

**UNIVERSITY OF CAPE TOWN
FACULTY OF LAW**

AVOIDING PLAGIARISM: A GUIDE FOR STUDENTS¹

What is Plagiarism?

You commit plagiarism - intentionally or not - in written work when you use another person's sentences, ideas or opinions without acknowledging them as being from that other person.

In academic work, researchers build on the ideas of others. This is a legitimate and accepted way of doing research. Plagiarism is using someone else's ideas or words and presenting them as if they are your own. It is therefore a form of academic cheating, stealing or deception. Because plagiarism is an offence, all universities take a very serious view of anyone who is found cheating. Those who are suspected of having plagiarised, will be referred to the Vice-Chancellor or nominee for possible disciplinary action in terms of the rules on disciplinary jurisdiction and procedures (DJP1.1).

Not all plagiarism is deliberate, but even inadvertent plagiarism will be severely penalised. It is therefore your responsibility to know what will be regarded as plagiarism and to know how to avoid it.

What makes plagiarism tricky to avoid and dangerous is that it can take many forms.

Forms of Plagiarism

Academic writing requires you to discuss existing literature but at the same time to come up with your own ideas; to rely on the findings of other researchers, but also to say something new and original; to give an exposition of key readings on the topic, but to express it in your own structure and own words. It is academically difficult to manage a path between these seemingly contradictory demands.

Plagiarism can range from deliberate academic dishonesty to accidental academic sloppiness, and can range from serious and clear forms of plagiarism to instances that are less obvious.

Obvious forms of plagiarism include:

1. Buying or borrowing a paper and copying it;
2. Hiring someone to write the paper or thesis for you;
3. Cutting and pasting large portions of text from the web or from someone else's paper or book without any quotation marks (or clear indentation for block quotes) or proper reference to the source. The ease of cutting-and-pasting from electronic sources makes this a form of plagiarism that is particularly widespread;
4. Word-for-word copying of a sentence, or paragraph without any proper acknowledgement;

¹ This is a UCT document that has been adapted for relevance to the Law Faculty.

5. Direct translation into English of a paper - or large sections of writing - written in another language;
6. Citing sources that you didn't actually use;
7. Using substantive extracts from your own earlier work without acknowledgement;
8. Making use of Artificial Intelligence (AI) tools to produce content in whole or in part, in violation of the permitted use of AI and/or without acknowledging the use of AI.²

Less obvious forms of plagiarism include:

9. *Not giving proper credit to someone else's ideas or findings*³.
When is it proper to give credit and when not? As a general rule, you need to give a reference for any text, diagramme, table, illustration or an idea if it comes from:
 - a. a book, journal, website, or any other public medium
 - b. what someone has said in an interview you have conducted
 - c. someone's personal correspondence in the form of a letter or email

You don't need to give a reference or give credit if the idea, text, diagramme, table, illustration or idea comes from:

- a. your own insights, work or experiences. Ideas from co-authored papers, however, still need to be acknowledged
- b. writing up your own fieldnotes or lab reports
- c. "common knowledge", common sense observations, well-established facts, historical events (but you would obviously have to give a reference if you use an historical *document*) and myths. It is, of course, difficult to know exactly when something is "common knowledge", but a general rule to follow is: if the same observation is made in multiple sources without any attached references, or if it is something that the general public is well aware of, then no references are needed.

10. *Improper paraphrasing.*

The rule to "put it in your own words" is not always helpful, because many of the accepted key words in academic discourse have precise meaning or are accepted expressions that you shouldn't change. However, whenever you do written work you must distinguish what you have written from what you are paraphrasing or quoting. To paraphrase is to summarise someone else's ideas in your own writing style, sentence structures and, where applicable, own words. This is a particularly demanding task for writers whose first language is not English.

11. *Failing to give a proper reference*

You may copy word for word (but not significant chunks) and you are expected to build on the ideas of others, but then you must give proper credit to the source of the quotation or the paraphrased argument, idea or reasoning.

12. *Not acknowledging outsourcing of substantive data analysis*

You may have someone else do the descriptive statistics or statistical data analysis for you, but you need to acknowledge the extent to which it is not your own analysis. In cases where the statistical analysis (model fitting or estimation) forms the central thesis, instead of just being a minor section, or where the thesis is in a discipline that requires

² See the Law Faculty Guidelines on the Restricted Use of AI.

³ Stolley, K, Brizee, A. & Paiz, J. [Overview and contradictions](#) and [Is it plagiarism yet?](#) Retrieved August 12, 2014.

you to demonstrate this skill of analysis, it is unacceptable to outsource it, even if you do acknowledge it.

How to Avoid Plagiarism⁴

When you start reading and taking notes, carefully distinguish between material that is quoted, material that is paraphrased in your own words and own structure, and material that is your own and expressed in your own words. The way you can distinguish between these different types of sources is to use a different colour for each one, or to put a big Q for "quote", P for "paraphrase" or M for "mine" after the relevant section. Make sure that you keep scrupulous track of the author, year, title, and page from which you are taking the quote. There are numerous electronic reference management tools that can assist you with this, such as RefWorks, Citation Manager and Mendeley. (See section on "resources" below.)

1. *Fully reference and acknowledge the work of others*

While academic staff will teach you about systems of referencing, and how to avoid plagiarising, you too need to take responsibility for your own academic career. Knowing how to give proper credit, cite appropriately, acknowledge the original source and reference accurately is an essential step in avoiding plagiarism. There are numerous referencing conventions and you are expected to use a referencing convention that is accepted in your discipline. There are many guides on how to reference properly. See "Referencing Conventions" below for resources and guides.

2. *Use your own expressions and present your work in your own writing style*

It is tempting to use someone else's elegantly structured phrase or sentence/s, but doing so without proper quoting (acknowledging your use of their exact words) constitutes plagiarism. It is not enough to change just a word here and there when paraphrasing, you need to use your own sentence constructions. Of course, there are accepted key words in specific academic discourses that have precise meaning or are accepted expressions; you shouldn't try to put these precise and commonly accepted expressions in your own words.

3. *Organise your work and structure your reasoning in your own way*

Don't merely give properly acknowledged summaries of other people's work (paraphrasing), develop your own sequence of reasoning and line of argumentation.

4. *Use TURNITIN*

Turnitin is an internet-based service that checks the extent of unoriginal content in your paper or thesis. It will identify all the parts where you have copied text from elsewhere. Where you have acknowledged doing so with direct quotes, that is acceptable. Of course, you should not have too many direct quotes since you are required, after all, to demonstrate your own academic writing and critical thinking skills. Identified copied content that is not acknowledged is plagiarism and you must reword and restructure these identified sections. Note that Turnitin is not a guarantee that there is no plagiarism - it is only a guide.

⁴ University of Leicester. [Avoiding Plagiarism](#). Retrieved August 12, 2014.

Note that you should not submit the same re-worked draft multiple times because the system will then compare your new version with the earlier one you submitted and indicate a very high unoriginality score.

UCT Rules and Senate Policy

RULES ON CONDUCT FOR STUDENTS (Student Rules - Academic conduct)

RCS2.4 A student-

- (a) must refrain from dishonest conduct in any examination, test or in respect of completion and/or submission of any other form of academic assessment. Dishonest conduct includes but is not limited to plagiarism.
- (b) may not submit the work of any other person in any examination, test or in respect of the completion and/or submission of any other form of academic assessment without full and proper attribution and acknowledgement.

RULES FOR DEGREES (Rules relating to examinations - Examination sessions and class tests)

G18.12 Dishonesty, including plagiarism or the submission by a student of other people's work as his/her own, in an examination or any other form of assessment will be dealt with in terms of the disciplinary rules.

SENATE POLICY

The Senate policy (PC11/99 dated 6.12.1999), sets out the following:

- (i) For each course, academic staff must prescribe a referencing convention, or allow a student to choose from a set of referencing conventions prescribed by the academic staff member (and by implication must teach this key academic literacy skill to junior students) when setting assignments;
and
- (ii) All undergraduates are required to make and include a declaration each time they submit written work for assessment.

Declaration

Each time your work is assessed, you will need to insert the declaration (see shaded block) or one like it.⁵

Plagiarism Declaration:

1. I know that plagiarism is a serious form of academic dishonesty.
2. I have read the document about avoiding plagiarism, am familiar with its contents and have avoided all forms of plagiarism mentioned there.
3. Where I have used the words of others, I have indicated this by the use of quotation marks.
4. I have referenced all quotations and properly acknowledged other ideas borrowed from others.
5. I have not and shall not allow others to plagiarise my work.
6. I declare that this is my own work.

⁵ Law students and students submitting work for Law courses must use the Law Faculty cover page.

7. I am attaching the summary of the Turnitin match overview (when required to do so).

Signature:

Declaration to be included in your thesis

In the front of your thesis, a signed and dated declaration in the following format, or similar,⁶ must be included:

Declaration

I,, hereby declare that the work on which this thesis is based is my original work (except where acknowledgements indicate otherwise) and that neither the whole work nor any part of it has been, is being, or is to be submitted for another degree in this or any other university. I authorise the University to reproduce for the purpose of research either the whole or any portion of the contents in any manner whatsoever.

Signature:..... Date:
.....

Referencing Conventions

You will have been informed of the Law Faculty style guide which is the accepted guide to scholarly conventions on presentation, documentation of sources and referencing. It is your responsibility to question any part of this that you do not understand, to apply the rules, and to be aware of the consequences of plagiarism.

In the Law Faculty, the generally accepted footnoting conventions are those of the South African Law Journal house-style. These are re-printed in the Law Faculty Writing, Research, Style and Referencing Guide, which is available on the Law Library website.

If you are confused because each lecturer tells you to reference your work in a different way, discuss this with him or her.

Consequences of Plagiarising

By committing plagiarism you will be marked OS (outstanding) until such time as the matter has been investigated. If there is prima facie evidence of plagiarism, the Head of Department of the course/thesis in which the situation occurs will refer the matter to the Faculty's Academic Misconduct Committee. The Committee will make any necessary academic decision, which may include the deduction of marks or a mark of 0. For serious

⁶ Postgraduate Law students and students submitting a thesis to the Law Faculty, must use the Law Faculty dissertation declarations.

cases, the matter will be referred to the Student Disciplinary Tribunal (USDT) for possible disciplinary action against you in terms of the rules on disciplinary jurisdiction and procedures (DJP1.1).

Consequences for plagiarism are serious and could include expulsion in very serious cases of plagiarism. Even if you are not expelled, a conviction for cheating on your academic record is likely to limit your career opportunities. If you are preparing for a profession, you should know that a conviction for cheating in academic work may bar you from professional licensing temporarily or permanently.

Web-based Information and Resources

There are many sites and guides on the internet regarding plagiarism. Please ensure that you are familiar with UCT and Law Faculty policies and guidelines, including:

Law Faculty Guidelines on the Restricted Use of AI

UCT Writing Centre on [postgraduate writing](#)

UCT Writing Centre on resources in [grammar](#)

The UCT [Senate policy declaration](#) on plagiarism

Turnitin services - [What Turnitin reports can do for your students](#)

Assistance for Staff and Students

The Library Staff, the Law Writing Centre and the Office for Research Integrity are willing to assist you.

If you are unsure about whether your work has been properly cited, please consult a Teaching Assistant or your Lecturer for guidance.

Ignorance of the law is not a defence to academic dishonesty.

University of Cape Town
 Avoiding Plagiarism: A Guide for Students
 A checklist to help you avoid plagiarism in your work⁷

Tick

<p>1. I have acknowledged the sources of all the ideas (or tables, diagrammes, illustrations) I have taken from someone else.</p> <ul style="list-style-type: none"> • <i>I have given proper credit wherever I have referred to, borrowed or used the ideas, findings, tables, diagrammes or illustrations I have found in another text.</i> • <i>It is not necessary to give a reference to ideas that are common knowledge, well-accepted facts or my own work.</i> 	
<p>2. Where I have used the exact words from another text, I have placed these in quotation marks and inserted a full reference in the text.</p> <ul style="list-style-type: none"> • <i>I have used direct quotations sparingly.</i> • <i>Where I have used quotations, I have ensured that the purpose of doing so is clear, and that I used it as an important step in the development of my own argument.</i> • <i>Long quotes (longer than 6 lines) are usually blocked and indented in the text.</i> 	
<p>3. Where I have paraphrased the work of another, I have done so with integrity and have used my own words and my own sentence structure.</p> <ul style="list-style-type: none"> • <i>Although I have used my own words and own structure, I have acknowledged that the idea was someone else's and I have therefore supplied the reference in the text.</i> 	
<p>4. I have exercised caution when making my original notes from the readings I have consulted by carefully recording where I have written down the exact words (quotations), where I have paraphrased and where I have noted my own ideas.</p> <ul style="list-style-type: none"> • <i>Where I used the author's exact words, I put them in quotation marks and have supplied the reference in the text.</i> 	
<p>5. I am familiar with the referencing convention I have adopted in my work and have ensured that all the references are correct and complete.</p> <ul style="list-style-type: none"> • <i>I have inserted the references in the text where applicable and have listed all the references I have used in a complete list at the end of the work.</i> 	
<p>6. I have NOT copied or bought the work from someone else.</p>	
<p>7. I have NOT cut and pasted from other sources, except in the few cases where I have placed these in quotation marks to indicate that I have used someone else's exact words.</p> <ul style="list-style-type: none"> • <i>I have used these as direct quotes with proper acknowledgement.</i> 	
<p>8. Any analysis I have run is my own work except where I have acknowledged appropriately.</p> <ul style="list-style-type: none"> • <i>Where demonstrating my own skill of analysis is required, I have not outsourced this part of my work.</i> 	
<p>9. I have submitted my work to Turnitin to check for unoriginal content.</p> <ul style="list-style-type: none"> • <i>I am attaching a summary of the Turnitin match overview that indicates the extent of unoriginal (including directly quoted and acknowledged) text.</i> 	

⁷ Adapted from "[Checklist to help you prevent plagiarism in your work](#)", Curtin University, Australia, and from the UCT Philosophy Department, "Avoiding plagiarism".

<ul style="list-style-type: none">• <i>I understand that Turnitin is merely a guide and provides no guarantee that there is no plagiarism</i>	
10. I have inserted a declaration in my work testifying that I have adhered to the rules regarding plagiarism.	