

Australian Services Roundtable

Submission to the Strategic Review of Student Visas.

The Australian Services Roundtable is the peak business body for the services industries in Australia. Sectors represented include financial services (banking, insurance, securities, fund management), professional services (accounting, legal, engineering, architecture), health services, education services, environmental services, energy services, logistics, tourism, information technology, telecommunications, transport, distribution, standards and conformance, audio-visual, media, entertainment, cultural and other business services.

1. An effective partnership framework that considers the respective roles and responsibilities of key stakeholders, including education providers, the Department of Immigration and Citizenship, the Department of Education, Employment and Workplace Relations, and state and territory education departments.

International education is Australia's third largest export (after coal and iron ore) and largest services export. It is a valuable industry in its own right, and beyond that returning students who have had a good experience in Australia can open doors for Australian businesses. The market for international students has become more competitive in recent years as other countries have copied Australian success, and in particular have improved their visa processing systems.

The student visa system needs to be managed in a sensible and efficient way that maximises the longer-term benefits to Australia. In particular, the ease, speed, cost of obtaining visas and the flexibility of visa conditions in relation to study, work and family are critically important in enabling Australian education providers to be competitive in attracting the best students. It is important to maintain the trust of the Australian public in the integrity of the scheme, while equally acknowledging that among the international students there are people of exceptional talent and ability, and people with skills in short supply, that Australian businesses should be able to recruit.

The issues paper and the submissions from a number of ASR members, including Universities Australia, IDP Education, Migration Institute of Australia and English Australia canvas ways of improving the administration of the visa system. Reducing the processing time, which is long relative to Australia's competitors, should be a high priority.

A partnership framework that includes providers and regulators as well as DIAC provides ways of shortening processing time based on sound risk management principles. In doing this it will be important not to overburden with paperwork those institutions, such as universities, with a sound track record. The framework could involve "trusted education

providers” who share responsibility and accountability with DIAC for selecting students who fit visa requirements so that these students’ visa applications can proceed without delays.

The shared responsibility involved will bring benefits for visa compliance through improved co-operation and information sharing. This also means better managing the promotion of Australian education overseas. The overseas promotion of Australian education is open to unscrupulous practice, which can only be addressed by closer scrutiny of the activities of Education Agents and others by DIAC, DEEWR and Austrade, which has responsibility for overseas promotion and marketing of Australian education.

2. The appropriateness of existing threshold requirements for Student visa applicants including English language proficiency, financial capacity and educational qualifications.

ASR considers that ideally assessment of English language proficiency should be left to the discretion of the institutions involved as they should be in the best position to judge the level of English required in relation to the course of study. However we are aware of employer concerns that the level of English language proficiency attained by foreign graduates from Australian educational institutions is insufficient for the work placement that is increasingly common requirement to attain professional qualifications, and also a limitation in attaining either post-qualification work or to meet Skills Assessment levels.

This is a situation that requires better management, but not necessarily through the visa process. Consistent with the approach to risk management as set out in 1 above, institutions that show incapacity in appropriately managing language proficiency would be given a higher risk profile.

Australia has expertise in English language training and visa conditions should not limit “trusted education providers” to recruit genuine students with low English capabilities. There is no reason for the current limitations on the length of time overseas students may study in the English Language Intensive Courses for Overseas Students (ELICOS) sector. Fewer restriction would not only be reasonable but would to some extent address concerns that have been raised about the entry level English standards of overseas students. The financial capacity requirements need reassessment. ASR supports the view of the Migration Institute of Australia that some of the Student visa financial requirements are unrealistic, uncompetitive, onerous burdens.

3. Approaches to more effectively gauge and manage immigration risk in the Student visa caseload, including considering the suitability of the Assessment Level model.

As stated in 1 above a partnership model that involves providers opens up the potential for students from a higher risk country selected by a low risk provider to have their visa processed electronically. Such a system would do two things. It would increase the competitiveness of those institutions with a good track record in managing international students. Second it would encourage those institutions with a weak record to improve.

The benefits for universities and Australia in attracting the top post-graduate talent for their courses are substantial, and unnecessarily lengthy and costly immigration visa rules have been identified as

lowering Australia's competitiveness for the top talent. Immigration processes that are expensive for both applicants and DIAC need to be proportionate to the risks involved. In the case of post-graduate students the risks seem to be sufficiently low to enable a much shorter and more streamlined process to be used.

4. Approaches, including compliance measures, to prevent misuse of the program and deter breaches of visa conditions.

Universities Australia makes the point that the penalties imposed on students who fail to make satisfactory academic progress or (for some non-award and some TAFE programs) attend a percentage of their classes need to be proportionate to the student breach, and that the penalty of visa cancellation is not commensurate with the event.

Manifest unfairness in the application of performance and attendance rules is inconsistent with Australia's interests in building good longer term relations with its international students. There are many stories of successful people for whom kindness shown in giving them a second chance was an important turning point. Institutions rather than immigration officials are in the best position to make the judgements. Institutions that have a poor record in managing international students would be given a higher risk profile.

It should be acknowledged that there are benefits to Australia in attracting foreign students to study English, and that such students often travel to Australia on tourist and working holiday visas as well as student visas. Australia should seek to expand the number of countries with which it has working holiday visa arrangements. Visa procedures and costs for short-term English language training need to be proportionate to the time involved.