

# IMMIGRATION NEWS

(Volume 131)

*Is it safe to study in NSW?*



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Dear Students

Welcome to the new subscribers of IMMIGRATION NEWS which is published by Australian Immigration Law Services.

Please feel free to e-mail this newsletter to any of your friends.

## **Is it Safe to Study in NSW?**

In the past hundreds of students in NSW have lost significant amounts of money studying at private education providers who have been closed down by the NSW government. It really does raise serious issues about how safe is the money international students invest in their education when they choose to study in small private vocational colleges in NSW.

## **Windsor Institute of Commerce Under Investigation**

Today we write about **Windsor Institute of Commerce** which has been under investigation by the NSW and Federal governments over irregularities in its enrolment practices. This school is a private vocational education provider in Sydney and a former employee at Windsor (we will call Sam) has lodged many serious complaints lodged to the NSW Vocational Educational Accreditation and Training Board (VETAB) regarding falsifying its enrolment records. VETAB has since confirmed that these allegations were substantiated and Windsor College has been given notice to explain these irregularities. The Australian Government Department of Education, Employment and Workplace Relations ESOS Provider Support & Compliance Unit | International Quality Branch is also currently investigating the college.

Sam approached IMMIGRATION NEWS after he said he felt profoundly responsible for recommending a school and enrolling students in a school which in turn treated many of them so badly. He said many of the students were falsely enrolled into Diploma of Business/IT courses when they had paid fees to study Diploma of Hospitality Cooking courses.

Evidence has been supplied to our office where enrolment records indicate students are enrolled in business courses but their receipts indicate fees paid for

the hospitality course.

Sam said that the school organised these false enrolment patterns so Windsor College could greatly increase their income, take advantage of the demand for cooking courses whilst the official records indicate they did not go above their allowed intake for these cooking students.

He said "Students are crammed into these cooking kitchens like sardines and these kitchens rotated in shifts of classes from early morning to the afternoon. The school also knows that they will not be audited for 4 years after the first 12 month audit".

Sam supplied to IMMIGRATION NEWS a letter from VETAB that the allegations he raises in this article have been substantiated. Other students have confirmed recently that investigators have been at the school asking many questions about how the classes have been run.

DIAC's electronic enrolment records system keeps a tract of what students have studied in Australia. The danger lies ahead for those students from Windsor College who completed Certificate III cooking qualifications but as far as DIAC is aware they were electronically enrolled into other courses.

Sam expressed great concern for these students and is worried this anomaly in enrolment patterns may affect their permanent residency applications. He said "many students came to me with concerns about this matter but because I was an employee of the college there was little I could do for them to help. Eventually I thought I had to tell the government what was going on so perhaps they could do something".

### **Thuin's Story**

Thuin is from Bangladesh and enrolled from overseas into a Cert IV of IT at Windsor College for his student visa. After starting his course in Sydney he wanted to change to an Advanced Diploma of Hospitality course. He paid the extra fees to enroll and began the Certificate III in Cooking. A receipt was supplied by Windsor. What Thuin didn't realise at the time that the staff at the school did not change his COE and left him electronically enrolled in the Diploma of IT.

**Documents provided to IMMIGRATION NEWS show Windsor College electronic enrolment records still shows Cert IV in IT but Thuin was given hand written receipts for the Advanced Diploma of Hospitality Management.**

Later during his study of the cooking course he asked the school why he was not given a new COE and he was told by the staff that he did not need one. He was concerned by this answer and approached DIAC which told him he should have a new COE. He asked the school again and they convinced him that it was not necessary.

Later in the year after nearly completing his Certificate III in Cooking he wasn't able to pass one of the subjects and needed to extend his course. However his student visa was about to expire and he needed a new COE to give to DIAC to extend it. Windsor refused to give him a COE for the remaining cooking class stating they were no longer accepting enrolments for this course as they were full. He was issued with an academic transcript for the cooking course subject he completed and told he must find another school to complete his study.

So Thuin found he was unable to continue at Windsor for in fact the school did not have him enrolled into the Advanced Diploma of Hospitality in the first place. Since he paid his fees they did not change his original COE and they could not offer a new COE just to extend his course.

**Thuin was forced to pay another \$10,000+ and start all over again to study a Certificate III in Cooking at another school.**

Not only did Thuin waste his money by giving it to Winsor College but he also lost a whole year of study time in the process. Thuin said to IMMIGRATION NEWS "they are a pack of bastards there not only have I lost all my money but I had to start all over again. I wish I could sue them for what they did to me and I'll never forget it".

One has to wonder how a school can issue a qualification in one area when in fact the enrolment records indicate they studied something else?

### **Check Your COE's**

The tragic lesson to be learnt from Thuin and Sam's experience at Winsor College is that all students should check their COE's to be sure you are enrolled into the course you have paid for. It seems a few schools are aware of this 4 year unsupervised; unaudited time frame where they can do what they want without fear of supervision unless someone brave enough like Sam lodges a formal complaint.

This whole story goes to prove this 4 year gap of no audits of private education providers is inexcusable and they should face yearly audits or even random audits to ensure they are doing the right thing by their students.

We sent these concerns outlined above to Mr. Alan Ijadi, Principle Executive Officer of Windsor Institute of Commerce Pty Ltd. He failed to provide any explanation for the serious issues raised.

IMMIGRATION NEWS has forwarded the documentation supplied by SAM to VETAB and the Federal Government Department of Education, Employment and Workplace Relations ESOS Provider Support & Compliance Unit to assist them in their investigations.

We would like to also formally recognise Sam for his bravery in coming forward with this story.

## **Readers Comments**

Last editions release of the changes in the skilled migration policy opened the flood gates of complaints.

### **Gagan Writes:**

As a post-graduate international student in one of Australia's top rated universities, I would like to say that Australian universities are deluding themselves on a grand scale if they think that their standards are comparable to the best US, British and European universities. In the field of MBA courses, only two or three Australian universities rank in the top 100 rated universities in the world on surveys conducted by the leading business publications. Even India (with its IIMs) has more universities than Australia in the top 100 MBA programs.

The only reason that there is such a high demand for university education in Australia is that Australia offers a much less congested population density than Asian countries, a well-functioning law and order system, a high standard of living and an attractive open culture. Most international students in Australia desire to live permanently here because of these factors only. Since they bring a very substantial amount of money to the Australian economy and successfully achieve university qualifications in Australia, it is hardly a crime if they want to live here, adopt the Australian culture and contribute further to the Australian economy and society. If DIAC thinks that even after achieving Australian university degrees, these students are not skilled enough to be granted PR, then it amounts to admitting that Australian standards of university education are rubbish. In fact, it amounts to saying that Aussie universities are perpetrating a fraud-promising high quality education and delivering a useless piece of paper(degree) instead. If Australia makes it very difficult to obtain PR (as is already happening), 80 percent of the overseas demand for Australian education will dry up within a few years and Australian universities will have to look in the mirror and finally accept reality- which is that they are mediocre at best compared to the world's finest.

**Our Reply** – Yes good point. It seems that too many universities are driven by the dollars international students bring rather than focusing on the quality and this in the long run affects Australia and students themselves in being disappointed in the education they receive.

### **Mahmad writes:**

Dear Karl Konrad

Thank you for providing us all latest immigration news. Although all the recent immigration news are horrible and always we have to prepare mentally before reading your e-mail. anyway my question is critical skill list was introduced in 16th of March so whoever applied for 885 visa whether will be affected or not . Another most important thing is that , in 2008-09 financial year they have planned total migration number of 115000 so if my application is unable to be in this number than they will refuse me or keep me waiting for the next financial year.

regards  
Mahmud

**Our Reply-** Generally DIAC does not refuse applicants if the financial year quota is filled, they just place you in the queue to wait for the next financial year to start, which is what is happening now to thousands of students who lodged last year, and the year before.

Faysal writes:

Dear Carl,

I have gone through your email. However, it would be great if you tell us, what will happen to the students who have already applied for 485 with trade occupation having an IELTS score of 5.0 in each band and it's been 8 months or so they are waiting for the results and gaining 1 year experience. If these students get their 485 visa after 1st of Jan 2010 and then they want to apply for 885 with the experience, do they have to score 6.0 in each band to apply regardless of having experience and 485 visa approved. I mean do they have to sit for the IELTS again to apply for 885.

Waiting for your reply.

Thanks

**Our Reply –** It seems that on the 1<sup>st</sup> Jan 2010 all trade occupations will have to have 6.0 on each section of the IELTS exam before they can lodge their PR visas. This will apply to those students who have already lodged their 485 applications and are working to gain the extra 10 points.

Pratik writes:

Thank you so much for your regular updates regarding Immigration changes and DIAC's impacts.

In today's critical situation at least all students who can not easily approach to immigration as procedure is so hectic and time consuming. Your efforts can heal their wounds. Not only that, your regular updates on different aspects of subclass and Visas helps others relate to their friends and family's migration plans. Which I think is amazing help.

Students or people who don't bother to go to Immigration and see any Lawyer, Your comments and evaluation make them to be updated/aware with present condition. However they still find themselves in a deadlock without a parachute to jump, but at least have faith and feel confident with suggestion on your narrations...

I would like to take an opportunity to appreciate your Efforts/Help/source of Information on behalf of all Students and those who need a proper Mentor to have vision or just a way to success.

Kind Regards and Manny Thanks

**Our Reply –** Here I was thinking I was just a grumpy old bastard. Thank you for

the positive feedback.

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Kind regards

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