Findings from a survey of 1,147 teaching staff at eight Australian universities indicated that many staff do not feel confident in identifying and substantiating suspected contract cheating (Harper & Bretag et al., 2018). One of the key reasons for not following up on suspected contract cheating was that such cases are 'impossible to prove'.

The challenge with contract cheating […] is that it is undetectable. The work is original. **Even if you have a suspicion…. you have no proof.** *It is challenging (impossible?) to investigate a suspicion and time/tools/resources are not available. (Staff 255).*

Sites demand log in details including credit card details which I am disinclined to give, therefore making it **impossible to prove without a doubt** *(Staff 135).*

Substantiating contract cheating: Key principles

1. **Educate:** Ensure all staff are aware of the signals that can indicate contract cheating (see reverse).
2. **Investigate:** One or two signals do not provide enough evidence to substantiate cheating, but can provide cause for further investigation.
3. **Use policy:** Refer suspected cases of contract cheating to an appropriate investigator and decision-maker, as per your institution's relevant policies.
4. **Not 'proof', but 'balance of probability'**: Investigate suspected breaches as a lay proceeding, using the standard from civil law, where the 'balance of probability' is the relevant test to which allegations must be subjected. The balance of probability is based on 'clear and convincing evidence' that it is *more likely than not* that the allegation is true. This is less demanding than the criminal law test of 'beyond reasonable doubt'.
5. **Examine:** Look carefully at each aspect of the document and other relevant sources of evidence (see reverse). Identify every aspect that is cause for concern. Conduct an interview with the student to ascertain his/her familiarity with the contents of the assignment.
6. **Collect evidence:** Accumulate a range of evidence that clearly and convincingly establishes the firm belief that the breach in question is not only probable, but *highly* probable. Two forms of evidence are critical:
    a. Textual evidence
    b. Knowledge of the student's academic and linguistic abilities
7. **Use experience:** Decide how much weight to give to each piece of evidence, based on common sense, everyday experience, and experience of previous academic integrity breach cases.
8. **Ensure natural justice:** Allow the student to have an opportunity to explain and demonstrate, either in person (face to face/ teleconference) or in writing, how they developed their assignment. Ensure the student is supported appropriately in this process. Record the meeting carefully for future reference.
9. **Evaluate:** Weigh all of the evidence to form an overall picture that provides clear and convincing evidence on the 'balance of probability' that contract cheating has or has not occurred.

References

Bretag, T., Harper, R., Burton, M., Ellis, C., Newton, P., Saddiqui, S., Rozenberg, P & van Haeringen, K. (2018). Contract cheating: A survey of Australian university students, *Studies in Higher Education*, 1-20. https://doi.org/10.1080/03075079.2018.1462788

Harper, R., Bretag, T., Ellis, C., Newton, P., Rozenberg, P., Saddiqui, S., & van Haeringen, K. (2018). Contract cheating: a survey of Australian university staff. *Studies in Higher Education*, 1-17. https://doi.org/10.1080/03075079.2018.1462789

Textual signals or evidence	Why is this a potential problem?	No Concern	Some Concern	High Concern
Very low text match (0 – 5%)	Scholarly work cites sources, so it is unlikely to have a text-match of 5% or less; the work may have been manipulated to lower the similarity score to avoid checks.			
High text match (>30%)	Commercial 'bespoke' assignments can be cut and pasted from sources, despite claims they are 'plagiarism free'.			
High text match (other student's work)	Assignments obtained from file-sharing sites or other students are likely to be identified by text-matching software.			
Document properties: • Author • Creation date • Editing time • Version number	The metadata of a Word document may indicate an author name not matching the student, an odd creation date, or very short editing time. If the student suggests it was written on a friend's computer, or that it is a final 'fresh' version, they should be able to provide drafts and other evidence.			
Not appropriate to discipline area	The writing and content are at odds with language typical in the assignment/discipline.			
Quality different to or above expectations	A mismatch between the assignment quality (language use, content knowledge, formatting and style) and the student's previous work (eg assignments, exams, online and in-class work).			
Language use and ability	A mismatch between the language use in the assignment and the student's language use (eg in class, in interpersonal interactions, online, in previous assignments, exams).			
Unreadable language, including jargon-filled sentences and misuse of words	Online 'article spinners', translation and/or paraphrasing tools can automatically transform any text into 'original' writing that bypasses text-matching software. This writing sounds excessively verbose/complicated, makes little sense, and misuses terms and everyday words.			
Reference list, but: • No in-text citations • Mismatch with in-text citations • Sources inappropriate/irrelevant • Access dates for internet sources predate enrolment • References are falsified	Commercial 'bespoke' assignments are often produced quickly by (re)using old information or writing from previous jobs. This maximises profit, but leads to low quality work. Moreover, students taking a transactional approach to learning may only send minimal task information to the cheating service, overlooking important details in the assignment brief. That's why assignments that are only vaguely relevant to the topic, or using references to odd sources are classic signs of contract cheating.			
Does not meet criteria/requirements: • Min/max required references • Required references/authors • Date range of references • Referencing style • Excludes key content; includes irrelevant content	Writers may append reference lists without any in-text citations, or in-text citations may not match the reference list. Access dates for internet sources may predate the student's enrolment in the course. Some of the references may be false (non-existent), or falsified (don't contain the referenced material).			
References in languages that the student does not speak	It's highly unlikely that a student would try to use foreign language references that don't match their own language/s.			
Anything else that seems unusual or concerning?	Trust your instincts as an experienced educator. If something seems unusual or 'off', consult a trusted colleague or academic integrity decision-maker.			

Adapted from a rubric developed by Felicity Prentice (La Trobe University, Melbourne) and based on: Rogerson, A. (2017). Detecting contract cheating in essay and report submissions: Process, patterns, clues and conversations. *International Journal for Educational Integrity*, *13*(1), 10.