



Operators of cheating services face jail under new law

Geoff Maslen 05 December 2019

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Cheats selling their services to Australian university students will face fines or be jailed under new laws introduced to parliament on 4 December.

Australia's Minister for Education Dan Tehan, introducing the bill, said the bill is aimed at commercial cheating services, not the students who use them.

"These are criminals exploiting vulnerable students and undermining the integrity of our high-quality degrees," Tehan said.

"Cheaters should never prosper and under our government, if you sell a cheating service to an Australian student, you will face two years imprisonment or fines of up to AU\$100,000 [US\$68,000]."

Students who cheat will still be subject to their institutions' own academic integrity policies and sanctions, including any consequences that flow from those, he added.

The national regulator will be given new powers to investigate and recommend prosecution of cheating service providers. The Tertiary Education Quality and Standards Agency will also be empowered to seek court injunctions to force internet service providers and search engines to block cheating websites.

Universities Australia said it backed the proposed new sanctions, which send a "powerful signal" to people trying to sell cheating services to university students.

Universities Australia Chief Executive Catriona Jackson said legislation would back up the strong existing work by universities to deter students from cheating.

"While the penalties in this legislation are aimed at the cheating services, we always remind students: 'if you're tempted to cheat, just don't do it'," she said.

"Not only is there a strong chance you will get caught, but the people selling you these services can hold it over you for the rest of your life."

Universities Australia thanked Tehan for taking a strong stance on the issue and for incorporating its feedback into the **revised bill**.

The legislation now draws a distinction between commercial cheating services – which face criminal penalties – and civil penalties for people who help a student cheat without payment.

“This change reinforces that the real target of criminal sanctions are the people exploiting stressed and vulnerable students,” Jackson said.

“They’re quite rightly the focus of this piece of legislation and should face the full force of the law.”

Family help spared penalties

The legislation has also been changed to make it an offence to help a student with “a substantial part of a piece of work”, whereas the original draft proposed banning help with “any part of a piece of work” – which could have included editing or proofreading by family and friends.

Universities Australia, which proposed both changes, said it was pleased that the government had revised the legislation to tighten the remit and give more clarity to regulators, universities, students and their families.

“Strong criminal penalties should make contract cheating companies think twice about offering their services to our students,” Jackson said.

“Contract cheating services operate globally – and other countries including Ireland and New Zealand have brought in legislation to outlaw it.

“Catching contract cheating services will rely on a continuing partnership between universities and the regulator, sharing information and good practice to help put these ‘shonks’ out of business.”

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