altered. This will allow the tool to be manipulated to the specific needs of those using it. The effects of such manipulation require investigation.

The use of the educational theories has also provided limitations within this work. The limitation of placing the student within these theories has been discussed in a previous chapter and hence, will not be discussed further. However, it is felt that a limitation with the use of Communities of Practice is that this theory may be more applicable and helpful to smaller scale *communities*. Wenger (1998) describes the *community* of claims processors and it easier to conceptualise the individuals, operations and changes which take place within such a small *community*. However, the Higher Education *community* in the UK alone is extensive and hence this theory

does become limited when such a grand scale is considered. Perhaps this indicates that Deech (2006) was being over optimistic in asking for agreement amongst this *community*.

7.7 A final reflection

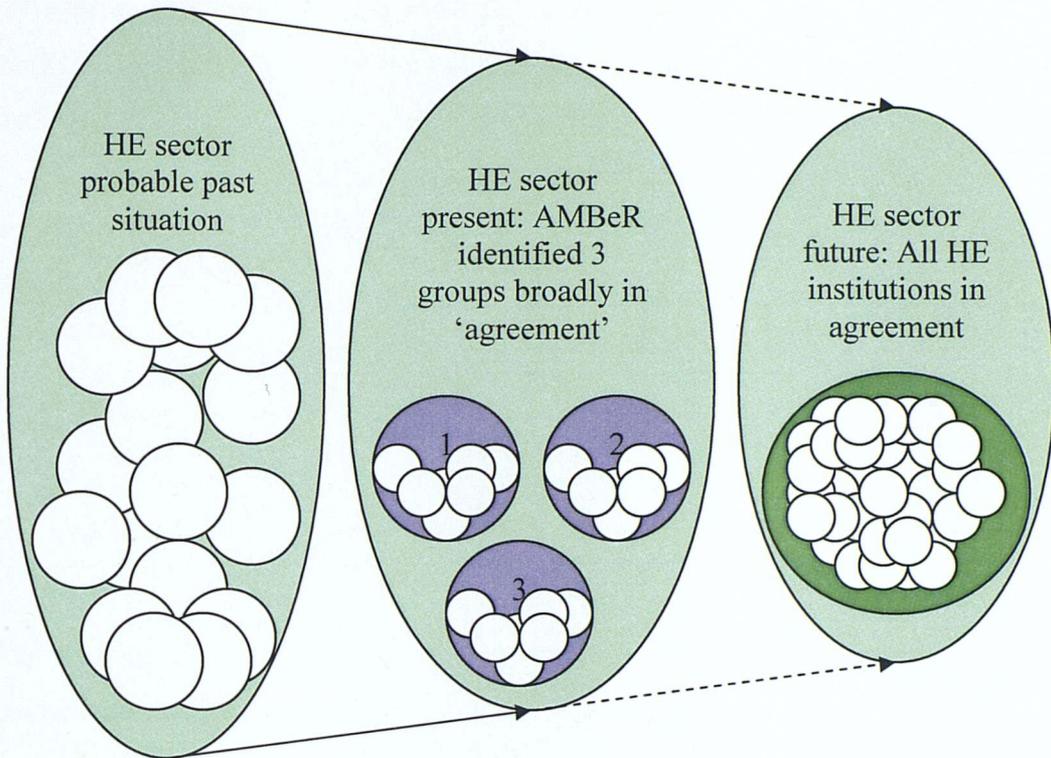
The timing of finishing this thesis could not have been more pertinent. Researchers in this area are now starting to take up the challenge of delving more deeply into this complex topic area with more interesting and helpful research designs and methods being used, and more appropriate and helpful questions being asked. Research is now surfacing which explores the issues around consensus and consistency when applying penalty sanctions, and this thesis provides an important contribution to the debates which will need to take place in order that fair penalty systems are developed.

On the face of it, however, the findings reported in this thesis appear to send out a pessimistic message: we are never going to agree and consistency can be hard to achieve. Even with a highly inflexible, prescriptive penalty system this work has shown that individuals operating a policy might well ignore the guidelines and ‘do their own thing’ anyway. It is difficult to see how we can ever eliminate the influence of the fact that the concept of fairness is, in part, value laden, subjective and highly individual, and this certainly adds complexity to the problems experienced within this topic. However, part two of the AMBeR project has just been published and, whilst it has highlighted concerns regarding inconsistencies between institutions when punishing student cases of plagiarism, it has also provided some glimmer of hope:

“There would equally appear to be clusters of consensus within certain groups. Institutions are encouraged to improve their existing recording procedures to engender a more complete and transparent picture of activity within the sector and to aid the development of a coherent national approach to the allocation of penalties for student plagiarism.”

Figure 7.3 provides a representation of the AMBeR project findings and shows that that the Higher Education sector may be starting to show signs of *negotiated meaning*.

Figure 7.3 Representation of the AMBeR project findings (Tennant and Duggan, 2008) using Wenger's (1998) Communities of Practice



This thesis has shown, however, that a simple improvement of record keeping and transparency is not likely to work without Higher Education opening up a deeper debate regarding the issues of consensus and consistency. The use of the educational theories within this thesis has shown the complexity of the problem. It has shown that there is the need for a richer and fuller understanding of the *communities* who are involved and the *activities* in the whole learning and teaching process in relation to plagiarism. Macdonald and Carroll back in 2006 suggested that:

“what is missing from the current debate is a recognition that plagiarism is a complex problem, being dealt with by complex institutions in an increasingly diverse higher education system.” (Macdonald and Carroll, 2006: 235)

It is hoped that this thesis adds to the research which will address some of that criticism.

There is one final reflection for those working within the area of policies and punishment of student plagiarism (and even within the wider topic of academic integrity more generally): this thesis has shown that we must not forget or ignore the student. The journey ahead for Higher Education must embrace and acknowledge the fact that the *community* and the *activity* includes, involves and has direct impact upon students, and that their views are likely to be as diverse as for those who work within the Higher Education sector. Moving towards consensus and consistency is going to require negotiation, learning, understanding and agreement amongst and between everyone: tutors, administrators *and* students. Macdonald and Carroll (2006: 244) sum up these challenges:

“The various players in the drama are equally complex. However, seeing assessment as an integral part of the learning experience of students, staff and institutions, supported by appropriate quality agencies, means that it becomes a shared responsibility. There will always be some students (and staff) who will cheat but the duty on the institution is to provide creative, imaginative environments for learning and assessment rather than those that are tightly controlled, lacking variety and tending towards compliance.”

The findings of this thesis support this suggestion and provide direct evidence that collectively Higher Education should focus more attention at the front end of learning and teaching rather than on detection and punishment. Whilst Higher Education may need time to *negotiate meaning* and develop *rules* which can deliver a fair penalty system, it would seem that a more productive and proactive approach would be to focus attention on teaching students the value of research, appropriate ways to acknowledge sources and the design of innovative and appropriate assessments.

Appendix 1 Exploratory Study

Appendix 1A Exploratory Study: method detail

Selection of interviewees

A total of 13 individuals were interviewed with the aim of gaining a spread of interviewees both in terms of 'type' of individual (tutor, panel member, panel official, or support person) and their variety of experiences (in terms of institutions, number of years of experience in Higher Education and experience of cases of plagiarism). Whilst this may appear to be a relatively small sample Miles and Huberman (1994) suggest that small samples are normally seen in qualitative research. Indeed McDowell (2002) reported interviewing just 11 individuals when investigating learning opportunities and electronic resources. It should also be remembered that this was an exploratory study which would allude to the issues but the rest of this thesis would go on to explore the issues uncovered here in more depth and detail.

Interviewees came from three Higher Education Institutions in the UK: one Russell group; one old university; and one new university. Again this is similar to McDowell's study in that interviewees in that particular study came from three different types of university (McDowell, 2002). Of the 13 subjects interviewed in the present study eight were tutors and five were in an administrative or support role in their current post. However, it was clear when data was collected that several interviewees had experiences of taking more than one role, or had experiences relating to more than one institution. For example, several tutors had experience both as a prosecutor *and* as a panel member, and many interviewees had experiences in different faculties/schools within an institution and/or had worked at more than one type of institution. This resulted in capturing a very broad spread of data and experiences as all interviews included discussion not only about their current post and role, but also any contrasts or similarities to experiences they had from elsewhere. In the interest of anonymity no further details of the interviewees are revealed here.

Participant recruitment

Potential participants were recruited initially by invitation, for example, colleagues known to me at this and other institutions, and individuals whom I had met at plagiarism workshops and conferences. Several interviewees suggested other individuals who they thought would be interested in this research study (although these were not followed up as 13 interviewees were found without making such an indirect approach). It also became clear that 'word got around' of the work being undertaken on this project and hence, several interviewees were recruited by their approaching me rather than me approaching them.

Procedures

All potential interviewees were given an initial letter (see Appendix 1B), a list of the questions (see Appendix 1C-E), an information sheet fully outlining the procedures of the interview process and beyond (see Appendix 1F) and a consent form (see Appendix 1G). This was to ensure that individuals were fully informed of the requirements of the study before they made any decision to participate.

All interviews were conducted by me over a period of 4 months. The date, time and venue for the interview was negotiated between myself and the interviewee, but in all cases it took place at a quiet venue where little interruption was experienced and a clear recording could be made.

Interviews were recorded on a digital MP3 player and were then transcribed to a Word document. The transcribed interview was sent to each interviewee for verification along with a letter (see Appendix 1H) outlining that changes could be made or responses withdrawn at that stage. All transcripts were changed according to the notations returned by the interviewee.

All data was held by code to maintain anonymity. All interviewees were asked not to refer to individuals or institutions by real name but to refer to 'student A' or 'tutor X' or to use pseudonyms. If an interviewee inadvertently identified a person or institution the transcript was written in such a way as to reintroduce anonymity. This change was reviewed by the interviewee as part of the verification process.

All reporting of the data maintains anonymity by identifying each quote to an interviewee number. Some quotations were specifically *not* used as they could have identified the interviewee.

Development of interview questions

(See Appendices 1C, D and E for interview questions.)

Semi-structured interviews were used in order to allow common topic areas to be explored between the interviewees. Importantly, however, it also allowed the freedom to probe deeper into issues and problems specifically identified during each interview. Miles and Huberman (1994: 17) support a semi-structured rather than no structured approach as "the looser the initial design, the less selective the collection of data; everything looks important." In other words, data can lose focus, be difficult to analyse and can provide too much diverse data to produce focused and meaningful results without at least some structure to the interview existing.

Whilst some answers to the interview questions could have been gleaned from institutional documentation, the main focus in the exploratory study was to find out the perceptions and experiences of the individuals involved in actually dealing with cases. For example, did the tutors know the procedures? What had students presented in their defence? A semi-structured interview was the best approach to glean this information as reality may transpire to be different from the ideal set down in official documentation.

Most questions were designed to be open ended rather than closed. This allowed the interviewer to gain rich, detailed information during each interview. Tutors who had found cases of plagiarism or had experience sitting on a plagiarism panel, panel officials and those who had acted in a supporting role to students who had been accused of plagiarism, were asked to give examples to ensure that the information they gave was based on true, first hand experiences. This ensured real case studies were reported. Reporting findings as case studies was a strategy also used by Larkham and Manns (2002).

All interviewees were sent the list of questions before the interview so that they had time to think about the questions and recall their experiences. It also gave them the opportunity to reflect on information which they did *not* wish to disclose – it was felt that this would make the interview less threatening to the interviewee.

For all interviews the first few questions were very general regarding beliefs about plagiarism. For example, all were asked their views on plagiarism and whether they thought it was on the increase and why (see Appendices 1C, D and E). This was to try and relax the interviewee and allow them time to get used to the interview process. It gave the interviewee time to become more comfortable with the fact that they were being recorded.

For the tutors (see Appendix 1C) the next set of questions was based around their personal experiences, hence they were asked about their experiences of finding a case of plagiarism, what triggered their suspicions and to describe what happened once they found it. The final focus of this set of questions was regarding the official procedures. It was designed this way round because it was felt that tutors might be least comfortable with reporting official procedures, particularly if they weren't quite sure of all aspects of them, and hence procedures were explored last.

For the panel members/officials (see Appendix 1D) the official procedures were explored *before* their more personal experiences. This is because it was felt that panel members/officials would feel least comfortable giving out information about their personal experiences of plagiarism cases and would be most comfortable with the procedures required in their post/role.

For those who had acted in the role of supporting a student (see Appendix 1E) the first set of questions was based around their views on plagiarism, followed by an exploration of their role and finally an exploration of how and what, from their experience and perspective, students being accused of plagiarism felt about the whole process.

Several questions overlapped for the interview groups. For example, all were asked about their views on plagiarism and procedures and penalties, however, these questions were not all asked in the same order. The use of similar questions presented in a different order is acknowledged by Thomas and Nelson (1996) as a technique used when interviewing different individuals:

“Frequently the interviewer will ask the same questions of all the subjects, but the order of the questions, the exact wording, and the type of follow-up questions may vary considerably.” (Thomas and Nelson, 1996: 370)

Where questions were different for each of the interview groups this was due to the nature of the interviewee and the relevance of a question given their likely knowledge and experience. For example, those who had acted as a support person for a student were asked how they thought the accused student feels (see Appendix 1E). As a consequence of dealing with the student before, during and often after the case, it was felt that those in a support role were likely to experience and be aware much more of the emotion felt by the student. This was less likely to be the case for the panel members, for example, who were not therefore, asked explicitly to conjecture about student feelings. That said, some interviewees did reflect on the effect procedures had on the student emotionally, particularly if they were evident during a panel hearing, for example, and hence, this aspect often came to light during an interview even if the question had not explicitly been asked of them.

In addition to questions being developed to explore experiences as outlined above, several questions were developed by deductive means from information reported in the literature. Miles and Huberman (1994: 22) explain that “We begin with some orienting constructs, extract the questions, and then start to line up the questions with an appropriate sampling frame and methodology.” An example is that Varnham (2001: 293-5) suggests or highlights the following:

- That students “must be given adequate notice of the matters to be raised against him or her” (p393) and hence, during the interview both tutors and panel members/officials were asked “How/when is the student informed that a case has been made against them” (see Appendices 1C and D);
- That “allegations must be proven as a question of fact” (p394) and hence all interviewees who had acted as a panel member or panel official, had presented a case to a panel or had supported an accused student were asked to describe the procedures (see Appendices 1D and E). If the interviewees did not provide the information themselves during this description they were asked by the interviewer to indicate the nature of the evidence presented to the panel. In addition, these interviewees were also asked what they saw as key evidence/factors for determining guilt;
- That students should be present to defend themselves (p394) and hence interviewees were asked if students were present at the hearing and also whether they were allowed any other persons with them for representation and support (see Appendices C-E);
- That there is a need for an impartial panel (p394) and hence there was a question asking all interviewees who sits on the panel (see Appendices 1C-E);
- That challenges arise from breaches of procedure (p395) hence all tutors, in particular, whether they had experience of being a panel member or not, were asked about the procedures for their institution to determine if they could give an in-depth and convincing answer to show they knew the procedures (see Appendix 1C).

A further example for the development of questions resulting from a review of the literature is that Martin (1992) highlights two key problems in dealing with fraud which are evident from the cases he reviews:

- i) A reluctance of institutions to deal with such cases;
- ii) A reluctance to take formal action against those who are committing such ‘crimes’.

Although his paper deals with the broader issues of fraud in science, such as manipulation of results, he does look at plagiarism within his paper and both the above points are pertinent to plagiarism. Hence questions were asked:

- To tutors (See Appendix 1C) “Have you ever decided to ignore a case of plagiarism?”
- To tutors and panel members and officials (see Appendix 1C and D) “Can you think of a case where you believe there was an injustice eg a case where you wanted to award a tougher penalty but couldn’t/didn’t?”

Data analysis

Once interviews were transcribed and confirmed by the interviewees the transcripts were carefully reviewed by me in order to identify common themes (partly inductively and partly deductively). Later, when the key area to be explored further from this study had been identified, the transcripts were reviewed again to identify potential case studies and penalties for the next study.

NVivo software was used to aid analysis of the transcripts. Sections of the transcript were coded and the software enabled identification of text within the common themes across interviewees. Coding of this nature was used because, as Miles and Huberman (1994: 65) suggest, “codes are efficient data-labelling and data retrieval devices. They empower and speed up analysis.”

Themes were reviewed to determine if similarities or differences within a theme occurred within a group e.g. within the tutor group of interviewees, or across the groups e.g. a theme occurred in *both* the tutor *and* panel groups.

Those who agreed to take part in the study were relaxed and happy to talk about their beliefs and experiences. However, in initially attempting to recruit participants there was some resistance experienced. Reaction to being approached was generally bipolar. On the one hand there were potential subjects who were enthusiastic and very keen to take part and were often helpful in suggesting other individuals who might be approached. It should be noted, however, that the 13 interviewees were not recruited by this particular approach. Conversely, there were potential participants who were approached but who immediately declined. Individuals were not pressed for an explanation but it was clear from their reaction that they were uncomfortable with the idea of taking part. One subject who was initially very keen to take part had their participation blocked by their line manager. It was clear in this case that the line manager did not want information being divulged to another institution. Such behaviour, as identified by Larkham and Manns, gives rise to the problem that “whilst educational establishments persist in this secretive treatment, [it] will continue to give rise to allegations that plagiarism is effectively being condoned.” (Larkham and Manns, 2002: 348)

The reluctance by some to take part in such a study aligns with Larkham and Mann’s (2002) experience and highlights the difficulties when researching in this topic area. The result is that research in this area becomes necessarily focussed down particular channels and may be biased and/or restricted due to the necessarily narrow methods

used or by the limitations necessitated by the subject group willing to take part. This can result in limited knowledge and advancement. Certainly in terms of dealing with cases, and developing policies and strategies, secrecy creates the potential for the wheel to have to be invented several times over and for the same or similar mistakes to be made when knowledge of others' experiences could have avoided this.

Appendix 1B Exploratory Study: example letter

Printed on headed paper

Dear

I am a full-time lecturer at University of Southampton currently working on my PhD (part-time). The topic I am investigating is that of plagiarism. For one of my studies I wish to investigate the experiences of tutors who have been involved in either of the following:

- finding instances of plagiarism;
- taking a case to a plagiarism panel.

I am hoping that you will be willing to help me by becoming one of the tutors I interview. I do understand, however, that this can be a very sensitive topic area and so I am sending you details of the interview (including the broad topic areas I wish to investigate with you), how the interview will be conducted, and also how data will be stored and used. I hope that this will fully inform you about the study before you to decide whether to be involved as an interview subject.

Should you decide to take part in this study I anticipate the interview would take approximately 1 hour. I am happy to agree a venue for the interview which suits you. I would also request that I am able to contact you by phone or e-mail at a later date should I require further clarification on any points you have made during the interview itself.

Please take time to read the information provided – I will get back in touch with you shortly to see if you are happy to take part in this study.

Yours truly,

Julie Lakomy

Attached is information covering the following aspects:

1. List of questions to be asked.
2. Information on what would be expected of you.
3. Information on what you can expect of me – particularly in terms of collection, storage and usage of the data you provide.
4. Consent form.

My contact details

Tel 02380597521 (work)
E-mail j.lakomy@soton.ac.uk
Address School of Education
 University of Southampton
 New College Campus
 Southampton
 SO17 1BG

Appendix 1C Exploratory Study: questions to tutors

Questions to ask tutors

The following is a broad outline of the sort of questions I wish to ask you during the interview. Please note that you may not have, or wish to give, answers to all these questions. It is also possible that during the interview I may wish to explore some areas deeper than others with you.

- What are your views on plagiarism?
- Do you think it is on the increase or not?
 - If yes, why do you think it is increasing, what are the factors you perceive to be causing such an increase?
- How are students informed about plagiarism and the policy of the institution regarding this matter?
- Have you ever found a case of plagiarism when marking work?
 - If yes, describe how you found it, what was plagiarised and what happened.
 - Describe the procedures you followed, the case put forward, the outcome if you know it. Do you think justice was done?
 - If no, do you know of a case put forward by other tutors you have worked with?
 - What can you remember about it?
- Have you ever decided to ignore a case of plagiarism?
 - If yes, why?
 - If no, why?
- Have you ever had to present a case of plagiarism to a plagiarism panel?
 - If yes, describe the procedures you followed, the case put forward, the outcome if you know it. Do you think justice was done?
- Have you ever experienced a case (either as the marking tutor or the tutor presenting a case to a panel) where you think the outcome was unjust (either too harsh or too lenient)?
 - If yes, describe the case in as much detail as you can.
 - What was presented?
 - What was the outcome?
 - Why do you feel this was unjust?
 - How did this make you feel?
 - Did it change your views on plagiarism?
 - Did it make you change your behaviour towards plagiarism?

- What do you see as the key evidence/factors for determining guilt?
- What do you see as the key evidence/factors for determining the award of a penalty?
- What are the range of penalties your institution can award in cases where plagiarism is deemed to have occurred?
- Explain/describe the procedures for prosecution of a case of plagiarism in your current institution.
 - Who presents the case to a panel?
 - Does the External Examiner play any part in the process?
 - How/when is the student informed that a case has been made against them?
 - Who sits on the panel?
 - Is the student present during the hearing
 - If yes, when/during which stages?
 - Can the student have any representation with them?
 - Who is informed of the case and/or the outcome?
 - E.g. Exam Board
 - How/when is the student informed of the outcome?
 - Is there any appeals procedure for the student once the decision has been made?

Appendix 1D Exploratory Study: questions to panel members

Questions to ask panel members and officials

The following is a broad outline of the sort of questions I wish to ask you during the interview. Please note that you may not have, or wish to give, answers to all these questions. It is also possible that during the interview I may wish to explore some areas deeper than others with you.

- What are your views on plagiarism?
- Do you think it is on the increase or not?
 - If yes, why do you think it is increasing, what are the factors you perceive to be causing such an increase?

- Explain/describe the procedures for prosecution of a case of plagiarism in your current institution.
 - Who presents the case to a panel?
 - Does the External Examiner play any part in the process?
 - How/when is the student informed that a case has been made against them?
 - Who sits on the panel?
 - Is the student present during the hearing?
 - If yes, when/during which stages?
 - Can the student have any representation with them?
 - Who is informed of the case and/or the outcome?
 - E.g. Exam Board
 - How/when is the student informed of the outcome?
 - Is there any appeals procedure for the student once the decision has been made?

- What sort of evidence has been presented by ‘prosecutors’ in cases you have experienced?

- What sort of defence has been presented by students?

- Can you think of a case where there was an injustice?
 - Describe/explain what happened
 - Example: A case which shouldn’t have been brought forward in the first place
 - Example: A case where you wanted to award a tougher penalty but couldn’t/didn’t

- What do you see as the key evidence/factors for determining guilt?

- What do you see as the key evidence/factors for determining the award of a penalty?

Appendix 1E Exploratory Study: questions to student support individuals

Questions to ask to those who have acted in a supporting role to a student who has been accused of plagiarism

The following is a broad outline of the sort of questions I wish to ask you during the interview. Please note that you may not have, or wish to give, answers to all these questions. It is also possible that during the interview I may wish to explore some areas deeper than others with you.

- What are *your* views on plagiarism?
- Do you think it is on the increase or not?
 - If yes, why do you think it is increasing, what are the factors you perceive to be causing such an increase?
- Explain/describe your role in supporting students accused of plagiarism.
 - What support do you provide?
 - At what point do you get involved?
 - Do you have meetings with the student before they go in to see a panel?
 - Do you see them after?
 - Do you go in to the panel hearing with them?
- Do you know who usually makes up the panel?
 - E.g. are they experienced tutors, are they tutors not involved in marking the students work etc?
- How does the student usually feel about the whole procedure?
- Is the procedure/experience for the accused student the same for all students across all Schools and Faculties or have you experienced differences in how the procedure/process is undertaken?
 - What differences and similarities have you experienced?
 - What do you think have been elements of good practice within the procedures you have experienced?
 - Have you had experience of any practices/procedures which you think are unfair/unjust/poor?
- From your experience what sort of evidence do ‘prosecutors’ usually present?
- From your experience what are the most common factors resulting in students plagiarising?

Appendix 1F Exploratory Study: information sheet

Information for interviewees: the interview process and beyond

All procedures conform to the current Data Protection Act guidelines and the British Educational Research Guidelines (BERA) Ethical guidelines (see <http://www.bera.ac.uk/guidelines>, accessed 1/3/04)

Consent form

The first thing I will ask you to do is sign a consent form. A copy is enclosed. This will be kept for the duration of my PhD in a locked filing cabinet at my place of work. It will be kept in a separate file to the transcript of your interview (see information later on storing interview data).

Conducting the interview

The following guidelines will be employed:

- The interview will be recorded digitally on a voice recorder;
- Your name will not be used during the interview;
- You should not name any institution or any other individual during the interview but rather talk about ‘the Russell group university/new university/college of HE where I worked’, or ‘the student’ or ‘another tutor’; if you wish to refer to particular individuals then they should be referred to anonymously as ‘student A’ or ‘tutor 1’;
- You should not disclose any information which you feel compromises you in any way;
- You may stop the interview at any stage.

After the interview

The following will occur:

- The recording will be copied across to my home computer;
- The interview will then be transcribed into a Word document;
- The transcript will be sent to you for verification – you can ask for anything to be changed or removed at this stage if you are not happy that it is a true and accurate record of the interview;

Storing the interview recording and transcript

The following guidelines will be employed:

- Data will be held in accordance with the Data Protection Act. If, during the time I am studying for my PhD, there are any changes in the Data Protection Act which affects the storage of data in this study, I will ensure that all data is handled according to the new guidelines;
- Your transcripts will only be viewed by myself and, if and when necessary, my supervisor;
- Your consent form will be kept in a separate file from any transcript materials so that your consent form cannot be matched to your transcript;
- You will remain anonymous in all documentation - only basic information such as years of teaching experience, type of institution (Russell Group, New University etc) will be recorded and/or reported (see later);

- Your name will not be used during the interview or at any time later in storing the data or reporting the findings;
- A paper copy of the transcript will be kept in a locked filing cabinet at my place of work. A Word file transcript and voice file of the interview will be held on my computer at home. Identification of all files will be by subject number, study number and date of interview only. On completion of my PhD all computer stored files will be destroyed. After 3 years of completion of my PhD all remaining paper copies of transcripts, consent forms and files of the interview will be destroyed.
- Once the paper copy of the interview has been verified by you, the recording held on the voice recorder itself will be deleted.

Reporting results

The information you provide during the interview will be reported in my PhD thesis. *What you actually say* is the material that will be reported in my doctorate, a copy of which will be held in the University of Southampton Library. However, I can assure you that:

- You will never be identified by name within any documentation or thesis;
- The only form of identification linked to any presentation of findings will be;
 - Your broad subject area e.g. Science & IT, Humanities etc;
 - The number of years experience you have working in HE;
 - The type of institution you currently work in e.g. Russell Group, New University etc.

Appendix 1G Exploratory Study: consent form

Printed on headed paper

Consent form: Study 1 – What is the Problem?

I (*print name*) have read

all the information provided in the following documents:

- Information for Interviewees: The Interview Process and Beyond;
- Questions to ask tutors.

I have had the opportunity to ask further questions about the whole process.

I understand that I can stop the interview at any time.

I understand that the interview will be recorded, stored and used in the manner indicated in the aforementioned information documents.

I understand that **once I have verified the transcript** I cannot request withdrawal of the data being used/reported.

I am happy to proceed with the interview.

Signed:

Date:

Witness:

Date:

Appendix 1H Exploratory Study: review of transcript information

Printed on headed paper

Date:

Dear

Many thanks for taking part in my first PhD Study. I hope you did not find the interview too traumatic.

Please find enclosed the transcript of the interview which you now need to review and then send back to me in the envelope provided. I have taken out the 'ums and ahs' and have also put *some* punctuation into the transcript (even though it isn't actually evident during conversation) in order to make it easier to read. Please note that you may find it strange reviewing the transcript - we rarely speak in the same way that we write and you may feel uncomfortable at first, as some sections may appear poor English or disjointed when written down on paper even though it is a true record of exactly what was said on the day.

Please note that I have 'coded' the draft transcript as follows:

- Normal black text = you;
- *Black italic text* = me;
- Black text in square brackets [like this] = a change of wording, usually to protect an identified source, this would be the wording I would propose to use;
- Black dots in square brackets [.....] = a deletion of wording, usually to protect an identified source, I am proposing therefore, not to include the statement originally made in the interview;
- Text in red = extra questions which have occurred to me as a result of the interview and typing up process, please answer on the transcript to the best of your ability;
- Blue text in square brackets [like this], or sometimes with a question mark = voice recording not clear, *if* (by any remote chance) you can remember, or can work out, what should be in the text at that point, particularly if any guess I have made is likely to be wrong, please write what you think should go in at that point above the appropriate section;
 - [blue text only] = I have made a guess which I am confident about;
 - [blue text + ???] = I have made a guess but I am less confident that I have got it right;
 - [???] = It was not clear on the recording at all and so I could not make a reasonable guess.

For any text you wish changed, added or omitted please follow the outlined procedure below:

- For any text you wish changed – strike it through once with a blue pen and then write above this the text you wish to replace it with;

- For any text you wish to be omitted – strike it through with a red pen and write above it ‘not to be used’;
- For any text you wish to be added – indicate where using ^ , and then write the additional text above.

Please try not to correct the grammar or sentence structure unless you think that either:

- You have been misquoted,
or
- That the way it is written misrepresents you in some way.

If either of these apply then please correct the script as and where you feel it needs changing by following the guidelines outlined above. It is important to realise, however, that I should always be reporting exactly what has been said in the interview and making an interpretation from it. Hence there is a need to keep the transcripts as close to the actual conversation as possible.

Please remember that this is your opportunity to ensure that the information I have recorded truly reflects your experiences and beliefs and in no way misrepresents you. Once you have returned the transcript I will amend it and then keep it on file for data analysis.

Can I, once again assure you that the information you have provided will be reported anonymously and only in terms of the words you have said. The only identification of you, as a subject/person/interviewee, will be via the information taken at the front of the data sheet i.e. in terms of the subject area, type of institution etc. Your name will *never* appear in any of the data being reported within my PhD thesis or any other publication (e.g. journal article) arising from it.

Once again many thanks for your participation.

Yours truly,

Julie

Appendix 2 Study 1

Appendix 2A Study 1: case descriptions

Case 1	A marking tutor has found 2 scripts where 50% of each one is identical. Both student A and B claim they don't know how this could have happened.
Case 2	A marking tutor has found a script from a level 1 student where 60% of it has been plagiarised from books and journals.
Case 3	A marking tutor has found a level 3 dissertation which has been almost entirely copied from an MSc project which was completed by another student 2 years ago at another university.
Case 4	A marking tutor has found an essay for a level 2 student where 25% of it has been plagiarised from books and journals.
Case 5	A marking tutor has found a script from a level 2 student where 60% of it has been plagiarised from books and journals. This is the 2 nd time this student has plagiarised material in their work. They were found to have done it once before in their 1 st year.
Case 6	A marking tutor has found a script from a level 1 student where 60% of it has been plagiarised from books and journals. The student is from another country and English is not their 1 st language.
Case 7	A marking tutor has found 2 scripts where 50% of each essay is identical. It transpires that student B found the work difficult and asked his friend, student A to help. Student A gave his essay to student B to read in the hope that this would help student B. Student A had not thought student B would have copied some of it and only found out when the copying was found by the tutor.
Case 8	A marking tutor is sure that a piece of work has been plagiarised because the style of writing changes from very poor to very good at different points throughout the essay but the tutor cannot provide any hard evidence of what exactly has and has not been copied.
Case 9	A marking tutor has found a script from a level 2 student where 60% of it has been plagiarised from websites off the Internet. It transpires that the weekend before the assignment was due there was an unexpected family crisis and the student had to rush home for the weekend. The student had barely started the essay before rushing home and didn't have enough time to do the essay properly. The student had not requested an extension, nor told anyone of the problem. The student has proof of the family crisis and this shows it was indeed serious.
Case 10	A marking tutor has found an essay for a level 2 student where 75% of it has been plagiarised from books and journals.
Case 11	A marking tutor has found a script from a level 2 student where 60% of it has been plagiarised from books and journals.
Case 12	A marking tutor has found a script from a level 2 student where 60% of it has been plagiarised from websites off the Internet.
Case 13	A marking tutor has found 2 scripts where 50% of each one is identical. It transpires that student A was going home for the weekend before the essay was due to be handed in and was not planning to come back to University until the Wednesday after the due date. The essay was due in on the Monday. Student A gave their essay to student B to hand in for him on the Monday. Student B subsequently used some of student A's work without student A knowing.
Case 14	Respondents were asked to describe three cases each one relating to the three harshest penalties. Respondents were asked to give details of: year of student; nature and extent of copying; whether they had been caught previously; and the source of the copied material.

Appendix 2B
Study 1: penalty options

Penalty Number & description		Additional description
1 No penalty Mark work out of 100%	A	Simply mark the work as if it was not plagiarised
	B	Verbal warning given
	C	Written warning given
2 Reduced mark awarded	A	No discussion or warning given
	B	Verbal warning given
	C	Written warning given
3 Resubmit same piece of work but fully corrected	A	Work to be marked out of 100% following a verbal warning
	B	Work to be marked out of 100% following a written warning
	C	Work given a bare pass of 40% if it passes following a verbal warning
	D	Work given a bare pass of 40% if it passes following a written warning
4 Resubmit a new/different piece of work	A	Work to be marked out of 100% following a verbal warning
	B	Work to be marked out of 100% following a written warning
	C	Work given a bare pass of 40% if it passes following a verbal warning
	D	Work given a bare pass of 40% if it passes following a written warning
5 Mark the work minus the plagiarised sections	A	Verbal warning given
	B	Written warning given
6 Work given 0		Work to be given 0 but all other pieces of work in that unit/module unaffected
7 Whole unit given 0		Award a 0 for the whole unit/module regardless of marks achieved by other pieces of work in that unit/module
8 Fail the current year of study		Award a fail for the year and if they want to return to the course they must resit the year
9 Reduce their degree classification		Reduce their overall degree classification by one class eg they should have been awarded a 2:2 as they got 55% overall but because of the plagiarism they will now be awarded a 3 rd
10 Remove them from the course	A	But allow them to go onto another course at the University if they wish
	B	Refuse entry to any other University of Southampton course

Appendix 2C Study 1: example answer sheet

Review the list of penalties and decide which you would choose for each of the case studies presented to you. Do not spend too long pondering your decision but write down your 'gut reaction'.

In each box beside the case number

- write the number of the penalty you would choose
- AND
- decide if a formal record should be kept on the student's file

Case Number		Penalty Give number plus option E.g. 5B (this would mean you had chosen 'mark the work minus the plagiarised sections' with a written warning given)	Record kept on student file? Yes or no
Case 1	Student A		
	Student B		
Case 2			
Case 3			
Case 4			
Case 5			
Case 6			
Case 7	Student A		
	Student B		
Case 8			
Case 9			
Case 10			
Case 11			
Case 12			
Case 13	Student A		
	Student B		

Case 14 – write your own description of a case.

Describe a case where you would award a penalty of 8 then a case where you would award a penalty of 9 and then one for a penalty of 10. Here are some things to think about when describing the case:

- Are they an undergraduate or postgraduate?
- What year of study are they? E.g. 1st year
- What type of work is it? E.g. an essay
- How much of it is plagiarised i.e. what %?
- Have they been caught before?
- What type(s) of sources have they plagiarised? E.g. the Internet

Your cases:

Description:

Your cases:	Description:
Case where you would award a penalty 8 – fail the current year of study	
Case where you would award a penalty 9 – reduce their degree classification	
Case where you would award a penalty 10 – throw them off the course with no award	

Appendix 2D Study 1: consent details

Extract from letter given to all sports students which related to study 1 of this thesis

You may remember that during induction last academic year we did an exercise with you regarding cases of plagiarism and penalties. I indicated at the time that I was hoping to include the data in my PhD work. I am now at the stage of analysing and writing up all the data but only wish to use and report your data with your written consent. In addition, I would also like to present the data to appropriate others within and outside the university to help improve understanding of plagiarism and penalty systems. I am therefore, hoping that you will give your consent for your data to be used for such purposes. Please fill in the consent form indicating whether or not you are happy for your data to be used in this way. Once again, I can assure you that all data will be anonymised and will be presented *only* as identifiable groups, for example, undergraduate second year students being grouped together.

Example of consent form which was printed on headed paper

<p style="text-align: center;">Consent Form: Data Collected for the investigation of Plagiarism Cases and Penalty Awards</p> <p>Conditions of use and storage:</p> <ul style="list-style-type: none">• All data will be kept confidential;• All data will be kept in a locked filing cabinet with restricted access (only accessible by Julie Price);• All data will be anonymised by use of coding and only anonymous data will be held electronically;• Data will <i>only</i> be reported anonymously;• All data will be destroyed after the university required duration for such research. <p>Data will be reported in the PhD and related work undertaken by Julie Price which is investigating the issues and problems when dealing with plagiarism in Higher Education.</p> <p>PLEASE FILL IN EITHER SECTION 1 OR 2 BUT NOT BOTH</p> <hr/> <p>Section 1: Please fill in if you DO CONSENT for your data to be used and reported</p> <p>I (<i>print your name clearly</i>) agree that my data may be reported under the conditions indicated above.</p> <p>Signed:.....Date:.....</p> <hr/> <p>Section 2: Please fill in if you DO NOT CONSENT for your data to be used and reported</p> <p>I(<i>print name clearly</i>) request that my data is withdrawn.</p> <p>Signed:.....Date:.....</p> <p>Please return to Julie Price, School of Education, University of Southampton, Southampton, Hampshire, SO17 1BG (envelope provided).</p>
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Appendix 2E Study 1: student recruitment letter
Key extracts from the letter sent to students for recruitment to phase 2

Plagiarism Case Study: Follow Up Interviews.

Dear level 3 student

Further to the briefing I gave ..., I am now looking for volunteers to be interviewed as a progression to this work. The study will be following on from the plagiarism penalty case study you undertook at In particular I am hoping to interview some of you about the decisions you made.

As you may be aware from my briefing, ... I found that the penalties awarded to the different cases varied considerably. [Several examples given.]

What I would like to do now is explore more deeply the reasons why people made the choices they did. This is best achieved through interviews as I am sure that you are aware that this sort of qualitative data results in a richer set of findings and provides us with a deeper understanding of the topic compared to other forms of investigative methods.

For those who may be worried about being interviewed by me because I am a tutor on your course then I have agreed with my PhD supervisor, and additionally with [Senior Tutor X], to put measures in place to ensure that your participation will not influence any of your marks or final degree classification. The measures are as follows:

- i) Your name will be given to [Senior Tutor X], as senior member on the Exam Board and Special Considerations Board, who will ensure that any discussion of your marks at any of these Boards are not influenced by your participation in my study;
- ii) For dissertations where I am involved in the marking process, for example as first or second marker, I will inform the other marker so that they can ensure that discussion of your mark is not influenced by your participation in my study;
- iii) Generally the interviews will take place after marking has been complete: Limits marking has already been marked and moderated and sent to the External Examiner along with all other 1st semester units, it should be possible to undertake the interviews themselves after dissertation marks have been internally agreed, and I will ensure that I am not involved in any level 3 unit moderation for units running this semester;
- iv) Your anonymity would be maintained in any reporting of this study, for example in the thesis itself and any publications arising from it;
- v) The interviews will be recorded and you will have the opportunity to approve the resulting transcript before it is analysed.

If you would be happy to be interviewed as part of this PhD study then please contact me either directly or via e-mail (J.Price@soton.ac.uk). I will then give you all the necessary paperwork and consent form etc and you will have an opportunity to ask any further questions you might have. If after that, you are happy to be interviewed we will arrange a suitable time, date and venue to fit around your other commitments such as examinations.

For those who would be more comfortable being interviewed in a group I would be happy to interview you along with another friend.

Many thanks for taking the time to read and consider this request.
Julie Price

Appendix 2F Study 1: introductory letter to interviewee

Printed on headed paper

Dear

Thank-you for agreeing to be interviewed as part of my PhD work. I would like to confirm exactly what will happen in the whole process so please make sure you read all of the following documentation before we proceed with the interview.

As you know, my last study collected data on penalties chosen by participants for different cases of plagiarism and this next study will be investigating, in more depth, the reasons certain choices were made. If, after reading all the paperwork attached, you are still happy to take part in the study then the process will be as follows:

- I will review your answers from the previous study;
- I will then interview you about the penalty choices you made – this will be recorded on a digital voice recorder and notes may be made during the interview;
- I will then type up the transcript and give it to you for your approval;
- Once you have amended the transcript you will sign it off for analysis and use in my PhD thesis.

I anticipate the interview should take a maximum of 1 hour. I am happy to agree a venue and time for the interview which suits you. You will need to provide me with contact details so that the transcript can be sent to you for review and confirmation.

Please take your time to read the information provided with this letter – I will get back in touch with you shortly to see if you are happy to take part in this study.

Yours truly,

Julie Price

Attached is information covering the following aspects:

5. Outline of topics to be explored.
6. Information for interviewees: the interview process and beyond.
7. Consent form.

My contact details

Tel 02380597521 (work)
E-mail J.Price@soton.ac.uk
Address School of Education
University of Southampton
New College Campus
Southampton
SO17 1BG

Appendix 2G Study 1: outline of topics to be explored

The following is a broad outline of the sort of questions I wish to ask you during the interview. Please note that you may not have, or wish to give, answers to all these questions. It is also possible that during the interview I may wish to explore some areas deeper than others with you.

- **Investigating a lack of consensus:**
In my previous study I found that people chose different penalties and there was a lack of agreement between individuals about what penalty is appropriate for any given case. I will therefore, wish to explore with you the reasons why you chose certain penalties for some of the cases.
- **Investigating a lack of consistency:**
In my previous study I found that people sometimes treated cases the same when logic would suggest otherwise and also that they treated similar cases differently. You may or may not have done this but if there are any decisions which appear, on the face of it, strange I will be exploring with you whether your choices had been intentional or not.
- **Investigating record keeping:**
In my last study I asked people to indicate if they would keep an official record of the case and sometimes respondents suggested not to keep a record of the case and outcome. If you chose to not keep a record for any of the cases I would like to explore the reasons why you chose this option.
- **Investigating the range of penalties:**
I presented you previously with a large range of penalties but I would now like you to choose 5 key ones in preparation for my next study.

Please note that whilst you may find it useful to see your previous answers before the interview I am intentionally not doing this so that your answers reflect your immediate reaction rather than one that is contemplated and highly planned. You will have an opportunity to think about your answers for longer when the transcript is given back to you and will be given the opportunity to add to transcript if you so wish.

2b) A student who has plagiarised 50% of their work compared to a student who has plagiarised 60% of their work:

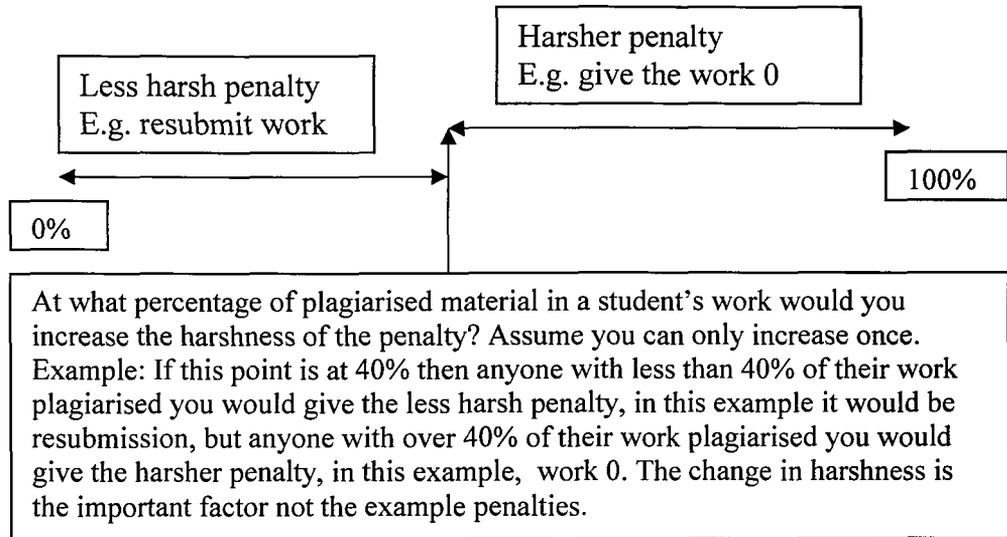
I would treat the student who had plagiarised 50% harsher Yes / No

I would treat them the same Yes / No

I would treat the student who had plagiarised 60% harsher Yes / No

If you chose to treat one student harsher than the other in either 2a or 2b, at what percentage of plagiarised material would you increase the harshness of your penalty?

Example:



Circle the % where you would increase the harshness of the penalty:

10% 20% 30% 40% 50% 60% 70% 80% 90% Other (state)

3. The only difference is whether or not they've been caught before:

3a) A student who has been caught for the first time compared to a student who has been caught for a second time:

I would treat the student caught for the 1st time harsher Yes / No

I would treat the students the same Yes / No

I would treat the student caught for a 2nd time harsher Yes / No

3b) A student who has been caught for the second time compared to a student who has been caught for a third time:

I would treat the student caught for the 2nd time harsher Yes / No

I would treat the students the same Yes / No

I would treat the student caught for a 3rd time harsher Yes / No

4. The only difference is their nationality:

4a) A student who is from the UK compared to a student who is from a non-English speaking country:

I would treat the UK student harsher Yes / No

I would treat the students the same Yes / No

I would treat the non-UK student harsher Yes / No

5. The only difference is that one student had a problem and they needed to rush home to sort it out, that is, one student presents mitigating circumstances:

5a) A student who presents no reason compared to a student who presents mitigating circumstances e.g. a family crisis:

I would treat the student who had no reason harsher Yes / No

I would treat the students the same Yes / No

I would treat the student who presented a reason harsher Yes / No

6. The only difference is the source material that has been copied:

6a) A student who has copied from books or journals compared to a student who has copied from the Internet:

I would treat the student who had copied from books
& journals harsher Yes / No

I would treat the students the same Yes / No

I would treat the student who had copied from
the internet/web harsher Yes / No

Section B

In this section you must think about students who have copied from their peers/friends.

7. How do you feel about students copying from their peers?

Read these 2 different scenarios carefully before answering the questions below

Scenario 1

Student A copies work from student B when B had knowingly loaned their work to A to look at

Scenario 2

Student C copies work from student D but D knew nothing about it

Think about students A and C – the ones who did the copying. Think about how you feel about what they did.

7a) I think student C has done something worse than student A	Yes / No
Both are as bad as each other	Yes / No
I think student A has done something worse than student C	Yes / No

Think about students A and C – the ones who did the copying. Think about what penalty you would award in such cases.

I would give A a harsher penalty than C	Yes / No
I would treat them the same	Yes / No
I would give C a harsher penalty than A	Yes / No

Section C

1. Rank the following penalties in order of harshness
2. Then choose just 5 which you think should be used in cases of plagiarism.

Penalty	Rank the least harsh as 1, the next least harsh as 2 and so on. The harshest penalty will be ranked 10.	Put a tick by 5 penalty options which you think should be used in cases of plagiarism.
Resubmit a new piece of work, if it passes only give it 40%		
Written warning but no penalty on the mark awarded		
Fail the current year, they will have to come back and repeat the year		
No penalty at all		
Resubmit the work again but fully corrected, if it passes only give it 40%		
Work given 0		
Throw them off the course		
Resubmit the work again but fully corrected, mark the work out of 100%		
Unit given 0		
Resubmit a new piece of work, mark the work out of 100%		

Appendix 3B Study 2: case descriptions

Case descriptions in the order they were presented

[In brackets shows comparisons used for the tool – only one comparison is shown for each possible pairing]

1 [7, 19]	A marking tutor has found a script from a level 3 student where 60% of it has been plagiarised from books and journals. This is the 3 rd time this student has plagiarised material in their work. They were found to have done it once in the 1 st year and once in the 2 nd year.
2 [10, 16, 24]	A marking tutor has found 2 scripts where 50% of each essay is identical. It transpires that student B found the work difficult and asked his friend, student A to help. Student A gave his essay to student B to read in the hope that this would help student B. Student A had not thought student B would have copied some of it and only found out when the copying was found by the tutor. Both students are in level 3. Decide the penalty for student B – the one who copied the work.
3 [11, 12, 17, 20, 28]	A marking tutor has found an essay for a level 2 student where 20% of it has been plagiarised from internet sources.
4 [7, 8, 15, 25]	A marking tutor has found a script from a level 1 student where 60% of it has been plagiarised from books and journals.
5 [14, 15, 20, 27]	A marking tutor has found an essay for a level 2 student where 25% of it has been plagiarised from books and journals.
6 [15, 19, 26]	A marking tutor has found a script from a level 2 student where 60% of it has been plagiarised from books and journals. This is the 2 nd time this student has plagiarised material in their work. They were found to have done it once before in their 1 st year.
7 [9, 15, 19, 21, 23, 25]	A marking tutor has found a script from a level 3 student where 60% of it has been plagiarised from books and journals.
8 [23, 25]	A marking tutor has found a script from a level 1 student where 60% of it has been plagiarised from books and journals. The student is from another country and English is not their 1 st language.
9 [19]	A marking tutor has found that 60% of a level 3 student's dissertation is plagiarised, in particular plagiarism has occurred in the Review of Literature section and some of the discussion section.
10 [18, 24]	A marking tutor has found 2 scripts where 50% of each essay is identical. It transpires that student B found the work difficult and asked his friend, student A to help. Student A gave his essay to student B to read in the hope that this would help student B. Student A had not thought student B would have copied some of it and only found out when the copying was found by the tutor. Both students are in level 1. Decide the penalty for student B – the one who copied the work.
11 [17, 28]	A marking tutor has found an essay for a level 2 student where 50% of it has been plagiarised from internet sources.
12	A marking tutor has found an essay for a level 1 student where 20% of it has been plagiarised from internet sources.
13	A marking tutor has found a script from a level 2 student where 60% of it has

[17]	been plagiarised from websites off the Internet. It transpires that the weekend before the assignment was due there was an unexpected family crisis and the student had to rush home for the weekend. The student had barely started the essay before rushing home and didn't have enough time to do the essay properly. The student had not requested an extension, nor told anyone of the problem. The student has proof of the family crisis and this shows it was indeed serious.
14 [15, 20, 27]	A marking tutor has found an essay for a level 2 student where 75% of it has been plagiarised from books and journals.
15 [17, 20, 25, 26, 27]	A marking tutor has found a script from a level 2 student where 60% of it has been plagiarised from books and journals.
16 [18, 24]	A marking tutor has found 2 scripts where 50% of each one is identical. It transpires that student A was going home for the weekend before the essay was due to be handed in and was not planning to come back to University until the Wednesday after the due date. The essay was due in on the Monday. Student A gave their essay to student B to hand in for him on the Monday. Student B subsequently used some of student A's work without student A knowing. Both students are in level 3. Decide the penalty for student B – the one who copied the work.
17 [21, 28]	A marking tutor has found a script from a level 2 student where 60% of it has been plagiarised from websites off the Internet.
18	A marking tutor has found 2 scripts where 50% of each one is identical. It transpires that student A was going home for the weekend before the essay was due to be handed in and was not planning to come back to University until the Wednesday after the due date. The essay was due in on the Monday. Student A gave their essay to student B to hand in for him on the Monday. Student B subsequently used some of student A's work without student A knowing. Both students are in level 1. Decide the penalty for student B – the one who copied the work.
19 [26]	A marking tutor has found a script from a level 3 student where 60% of it has been plagiarised from books and journals. This is the 2 nd time this student has plagiarised material in their work. They were found to have done it once before in their 1 st year.
20 [27]	A marking tutor has found an essay for a level 2 student where 20% of it has been plagiarised from books & journals.
21	A marking tutor has found a script from a level 3 student where 60% of it has been plagiarised from websites off the Internet.
22 [25]	A marking tutor has found a script from a level 1 student where 60% of it has been plagiarised from books and journals. It transpires that the week before the assignment was due their Grandfather had died and the funeral was the day before the assignment was due. The student had not requested an extension, nor told anyone of the problem. The student can provide a copy of the death certificate.
23	A marking tutor has found a script from a level 3 student where 60% of it has been plagiarised from books and journals. The student is from another country and English is not their 1 st language.
24	A marking tutor has found 2 scripts where 50% of each essay is identical. It transpires that student B found the work difficult and asked his friend, student A to help. Student A gave his essay to student B to read in the hope that this would help student B. Student A had not thought student B would have copied

	<p>some of it and only found out when the copying was found by the tutor. Both students are in level 3.</p> <p>Decide the penalty for student B – the one who copied the work.</p>
25	A marking tutor has found a script from a level 1 student where 60% of it has been plagiarised from books and journals.
26	A marking tutor has found a script from a level 2 student where 60% of it has been plagiarised from books and journals. This is the 2 nd time this student has plagiarised material in their work. They were found to have done it once before in their 1 st year.
27	A marking tutor has found an essay for a level 2 student where 75% of it has been plagiarised from books and journals.
28	A marking tutor has found an essay for a level 2 student where 50% of it has been plagiarised from internet sources.

Appendix 3C Study 2: 10 penalty choices

Penalty choices: 10 penalty choices (A1)

Level 1 – you will be shown the cases in class on OHP

Level 2/3 – you will need to log onto SportsNet, the cases will be shown to you via a BlackBoard test. Click on the ‘Plagiarism Cases’ button on the left and then click on the test when you are ready to take it. After you have read each case and chosen a penalty you must answer ‘yes’ then click the arrow at the bottom on the right.

Confirm your submission and this will then move you onto the next case. Note that you will not be able to backtrack.

You will be shown 28 descriptions of cases involving plagiarism. For each case you need to view the description and then decide which of the following penalties you would award to the case. Pick whichever you think is fair and just according to the details of each case. Write your answers on the back of this sheet.

Note that **unless you are told otherwise** assume that:

- It is the 1st time a student has been caught;
- The student has **not presented any reason** or mitigating circumstances for committing plagiarism.

Your Penalty Choices:

Penalty number	Penalty description
1	No penalty at all
2	Written warning but no penalty on the mark awarded
3	Resubmit the work again but fully corrected, mark the work out of 100%
4	Resubmit a new piece of work, mark the work out of 100%
5	Resubmit the work again but fully corrected, if it passes only give it 40%
6	Resubmit a new piece of work, if it passes only give it 40%
7	Work given 0
8	Unit given 0
9	Fail the current year, they will have to come back and repeat the year
10	Throw them off the course

Answer Sheet

Your unique code: _____ / _____ / _____
 (Programme initials & yr of study / day & month you were born / your mother's 1st name initial & maiden name)

Example: SS2/31Jan/SJones

Date: _____

Case number	Penalty choice (just put the number)	Case number	Penalty choice (just put the number)
Case 1		Case 15	
Case 2		Case 16	
Case 3		Case 17	
Case 4		Case 18	
Case 5		Case 19	
Case 6		Case 20	
Case 7		Case 21	
Case 8		Case 22	
Case 9		Case 23	
Case 10		Case 24	
Case 11		Case 25	
Case 12		Case 26	
Case 13		Case 27	
Case 14		Case 28	

What did you **like most about using/having the 10 penalty choices** when deciding what penalty to award?

What did you **dislike most about using/having the 10 penalty choices** when deciding what penalty to award?

Appendix 3D Study 2: 5 penalty choices

Penalty choices: 5 penalty choices (B1)

Penalty number	Penalty description
1	Resubmit a new piece of work, mark the work out of 100%
2	Resubmit the work again but fully corrected, if it passes only give it 40%
3	Resubmit a new piece of work, if it passes only give it 40%
4	Work given 0
5	Unit given 0

Penalty choices: 5 penalty choices (C1)

Penalty number	Penalty description
1	Resubmit a new piece of work, mark the work out of 100%
2	Resubmit a new piece of work, if it passes only give it 40%
3	Work given 0
4	Unit given 0
5	Throw them off the course

Appendix 3E Study 2: measure of agreement and consistency

Example calculation of agreement score

Comparison	Baseline of participant	Guideline criteria	Agree?	Structured system criteria	Agree?
Level 1 v Level 2	Same	L2 harsher	N	Same	Y
Level 1 v Level 3	Same	L3 harsher	N	Same	Y
Level 2 v Level 3	Same	L3 harsher	N	Same	Y
Amount	Same	More is harsher	N	Major harsher	N
1 st v 2 nd offence	2 nd harsher	2 nd harsher	Y	2 nd harsher	Y
2 nd v 3 rd offence	3 rd harsher	3 rd harsher	Y	3 rd harsher	Y
Nationality / language	Same	Same	Y	Same	Y
Mitigating circumstances v none	None harsher	None harsher	Y	Same	N
Source material	Same	Same	Y	Same	Y
Copy from peer	Hand in harsher	Same	N	Same	N

Total agreement scores (out of 10)

5

7

The closer the agreement score is to 10 (the maximum achievable) the better

Example calculation of consistency score (participant sets own baseline criteria)

Participant given 10 penalty choices with no further guidance

	Penalties								Refined score
	Case	Penalty	Case	Penalty	Case	Penalty	Case	Penalty	
	1	8	8	6	15	6	22	6	
	2	6	9	7	16	8	23	7	
	3	4	10	4	17	6	24	8	
	4	6	11	6	18	7	25	6	
	5	4	12	4	19	7	26	7	
	6	7	13	4	20	6	27	7	
	7	6	14	7	21	7	28	7	
Comparisons									
Comparison	Harsher?	Case	Penalty	Case	Penalty	Case	Penalty	Consistent?	Refined score
Level 1 v Level 2	Same	2	L3	6	10	L1	4	N	2
Level 2 v Level 3	Same	3	L2	4	12	L1	4	Y	
Level 1 v Level 3	Same	4	L1	6	7	L3	6	Y	
		4	L1	6	15	L2	6	Y	
		6	L2	7	19	L3	7	Y	
		7	L3	6	15	L2	6	Y	

Appendix 3F Study 2: example information sheet

Example of information provided as part of the information sheet given to participants

(Note that the sheet and information was adapted according to each of the participant groups)

What is this study all about?

This study is part of a PhD exploring how plagiarism is dealt with in Higher Education. This current study specifically explores the use of different penalty systems and how they operate. Hence, I am not looking at you as an individual but your responses will be added to a group of other people's responses to see how effectively the penalty system works. If you take part in this study you will be asked to fill in this plus 3 other questionnaires (phases 1-4 outlined below) during the next few weeks. **Each questionnaire is only likely to take you 20 - 30 minutes.**

You will be able to do all this via e-mail or you can return answers to me when you see me.

What you will need to do if you decide to take part

1. **Phase 1:** Fill in questionnaire 1 and return it to me as soon as possible. I will then put you into one of 3 groups (Yellow, Green or Blue – each colour indicates a different penalty system).
2. **Phase 2:** In a couple of weeks you will be sent a second questionnaire to fill in. The 'questions' or more specifically 'descriptions of imaginary cases' will be via Power Point slides. You will fill in your answers on a response sheet which I will send to you (probably as a word document) and you will need to return it to me on completion (this can be via e-mail attachment).
3. **Phase 3:** A few weeks later I will send you a third questionnaire sheet to be completed in the same way as stage 2, that is, the cases will be given to you via a Power Point set of slides and you fill in your penalty choices and then send it back to me on completion.
4. **Phase 4:** Finally, a couple of weeks after stage 3 I will send you a 4th and final questionnaire, again following the same process as the previous stages.

It is expected that stages 1-4 should take you no longer than 20-30 minutes for each phase.

Completion of any/all stages is voluntary and you may withdraw at any time. If you wish to withdraw simply e-mail me (J.Price@soton.ac.uk) and let me know. *

Please note: Your identification will be coded on receipt of each questionnaire before being entered onto a computer database. All paper copies of questionnaires will be kept in a locked filing cabinet accessible by Julie Price only and will be destroyed after any University required duration post successful confirmation of my PhD. In any dissemination and communication of research findings all data will be reported anonymously.

** Not for level 1 undergraduates: see explanation on page 188.*

Appendix 3G Study 2: penalty systems

Guidelines given to participants for phase 3:

Criteria	Penalty should be lighter	Penalty should be harsher
Year of study	1 st year	3 rd year or postgraduate
Amount of material plagiarised	Small percentage	Large percentage
Number of times caught	1 st offence	Caught previously
Levels of stress	High level of stress outside of normal study, out of student's control	Normal level of stress
Intention to deceive	Plagiarism was unintentional	Plagiarism was intentional and deceitful
<p>Note that the following criteria should not be treated differentially:</p> <ul style="list-style-type: none"> • Source material – it does not matter what material has been plagiarised • Nationality of the student – students from the UK and other countries should be treated the same 		

Guidelines given to participants for phase 4:

Number of times caught	Nature of plagiarism	Penalty
1 st offence <i>but</i> only minor amount of plagiarism	Less than 20% of work is plagiarised	Penalty number 1: Mark the work minus the plagiarised sections
1 st offence <i>but</i> with a major amount of plagiarism	20% or more of the work is plagiarised	Penalty number 2: Resubmit the work, fully corrected, if it passes award it a bare pass of 40%
2 nd offence Any amount of plagiarism	Any amount of plagiarism	Penalty number 3: Zero for the work
3 rd offence Any amount of plagiarism	Any amount of plagiarism	Penalty number 4: Zero for the unit

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