

To: 5.1.2e 5.1.2e [mailto:5.1.2e@umail.leidenuniv.nl]
From: LAW - Examencommissie
Sent: Thursday, 5.1.2e 10:39:08 AM
Subject: RE: 5.1.2e decision Board of Examiners - reversal
Received: Thursday, 5.1.2e 10:39:00 AM

Dear 5.1.2e

The Board has reconsidered its decision of 5.1.2e and has decided to grant your request to be given an opportunity to rectify (repair) your thesis, with the proviso that the grade will be capped at a grade 5.1.2e. It is for the examiner/supervisor to decide what the reparation should entail. You should, therefore, contact 5.1.2e as soon as possible.

Yours kindly, on behalf of the Board of Examiners,

5.1.2e



Universiteit
Leiden

Universiteit Leiden | Faculteit der Rechtsgeleerdheid - Cleveringa instituut
Steenschuur 25 | 2311 ES Leiden | examencommissie@law.leidenuniv.nl

From: 5.1.2e
Sent: woensdag 5.1.2e 07:00
To: LAW - Examencommissie
Subject: Re: 5.1.2e decision Board of Examiners
Dear 5.1.2e

Thank you for your reply.

For the information you requested, please find attached a file titled "Student Penalty Codes".

You can also access this file through 5.1.2e

Link of website:

5.1.2e

Kind regards,

5.1.2e

From: LAW - Examencommissie <examencommissie@law.leidenuniv.nl>
Sent: Monday, 5.1.2e 2:32:39 PM
To: 5.1.2e <5.1.2e@umail.leidenuniv.nl>
Subject: RE: 5.1.2e decision Board of Examiners
Dear 5.1.2e

Thank you for your message. In light of what you say, the Board of Examiners is willing to reconsider its decision of 5.1.2e. Please note, however, that this does not necessarily mean that it will reverse this decision. It may be that the Board comes to the conclusion that there is no reason to reverse any part of the decision and that therefore it should be upheld. Further, to be able to carefully reconsider the decision, the Board will need proof of what you say about 5.1.2e

5.1.2e. The Board therefore asks you to provide this evidence via email *before* 5.1.2e to the reply mail address. Also, please note that given 5.1.2e the decision on your request for a reconsideration will most likely not be taken before Friday 5.1.2e

Yours kindly, on behalf the Board of Examiners,

5.1.2e

From: 5.1.2e <5.1.2e@umail.leidenuniv.nl>
Sent: Monday 5.1.2e 7:00 AM
To: LAW - Examencommissie <examencommissie@law.leidenuniv.nl>
Subject: Re: 5.1.2e decision Board of Examiners

Dear Board of Examiners,

I am writing this email to seek clarifications and request to revisit the decision made by the board. I could not find clarifications in the rules and regulations on what deeming a thesis "invalid" means, could you please further clarify the decision. Does the invalidity tantamount to a "fail"? Additionally what does "writing a new thesis" mean?

I regret that I had to rush my reply to the board because

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was afraid

that my reply was too late, therefore could not take the necessary time to go through the report and thesis thoroughly and present my case to the fullest. My reply was not sufficient due to bad judgment from my side, I should have asked for more time to gather my thoughts and present my case but I decided to reply promptly instead and I regret that very much now.

Receiving the decision that my thesis was invalid honestly took me by surprise, as I assure you I never intended to plagiarize and never thought that I would even be a suspect of plagiarism. I am a very dedicated student and take academic integrity very seriously. I always adhere by guidelines and ethical standards and in my cultural background it is never acceptable to plagiarize, and I understand the severity of doing so.

I went through my thesis and report and found that out of the 32% of the 5.1.2e book:

1. 30% are footnotes
2. 20% are quotes in quotation marks or terminology/phrases in quotation marks.
3. 8% are the bibliography.
4. 3% are article numbers or dates.

I never would consciously plagiarize in any of my work, I thought that it was enough to refer to the references the book referred to when the ideas were from another reference and not the book itself, and refer to the book itself when the idea is originally from the book that is why I didn't refer to the book that much. If I knew it was an issue, I would have referred to the book in all the relevant references. In addition to that, if the Turnitin system was available to use before the final submission I would have used it to make sure that my paper and the referencing was sufficient.

After reviewing the report indeed some quotation marks are missing, but that was an honest mistake on my end as I was in a rush to submit my thesis 5.1.2e and due to the time crunch I wasn't careful enough when reviewing my thesis before submitting, that is not an excuse but rather a lesson to learn from and in the future I will be much more careful.

I have previously shared with my supervisor the importance of this thesis for me, the topic is a topic I am very interested in and as my supervisor stated before it is a very niche topic that not many have written about. I worked very hard on this paper and spent months on end researching about it as resources are limited and hard to find on this topic, I met several 5.1.2e and discussed this issue all to benefit this thesis and I had very high hopes for this paper. It shatters me to see my work be considered useless in the end.

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This decision to deem my thesis invalid therefore jeopardizes my whole future and I will not be able to recover from it. 5.1.2e

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I appeal to the board to revise my case and see if there is any other way to rectify the issues in my thesis, I am willing to do whatever it takes to fix this. Is there may be a chance to extend my submission till 5.1.2e? And I can work on fixing all the issues and even change the whole fourth chapter if it is the main concern.

I am deeply disappointed in myself for putting myself in this situation, but ultimately I find it unfair to deem this thesis invalid after all the effort, time, and resources spent on it. Please take my clarifications into consideration and help me overcome this hardship.

Kind regards,

5.1.2e

From: LAW - Examencommissie <examencommissie@law.leidenuniv.nl>

Sent: Monday, 5.1.2e 4:18:05 PM

247336 5.1.2e <5.1.2e@umail.leidenuniv.nl>

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Dear 5.1.2e

You recently wrote your master's thesis. After you submitted your thesis, the examiner (the thesis supervisor) noticed that at a number of places you had literally copied text without using quotation marks or without a reference to the source or sources used. In accordance with the provisions contained in Article 6.2 of the Examination Rules and Regulations by the Board of Examiners of Leiden Law School, the examiner proceeded to report this to the Board of Examiners. The examiner notified you of the finding of plagiarism and the reporting of this to the Board of Examiners.

The Board of Examiners has studied your thesis and the corresponding similarity report, and asked you on 5.1.2e for a clarification. On 5.1.2e you responded to this request via email. In your email you say:

"(...)I am very dedicated to my studies and I am very detail oriented and understand the weight of appropriately citing the works of other authors.

Regarding the plagiarism suspicion after going through the report and looking at the highlighted sections in detail, the 5.1.2e resource was indeed one of my primary sources in this paper.

Although based on my 5.1.2e I was taught to refer the references that the author refers to and not to the author 5.1.2e unless it was actually the author's ideas, therefore in my referencing I refer to the references 5.1.2e refers to more than referring to 5.1.2e directly. I believe this might be a misunderstanding regarding the way to cite references."

First of all, the Board of Examiners has to answer the question whether this is a case of plagiarism or not. If the answer to this is yes, the Board of Examiners must then decide on appropriate action or a sanction.

Pursuant to Article 6.1 R&R, to the extent this is relevant, plagiarism is understood in any case to mean:

"a. Using or copying someone else's texts, data or ideas without complete and accurate source referencing;

b. Not indicating clearly in the text, for example with quotation marks or a specific text format, that the text was literally taken from another author's work, even when a correct source is included;

(...)"

Having studied the texts, the findings of the examiner and based on its own investigation, the Board of Examiners has found that there are indeed several passages where you have extensively plagiarized the work of another author or authors, by not using any quotation marks and in several cases by not stating any source at all for the text. In fact, a significant part of the text you present as your own is text copied from other sources.

Regarding the question whether a sanction should be imposed and, if so, what sanction is appropriate, the Board of Examiners states first and foremost that fraud, or plagiarism, as the case may be, is considered to be a serious offence which in principle should be dealt with severely. In the words of the Examination Appeals Board: "The guiding principle of the Board, as well as the University, is that fraud in any form or scope, is not tolerated within the academic environment. Plagiarism is a form of fraud and something the University considers to be most serious. Academia exists by virtue of faith in the integrity of scholars and scientists. Scholars, or aspiring researchers, must therefore at all times abstain from committing fraud, and not only in the case of assignments submitted as part of a unit of study or exams that are made to complete a unit of study."

The Board of Examiners endorses this point of view, also considering its statutory task to safeguard the quality of assessments and examinations. That said, the definitions of the term 'fraud' - and of 'plagiarism' as a particular type of fraud - are very broad, and include actions that though careless, cannot be considered to be fraud or plagiarism in a strict sense. The Board of Examiners believes that a harsh response as advocated in principle is not appropriate if the act in question does not involve any form of deliberate intent and is not an imputable act that is contrary to the student's duty of due care under the definitions 'fraud' and 'plagiarism'.

Further, the Board of Examiners is also of the opinion that in a test of an academic text, correct references to material consulted by the author must at all times be provided and that, when text is cited - i.e. work is literally taken from the work of another author - this must be clearly indicated, for example by the use of quotation marks or a specific text format.

The Board of Examiners is of the opinion that you are guilty of serious fraud, given the number of places where you

plagiarized the work of others without quotation marks and/or without the reference(s) required and given the importance of the plagiarized text in the context of your thesis. Given the above, the Board of Examiners finds it highly unlikely that the plagiarism has resulted from “a non-conscious act”. Rather, it shows a lack of awareness of the importance of academic integrity. It can and must be expected and required of a master’s student that she or he is aware of the generally accepted standards and regulations that apply in relation to fraud (plagiarism) and that she or he acts accordingly. Plagiarism must be avoided at all times.

In view of the above, the Board of Examiners has decided, by virtue of the provisions in Article 6.6.3(b) R&R,

- to declare the result of your master’s thesis invalid.

This means that you have to write a new thesis.

The examiner has been informed of this decision.

A note of this decision will be added to your electronic file (i.e. uSis). (This note and the information contained therein will not be shared with any third party.)

On behalf of the Board of Examiners of Leiden Law School,

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An appeal against this decision lies with the Examination Appeals Board. An appeal can be lodged in two ways: via e-mail cbe@bb.leidenuniv.nl, from your u-mail-address, or via postal dispatch, c/o Rapenburg 70, PO Box 9500, 2300 RA Leiden. An appeal must state the reasons for it and a copy of the contested decision must be enclosed. An appeal must be lodged within six weeks after the decision having been emailed to you. If urgency so requires, the Chair of the Appeals Board may grant an interim injunction at the request of the appellant.