



# 3 Use of Discretion

## 3.1.1 What do we mean by discretion?

1. The Academic Misconduct policy clearly sets out the penalties that are available to different decision makers when they are considering a case.
2. Most decision makers have a range of penalties available to them, and the decision



## 5 Case Studies

The following case studies are based on real cases of academic misconduct that were considered within UCL. The details have been amended to prevent individual identification, but the outcomes are real.

### **Case Study: Amending a penalty to account for serious personal circumstances.**

A student is found to have committed plagiarism in an assessment that accounts for the majority of the module mark. Based on the extent of plagiarism, the Panel is considering awarding a mark of zero for the assessment and requiring the student to submit the work again at the second attempt in the LSA period.

Prior to the Panel meeting, the student submits evidence that they are currently undergoing treatment for a recent cancer diagnosis, and their first round of chemotherapy will be during the LSA period. Taking this information into account, and in the interest of ensuring the punishment remains proportional to the wider circumstances the student is facing, the Panel agrees to amend their proposed penalty, opting to instead cap the assessment at the pass mark.

This achieves the same outcome as requiring the student to complete a second attempt, by preventing them from achieving a mark higher than the pass mark, while preventing additional distress during a significantly difficult time.

### **Case Study: Awarding a lesser penalty based on the extent of misconduct.**

A student was accused through a whistleblower of Contract Cheating which had then been corroborated with a Departmental Viva questioning the student on how they had completed the work which revealed numerous irregularities, including outputs produced through specialist software that the Department did not use, and specialist sources not on the standard reading list and, in some cases, outside of UCL's own collections.

As this irregularity occurred early in the academic year, there were not yet other assessments in scope that needed to be reviewed to ascertain whether they had also been completed through contract cheating. Bearing that in mind, whilst Contract Cheating typically attracts the penalty of Expulsion, the Panel took into consideration the overall weighting of the component which was very small (less than 10%) and agreed that a reduced penalty of Suspension would be more proportionate. This penalty still had a significant impact on the student but did allow them to continue their studies.

**Case Study: Good faith submission of falsified medical evidence.**

A student is accused of providing Falsified Extenuating Circumstances (EC) evidence which had been discovered by the Department due to irregularities with the documentation and a non-existent doctor referenced.

The student through their statement and attendance at panel revealed that they had experienced serious personal issues that they did not want to disclose to their Department at the time. They had therefore resorted to the use of a private online service to cover the period of their claim with the details they were comfortable sharing. The student had believed the evidence provided would be from a real UK based doctor after an online consultation but had in fact been provided with fraudulent evidence.

Whilst the panel did not condone the use of such a service, due to the student having