

## ***Introduction***

We at CQUniversity are pleased to be given the opportunity to provide input to the Senate Committee enquiry into international student safety and related issues.

The Australian education industry is important to students because of the opportunities for personal and educational development the student is offered, and the opportunity to live and study in a free, democratic country, which up until recently, has also been seen as a safe study destination. So much so that a large percentage of the students from specific countries aspire to live and work in Australia on a permanent basis. They are not wrong to hope for a better life, but some media reporting portrays them as monsters for identifying Australian laws and processes which will result in Permanent Residency, and their taking advantage of the laws and processes developed by the Australian government to enable that Permanent Residency pathway.

The education industry is important to Australia not the least because it is a \$15 billion export industry. Just as importantly though, the education industry supports the tourism industry with many families visiting their sons and daughters (brothers, sisters, cousins) while studying. The education industry supports workforce planning – for many years with great success, but more recently with less success. The education industry supports the Australian immigration strategy, with data showing that international students who have been educated in Australia are more likely to be very successful in their living in Australia following Permanent Residency. Australian housing and retail industries have benefitted from the additional demands of international students. All these are very positive economic benefits. As well, our culture has benefitted from the injection of cooking, values, customs and arts from the international students who have joined us. Our education system has been propped up economically by the fees from international students, but it is our domestic students who have benefitted from the internationalisation of our curriculum, and the interaction with students from a range of other countries.

There are additional benefits from regionally based universities in regions where migration has historically been low or negligible over the past thirty years. Regional areas which may be considered conservative in their views of migration and multiculturalism have much to gain by exposure to international students. International students studying at institutions in regional areas where there are not large numbers of international students or migrants also have much more opportunity for more personal contact with locals – something which has been highlighted by many international students as a shortcoming of studying in large institutions in major cities.

This press is critical of the education industry as it is for no other Australian industry. Poorly researched and emotive articles and other coverage promote racism against international students – particularly those groups which are more likely to apply for permanent residency.

The international education industry is important to CQUniversity, for without the funding which we have raised from international student fees, and without the critical mass of students, this University would not have remained viable if it had remained dependent on Government funding and domestic students of our region.

CQUniversity has considerable experience in recruitment, student support and education of international students, having adopted a strategy of international engagement in the late 1980s, and in 2006, having the largest enrolment of international students on campuses in Australia. Our AUQA audit in 2006 commended us on our teaching model, our monitoring of students, and a number of other aspects of international activity. CQUniversity has, over the past 20 years, learned many lessons to ensure prosperity in the industry, and consistently rates highly on graduate outcomes for our student employment and their salary levels. We are in a good position to provide insights to the industry.

## ***Part 1 Stakeholder roles and responsibilities***

### **A. Education providers**

For many years, CQUniversity has delivered **pre-departure briefings** in selected countries - the most recent tour of India, Nepal and Sri Lanka hosted 1200 people across 6 sessions. We invite students, parents, friends and education agents to these sessions, scheduled at a time when the student will already have received bundles of materials (written, electronic, and oral information) to set their expectations of the Australian culture, the city destination to which they are coming, CQUniversity processes and standards, and the assistance we provide in relation to travel and arrival. These sessions are an important avenue for interested parties to raise any questions that might concern them, to clarify or seek further information, or to simply be reassured and connected to the large step ahead of them.

Given the number of small Registered Training Organisations, and VET institutions, it may be appropriate for the AEI offices in each of a number of targeted countries to conduct these sessions, in association with institutions who are able to be involved. It seems that larger institutions such as ours are able to do these things, but the problems come from students who are coming to smaller institutions who are not able to develop a similar infrastructure.

On arrival, student safety and appropriate accommodation are again addressed during the **Orientation sessions**, as are Australian laws, and appropriate behaviour towards the opposite sex, behaviour in nightclubs, and other relevant “living in Australia” topics. We do note that many sub-continent students access their accommodation through their social and cultural networks, and are often enticed into crowded house-sharing situations. Perhaps landlords and rental managers have a responsibility to ensure their rentals are not being mis-used in this way?

Pre-departure and Orientation sessions also need to very strongly address the issue of the **appropriate ways in Australia to handle complaints**. The various parties with responsibilities for international students need to have solidarity in ensuring that students use these channels, and ensure that they are responsive to complaints (meaning that

students/ parents are provided with progress reports – not that we need to change our standards to meet complaints which are not well founded). We do draw student attention to the university complaints processes, but when students come from a cultural background where institutions are not responsive to complaints, or where complaints are not handled in a transparent manner, it is culturally normal for them to take their grievances to a more public forum – hence groups marching on the streets, making calls to talk-back radio, and generally taking issues to an emotive rather than a factual level.

Some areas of the media have suggested that education providers are responsible for providing affordable accommodation; however our experience is that students wish to exercise their right to choice. CQUniversity therefore makes available information on a range of accommodation types, from on-campus halls of residence at the Rockhampton campus, on-site purpose-built student accommodation (privately owned) in Brisbane, preferred rental agency lists, preferred Homestay providers.

Given the CQUniversity campuses in Sydney, Melbourne, Brisbane and Gold Coast are central business district, mostly single building campuses, monitored by full time security, CQUniversity is able to provide high levels of security for students while on campus. At the Rockhampton and other regional Campuses, security concerns are different but are well covered by supportive, well-trained staff and processes to ensure the safety of all students studying at our regional campuses. As well, CQUniversity monitors student attendance at classes, and takes intervention processes if a student is identified as missing a number of classes, or having missed submission of course assessment. This is done under our Monitoring Academic Progress Policy, as absenteeism is often a precursor to academic or personal difficulties.

Providers need to develop Incident Management Plans, and train key people in appropriate responses. CQUniversity has learned from hard experience at our Melbourne campus that a legitimate situation (the failure of students in a class), if handled by people who are inexperienced in dealing with cross cultural matters, can turn that situation into a major incident, all the while believing that they have the best interests of the students at heart.

#### **B. Migration and education agents**

Education agents, along with education providers, should be controlled in the manner of engaging student attention, and should not be allowed to relate education programs to permanent residency. This linkage should be stamped out of all promotion of our industry. The University does accept responsibility for the appointment of agents to work on our behalf. However, it is clear that some diplomatic posts and other government agencies are aware of particular agents who make a practice of providing misleading information or making inappropriate promises. This information should be made available to all institutions who use agents to support their recruitment activities.

**C. State and Federal governments**

**1. DIAC - Shortcomings in management of the 573 Visa**

Students are putting themselves in risky situations because of late night work commitments. On application for a visa, students confirm that they meet the requirements for that Visa, viz. that they have a minimum of \$12,000 for subsistence and living expenses. While there are requirements for these funds to be held in particular forms, it is well known that, once a student obtains a visa, that money may be recycled to other family members, and not necessarily available for the use of the student in Australia. They also need funds for full course fees.

In USA, students are required to have these funds paid into a trust account and/ or institution prior to departure, so as to avoid the above scam on recycling of the required visa funds.

If students come to Australia with the funds as per visa requirements, there would be no need for them to work, at least in their first year, in order to sustain themselves, nor to live in unsafe, sub-standard accommodation, or in lower working class suburbs.

DIAC also needs to be well resourced in the area of student liaison, to enable officers to respond immediately when they become aware of visa breaches. Currently it appears that students who are cancelled by an education provider are not being deported according to the requirements of their visa, but are being given further opportunities, second chances etc and allowed to move to other providers.

CQUniversity does not see a need to change the “20 hour” work permission rule, but agree that monitoring of work conditions is required, so that students (international and domestic) are not exploited.

**2. “6 Month Rule”/ DIAC monitoring**

The State Governments and DIAC need to review the requirement for students to stay with a provider for 6 months minimum period. Currently institutions are criticised for not providing Release Letters to allow students to move to other institutions. Queensland historically required Release Letters for any student who requested them, so it is pleasing that the Queensland practice currently has fallen more in line with other States. We would recommend a return to the 12 month rule, so that students are encouraged to gain better information, and make an informed choice prior to accepting an offer.

**3. Enforcement of standards under ESOS legislation**

Under the ESOS legislation, providers must be CRICOS registered, and the various standards of the National Code must be met. At any time, DEEWR is entitled to audit the provider if there appears to be an issue. It currently appears that the explosive growth in the VET sector has led to an accompanying explosion in Registered Training Organisations, some of

whom have limited quality of facilities and staffing, and some of whom are private providers who are not financially robust (or have been impacted by the global financial crisis). Every failure to deliver services, or failure of a provider, severely impacts the Study in Australia brand.

At the time of the review of the National Code, the AUIDF requested that feedback be provided to the industry, through industry peak bodies, of problems in the industry – things like unscrupulous agents, providers being investigated and the outcomes of those investigations, failure of providers. It is essential that other providers are aware if there is a problem in the industry, and that investigations are fairly and transparently reported.

It is essential that DEEWR sets up an appropriate mechanism at the time of a provider failure, so that, prior to public announcements of the failure, students are provided with options for transition, and their position in relation to fees, academic standing etc, is clearly explained to them.

#### D. Relevant departments

1. The various **State Police Departments** must be commended for the role they play in Orientation sessions and their roles as Police Liaison Officers. We believe these have been most useful in breaking down the reluctance to deal with police when the need arises.

At the same time, it should be said that safety on the streets and trains in our larger cities needs to be addressed for all citizens. The following extract from *The Age* newspaper of 30 July 2009, reporting the sentencing of a young man who killed Dr Cao is instructive:

*"Everyone in this city, in this state, and in this country — visitors, students, residents, everyone, whatever their race or gender or beliefs — has the right to walk its streets without fear. This is a fundamental right, one which all of us are entitled to take for granted. It is a necessary element of any decent community. You have flouted that right," Justice Harper said.*

*"You have added to the level of community fear, and fear is a particularly corrosive force. You have therefore diminished the quality of life of us all. You must pay the price."*

*Barrister and commentator Peter Faris, QC, told The Age yesterday that Caratozzolo's sentence was "extraordinarily low" and expected an appeal.*

*"We are at a time where we have problems on the streets that are twofold: young people and racial violence. This case falls into both of these," he said.*

*"The message needs to be sent to 20-year-olds that you can't bash and kill people on the streets. This sentence sends a contrary message. Maybe he should have got 20 years and sent a message."*

*For Dr Cao's widow, the sentence was not enough.*

2. A major issue raised by international students over a long period is that they do not have access to **Student Travel Concessions** available to domestic students. The basis of the argument is that domestic students pay taxes while international students do not. We recommend a thorough investigation of the cost of this, and the ability of State Governments to extend the Student Concessions. The basis of international students not paying taxes appears to be a false premise, given the percentage who do actually work. In fact it is very often this travel from work at very late hours that is causing international students to be placing themselves in risky situations.
3. **Government authorities involved in workforce planning.** Short term, fast-tracks to permanent residency need to be reviewed as to effectiveness in serving workforce planning. The relevant authorities need to be aware of the distortions to education planning and resourcing. It is natural if a market is created, for education providers to move in to service those markets, and we have seen the difficulties which arise from explosive, uncontrolled growth in these markets.

#### **E. Embassies**

CQUniversity recognises the proactive approach of the Chinese Embassy in sending Chinese Police representatives to work with the Australian Federal Police and the various State Police forces. We recommend that such liaison is also investigated with other large student markets, especially India.

## **Part 2      *Benchmarks and other good practice***

There are a number of benchmarking exercises carried out in relation to international education, and many of the practices set up for international students set a standard that should be mainstreamed for all students. Examples of these, practiced by CQUniversity include:

- ✓ Clear and unambiguous marketing materials.
- ✓ Close engagement with agents, including regular training on ESOS and National Code responsibilities and CQUniversity products and services.
- ✓ Pre-departure briefings.
- ✓ Mentor/buddy system, with buddy linking to student prior to departure from home country.

- ✓ Advice on housing/ rental pitfalls (CQUniversity provide a service of checking accommodation and contracts for students).
- ✓ Early intervention on either academic or personal issues.
- ✓ Liaison with local ethnic communities.
- ✓ Adopting a police liaison officer for the campus.
- ✓ Providing access for DIAC officers to address students on campus.
- ✓ Organising student connection with their own cultural community groups, as well as mixed culture activities.

### ***Recommendations from CQUniversity***

1. Education providers and AEI need to participate in pre-departure briefings of students, parents and friends.
2. Investigate landlord responsibilities for ensuring students do not live in over-crowded conditions.
3. Students must be encouraged to utilize the appropriate forms of grievance procedures.
4. Education providers and government bodies must be transparent and responsive in dealing with grievances, and encourage students to use the agreed forms of grievance procedures.
5. Education providers and DEEWR need to work closely with the Australian and international media to demonstrate the positives and best practices in the international education industry, so that when issues arise, the media is well informed.
6. The industry needs to provide top-level professional training for education providers and others in the handling of grievances and the appropriate means of informing interested parties of progress, as well as development of Incident Management Plans.
7. CQUniversity recommends that DIAC is better resourced, so that the visa requirements in place can be exercised, and that monitoring of effectiveness of visa conditions is possible, with changes implemented as required.
8. The Australian workplace needs to be monitored so that Australian and international students are not exploited.
9. CQUniversity recommends that DEEWR is better resourced to provide more training to registered providers, undertake more audits, and to investigate and take action on complaints referred to them by students and parents.

10. DEEWR needs to develop standard mechanisms for feedback to be passed to the industry when a provider fails, an agent has undertaken unscrupulous behaviour, or a provider is investigated (along with a report of the outcome in this case).
11. In dealing with failed providers, students must be the first priority in communication, and this should be handled by a DEEWR taskforce.
12. The international education industry should support efforts by police and other law enforcement, for a general clean-up of violent street behaviour. In doing so, the emphasis should be on safety for all, rather than a racist approach.
13. States which do not provide travel concessions for international students should investigate this.
14. Authorities involved in workforce planning, along with DIAC, need to carefully investigate the distortions created in other areas such as education and permanent residency, by changes in their rules and requirements.
15. Other Embassies, such as India, need to be encouraged to work with Australian police in a proactive way as is done by the Chinese Embassy.



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