



March 25, 1998

**Via Registered Mail**

**Personal and Confidential**

Mr. W

[REDACTED]

Toronto, ON

[REDACTED]

Dear Mr. W:

At its hearing held on March 12, 1998, the Trial Division of the University Tribunal considered the following charges against you:

1. In or about December 1996, you did knowingly represent as your own an idea or an expression of an idea or work of another in connection with a form of academic work, namely an essay entitled "Parallelism Between Mythological and Greek Perceptions on the Afterlife" submitted in furtherance of the course requirements in CLA A02Y, contrary to Section B.I.1.(d) of the *Code of Behaviour on Academic Matters*.

Pursuant to Section B of the *Code* you are deemed to have acted "knowingly" if you ought reasonably to have known that you represented as your own an idea or an expression of an idea or work of another.

2. In or about December 1996, you did knowingly submit an academic work containing a purported statement of fact or reference to a source which had been concocted, in the essay you submitted entitled "Parallelism Between Mythological and Greek Perceptions on the Afterlife" in furtherance of the course requirements in CLA A02Y.

Pursuant to Section B of the *Code*, you are deemed to have acted "knowingly" if you ought reasonably to have known that you represented as your own an idea or an expression of an idea or work of another.

The particulars of the charges were as follows:

1. In the Fall/Winter of 1996, you were a student at Scarborough College and enrolled in CLA A02Y.
2. As one of the course requirements you submitted an essay entitled "Parallelism Between Mythological and Greek Perceptions on the Afterlife". Large portions of that essay were plagiarized from R. Garland, The Greek Way of Death. One of the

entries on your bibliography, "The Greek Perspective on the Dead" by F. Smith is a concocted reference.

The panel found you guilty of the above charges and imposed the following sanctions:

- assignment of a grade of zero in CLA A02Y;
- suspension from the University until June 1998; and
- that a notation be made on your academic transcript that you have been found guilty of an academic offence until November 1998.

The panel also recommended that the decision and sanctions imposed be reported to the Vice-President and Provost for publication in the University newspapers, with your name withheld.

The Chair provided the following reasons for the Tribunal's decision:

The Tribunal, having considered the submissions of counsel and, in particular, the ready admission by you of the circumstances of the offence; your expression of remorse; and your apology to the University, is prepared to accept the joint submission as to penalty. In doing so we express, however, some misgiving that the offence which brings you here tonight is the second offence involving academic dishonesty during your career at this University. While the first offence may have been dealt with through the Dean's procedure, and treated as a relatively trivial matter, it nevertheless involved a representation of something that was not true, with a view to furthering your own career at the University in whatever slight way. The second offence, the one which is before us today, clearly was an offence involving dishonesty and for whatever reason, came to the attention of appropriate authorities. And, you were called to explain it and readily admitted it. So, while the Tribunal is prepared to accept the joint submission, we do so with some misgiving and reluctance. We are concerned that this may indicate a pattern. We are very hopeful that it will never be repeated and that you will be able to put all these things behind you and go on in a constructive way. In accepting the joint submission, we are mindful of the representations of the University's counsel and we're mindful of the need for you to put this behind you. We believe that you have been through considerable upset and turmoil as represented on your behalf by Mr. Hamilton and we express the hope that this is the end of this type of matter. We have also considered the question of the need to demonstrate to the University community and to those who might consider committing such an offence that the sanctions are there and will be imposed.

Pursuant to section 25 of the *Code*, "the sanction or sanctions to be imposed upon conviction at a hearing shall be determined by a majority of the panel members". The Panel was not unanimous. The sanction that has been imposed by the University Tribunal was by majority vote. One member of the Tribunal would have imposed a somewhat more severe

penalty and that I think may help you to understand that this is not an automatic matter, this is not simply a rubber-stamping of a joint submission. This has been given serious consideration and the decision was a difficult one because of the circumstances mentioned.

At the invitation of the Chair, another panel member provided the following comments.

She [counsel for the University] did indicate that there was a considerable range of penalty in the past with regard to matters involving plagiarism, which the facts clearly indicate in this case. And they [past sanctions] generally are approximately one year with mitigating circumstances moving that one way or another. In this case, I would have been more comfortable with a somewhat longer suspension from the University. However, after hearing the association between the case before us and your [defendant] decision not to enrol in the University in the period January to June yourself, that does go somewhat towards alleviating the penalty that I would have imposed.

With respect to point number 3 [the third sanction], I would have lengthened the time that this matter remain on an official document at the University. I feel that this is, and I think the Chair has reiterated that this is, a very serious offence. Plagiarism for a University is a very serious matter. And I feel that it would have been more in keeping with the magnitude of the offence that the facts of the offence remain on the document. However, after listening to parts of the case and submissions from the other members of the panel, I feel that the sanctions are appropriate.

The Tribunal is reporting the case to the Vice-President and Provost for publication in the University newspapers, with your name withheld.

Information concerning rights of appeal may be found in Section E of the *Code*. The deadline for filing an appeal by you or by the University is Friday, April 24, 1998.

Yours sincerely,

**Margaret McKone**

Ms Margaret McKone  
University Tribunal

cc: T. Keith, Chair, Tribunal Panel  
M. Finkelstein, member, Tribunal Panel  
P. Wang, member, Tribunal Panel  
N. Peacock, Counsel for the Defendant  
L. Rothstein, Counsel for the University  
P. Gooch, Vice-Provost  
R. Dengler, Vice-Principal & Vice-Dean, Scarborough College

R. Pearsall, Assistant Registrar, Scarborough College