


University students are buying assignments – what could, or should, be done about it?

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*'Contract cheating', whereby students pay companies to complete assignments on their behalf, threatens to seriously undermine higher education standards. **Philip M. Newton** and **Michael J. Draper** consider what might be done to tackle this issue, including the Quality Assurance Agency's suggestion of deploying the UK Fraud Act (2006). While questions remains as to whether the Fraud Act is likely to prove effective in prosecuting companies that offer contract cheating services, it may be that other legal approaches can be adopted. Additionally, more robust assessment designs and university regulations, together with renewed programmes of stakeholder education, can mitigate the threats posed by contract cheating.*



University students are paying other people to complete their assessments, a process known as 'contract cheating'. Here, we examine the impact of research on strategies to tackle the issue. This is a fast-evolving, currently understudied topic and utilising high-quality research is important because of the serious implications of contract cheating. For example, some of the most important roles in society may be undertaken by people who have not personally demonstrated the necessary learning. Engineers, doctors, midwives, lawyers, nurses, judges, dentists, etc. can all buy assignments; contract cheating offers a bypass of the gatekeeping function of university assessment, undermining the value of a university degree.



Contract cheating scandals are regularly covered by the [mainstream media](#). Stories highlight the mismatch between what companies say they do and the consequences of what they actually do, as well as the [bold advertising](#) used in public, legitimising activity. However, we don't really know how many students are using contract cheating services (although a forthcoming [research project](#) will give us an idea; in Australia, at least). Many academics have anecdotal stories, horror stories mostly, of students using these services. Chat forums acting as a sort of Tripadvisor for the industry are full of similar tales.



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What we *do* know is fairly hair-raising, though. Almost [any type of assessment](#) can be purchased, and, as our forthcoming research will show, hundreds of websites offer these services. Although a range of services are offered, a quick Google search shows that most sites have the word ‘essay’ in their name, making it fairly clear where most of their business comes from. Services offered do not [cost a lot, and have a rapid turnaround](#). When students were [asked how \(if at all\) other students should be penalised for using these services, they chose only modest penalties](#): namely that any purchased assignment should be failed. This is in stark contrast to the UK higher education sector standard, which is for students to be withdrawn.

So what *could* be done about this? There are [many ways](#) this issue could be addressed, with four common, overlapping themes: assessment design, stakeholder education, university regulations, and the law. The use of a legal approach was endorsed by the UK regulator of higher education, the Quality Assurance Agency (QAA) in the summer of 2016, which specifically [suggested](#) the 2006 UK Fraud Act be used to tackle UK-based companies offering contract cheating services.

To determine whether or not the UK Fraud Act might, in fact, be used successfully, [our research](#) compared the common business practices of the contract cheating services, including their advertising and terms and conditions, against the Act. In our academic view, the Fraud Act is not likely to be effective in prosecuting companies that offer contract cheating services. Disclaimers commonly found in the terms and conditions often assert that assignments written by companies are not to be used as students’ own work, but rather as ‘model answers’. Although some of the aforementioned media reports and, particularly, some of the companies’ advertising methods often appear in direct conflict with these terms and conditions, we believe this would still not be sufficient to deploy the Fraud Act (although it might be grounds for using Trading Standards or other consumer protection laws).

[Following that research](#), we proposed a new law which would create an offence of strict liability on the sale of essays, subject to a due diligence defence which would put the burden of proof on the ‘essay mill’ company to establish legitimate use rather than on the prosecuting authority to establish wrongdoing through ‘intent’. The need to demonstrate intent is a major barrier to legal enforcement. Strict liability offences are regulatory offences deployed, usually by Parliament-made (statute) law, in areas of significant public interest in which it is important that the law act as a deterrent to regulate behaviour. Specific examples include sections 143 and 87 of the Road Traffic

Act 1988 – driving uninsured and driving without a full licence: both of these offences are ones of strict liability which can be committed without any intent on the part of the driver. It would therefore be appropriate to include a strict liability offence in relation to essay mills in the Higher Education and Research Bill.

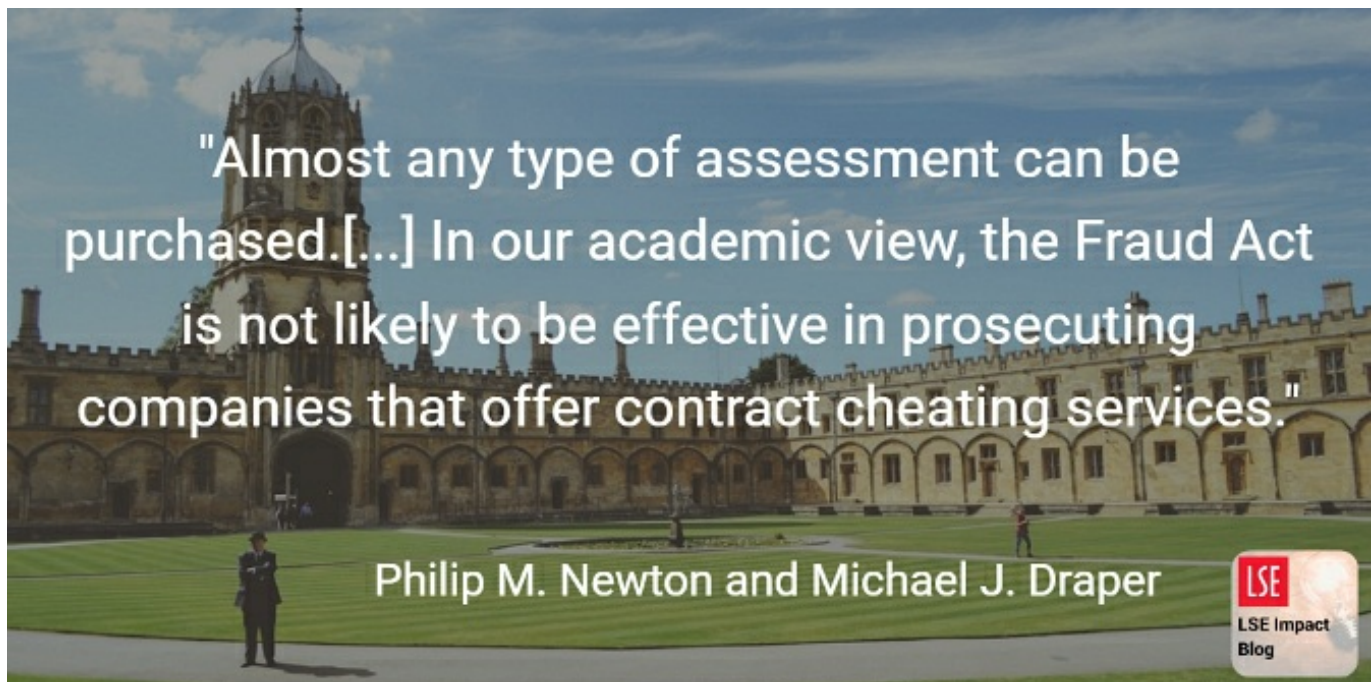
Again, this is a fast-evolving issue. An amendment to the current Higher Education and Research Bill was tabled, proposing to make essay mills illegal, although this still required the demonstration of ‘intent’. It was debated in the [House of Lords on 25 January](#), with our research ([here](#) and [here](#)) directly cited by Lord Storey of Liverpool in support of the amendment. However, the government response was to propose greater emphasis on guidance from, and for, universities and other stakeholders. The amendment was not supported in its current form.

Then, Jo Johnson, Minister of State for Universities, Science, Research and Innovation, last week issued a statement [calling on universities to do more](#) to stop students buying custom written essays online, saying:

“This form of cheating is unacceptable and every university should have strong policies and sanctions in place to detect and deal with it”.

The Minister asked for guidance aimed at universities, and information for students to help combat the use of these services as well as other forms of plagiarism. The Minister also called for guidance to include tough new penalties for those who make use of essay mills websites, as well as the need to educate students about the potentially significant negative impacts on their future career should they be caught cheating. This would seem to show less enthusiasm for a change in the law, although Department of Education briefings [to the media did appear to leave the door open for a legal approach](#).

This issue is too important to be cast into the graveyard of ‘guidance’. Proposals need backing up with regulation, whether in law or in the QAA’s requirements. Indeed, the QAA was specifically mentioned by Johnson as being “tasked to take action against the online advertising of these services and to work with international agencies to deal with this problem” – we sincerely hope this will result in universities being *required* to use, at least in part, assessment methodologies that cannot be contracted out so quickly and cheaply.



This brings us to other means by which contract cheating might be tackled: stakeholder education, assessment

design, and university regulations. These need more research. The aforementioned project in Australia will examine a relationship (or not) between 'authentic assessment' and contract cheating. Authentic assessment is a term used to describe assessment methods that are more reflective of the ways in which students will actually use the knowledge they learn; practical exams, face-to-face assessments, etc. [One view](#) is that such assessment methods are harder to contract out.

On university regulations, Michael J. Draper has moved to introduce a regulation that prohibits the simple commissioning of an essay, to reinforce that commissioning an essay from a third party is considered an academic offence in its own right (in addition to the *submission* of an unattributed commissioned essay). In other words, the simple act of *asking* one of these companies to write an assignment would be an academic offence. Whilst evidencing such activity is difficult, this is seen as a statement of intent as well as a principle with deterrent value.

In addition to a regulatory framework that reinforces these values, students can be supported in their learning development through instructional tools. One such support tool is an online, interactive, customised module developed as part of the Skills for Learning, Skills for Life project run by the [Swansea Academy for Inclusivity and Learner Success](#) and the [Centre for Academic Success](#), in conjunction with universities in Ireland, Australia and New Zealand. Feedback from pilots undertaken strongly indicates that students engage with these resources most effectively when supported by their academic tutors, either through bespoke or timetabled sessions or when referenced in student handbooks and teaching materials at key points of modules.

Finally, there is the possibility of a coordinated approach across Europe. The Council of Europe has established the [ETINED platform](#) to tackle corruption in education, including a stream dedicated to contract cheating. The platform will produce guidance for member states aimed at tackling the issue. If you aren't *au fait* with the details of European politics, the UK will remain a member of the Council of Europe after Brexit. However, of interest is that the UK is one of the few member states not to formally send a representative to the ETINED platform, despite many UK academics (Philip Newton included) appearing to give expert evidence to the project.

In summary, research into contract cheating has made an impact and will continue to do so. Hopefully this will result in it being harder for students to submit assignments they have paid someone else to do, thereby upholding the quality and standards of higher education.

This blog post is based on the authors' article, 'Are Essay Mills committing fraud? An analysis of their behaviours vs the 2006 Fraud Act (UK)', published in the International Journal for Educational Integrity (DOI: 10.1007/s40979-017-0014-5).

This article gives the views of the authors, and not the position of the LSE Impact Blog, nor of the London School of Economics. Please review our [comments policy](#) if you have any concerns on posting a comment below.

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