

## A legal solution to contract cheating?

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**Type:** Synopsis

**Section:** Policy efforts to address issues of academic integrity

**Abstract:**

Contract cheating is a serious threat to the quality and standards of Higher Education around the world. Current laws are not fit for purpose. In this short presentation I offer a proposal for a specific new law to target contract cheating, which could be enacted in most jurisdictions. I will assess a number of issues that would need to be considered before any legal approach could be successful; would changing the legal status of contract cheating make it less likely to happen? Could this be achieved in a specific way? If so, who should actually be prosecuted and what offence are they committing? Would it actually address the causes of contract cheating? Are there unintended potential consequences?

The UK Advertising Standards Authority (ASA) have very recently upheld a complaint from the Quality Assurance Agency about the advertising used by an essay mill. There is a profound mismatch between the advertising used by essay mills and the legal “small print” deployed in their terms and conditions.

A legal approach to contract cheating is possible, and, on balance, appropriate but tackling misleading advertising on its own will not provide a solution. Using widely applicable general legal principles as a guide I offer a specific suggestion to lawmakers, around the world, for how this might be achieved, and conclude that the most successful approach would be to focus largely on a law targeting the providers of contract cheating, in particular commercial services.

**Keywords:** Contract cheating, essay mill, fraud, law, plagiarism.

**Editor’s note:** This study is based on theoretical discussions of the author’s two earlier article publications in International Journal for Educational Integrity and Times Higher Education.