

**THE HONOUR CODE  
OF  
THE UNIVERSITY OF NOTRE DAME AUSTRALIA  
LAW STUDENTS**

**A. ETHICAL STANDARDS**

All lawyers, and those who aspire to be lawyers, need to be reminded of the high ethical standards which are expected of the legal profession. These standards, based upon obligations of honesty and trust, serve not only to protect the interests of those whom a lawyer represents, but they also protect the rule of law which underlies our constitutional and legal system.

The University of Notre Dame Australia is a Catholic University and students are expected to be familiar with the University's Mission Statement and adhere to its principles, which reflect those rules of law.

General Integrity

1. A student must endeavour to comply with all of the University's regulations and, at all times, act in a manner which demonstrates the high standards of honesty and integrity expected of those who serve the legal system.

Academic Integrity

2. A student must, at all times, comply with the School of Law's Academic Integrity Policy. Specifically, a student must not cheat or attempt to cheat in any form of assessment, including exams, nor must a student do anything to assist another student to cheat, including:-
  - (a) plagiarising the work or ideas of any other person by falsely representing their words or ideas as one's own;
  - (b) using answer guides to seminar questions and problems, to assignment and moot topics, or to other forms of assessment in such a way as to misrepresent this material as the product of one's own thought and study;
  - (c) producing, distributing or selling such answer guides for the purpose of assisting other students to misrepresent their answers as their own.

- (d) engaging in any conduct in the pursuit of their studies that breaches any Regulations, policies or Code or is otherwise unprofessional or dishonest conduct.
3. A student must comply with all of the requirements for the proper conduct of examinations, including:-
- (a) complying strictly with any instructions in relation to authorised materials which may be brought into the examination;
  - (b) not permitting another person to take the examination for the student;
  - (c) not engaging in any form of cheating.

### Student Integrity

4. A student must not engage in any conduct which obstructs the learning efforts of fellow students, including:
- (a) stealing, damaging, or interfering with the notes, equipment or other property of fellow students;
  - (b) failing to return property borrowed from fellow students;
  - (c) subjecting fellow students to physical or psychological abuse;
  - (d) using the notes or other property of fellow students without their permission.
  - (e) knowingly or negligently misrepresenting facts about themselves or another person to the staff of the Law School or to any other person for the purpose of obtaining an unfair academic or financial benefit or for the purpose of injuring a fellow student academically or psychologically.
5. Students shall treat fellow students and **all** University staff honestly, courteously and in good faith and shall endeavour to establish and maintain a professional relationship of trust and confidence with each other.
6. Students shall not:
- (a) discriminate against any other student or staff member by reason of “...colour, race, ethnic or national origins , gender, sexual orientation, marital status, physical impairment or religious beliefs”.<sup>1</sup>

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<sup>1</sup> Based on the Law Society of Western Australia’s Professional Conduct Rules (PCR) 20.5

(b) in the course of their studies or other activities related to their enrolment in the College, “engage in conduct which is not directed towards a specific person, but is offensive or is likely to offend a reasonable person because of its [discriminatory or offensive] nature.”<sup>2</sup>

### Library Integrity

7. A student must make use of all of the Notre Dame libraries (the Library) in a manner that is courteous and considerate to fellow students and staff and that helps promote the University in a positive way. Activities and behaviour in the Library that are incompatible with its courteous and considerate use include:

- (a) All eating and drinking;
- (b) Swearing and other abusive language;
- (c) Loud conversation;
- (d) Leaving Library books on desks after use instead of placing them on re-shelving trolleys or at other designated places;
- (e) Removal of any Library material from Notre Dame libraries without completing the formal loan transaction procedures;
- (f) Removal of any Library material from other libraries without completing the formal loan transaction procedures;
- (g) Deliberate mis-shelving of any library material in order to hide it from other students and staff;
- (h) Failing to replace photocopied articles in the correct reserve collection pamphlet boxes;
- (i) Marking, underlining, highlighting or annotating Library material in any way;
- (j) Tearing, cutting or removing pages from any book or other Library material;
- (k) Any act of vandalism directed at any Library property;
- (l) Using e-mail at any terminals other than those designated for the purpose;
- (m) Using Library computer terminals for any purpose not connected with a University course of study;

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<sup>2</sup> Based on the Law Society of Western Australia’s Professional Conduct Rules PCR 20.7

(n) Failing to observe University standards of dress;

(o) Using mobile phones.

Sanctions will be imposed (in accordance with the disciplinary procedure detailed in Part B) on persons who behave or act in any of these ways and include exclusion from the Library for up to four hours.

## **B. DISCIPLINARY PROCEDURE**

1. A complaint may be made to the Dean of the Law School in the event of any violation by a law student of this Honour Code.
2. The Dean may require the complaint to be in writing and signed by the complainant.
3. The student, the subject of the complaint, will be notified by the Dean of the terms of the complaint if the Dean is satisfied that the complaint is bona fide and appears to involve a potential violation of the Honour Code.
4. The Dean will provide an opportunity for both the complainant and the student concerned to address the Dean, together with such other members of staff as the Dean may determine, on the matter.
5. The manner in which those addresses are given shall be determined by the Dean.
6. Only after both the complainant and the student concerned have been given the opportunity to address the Dean, the Dean may, in his or her discretion, take any of the following steps:
  - (a) Dismiss the complaint as unwarranted or unfounded;
  - (b) Issue a warning to the student concerned;
  - (c) Uphold the complaint and advise the student concerned that the Dean will deal with the matter; or,
  - (d) Uphold the complaint and advise the student concerned that the matter is of such seriousness that he or she will refer the matter to the Discipline Committee of the University, as established under the *General Regulations* of the University.

7. In those instances where the Dean deals with the matter, the Dean may impose such penalty as the Dean considers is appropriate and fair in the circumstances.

Examples of penalties which the Dean may impose include: a fine, an order of restitution, an entry of a fail grade for subject or zero marks for a particular assessment in a subject, or suspension from the Law School for a period no longer than a semester.

8. The disciplinary procedure provided for in paragraphs (1) to (7) is intended to complement the *Disciplinary Regulations* and the *General Regulations* of the University to which both the Honour Code and the Disciplinary Procedure remain subject.