

**UNIVERSITY TRIBUNAL
THE UNIVERSITY OF TORONTO**

IN THE MATTER OF charges of academic dishonesty made on June 28, 2017 and January 25, 2018,

AND IN THE MATTER OF the University of Toronto *Code of Behaviour on Academic Matters, 1995,*

AND IN THE MATTER OF the *University of Toronto Act, 1971, S.O. 1971, c. 56 as amended S.O. 1978, c. 88*

B E T W E E N:

UNIVERSITY OF TORONTO (the "University")

- AND -

C [REDACTED] [REDACTED] J [REDACTED] (the "Student")

REASONS FOR DECISION

Hearing Date: July 4, 2019

Panel Members:

Ms. Dena Varah, Co-Chair
Professor Pascal Riendeau, Faculty Panel Member
Ms. Julie Farmer, Student Panel Member

Appearances:

Mr. Robert Centa, Assistant Discipline Counsel, Paliare Roland Rosenberg Rothstein LLP
Mr. Gerald Chan, Legal Counsel for the Student, Stockwoods LLP

In Attendance:

Mr. C [REDACTED] [REDACTED] J [REDACTED], the Student

Hearing Secretary:

Ms. Jennifer Dent, Associate Director, Office of Appeals, Discipline and Faculty Grievances

1. The Trial Division of the University of Toronto Tribunal was convened on July 4, 2019 to consider charges advanced by the University of Toronto (the “University”) against C [REDACTED] J [REDACTED] (the “Student”) under the *Code of Behaviour on Academic Matters* (the “Code”).

PART 1 – THE CHARGES

2. The Student was initially charged with five offences under the *Code*:

- (a) On or about May 3, 2017, you knowingly represented as your own an idea or expression of an idea, and/or the work of another in your paper titled “Compensation for Loss of a Home” (“Compensation Paper”), which you submitted in partial completion of the requirements for LAW224H1S – Community Planning: Problems in Urban Policy (the “Community Planning Course”) contrary to section B.I.1(d) of the *Code*.
- (b) On or about April 3, 2017, you knowingly represented as your own an idea or expression of an idea, and/or the work of another in your paper titled “Government Legitimacy in Developing Nations” (“Legitimacy Paper”), which you submitted in partial completion of the requirements for LAW278H1S – Investment and Growth in Emerging Markets (the “Emerging Markets Course”) contrary to section B.I.1(d) of the *Code*.
- (c) On or about April 29, 2017, you knowingly represented as your own an idea or expression of an idea, and/or the work of another in your paper titled “Freedom and Resources in the Kantian State” (“Freedom Paper”), which you submitted in partial

completion of the requirements for LAW213H1S – Kant’s Philosophy of Law (the “Kant’s Philosophy Course”) contrary to section B.I.1(d) of the *Code*.

- (d) On or about April 26, 2017, you knowingly represented as your own an idea or expression of an idea, and/or the work of another in your paper titled “Contract Modification and Consideration” (“Contract Paper”), which you submitted in partial completion of the requirements for LAW226H1S – Topics in Contract Law and Contract Theory (the “Contract Course”) contrary to section B.I.1(d) of the *Code*.
- (e) In the alternative to each of the charges above, you knowingly engaged in a form of cheating, academic dishonesty or misconduct, fraud or misrepresentation not otherwise described in the *Code* in order to obtain academic credit or other academic advantage of any kind contrary to section B.I.3(b) of the *Code*.

3. The Student was then charged with two additional offences under the *Code*:

- (a) In December 2016, you knowingly represented as your own an idea or expression of an idea, and/or the work of another in your take home examination, which you submitted in partial completion of the requirements for LAW445H1–Statutes and Statutory Interpretation (“Statutes Course”) contrary to section B.I.1(d) of the *Code*.
- (b) In the alternative to the charge above, you knowingly engaged in a form of cheating, academic dishonesty or misconduct, fraud or misrepresentation not otherwise described in the *Code* in order to obtain academic credit or other academic

advantage of any kind in the Statutes Course, contrary to section B.I.3(b) of the *Code*.

PART 2 – AGREED STATEMENT OF FACTS & PLEA

4. At the outset of the hearing, Discipline Counsel advised that the University and the Student had entered into an Agreed Statement of Facts. The Agreed Statement of Facts is attached hereto as Appendix “A”.

5. Pursuant to the Agreed Statement of Facts, the Student plead guilty to the seven charges listed above. Discipline Counsel advised that if the Tribunal accepted the pleas on the first four charges, then they would withdraw charge five. Similarly, if the Tribunal accepted the plea on the first charge of the additional charges, the University would withdraw the second charge.

6. Pursuant to the Agreed Statement of Facts, the Student admitted that he knowingly failed to attribute the idea and expressions of another person and the work of another person in the following courses and papers:

- (a) Community Planning, LAW224: The Student submitted a final paper worth 90% entitled Compensation for Loss of a Home (the “Compensation Paper”), which was nearly verbatim taken from the work of another;
- (b) Emerging Markets, LAW278: The Student submitted a paper entitled Government Legitimacy in Developing Nations (the “Legitimacy Paper”), which was taken nearly verbatim from the work of another;

- (c) Kant's Philosophy, LAW213: The Student submitted a paper entitled Freedom and Resources in Kantian State (the "Freedom Paper"), which was taken nearly verbatim from the work of another;
- (d) Contract Law, LAW226: The Student submitted a paper entitled Contract Modification and Consideration (the "Contract Paper"), which was taken nearly verbatim from the work of another; and
- (e) Statutory Interpretation, LAW445: The Student included verbatim or near verbatim text from a book in his take home examination.

7. The Student was in attendance and had the assistance of counsel. He confirmed that he accepted the plea as set out in the Agreed Statement of Facts.

PART 3 – THE FACTS UNDERLYING THE CHARGES

8. The Student was a law student at the Faculty of Law, University of Toronto in the joint JD/MBA program. In the winter of 2017, the Student was registered in five courses at the Faculty of Law, four of which are at issue here: Community Planning, Emerging Markets, Kant's Philosophy and Topics in Contract Law and Contract Theory.

9. Community Planning, LAW224 had a course requirement to submit a final paper worth 90% of the grade in the course.

10. On May 3, 2017 the Student submitted the 7,000 word Compensation Paper.

11. Following the grading of the paper, staff of the Faculty of Law discovered that the Student had included nearly verbatim text from an article by Anneck Smit and Marcia Vaian published by the University of British Columbia Press (the "Smit Article").

12. Highlighted versions of the Compensation Paper and the Smit Article reflect that the vast majority of the Compensation Paper is nearly identical to the Smit Article. There were only minor changes, including the six places where the Student changed the word “chapter” in the Smit Article to the word “essay” in the Compensation Paper.

13. Emerging Markets, LAW278 had a course requirement to submit a final paper worth 50% of the grade in the course.

14. On April 3, 2017 the Student submitted the 3,320 word Legitimacy Paper.

15. After the paper was graded, the staff at the Faculty of Law discovered that the text of the essay was taken nearly verbatim from the paper written by Bruno Marshall Shirle (the “Shirle Article”).

16. Highlighted versions of the Legitimacy Paper and the Shirle Article demonstrate that the text in the Legitimacy Paper is almost entirely taken directly from the Shirle Article.

17. One of the only changes is the replacement of the word “earnt” in the Shirle Article to the word “earned” in the Legitimacy Paper.

18. Kant’s Philosophy, LAW213 had a course requirement to submit a final paper worth 100% of the grade in the course.

19. On April 29, 2017, the Student submitted the 4,000 word Freedom Paper.

20. After the paper was graded, staff at the Faculty of Law discovered that the Student had copied nearly verbatim the text from an article by Deborah Hawkins (the “Hawkins Article”).

21. Highlighted versions of the two texts indicated that the Freedom Paper and the Hawkins Article are nearly indistinguishable. The Student only made slight wording changes.
22. Topics in Contract Law and Contract Theory had a course requirement to submit a final paper worth 90% of the final grade.
23. On April 26, 2017, the Student submitted the 6,990 word Contract Paper.
24. After the paper was graded, staff at the Faculty of Law discovered that the Student had taken nearly verbatim text from an article written by Cheng Tan (the “Tan Article”).
25. Highlighted versions of both texts indicate that the Contract Paper was almost entirely taken from the Tan Article without any attribution.
26. Finally, in the previous semester, the Student was registered in Statutes and Statutory Interpretation, LAW445H1, with a course requirement of an eight hour take home examination worth 70% of the final grade.
27. In December 2016, the Student submitted his answers to fulfill the course requirements in the take home examination (the “Take Home Examination”).
28. In the fall of 2017 staff at the Faculty of Law discovered that the Student had taken verbatim or nearly verbatim introductions from a book by Susanna Lindroos-Hovinheimo (the “Lindroos-Hovinheimo Introduction”).
29. A highlighted version of the portion of the Take Home Examination and the Lindross-Hovinheimo Introduction indicates that the Student used that introduction in a portion of the Take Home Examination without any substantive changes or attribution.

30. On May 29 and June 22, 2017, the Student met with Professor Kerry Rittich, the Dean of the Faculty of Law at the University of Toronto. The Student admitted to Professor Rittich that he had violated the *Code* by committing plagiarism in the Compensation Paper, the Legitimacy Paper, the Freedom Paper and the Contract Paper.

PART 4 – DECISION ON CHARGES

31. The Tribunal reviewed the Agreed Statement of Facts, the documents in support thereof and considered the submissions of Assistant Discipline Counsel and counsel for the Student.

32. After deliberations, the Tribunal determined that the evidence establish charges 1 – 4 and additional charges 1 and 2. The Tribunal accepted the guilty plea entered by the Student. As a result, the University withdrew charge 5 and additional chart 2. The Tribunal makes no findings or determination with respect to those charges.

PART 5 - POSITION OF THE PARTIES ON PENALTY

33. The parties did not agree on the appropriate penalty.

34. Assistant Discipline Counsel submitted that the penalty indicated in this case is:

- (a) A recommendation to the Provost that the student be expelled;
- (b) In the alternative, a 5-year suspension from the University;
- (c) Recording a grade of 0 in all of the affected courses; and
- (d) Publishing the decision with the student's name redacted.

35. Counsel for the Student submitted that the appropriate penalty is:

- (a) A 3-year suspension from the University;
- (b) Recording a grade of 0 in all of the affected courses; and
- (c) Publishing the decision with the student's name redacted.

36. At the hearing, the Panel advised that it was not recommending expulsion. It took the length of the suspension under reserve.

The Evidence on Penalty

37. There was no *viva voce* evidence at the hearing. All of the material was filed on consent of both parties. Neither party sought to cross-examine on any of the material.

38. On behalf of the University, Assistant Discipline Counsel filed an affidavit of Alexis Archbold, Assistant Dean, JD Program at the Faculty of Law. Ms. Archbold's affidavit reviewed the Accommodation Policy at the Faculty of Law. She outlined the various accommodations pursuant to that Policy the Student had at the Faculty of Law to address his mental health diagnoses.

39. Assistant Discipline Counsel drew specific attention to the communications Ms. Archbold had with the Student in April, 2017 and May, 2017, the time period during which the Student plagiarized the four essays. During that time:

- (a) The Student sought to reschedule his appeal from his failing grade in Downtown Legal Services ("DLS");

- (b) He sought and received an after-the-fact deferral of his Legal Ethics examination for “acute stress, lack of sleep and medication” that rendered him weak in his ability to think clearly and exercise good judgment;
- (c) After prodding from Ms. Archbold, the Student sought and received an extension to the due dates for the four essays; and
- (d) The Student emailed and requested to replace a “draft” of his Compensation Paper with the final paper. This request was denied.

40. Assistant Discipline Counsel submitted that the Faculty of Law had always been extremely responsive to and accommodating of the Student’s requests, even when they were made on very short notice. He also pointed to the actions during the time period in question to show both that (a) the Faculty of Law was being proactive during this time following the death of the Student’s mother; and (b) that the Student was able to advocate on his own behalf during this time.

41. The Student filed a brief entitled “Mitigation and Medical Evidence”, which contained:

- (a) Letter from D. Mayer Hoffer, the Student’s treating psychiatrist, to his counsel;
- (b) Three reports of Dr. Jonathan Rootenberg, a psychiatrist, who conducted a psychiatric assessment of the Student;
- (c) Letters from each of the Student’s father and cousin; and
- (d) An unaddressed letter from a former employer of the Student.

42. Counsel to the Student reviewed in detail the reports of Dr. Rootenberg as well as the letter of Dr. Hoffer. He submitted that the evidence establishes that the Student was deeply affected by the illness and ultimate death of his mother.

43. According to Dr. Hoffer, the Student had diagnoses of Attention Deficit Hyperactivity Disorder (“ADHD”) and major depressive disorder with strong features of anxiety. Dr. Hoffer indicated that the Student had had a relatively good response to treatment and had always been compliant. The Student’s condition deteriorated during his mother’s illness and following her death and he did not respond well to his ADHD treatment. Dr. Hoffer’s opinion, as expressed in his letter is that “there is a connection between his acts of plagiarism and the symptoms of procrastination difficulty, deficiencies in impulse control and inadequate self-regulatory control mechanisms which manifest themselves in ADHD patients.”

44. Dr. Rootenberg performed a comprehensive psychiatric examination of the patient and concluded that the Student does not meet diagnostic criteria of antisocial, narcissistic or other personality disorder. Dr. Rootenberg’s opinion is that the Student’s plagiarism occurred within a very specific context and “is not reflective of his overall character and behavior”. He outlined the positive prognostic factors of good compliance with treatment, a strong support network, absence of comorbid substance abuse and absence of antisocial attitudes. The negative prognostic factors were limited to the multiple instances of plagiarism and the stress occasioned by the discipline process.

The Principles in Determining Penalty

45. The principles applied in determining the appropriate sanction in tribunal cases were set out in *University of Toronto v. C* (Case No. 1976/77-3, November 5, 1976) (the “C Principles”).

The C Principles are:

- (a) The character of the person charged;
- (b) The likelihood of a repetition of the offence;
- (c) The nature of the offence committed;
- (d) Any extenuating circumstances surrounding the commission of the offence;
- (e) The detriment to the University occasioned by the offence; and
- (f) The need to deter others from committing a similar offence.

46. The Panel will review each factor below in determining whether they individually and collectively favour expulsion or a lesser penalty of suspension. We will then review precedents and consider the appropriate length of penalty.

47. As Assistant Discipline Counsel fairly noted, the Panel is not bound by precedent in this case, but the cases can serve as a guide for the Panel. Each case must be reviewed on its own set of facts. There is no minimum or proscribed penalty that must be applied in this case.

(a) The Character of the Person Charged

48. Assistant Discipline Counsel noted that we did not hear from the Student so we cannot determine his state of mind. He noted that we do have evidence from his treating doctor but that does little to establish character. He did recognize that the letters from the Student’s father and cousin do go some way towards establishing character, but are mostly focused on the

circumstances at the time of the offence. Assistant Discipline Counsel urged the Panel to place little weight on the unaddressed letter from the Student's previous employer who appears to know nothing of the charges.

49. Counsel for the Student submitted that the evidence of those who know the Student establishes that he is of good character. He is described by his father as "kind and compassionate". The Student has sought out opportunities in his community. Dr. Rootenberg established that the Student does not display antisocial or narcissistic personality traits.

50. The Panel is of the view that there is little evidence to establish good or bad character on the part of the Student. The evidence of the Student's family provides some insight into his home life, the difficulties he faced with his mother's illness and death and the relationship he has with his family members. This evidence displays a devotion to his family, which is only of limited assistance when trying to assess character. We place limited weight on the evidence of the Student's employer, which was an unaddressed letter of recommendation.

51. That said, other than the charges before it, there is no evidence that the Student is of bad character. He has had no previous offences or criminal behaviour. He is not antisocial or narcissistic.

52. In this case, this factor is mostly neutral but is tilted slightly in favour of a lesser penalty.

(b) The Likelihood of Repetition of the Offence

53. The parties agreed that the likelihood of repetition of the offence was low. Assistant Discipline Counsel only pointed to the Student's attempt in May, 2017 to submit a slightly revised paper as "some" evidence that there is a risk of repetition of the offence.

54. Both Dr. Hoffer and Dr. Rootenberg put the likelihood that the Student would repeat this behaviour as very low. Dr. Hoffer noted that the Student has always been cooperative and has generally had a good response to treatment, only decompensating during his mother's illness and death.

55. The chance that a Student will repeat an offence is never zero. However, in this case, there is no doubt that the chance of repetition is low. Dr. Hoffer has been treating the Student for eight years and the Student had been stable but for this period of acute stress. There is no evidence from any of the Student's schooling that he had committed academic misconduct or had at any point engaged in criminal behaviour.

56. We do not accept Assistant Discipline Counsel's suggestion that the Student's attempt to send in a revised essay is evidence of an increased risk of recidivism. This attempt was during the same period and is an extension of the original offence. The fact that he was attempting to revise the essay so as not to be caught in the plagiarism shows that he was aware of his wrongdoing and the chance of serious consequences. This would be relevant if the Student had contested the charges, but adds little at the penalty stage.

57. This factor favours a lesser penalty.

(c) The Nature of the Offence Committed

58. There is no doubt that plagiarism is a serious offence. In this case, the Student partially plagiarized one take home exam and plagiarized almost 100% of four essays that were worth most of his mark in four separate courses.

59. Assistant Discipline Counsel submitted that the four essays are on the serious end of the plagiarism spectrum for the following reasons:

- (a) The Student changed certain words such as “article” or “chapter” to “essay” to make it less obvious that the paper was plagiarized;
- (b) The Student did almost no independent work except for light editing;
- (c) The work was 90% of the final mark in two courses, 100% in the third and 50% in the fourth;

60. Assistant Discipline Counsel compared the plagiarism in this case to that in the *University of Toronto v. C.S. (Case No. 709, July 10, 2017)* and *University of Toronto v. A.B. (Case No. 707, January 13, 2014)* cases.

61. In *C.S.*, the student plagiarized various secondary sources in his doctoral thesis without attribution - there were 67 examples. The passages had been carefully reviewed to better fit with his thesis and to avoid detection.

62. In *A.B.*, a law student plagiarized three essays for three separate courses in one semester almost in their entirety. The student pled guilty to the charges and sought an adjournment for the penalty phase to enable him to retain counsel. The student failed to attend the penalty phase.

63. Counsel for the Student agreed that the plagiarism was extensive and serious. He did, however, distinguish it from the *C.S.* case in two respects:

- (a) the work in *C.S.* was a doctoral thesis, which is especially egregious; and

- (b) C.S. participated in extensive tailoring from numerous sources, which is intended to be and is harder to detect.

64. Counsel for the Student submitted that the Student did very little tailoring and relied on a single source in each essay. Although that reflects that the student did no meaningful work, it also reflects less work on his part to deceive while correspondingly being easier for the University to detect.

65. The Panel accepts that plagiarism is a serious offence, and that the plagiarism in this case was on the more serious end of the spectrum in several respects:

- (a) there were five counts of plagiarism in five different courses;
- (b) four of the five were involved no meaningful work;
- (c) the student was a senior student, three years into a joint JD/MBA; and
- (d) the papers were worth 90% in two courses and 100% in one

66. The plagiarism in this case was not as serious as *C.S.*, *supra* which was a doctoral thesis and reflected a great deal of work on the part of the student in plagiarizing and tailoring from numerous sources. It is very similar to the plagiarism in *A.B.*, *supra*, both because it was another law student and there were three counts of papers being almost the work of others.

67. This factor favours a more serious penalty.

(d) Extenuating Circumstances

68. The issue of extenuating circumstances is central in this case.

69. Assistant Discipline Counsel agreed that there were minimal aggravating factors. The Student has no prior convictions. He did submit that the Student's act of submitting a second paper a few days after the initial submission that was better tailored to conceal the plagiarism was itself an aggravating factor.

70. The Panel concluded that there were no aggravating factors in this case. The second essay submission was an extension of the offence, but did not independently reflect an aggravating factor that is a basis for a more severe sentence.

71. The real question is that of mitigating circumstances and whether they favour a lesser penalty.

72. Assistant Discipline Counsel agreed that there were a number of mitigating factors in this case:

- (a) The Student had no prior convictions;
- (b) He cooperated and plead to an Agreed Statement of Facts; and
- (c) He is not, nor has he been, engaged in any criminal behaviour.

73. Assistant Discipline Counsel also agreed that the illness and death of the Student's mother is a mitigating factor. He accepts – to a certain extent – the report of Dr. Rootenberg outlining how deeply the Student was affected by his mother's illness and death. However, he focused on the work of the Faculty of Law in attempting to accommodate the Student. Even without a request from the Student, Ms. Archbold initiated contact with the Student herself to ask him if he needed extensions on his end of term papers. Assistant Discipline Counsel also noted that the Student had

frequently requested and received accommodations, sometimes last minute or after the fact, for his ADHD.

74. Assistant Discipline Counsel noted that the Student was able to engage with Ms. Archbold and to request accommodations when needed. For example, following his mother's death, the Student requested accommodation for a paper and for his Legal Ethics exam. He also worked on and advanced his appeal from his failing grade in Downtown Legal Services ("DLS") and subsequently requested that the appeal be rescheduled. Assistant Discipline Counsel submitted that the record did not support that the Student did not feel that he could seek relief. Assistant Discipline Counsel therefore challenged the Student's statement to Dr. Rootenberg that he did not believe he would be granted an extension for the papers, especially as he had already been granted an extension for those same papers.

75. Predictably, Counsel to the Student emphasized the mitigating circumstances in this case. First, and importantly, he noted that the Student is not introducing evidence of his mental health challenges to justify the underlying behaviour. The Student takes responsibility for his actions and pled to the charges. Although the Student himself did not testify, Counsel for the Student pointed to the evidence supporting the difficulties the Student faced leading up to and following his mother's death:

- (a) The letter from his father and his cousin outlining how his mother's death affected the Student;
- (b) The letter from Dr. Mayer recounting the profound effect of his mother's death on the Student and the resulting depression and refractory ADHD; and

- (c) The opinion of Dr. Rootenberg that the Student leads a pro-social life with no evidence of personality disorder, and that he was experiencing significant stress and compromised functionality at the time of his misconduct.

76. Counsel for the Student stated that the Faculty of Law has taken the important step of recognizing and accommodating mental health issues. However, this is only the first step and there has to be some recognition that mental health issues can impede a student's ability to ask for the assistance he requires or to think through problems rationally. Counsel for the Student submitted that it was not open to Assistant Discipline Counsel to challenge the conclusions of Dr. Rootenberg when the reports were filed on consent with no cross-examination.

77. The Panel accepted that there are significant mitigating circumstances in this case. The Student had diagnosed ADHD and depression, for which he received treatment and had been relatively stable. The evidence amply supports that the illness and death of his mother significantly affected him and resulted in stress and depression. According to Dr. Mayer, the Student's treating psychiatrist, he also did not respond well to his ADHD treatment. Dr. Mayer attributes the Student's actions to his ADHD and major depressive disorder, noting a connection between his misconduct and "symptoms of procrastination difficulty, deficiencies in impulse control, and inadequate self-regulatory control mechanisms which manifest themselves in ADHD patients."

78. We agree with Counsel for the Student that this is not a question of capacity – the Student is not arguing that he was incapable as a defence to the charges. This is a question of penalty, and there is ample evidence to support that the student was deeply affected by the circumstances in

his life and made the wrong decisions. Dr. Rootenberg and Dr. Mayer connect these decisions to the Student's life situation and mental health difficulties.

79. Assistant Discipline Counsel focused on the actions of the Student in working on his appeal and requesting some accommodations. He noted that all accommodations had been granted, even those after the fact, and there was no reasonable basis for the Student's statement to Dr. Rootenberg that he did not believe he would receive accommodations if requested, especially as he had already received extra time for his Legal Ethics examination and for these papers.

80. We agree that the Student's concern about this does not appear reasonable on the record before us. We also did not hear from the Student so cannot understand his thought process but for what is contained in Dr. Rootenberg's report. We are not of the view that we need to understand that thought process on a granular level to accept that the Student's stress, depression and ADHD at least contributed to the Student's poor decision-making. Both physicians opine on this connection - one as his clinician and the other after an assessment - and we accept their professional opinions.

81. The Panel agrees with Assistant Discipline Counsel that the Faculty of Law has done an admirable job of accommodating students with mental health problems. We also agree, however, that sometimes even the best attempts at accommodation do not succeed and students make regrettable choices. This is one of these cases.

82. Extenuating circumstances favours a lesser penalty.

(e) the detriment to the University occasioned by the Offence and the need to deter others from committing a similar Offence

83. These two factors are interwoven with the nature of the Offence. As noted above, the Offence of plagiarism is serious and these charges are on the more serious end of the spectrum.

84. There is a detrimental effect on the University when students do not complete their own academic work and attempt to pass off the work of others as their own. The student community suffers when others attempt to benefit from work that is not their own, especially, such as in this case, when student work is compared to published works.

85. In that same vein, it is important to deter others from committing a similar offence with appropriate sanctions that reflect the seriousness of the offence and the detriment to the University.

86. These factors lean in favour of a more serious penalty.

The Appropriate Penalty

87. The University is seeking a recommendation of expulsion to the President. It also seeks a five-year suspension until the recommendation is accepted or should the recommendation not be accepted. In the alternative, should the Panel chose not to recommend expulsion, the University submits that a five year suspension is the appropriate sentence.

88. The Student seeks a three-year suspension.

89. There is no mandatory minimum sentence for plagiarism and no chart, matrix or formula to apply. Each case must be decided on its own facts. The Panel is not bound by previous decisions. The Tribunal does attempt to be consistent in its approach to penalty to ensure that students are treated fairly and equitably.

90. The authorities cited by Assistant Discipline Counsel establish a range of penalties for plagiarism from two years to expulsion. A first offence of plagiarism will often receive a two year suspension, depending on aggravating or mitigating factors. Repeated acts of plagiarism along with other aggravating factors may result in expulsion.

91. Assistant Discipline Counsel relied on the decision of *A.B.*, *supra* in submitting that expulsion is an appropriate sanction in this case. The Panel agrees that there are similarities between *A.B.* and this case – both are law students with multiple instances of plagiarism and an agreed statement of fact. *A.B.* is ultimately distinguishable in several key respects:

- (a) That student sought an adjournment to the penalty phase, and then ceased communicating with the University and did not attend the hearing;
- (b) There was no evidence of mitigating factors; and
- (c) There was evidence of misleading and untruthful conduct subsequent to the charges, which were aggravating factors.

92. Expulsion is not the appropriate penalty in this case. The offences are very serious, but none of the other factors justify this most extreme penalty. There are significant mitigating factors and no aggravating ones. The Panel is of the view that these mitigating factors and the low likelihood of repetition militate in favour of giving the Student as second chance and an opportunity for rehabilitation.

93. The question then becomes the appropriate length of the suspension with a view to the *C* factors. Assistant Discipline Counsel offered five years as the appropriate length while Counsel for the Student argued for three years.

94. The precedents establish that with serious cases of plagiarism a three-year suspension appears to be the minimum and most are four or five years. In the *University of Toronto v. D.S.* (Case No. 451, DAB Decision 2007-2008), the Discipline Appeal Board overturned a penalty of 27 months in a case involving multiple instances of plagiarism. In that case, the Appeal Board found that the Tribunal made findings of fact about the student's state of mind that had no evidentiary support. The Tribunal also erred in finding that a five-year suspension would end the student's academic career and offer him no opportunity for rehabilitation. The Appeal Board substituted a suspension of four years.

95. In the *I.R. case* (Case No. 969, April 29, 2019), the student admitted to plagiarism in relation to five papers in three different courses over two semesters. There was no evidence of mitigating circumstances. The Tribunal expressed a concern that some of the offenses had occurred after the Student had met with his instructor to discuss allegations of plagiarism. The Tribunal found that this history reflected a high likelihood that the student would reoffend unless he received a significant penalty. The Tribunal ordered a suspension of just under four years.

96. In this case, there are numerous counts of plagiarism in several different courses. In that way, the offences are similar to those of *D.S.*, *I.R.* and *A.B.*, *supra*. The primary difference in this case is that there are mitigating circumstances that were not in evidence in any of those cases. There are also no aggravating factors unlike the precedents.

97. In *University of Toronto v. S.M.* (Case No. 478, October 8, 2008), the student pled to alteration of a mid-term test worth 40% of his final grade and re-submission of that test for academic credit. The student used an opportunity to review the scantron sheet from his mid-term

to change the answers. He then explained to his professor that he had accidentally skipped an answer, causing the remaining answers to be in the wrong bubble.

98. The University and the student submitted a joint submission of penalty, which included a grade of zero in the course and a three-year suspension from the University. The student had committed two previous offences, which were aggravating circumstances. There were also mitigating circumstances. The student's sister had committed suicide several years before the events in question, which led the student to see a clinical psychologist through to the time that the offences were committed. He was diagnosed with Chronic Depression and Anxiety. The student cited his family distress and psychological conditions as the reasons for his previous offences. The student submitted a report from his psychologist on his condition. The Panel accepted the joint submission of penalty, but noted that, but for the mitigating circumstances, the penalty would normally be more severe.

99. The mitigating circumstances in this case must be taken into account in determining the length of the suspension. In light of the evidence and the precedents, the panel is of the view that the appropriate suspension in this case is three years. The offence itself would normally dictate a longer suspension, but if we are to give true weight to the extenuating circumstances, it is unsound to impose the same sentence as cases where there are aggravating factors and no mitigating ones.

100. We believe that this sentence, although less severe than many of the precedents for multiple instances of plagiarism, is fair and equitable in all the circumstances. The Student will be still be suspended for three years and receive a failing grade in five courses. Should the Student return to the University, he will be required to repeat an entire semester to obtain the necessary

credits. The damage to the University occasioned by the offence and the goal of general deterrence is adequately reflected by this sentence.

PART 6 - CONCLUSION

101. Accordingly, the Panel imposes the following penalty:

- (a) the Student receive a final grade of "0" in Law 224H1S, Law278H1S, Law213H1S, Law226H1S; and Law445H1;
- (b) the Student be suspended from the University for a period of 3 years effective immediately; and
- (c) this case be reported to the Provost, with the Student's name withheld, for publication of a notice of the Decision of the Tribunal and sanction imposed.

Dated at Toronto, this 3rd day of October, 2019



Dena Varah
Tribunal, Co-Chair

THE UNIVERSITY TRIBUNAL OF THE UNIVERSITY OF TORONTO

IN THE MATTER OF charges of academic dishonesty filed on June 28, 2017, and January 25, 2018,

AND IN THE MATTER OF the University of Toronto Code of Behaviour on Academic Matters, 1995,

AND IN THE MATTER OF the University of Toronto Act, 1971, S.O. 1971, c. 56 as am. S.O. 1978, c. 88

NO. 1

BETWEEN:

THE UNIVERSITY OF TORONTO

THE UNIVERSITY TRIBUNAL
UNIVERSITY OF TORONTO

- AND -

AND
[Redacted]

C [Redacted] J [Redacted]

This Exhibit is produced by

the University

AGREED STATEMENT OF FACTS

this 4 day of July, 2019

[Handwritten signature]

1. This hearing arises out of charges of academic misconduct filed by the Provost of the University of Toronto (the "Provost") under the Code of Behaviour on Academic Matters ("Code"). For the purpose of this hearing, the Provost and [Redacted] ("Mr. J [Redacted]") have prepared this Agreed Statement of Facts ("ASF") and a joint book of documents ("JBD"). The Provost and Mr. J [Redacted] agree that:

- (a) each document contained in the JBD may be admitted into evidence at the Tribunal for all purposes, including for the truth of the document's contents, without further need to prove the document; and
- (b) if a document indicates that it was sent or received by someone, that is prima facie proof that the document was sent and received as indicated.

2. Mr. J [Redacted] admits that he received a copy of the charges filed by the Provost on June 28, 2017. The charges are included in the JBD at Tab 1.

3. Mr. J [REDACTED] admits that he received a copy of the additional charges filed by the Provost on January 25, 2018. The charges are included in the JBD at Tab 2.

4. Mr. J [REDACTED] admits that he received a copy of the notice of hearing in this matter and that he has received reasonable notice of this hearing. A copy of the notice of hearing is included in the JBD at Tab 3.

5. Mr. J [REDACTED] waives the reading of the charges filed against him, and pleads guilty to all of the charges, except charge 5 and charge 2 of the additional charges.

6. The Provost agrees that if the Tribunal convicts Mr. J [REDACTED] on charges 1 to 4, the Provost will withdraw charge 5. If the Tribunal does not convict Mr. J [REDACTED] on charges 1 to 4, he will plead guilty to charge 5.

7. The Provost agrees that if the Tribunal convicts Mr. J [REDACTED] on charge 1 of the additional charges, the Provost will withdraw charge 2 of the additional charges.

8. In 2013, Mr. J [REDACTED] was admitted to the first year of the Juris Doctor program at the Faculty of Law at the University of Toronto. In 2014, after completing his first year of studies, Mr. J [REDACTED] was admitted to the combined Juris Doctor / Master of Business Administration program, and proceeded to complete the first year of the Master of Business Administration program. At all times, Mr. J [REDACTED] was a registered student at the University of Toronto. A copy of Mr. J [REDACTED] academic record is included in the JBD at Tab 4.

A. Community Planning – LAW 224

9. In Winter 2017, in his final semester of the four year combined program, Mr. J [REDACTED] registered in LAW224H1S – Community Planning: Problems in Urban Policy (“Community

Planning”), which was taught by Prof. Arnold Weinrib. A copy of the course description for Community Planning is included in the JBD at Tab 5.

10. One of the course requirements was to submit a final paper that was worth 90% of the final grade in the Community Planning.

11. On or about May 3, 2017, Mr. J [REDACTED] submitted a 7,000-word paper titled “Compensation for Loss of a Home” (“Compensation Paper”) to fulfill the final paper requirement and to obtain academic credit. A copy of the Compensation Paper is included in the JBD at Tab 6.

12. Mr. J [REDACTED] received a final grade of Honours in the Community Planning.

13. After the Compensation Paper was graded, staff at the Faculty of Law discovered that Mr. J [REDACTED] had included verbatim and nearly verbatim text from “Making up for the Loss of ‘Home’: Compensation in Residential Property Expropriation” in Public Interest, Private Property: Law and Planning Policy in Canada, by Anneke Smit and Marcia Vaiante eds., UBC Press, 2015 (the “Smit Article”) in the Compensation Paper.

14. A highlighted version of the Compensation Paper is included in the JBD at Tab 7. The highlighting indicates text in the Compensation Paper that was taken verbatim or nearly verbatim from the Smit Article without appropriate attribution. Mr. J [REDACTED] agrees that the highlighted text should have been referenced appropriately using quotation marks and references to the Smit Article.

15. A highlighted version of the Smit Article is included in the JBD at Tab 8. The highlighting indicates text in the Smit Article that Mr. J [REDACTED] used in the Compensation Paper in verbatim or nearly verbatim form without appropriate attribution.

16. Mr. J. [REDACTED] admits that he did no meaningful academic work on the Compensation Paper. He admits that he copied and pasted the text from the Smit Article into the Compensation Paper and made only minor and inconsequential cosmetic changes to the text he took from the Smit Article.

17. Mr. J. [REDACTED] admits that the footnotes in the Compensation Paper were taken directly and verbatim from the footnotes in the Smit Article. He admits that he included the footnotes in the Compensation Paper so that it was not obvious that he had copied the entire 7,000 word paper from a single source.

18. Mr. J. [REDACTED] admits that in six places in the Compensation Paper he changed the word "chapter" from the Smit Article to the word "essay" in the Compensation Paper in order to disguise the fact that he was otherwise copying sentences verbatim from the Smit Article to the Compensation Paper.

19. Mr. J. [REDACTED] admits that in the conclusion of his paper the number "102" appears after the words "private developers" because he copied and pasted text from the Smit Article and forgot to delete the superscript text "102," which indicated footnote 102 in the Smit Article. He admits that he deleted the other footnote references that appeared Smit Article after he pasted them into the Compensation Paper. Mr. J. [REDACTED] admits that he did so in order to disguise the fact that he was otherwise copying sentences verbatim from the Smit Article to the Compensation Paper.

20. Mr. J. [REDACTED] admits that he did not include any reference to the Smit Article in the Compensation Paper, despite his significant and inappropriate reliance on the Smit Article. He admits that he did so in order to make it more difficult to detect his plagiarism from that source.

21. Mr. J [REDACTED] admits that he knowingly:
- (a) included verbatim and nearly verbatim excerpts from the Smit Article in the Compensation Paper;
 - (b) failed to attribute those verbatim and nearly verbatim excerpts appropriately by using quotation marks or other methods;
 - (c) failed to reference the Smit Article in the Compensation Paper;
 - (d) represented in the Compensation Paper the ideas of another person, the expression of the ideas of another person, and the work of another person as his own;
 - (e) committed plagiarism in the Compensation Paper contrary to section B.I.1(d) of the *Code*; and
 - (f) engaged in a form of cheating, academic dishonesty or misconduct, fraud or misrepresentation in order to obtain academic credit, contrary to section B.I.3(b) of the *Code*.

B. Emerging Markets – LAW 278

22. In Winter 2017, Mr. J [REDACTED] registered in LAW278H1S – Investment and Growth in Emerging Markets (“Emerging Markets”), which was taught by an adjunct professor, Mitchell Wigdor. A copy of the course description for Emerging Markets is included in the JBD at Tab 9.

23. One of the course requirements was to submit a final paper that was worth 50% of the final grade in the Emerging Markets.

24. On or about April 3, 2017, Mr. Jacobs submitted a 3,320-word paper "Government Legitimacy in Developing Nations" ("Legitimacy Paper"), to fulfill the final paper requirement and to obtain academic credit in Emerging Markets. A copy of the Legitimacy Paper is included in the JBD at Tab 10.

25. Mr. J [REDACTED] received a final grade of Pass in Emerging Markets.

26. After the Legitimacy Paper was graded, staff at the Faculty of Law discovered that Mr. J [REDACTED] had included verbatim and nearly verbatim text from "Development, Legitimacy, and the Role of the State: The Asian Tigers from Independence to Industrialization," posted by Bruno Marshall Shirley on October 16, 2014, E-International Relations Students (the "Shirley Article") in the Legitimacy Paper.

27. A highlighted version of the Legitimacy Paper is included in the JBD at Tab 11. The highlighting indicates text in the Legitimacy Paper that was taken verbatim or nearly verbatim from the Shirley Article without appropriate attribution. Mr. J [REDACTED] agrees that the highlighted text should have been referenced appropriately using quotation marks and references to the Shirley Article.

28. A highlighted version of the Shirley Article is included in the JBD at Tab 12. The highlighting indicates text in the Shirley Article that Mr. J [REDACTED] used in the Legitimacy Paper in verbatim or nearly verbatim form without appropriate attribution.

29. Mr. J [REDACTED] admits that he did no meaningful academic work on the Legitimacy Paper. He admits that he copied and pasted the text from the Shirley Article into the Legitimacy Paper and made only minor and inconsequential cosmetic changes to the text taken from the Shirley Article.

30. Mr. J. [REDACTED] admits that he took the footnotes in the Legitimacy Paper directly and verbatim from the footnotes in the Shirley Article. He admits that he included the footnotes in the Legitimacy Paper so that it was not obvious that he had copied the entire 3,320-word paper from a single source.

31. Mr. J. [REDACTED] admits that he changed the word "earnt" from the Shirley Article to the word "earned" in the Legitimacy Paper because "earnt" is a very uncommon and non-standard alternative form of "earned". He did so as not to raise suspicion that he was copying text from another source into the Legitimacy Paper.

32. Mr. J. [REDACTED] admits that he did not include any reference to the Shirley Article in the Legitimacy Paper, despite his significant and inappropriate reliance on the Shirley Article. He admits that he did so in order to make it more difficult to detect his plagiarism from that source.

33. Mr. J. [REDACTED] admits that he knowingly:

- (a) included verbatim and nearly verbatim excerpts from the Shirley Article in the Legitimacy Paper;
- (b) failed to attribute those verbatim and nearly verbatim excerpts appropriately by using quotation marks or other methods;
- (c) failed to reference the Shirley Article in the Legitimacy Paper;
- (d) represented in the Legitimacy Paper the ideas of another person, the expression of the ideas of another person, and the work of another person as his own;

- (e) committed plagiarism in the Legitimacy Paper contrary to section B.I.1(d) of the *Code*; and
- (f) engaged in a form of cheating, academic dishonesty or misconduct, fraud or misrepresentation in order to obtain academic credit, contrary to section B.I.3(b) of the *Code*.

C. *Kant's Philosophy – LAW 213*

34. In Winter 2017, Mr. Jacobs registered in LAW213H1S – Kant's Philosophy of Law ("Kant's Philosophy"), which was taught by Prof. Ernest Weinrib. A copy of the course description for the Kant's Philosophy is included in the JBD at Tab 13.

35. One of the course requirements was to submit a final paper that was worth 100% of the final grade in the Kant's Philosophy.

36. On or about April 29, 2017, Mr. J [REDACTED] submitted a 4,000-word paper titled "Freedom and Resources in the Kantian State" ("Freedom Paper"), to fulfill the final paper requirement and to obtain academic credit. A copy of the Freedom Paper is included in the JBD at Tab 14.

37. Mr. J [REDACTED] received a final grade of Pass in the Kant's Philosophy.

38. After the Freedom Paper was graded, staff at the Faculty of Law discovered that Mr. J [REDACTED] had included verbatim and nearly verbatim text from "Deborah Hawkins, "The One Innate Right, Resources, and Property in the Kantian State" (the "Hawkins Article") in the Freedom Paper.

39. A highlighted version of the Freedom Paper is included in the JBD at Tab 15. The highlighting indicates text in the Freedom Paper that was taken verbatim or nearly verbatim

from the Hawkins Article without appropriate attribution. Mr. J [REDACTED] agrees that the highlighted text should have been referenced appropriately using quotation marks and references to the Hawkins Article.

40. A highlighted version of the Hawkins Article is included in the JBD at Tab 16. The highlighting indicates text in the Hawkins Article that Mr. J [REDACTED] used in the Freedom Paper in verbatim or nearly verbatim form without appropriate attribution.

41. Mr. J [REDACTED] admits that he did no meaningful academic work on the Freedom Paper. He admits that he copied and pasted the text from the Hawkins Article into the Freedom paper and made only minor and inconsequential cosmetic changes to the text taken from the Hawkins Article.

42. Mr. J [REDACTED] admits that in several places in the Freedom Paper he changed the German word "*Willkür*" from the Hawkins Article to the word "choice" in the Freedom Paper in order to disguise the fact that he was otherwise copying sentences verbatim from the Hawkins Article to the Freedom Paper.

43. Mr. J [REDACTED] admits that he took the footnotes in the Freedom Paper directly and verbatim from the footnotes in the Hawkins Article. He admits that he included the footnotes in the Freedom Paper so that it was not obvious that he had copied the entire 4,000-word paper from a single source.

44. Mr. J [REDACTED] admits that he did not include any reference to the Hawkins Article in the Freedom Paper, despite his significant and inappropriate reliance on the Hawkins Article. He admits that he did so in order to make it more difficult to detect his plagiarism from that source.

45. Mr. J. ██████ admits that he knowingly:
- (a) included verbatim and nearly verbatim excerpts from the Hawkins Article in the Freedom Paper;
 - (b) failed to attribute those verbatim and nearly verbatim excerpts appropriately by using quotation marks or other methods;
 - (c) failed to reference the Hawkins Article in the Freedom Paper;
 - (d) represented in the Freedom Paper the ideas of another person, the expression of the ideas of another person, and the work of another person as his own;
 - (e) committed plagiarism in the Freedom Paper contrary to section B.I.1(d) of the *Code*; and
 - (f) engaged in a form of cheating, academic dishonesty or misconduct, fraud or misrepresentation in order to obtain academic credit, contrary to section B.I.3(b) of the *Code*.

D. Contract Law – LAW 226

46. In Winter 2017, Mr. Jacobs registered in LAW226H1S – Topics in Contract Law and Contract Theory (“Contract Law”), which was taught by Prof. Peter Benson. A copy of the course description for Contract Law is included in the JBD at Tab 17.

47. One of the course requirements was to submit a final paper that was worth 90% of the final grade in Contract Law.

48. On or about April 26, 2017, Mr. J [REDACTED] submitted a 6,990-word paper titled "Contract Modification and Consideration" ("Contract Paper") to fulfill the final paper requirement and to obtain academic credit. A copy of the Contract Paper is included in the JBD at Tab 18.

49. Mr. J [REDACTED] received a final grade of Honours in Contract Law.

50. After the Contract Paper was graded, staff at the Faculty of Law discovered that Mr. J [REDACTED] had included verbatim and nearly verbatim text from "Contract Modifications, Consideration, and Moral Hazard" by Cheng Tan, 17 *Singapore Academy of Law Journal* 566 (2005) (the "Tan Article") in the Contract Paper.

51. A highlighted version of the Contract Paper is included in the JBD at Tab 19. The highlighting indicates text in the Contract Paper that was taken verbatim or nearly verbatim from the Tan Article without appropriate attribution. Mr. J [REDACTED] agrees that the highlighted text should have been referenced appropriately using quotation marks and references to the Tan Article.

52. A highlighted version of the Tan Article is included in the JBD at Tab 20. The highlighting indicates text in the Tan Article that Mr. J [REDACTED] used in the Contract Paper in verbatim or nearly verbatim form without appropriate attribution.

53. Mr. J [REDACTED] admits that he did no meaningful academic work on the Contract Paper. He admits that he copied and pasted the text from the Tan Article into the Contract paper and made only minor and inconsequential cosmetic changes to the text taken from the Tan Article.

54. Mr. J [REDACTED] admits that he took the footnotes in the Contract Paper directly and verbatim from the footnotes in the Tan Article. He admits that he included the footnotes in

the Contract so that it was not obvious that he had copied the entire 7,000-word paper from a single source.

55. Mr. J [REDACTED] admits that in four places in the Contract Paper he changed the word "article" from the Tan Article to the word "essay" in the Contract Paper in order to disguise the fact that he was otherwise copying sentences verbatim from the Tan Article to the Contract Paper.

56. Mr. J [REDACTED] admits that he did not include any reference to the Tan Article in the Contract Paper, despite his significant and inappropriate reliance on the Tan Article. He admits that he did so in order to make it more difficult to detect his plagiarism from that source.

57. Mr. J [REDACTED] admits that he knowingly:

- (a) included verbatim and nearly verbatim excerpts from the Tan Article in the Contract Paper;
- (b) failed to attribute those verbatim and nearly verbatim excerpts appropriately by using quotation marks or other methods;
- (c) failed to reference the Tan Article in the Contract Paper;
- (d) represented in the Contract Paper the ideas of another person, the expression of the ideas of another person, and the work of another person as his own;
- (e) committed plagiarism in the Contract Paper contrary to section B.I.1(d) of the Code; and

- (f) engaged in a form of cheating, academic dishonesty or misconduct, fraud or misrepresentation in order to obtain academic credit, contrary to section B.I.3(b) of the *Code*.

E. Statutory Interpretation - Law 445

58. In Fall 2016, Mr. J. [REDACTED] registered in LAW445H1–Statutes and Statutory Interpretation (“Statutory Interpretation”), which was taught by Prof. Anver Emon . A copy of the course description for Statutory Interpretation is included in the JBD at Tab 21.

59. One of the course requirements was an eight-hour take home examination, which was worth 70% of the final grade in Statutory Interpretation.

60. In December 2016, Mr. J. [REDACTED] submitted his answers to fulfill the course requirements and to obtain academic credit (“Take Home Examination”). A copy of the Take Home Examination is included in the JBD at Tab 22.

61. Mr. J. [REDACTED] received a final grade of Honours in Statutory Interpretation.

62. In Fall 2017, staff at the Faculty of Law discovered that Mr. J. [REDACTED] had included verbatim and nearly verbatim text from the introduction to the book *Justice and the Ethics of Legal Interpretation*, by Susanna Lindroos-Hovinheimo, Routledge, 2012 (“Lindroos-Hovinheimo Introduction”) in the Take Home Examination.

63. A highlighted version of the Take Home Examination is included in the JBD at Tab 23. The highlighting indicates text in the Take Home Examination that was taken verbatim or nearly verbatim from the Lindroos-Hovinheimo Introduction without appropriate attribution. Mr. J. [REDACTED] agrees that the highlighted text should have been referenced

appropriately using quotation marks and references to the Lindroos-Hovinheimo Introduction.

64. A highlighted version of the Lindroos-Hovinheimo Introduction is included in the JBD at Tab 24. The highlighting indicates text in the Lindroos-Hovinheimo Introduction that Mr. J [REDACTED] used in the Take Home Examination in verbatim or nearly verbatim form without appropriate attribution.

65. He admits that he copied and pasted the text from the Lindroos-Hovinheimo Introduction into the Take Home Examination and made only minor and inconsequential cosmetic changes to the text taken from the Lindroos-Hovinheimo Introduction.

66. Mr. J [REDACTED] admits that he did not include any reference to the Lindroos-Hovinheimo Introduction, in the Take Home Examination, despite his reliance on the Lindroos-Hovinheimo Introduction.

67. Mr. J [REDACTED] admits that he:

- (a) included verbatim and nearly verbatim excerpts from the Lindroos-Hovinheimo Introduction in the Take Home Examination;
- (b) failed to attribute those verbatim and nearly verbatim excerpts appropriately by using quotation marks or other methods;
- (c) failed to reference the Lindroos-Hovinheimo Introduction in the Take Home Examination;

- (d) ought reasonably to have known that this had the effect of representing the ideas of another person, the expression of the ideas of another person, and the work of another person as his own; and
- (e) committed plagiarism in the Take Home Examination contrary to section B.I.1(d) of the *Code*.

F. Meeting with the Dean's Designate

68. On May 29 and June 2, 2017, Mr. J. [REDACTED] met with Prof. Kerry Rittich, the designate of the Dean of the Faculty of Law at the University of Toronto. Mr. J. [REDACTED] admitted to Prof. Rittich that he had violated the Code by committing plagiarism in the Compensation Paper, the Legitimacy Paper, the Freedom Paper, and the Contract Paper.

G. General

69. Mr. J. [REDACTED] acknowledges that:

- (a) the Provost has advised Mr. J. [REDACTED] of his right to obtain legal counsel and that he has done so;
- (b) he is signing this ASF freely and voluntarily, knowing of the potential consequences he faces; and
- (c) the Provost has provided him with no assurances regarding what sanction the Provost may request the Tribunal to impose in this case.

[REDACTED]

J. [REDACTED]

Date: June 19, 2019

Robert A. Centa
Assistant Discipline Counsel
University of Toronto

Date: _____



Robert A. Centa
Assistant Discipline Counsel
University of Toronto

Date: June 19, 2019