

# IMMIGRATION NEWS HAPPY NEW YEAR EDITION

(Volume 106)

*Time to end the IELTS Monopoly*



3rd January 2009

Dear Students

## **Happy New Year to all of our subscribers!!**

Welcome to the latest edition of IMMIGRATION NEWS and to all the new subscribers.

This year we shall endeavour to provide you the latest on DIAC's policies and law changes and cover general news issues of public interest to international students.

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

## **Time to end the IELTS Monopoly**

Over the last ten years of being a migration agent and lodging thousands of applications on behalf of my clients and then speaking to thousands more during seminars and at my office, I feel I can speak with authority regarding many students concerns on the current IELTS testing arrangements.

### **18 Attempts and counting!**

A few weeks ago a student came to see me who lodged an old 880 visa application by himself. When he lodged his visa he knew he needed to obtain 6.0 on each section to obtain the 20 points to reach the pass mark.

In the 24 months since lodging his application he has tried the IELTS test **18 times!**

On every single test result he obtained a score of 5.5 on one of the test items and then 6.0 on the other three. This 5.5 score was not just on the same area such as reading; it rotated on each different test result from reading to speaking to listening to writing and then back to reading again.

As you may imagine when he showed me all of these 18 results he was looking very depressed. He came to see me on the off chance I could offer him some hope that he could provide some other English test result besides the IELTS. Sadly I could not give him any hope at all since IELTS or the Occupational English Test (OET) are the only tests acceptable in the Migration Regulations. The OET is widely considered more difficult than the IELTS.

### **He is not alone!**

Every week I would see a few students in similar quagmires regarding their IELTS test results. Many have shown me multiple test results with the same story, just one section where 5.5 was failing them to meet the 6.0 on each they required. Fortunately they were not up to the pre suicidal stage of the fellow mentioned above but after a half dozen results they too were on the brink of depression and many had already given up hope.

### **Little Feedback**

Most students lodge an internal IELTS review of their results if they fail to meet the level they need on one section. Many have voiced their frustration that the test centres give little feedback on where they went wrong and they refuse to show them their mark sheets so they can see it for themselves. Since the IELTS centres are a private enterprise students have nowhere to turn for help.

Can a person be worse in their English level after completing their studies in Australia and studying hard for their IELTS tests after multiple tries? The answer is obviously, no.

One has to openly question the worth of a system that provides no feedback to applicants and has a financial gain to be made in seeing students fail the minimum requirements they need. At around \$300 a try the test is not cheap and as it has been reported in the media before; IELTS centres have effectively a licence to print money.

### **Abolish the 6.0 on each requirement!**

DIAC is well aware of the inaccuracy of this test for many applicants provide their multiple results with a plea to let sit them sit the test one last time before they rejected for their visa application. With so much data in front of them it is beyond belief they are allowing this situation to continue unchecked.

It is clear the test is not accurate otherwise students would get the same score they obtained the month before but surely it cannot be worse.

It is time to abolish the requirement of the single test rule and allow score results

from multiple tests. Once an applicant has reached 6.0 in one test then this section should be regarded as met and it does not matter if on another test sitting they obtain 0.5 less. As long as case officers can see 6.0 spread over multiple tests for each of the four sections then this should be sufficient.

### **Send DIAC your feedback about IELTS**

I know there are literally thousands of students out there reading this article who have results exactly as I have described. You may not have 18 of them but most have tried the test up to 6 times on average. I encourage you all to provide DIAC your experience about the IELTS tests. The Skilled Migration Policy Section in Canberra makes these decisions and you may contact them on [skilled.migration@immi.gov.au](mailto:skilled.migration@immi.gov.au) with your concerns.

If you sit back and suffer in silence then you may be suffering for a very long time before they change anything, so it is up to each of you.

### **Good News Regarding the 485 visa, IELTS and the MRT**

A recent Migration Review Tribunal (MRT) decision has allowed a student to obtain their visa after providing an IELTS test result after their 485 visa application was lodged. Initially they were rejected for failing to produce an IELTS test result.

There was some trepidation about whether students would be allowed to provide a new IELTS results in a MRT review hearing due to the way the regulations were written. In another previous MRT decision, the member made a ruling that students could not provide a new IELTS result but in this recent decision gives hope they are now all allowed to.

This means that any student who gets rejected for failing to meet the minimum English level they require to be granted a 485 visa can then appeal to the MRT and during this appeal process (which can take up to 12 months) students are then able to provide an updated IELTS result so they can have their visa granted.

This only applies to applicants who lodged their 485 visa before the 27<sup>th</sup> October 2008. After the 27<sup>th</sup> October 2008, you must have an IELTS result in your hand before you can lodge your application.

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