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## **INQUIRY INTO THE WELFARE OF INTERNATIONAL STUDENTS**

### Student Safety

As I argued in *The Australian* (Rodan, 2009), I see a clear link between excessive working hours by international students and increased vulnerability to assault. It is almost self-evident that a student travelling to work four shifts a week during “unfriendly” hours will be more vulnerable than one working one or two shifts. However, I regard as open the question as to whether the violence has been directed specifically at international students. Certainly, living in Melbourne, I am very aware of an overall increase in violence in public places.

In passing, I might express concern (as will many others) at the stubborn unwillingness of the New South Wales and Victorian governments to extend public transport concessions to international students. Arguments about students’ subsequent tax-paying status (or lack thereof) are unsound. First, many students do pay tax while working and in many cases, they will continue to do so when accorded permanent residency. But, all students pay GST for goods and services- buckets of which go back to the states! And, even if there were a legitimate reason for such discrimination, the good-will case for extending concessions is now overwhelming.

While it is true that some recent assaults have occurred on public transport, it is almost certainly still the case that a public transport trip home from work or campus is inherently safer than being forced to walk due to inability to afford full fare.

Because, in my view, much of the necessity for casual work is connected with visa conditions, I shall address that issue further below.

The view has been expressed that education providers should be obliged, as in the United States, to publish relevant crime statistics pertaining to campuses and environs. My suspicion is that this would be a more valuable resource in the US where so many students (domestic and international) live on campus compared with the situation in Australia. This, combined with the work patterns already described, means that a proportion of the security problems in Australia arise some distance from the teaching site. Hence, while I can see no argument against the provision of campus-related crime statistics, there may be a need to go further and provide a wider range of information, notably (for capital cities) in relation to public transport routes and the CBD. In the latter case, the CBD will be both a provider location and a work location for many students, especially given the proliferation of CBD-based private providers.

It would be helpful if a mechanism could be established to ensure some commonality in the provision of non-statistical safety information for the relevant city or town. Providers already include general descriptions about the safety of their cities, which can range from a simple “safe” to “safe by world standards, but all cities have some crime and this is what you need to be aware of.” The latter is obviously more honest, but I fail to see why Melbourne (for example) needs as many versions of this as there are providers in Melbourne. One settled version would serve everyone well.

### Adequate and Affordable Accommodation

Views vary on appropriate provider obligations in relation to student accommodation. I leave to one side the on-site accommodation provided by some providers, which might be ideal if universally available, but that is simply not realistic. Some would seem to contend that an international student should have accommodation already organised by the provider and ready for occupancy upon arrival. Others see an obligation to provide temporary accommodation, after which the student seeks their own private accommodation, aided (to a greater or lesser extent) by relevant institutional staff.

I am aware of the Universities Australia recommendations (UA, 2009), which includes the consideration of “innovative finance mechanisms” to assist students and construction arrangements. It is not clear whether non-university providers could access such arrangements, but the emphasis on innovation is well made: if providers were obliged to provide students with “accommodation on arrival”, they could not currently do so without incurring very substantial additional costs which would probably have to be reflected in dramatically increased course fees. In passing, one might note that the recent collapse of a Monash University public/private proposal in this regard suggests that “innovation” may not be enough. And, recent evictions of squatters at The University of Melbourne suggest the existence of a broadly-based accommodation crisis.

### Student Visa Requirements

This is a critical issue and one where an element of denial has been evident for some time. Fortunately, there are signs of a more open and honest attitude to previous deficiencies in this regard.

I start with the current requirement that visa applicants must be able to demonstrate access to \$12,000 (for an individual, additional for spouses and children), over and above course fees. Curiously, while the relevant Department of Immigration and Citizenship site records this sum under “Expenses- Living”, applicants are advised that “these amounts are the minimum required for this visa” and “do not necessarily represent the cost of living in Australia” (DIAC, 2009).

A reasonable person might ask what is the relevance of this figure (\$12,000) if it does not represent some approximation of likely living costs, what purpose is it meant to serve, and might not a potential applicant, in good faith, and desperate to come to Australia, interpret it as being a likely cost of living figure? More cynically, isn't that precisely what an unscrupulous agent would do with the figure?

In addition to a lack of clarity as to what purpose the figure serves, it has not been changed since 2001. The absence of any indexation in relation to this figure is odd, to put it mildly, and I submit that the matter warrants pursuing with relevant officials.

To their credit, institutions provide detailed cost of living estimates on their web sites, and I recently investigated Australia's universities' content in this regard (Rodan, 2009a). With the exception of a handful of regional institutions, not one estimate was near the \$12,000 mark. Costs of \$15,000 and above were more typical. It would follow from this that for the vast majority of international students, the mandatory figure of \$12,000 will not be sufficient, and students will need to access additional resources (of which more below).

But, as is now becoming clear, there are serious questions as to whether some students genuinely have the \$12,000 to start with. The Victorian government's taskforce on the overseas student experience included a recommendation that “the Victorian government raises with the Commonwealth the need to ensure that the \$12,000 living expenses required to get a visa is [sic] actually available to the student” (DIIRD, 2008). And, even if the money exists for visa purposes, it is claimed that “students from poorer

families come under pressure to return some of the money to their families...” (Trounson and Slattery, 2009).

Put simply: the (non-indexed) \$12,000 figure lacks an apparent rationale and for the vast majority of students, is not enough to live on, but even where some students claim access to the sum, they don't have it (or retain it) in any real sense. This generates a desperate need for casual work, which will now be addressed.

#### Employment rights and protection from exploitation

The relevant visa condition restricts international students to a maximum of twenty hours work per week during semester/term. It should be borne in mind that international students are required to enrol on a full time basis and hence, the twenty hours might be regarded as generous or, viewed from an educational perspective, very near the point at which some deleterious effect on academic progress might be a risk for some students. As a general rule of thumb, university students are expected to attend classes and also devote an equivalent amount of time to private study and related tasks. As a ball park figure, thirty five to forty hours per week would be a realistic expectation, subject to the usual caveats about a brilliant student getting away with less etc.

However, it is axiomatic that an international student, new to the culture and without the language facility of a local, would probably need to devote more than forty hours to their academic tasks, especially when accessing language support, study skills classes and the like. When such students are illegally exceeding the twenty hour maximum, they are putting their academic progress at risk.

Of course, this is an issue on which empirical data are impossible to collect, because no student is going to own up to a breach. However, there is no reason to suspect that the pattern here is any different to the UK, where the lifting of the work restriction for certain categories of international students revealed a significant pattern of (self-confessed) prior breaches.

It follows that students in breach of visa conditions are vulnerable to workplace exploitation since their inclination to report is virtually non-existent. Even some students working legal hours will encounter such treatment, as do many young Australian casual workers who learn very quickly that whatever the law of the land, the contest is somewhat unequal in the workplace. For internationals, the problems will be exacerbated where they come from totalitarian or authoritarian regimes, where the reporting of authority figures is not an option, and to do so is to court punishment.

In this context, we need a cultural reality check. It is surely naive to think that a student whose entire life experience has engendered a fear of authority will suddenly lose that fear after some hand-outs, access to a web site and a talk from some police officers. In this whole agenda, improving the rates in reporting workplace exploitation looms as a formidable challenge. For this reason, I believe that major emphasis must be placed on ensuring that students arrive in Australia with the necessary financial resources, that their need for casual work is kept within the prescribed limits and that a paternalistic blind eye is no longer directed at those working excessive hours (whose safety problems then become magnified, as highlighted earlier). To state the obvious: international students come here to study, not to work.

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