



PARLIAMENT OF AUSTRALIA

Inquiry into Australia's tourism and international education sectors

**'Quality and Integrity - the Quest for Sustainable Growth':
Interim Report into International Education**

Parliamentary Joint Committee

Joint Standing Committee on Foreign Affairs, Defence and Trade

October 2023

CANBERRA

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Acknowledgement

The Trade Subcommittee acknowledges the Traditional Owners and Custodians of Country throughout Australia and acknowledges their continuing connection to land, waters and community. We pay our respects to the people, the cultures and the Elders past, present and emerging.



Chair's Foreword

The disruption of the Covid-19 pandemic wrought massive upheaval for Australia's international education sector. An industry worth more than \$40 billion in economic activity in 2019 was shrunk to half its size by 2022. The rebuilding of the pipeline of enrolments is expected to take years, although current data shows an encouraging recovery in student numbers.

The international education sector is complex. It brings together an interplay of institutions, educators and businesses – overlaid by government policy in the form of sectoral regulation and migration policy. The contribution of each in concert is critical to the sector's success. This report encourages all involved in the sector to take the disruption of recent years as an opportunity to rebuild and reset.

Our inquiry received submissions and evidence from experts across regional Australia and in the cities, from institutions and educators to students and migration agents, representing a broad range of perspectives and insights. Our recommendations reflect the evidence we have heard.

We believe the international education sector will be well-served by adopting a 'Team Australia' approach to marketing and branding. It should aim to build awareness of Australia as an education destination and prioritise diversification into new and emerging geographic markets. We also believe that there will be benefits in investing in a systemic effort to track and support alumni networks and foster enduring connections to Australia, with a focus on priority countries.

There is an opportunity to also focus on students and their wellbeing, and opportunities to use new methods of supporting students and teaching methods while also ensuring the educational experience in Australia is a rich and rewarding one.

The dividends of success can be earned within Australia, and also beyond our shores. International students returning home from their studies in Australia carry with them also the positive experience of Australian society with its democratic traditions and successful multicultural heritage.

The sector continues to face many challenges: from the role of regional universities, to the regulation and oversight of the private Vocational Education and Training industry, through to student housing and accommodation.

It is heartening to see that in the time the subcommittee's inquiry has been underway that there has already been significant work done by the government to respond to the challenges, including new efforts to tighten and streamline visa processes while ensuring the integrity of the Australian migration system.

This is an interim report as part of the committee's ongoing inquiry into the international education and tourism sectors. While this document focuses on the education sector in its own right, it lays the foundations for a broader consideration of the significant intersection between international education and tourism in modern Australia.

Particular thanks must go to the secretariat and its staff for their detailed work as part of the subcommittee's hearings, management of submissions and in the production of this report.

Special mention must also be made of Mr Julian Hill MP whose personal experience in the sector was of particular relevance in guiding the committee and its deliberations.

We urge the government to take aboard the recommendations for action and to implement them judiciously and in a timely manner.

Senator Deborah O'Neill
Chair
Trade Subcommittee



Committee Membership

Members of the Joint Standing Committee on Foreign Affairs, Defence and Trade

Chair

Hon Shayne Neumann MP

Deputy Chair

Senator the Hon David Fawcett

Members

Senator Ralph Babet

Mr Colin Boyce MP

Mr Scott Buchholz MP (from 22 March 2023)

Mr Josh Burns MP

Senator Claire Chandler (from 21 June 2023)

Senator Raff Ciccone

Hon David Coleman MP (to 22 March 2023)

Ms Zoe Daniel MP

Senator Mehreen Faruqi (to 26 October 2022)

Mr Steve Georganas MP

Mr Luke Gosling OAM MP (to 14 September 2023)

Senator Nita Green

Mr Julian Hill MP

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Hon Michael McCormack MP

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Hon Shayne Neumann MP (ex-officio)

Mr Gavin Pearce MP

Mr Graham Perrett MP

Hon Melissa Price MP

Senator Tony Sheldon

Senator Dean Smith

Ms Susan Templeman MP

Ms Maria Vamvakinou MP

Mr Josh Wilson MP

Mr Terry Young MP



Abbreviations

ABN	Australian Business Number
ACCI	Australian Chamber of Commerce and Industry
ACEN	Australian Collaborative Education Network
ACGR	Australian Council of Graduate Research
ACU	Australian Catholic University
ANMAC	Australian Nursing and Midwifery Accreditation Council
APAC	Australian Psychology Accreditation Council
AQF	Australian Qualifications Framework
ASQA	Australian Skills Quality Authority
ATN	Australian Technology Network of Universities
CAPA	Council of Australian Postgraduate Associations
CISA	Council of International Students Australia
CoE	Commencement of Enrolment
CRICOS	Commonwealth Register of Institutions and Courses for Overseas Students
CSU	Charles Sturt University
DEWR	Department of Employment and Workplace Relations
DFAT	Department of Foreign Affairs and Trade
ELICOS	English Intensive Courses for Overseas Students
ESOS	Education Services for Overseas Student
FTE	Full Time Equivalent
GTE	Genuine Temporary Entrant
Go8	Group of Eight
HES	Higher Education Standards
IEAA	International Education Association of Australia
IELTS	International English Language Testing System
IHEA	Independent Higher Education Australia
IRU	Innovative Research Universities
ISEAA	International Student Education Agents Association

ITECA	Independent Tertiary Education Council Australia
JSA	Jobs and Skills Australia
NATSIPA	National Aboriginal and Torres Strait Islander Postgraduate Association
NCP	New Colombo Plan
NTEU	National Tertiary Education Union
NUS	National Union of Students
OES	Online Education Services
OMARA	Office of the Migration Agents Registration Authority
PBSA	Purpose-built Student Accommodation
PISC	Primary Industry Skills Commission
PRISMS	Provider Registration and International Student Management System
QILT	Quality Indicators for Learning and Teaching
RMAs	Registered Migration Agents
RTOs	Registered Training Organisations
RUN	Regional Universities Network
SSVF	Simplified Student Visa Framework
SUPRA	Sydney University Postgraduate Representative Association
TAFE	Technical and Further Education
TEQSA	Tertiary Education Quality and Standards Agency
TNE	Transnational Education
UA	Universities Australia
UC	University of Canberra
UNSW	University of New South Wales
UOW	University of Wollongong
UQ	University of Queensland
UTS	University of Technology Sydney
VET	Vocational Education and Training
VFR	Visiting Friends and Relatives
WIL	Work Integrated Learning



Terms of reference

Inquiry into Australia's tourism and international education sectors

The tourism and international education sectors are important contributors to the Australian economy. These sectors contracted significantly following the emergence of COVID-19 in 2020 and the subsequent closure of international borders. Noting that Australia has since opened its borders, the Joint Standing Committee on Foreign Affairs, Defence and Trade (JSCFADT) will inquire into the international education and tourism sectors as key contributors to the post-COVID-19 recovery of the Australian economy, with a focus on:

1 in relation to tourism:

- the challenges and opportunities for growth in tourism and how Australia can reassert itself as a leader in the international tourism sector
- the effectiveness of recent tourism campaigns overseas
- the promotion of regional Australia as a world class international travel destination
- the role of Australia as a hub in support of tourism in the Asia Pacific region
- other related matters that may assist in the inquiry.

2 in relation to international education:

- challenges associated with the loss of international student numbers as a result of the significant disruption caused by the COVID-19 pandemic and effective measures to attract and retain students to Australia
- online innovations in education delivery and potential opportunities to strengthen the sector's resilience
- initiatives to ensure positive international student experience and support pathways to build their skills and contribute to Australia's prosperity
- opportunities for international education to support strategic and foreign policy objectives.

List of recommendations

Recommendation 1

2.150 The Committee recommends the Government lead a ‘Team Australia’ program to build a stronger national international education brand and platform and agree on a five-year prioritised Market Diversification Plan. An enhanced Team Australia approach will:

- **better coordinate through shared agreements, Australian Government agencies (Department of Education, Department of Home Affairs, Department of Employment and Workplace Relations and Austrade), state and territory governments and the sector**
- **build and maintain a national platform and approach to promote Australia’s quality education within a fiercely competitive international arena**
- **address issues of fragmentation, duplication, and divisive competition in the current marketing of Australian education to the world.**

Team Australia should prioritise the development of a five-year Market Diversification Plan into new and emerging geographic markets. The five-year plan should have shared governance and be resourced across the sector including federal, state and territory contributions. The plan should:

- **identify and agree on a limited number of priority countries for joint focus in sub-Saharan Africa, Southeast Asia and South and Central America (considering for example Nigeria, Kenya, Botswana, Zimbabwe, Indonesia, Vietnam, the Philippines, Brazil, Colombia and Chile)**
- **consider innovative ways to fund places for students of the Blue Pacific to study in Australia and seek to deepen international education ties within the Pacific Island Development (PID) Forum to advance democracy and support peace and prosperity within our region**
- **form agreed migration and education settings to enable and encourage the best and brightest international students from identified priority countries to study in Australia, including Department of Home Affairs permitting lead providers to take approved and calculated risks in the early phases of market development without affecting their visa ratings**
- **drive diversification of education offerings in traditional markets, with a focus on India**
- **be jointly resourced by both the Government (via Austrade) and the sector, potentially via a light touch time-limited marketing levy on Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS)**

providers subject to shared governance so those who pay a levy have influence over how it is spent.

Recommendation 2

- 2.151** The Committee recommends the Government work with the sector to develop a more systemic approach to tracking and supporting alumni networks, including graduates of Australian education scholarships and programs, with the explicit aim of fostering enduring connections to Australia, with a focus on priority countries and strengthening Australia's international research networks and partnerships.

Recommendation 3

- 2.152** The Committee recommends the Government examine opportunities to expand programs that deliver development support to Australia's near neighbours and contribute to Australian skills needs through practical on and offshore education and training 'International traineeships', with an initial focus on aged care and allied health in regional Australia. International Traineeships should be limited to Technical and Further Education providers (TAFEs) and approved Registered Training Organisations (RTOs) and companies to maintain integrity.

Recommendation 4

- 3.134** The Committee recommends the Government engage with the international education sector and industry bodies to develop and implement targeted campaigns to educate employers on the opportunities to hire international student graduates in sectors with high skilled job vacancies. Campaigns must combat employer confusion and misinformation about graduate work rights, visa conditions and pathways to permanent residency (where available). The first campaign focus should be for engineering, information technology and health industries, followed by other skilled occupations identified in high demand.

Recommendation 5

- 3.135** The Committee recommends the Government establish a national work-integrated learning framework to oversight work-integrated learning placements. The work-integrated learning framework and any accompanying system changes should be developed in consultation with the international education sector, industry peak bodies and accreditation bodies and the work-integrated learning peak body, taking into consideration Fair Work Requirements and ensuring robust oversight of providers and businesses to prevent student exploitation and integrity loopholes.

The work-integrated learning accreditation system should support the integration of accreditation placements into the work-integrated learning program, where appropriate. Further sandwich courses, higher education apprenticeships and other paid work and learn integrated models of study are increasingly common in jurisdictions with whom Australia competes for international students. These models offer better integration between industry and educational entities, and should be given immediate consideration by a taskforce established by the Government.

Recommendation 6

- 3.136** The Committee recommends the Government take a pro-active, interventionist approach in reviewing unreasonable barriers to qualified international student graduates filling skills shortage roles that are imposed by professional accreditation bodies, to identify opportunities to streamline and remove unnecessary requirements while preserving quality assurance. The Committee recommends these reviews target and assess, as a matter of priority, accreditation barriers and issues encountered by qualified international graduates in health and allied health professional fields. There should be a specific focus on accreditation issues in nursing, midwifery, and psychology, then professional trades and other critical skills shortage areas, as they emerge.

Consideration should be given to improving pathways to apprenticeships and work placements for both vocational education and training and university degrees for international students where skills shortages cannot be met domestically.

Recommendation 7

- 3.137** The Committee recommends, in light of the highly dynamic nature of the international education sector and global markets and the continuously evolving policy and regulatory frameworks, an appropriate Parliamentary Committee hold a regular annual or biennial ‘check-in’ inquiry, either stand-alone or as part of a routine annual report inquiry by the Trade Subcommittee of the Joint Standing Committee of Foreign Affairs Defence and Trade.

Recommendation 8

- 4.75** The Committee recommends the Government develop an International Education Compact for the endorsement of National Cabinet, to clarify the roles and responsibilities of respective levels of government regarding the quality and integrity standards of Australia’s international education system and to improve international student experience. Such responsibilities, for example, may confirm:

- the Federal Government has lead responsibility for visa policy and processing, quality regulation (with states and territories referring Vocational Education and Training (VET) regulatory powers where necessary), agent regulation, leading the international marketing of Australian education (in collaboration with states and territories), consumer protection (including tuition protection schemes) and prevention of workplace exploitation for students
- state and territory governments have lead responsibility for domestic transport including committing to uniform public transport concessions, accommodation, student welfare, community integration measures such as volunteering and participation in Australian community life and celebrating the contribution that international students make to Australian society, and destination marketing in collaboration with the Commonwealth
- local council mayors have a special leadership role in fostering a culture of welcoming students into Australian communities and championing community inclusion
- a proposal that the Governor-General, State Governors and Territory Administrators host an annual reception with leading international students or sector and civic awards to recognise the contribution that international students make to Australia and champion greater community inclusion
- shared responsibility to support the Council of International Students Australia (CISA) and similar international student organisations to build their capabilities as a support and resource bridge between domestic and international students, and for new international students to acclimatise to Australian life.

Recommendation 9

- 4.76** The Committee recommends the Government use its convening power to encourage state and territory governments, local government authorities and universities to develop appropriate local accommodation models including home stay in their respective jurisdictions to help alleviate pressing student accommodation issues and deepen connections between international students and Australian society, highlighting the tax advantages for Australians who host up to two international students.

Best Practice Home Stay models should be informed by the Gold Coast Council's 'Host for Coast' program and developed in consultation with established reputable homestay organisations such as the Australian Homestay Network and international education peak bodies and include:

- formal eligibility review processes and ongoing quality assurance
- strong risk management focus in the lower end of the education provider market to prevent accommodation exploitation, and forms of worker exploitation such as rental debt bondage

- focus on home stay opportunities that support providers and communities in regional Australia
- a specific focus on home stay support for (domestic and international student) regional placements.

Recommendation 10

- 4.77** The Committee recommends the Government urgently work to foster the expansion of the Purpose-Built Student Accommodation (PBSA) sector including:
- examining mechanisms to boost domestic and superannuation fund investment into PBSA (as the majority of capital invested at present is foreign) including support for a new asset class of PBSA, recognising that it is now a mature and specialist housing product
 - engaging with state, territory and local governments to remove planning and development impediments to PBSA developments
 - working with regional universities and considering incentives to support PBSA developments in regional Australia.

Recommendation 11

- 4.78** The Committee recommends the Government review and consider the desirability of the widespread practice in the university sector whereby universities establish Central Business District (CBD) campuses largely comprising international students and sub-contract the teaching to private institutions. This could be considered as part of the University Accord process and may warrant adjustments to funding formulas to ensure genuine regional universities in particular are adequately funded and not forced in effect to chase revenue in this manner.

Recommendation 12

- 5.237** The Committee recommends the Government significantly improve data sharing between agencies to address serious integrity concerns, including formal information and sharing agreements and platforms between the Department of Home Affairs, the Department of Education, Tertiary Education Quality and Standards Agency (TEQSA), Australian Skills Quality Authority (ASQA), and where appropriate, the Commonwealth Ombudsman, Austrade and the Department of Employment and Workplace Relations.

Government should form or utilise an existing cross agency expert group to oversee the development of these platforms to ensure:

- legislative basis and privacy considerations are appropriately addressed without preventing the effective sharing of information

- platforms are sufficiently resourced to rapidly identify and track high-risk behaviours by education providers, education agents and related third parties and have capacity to map such behaviours to international student movements and student visa data
- platforms can inform more effective and timely regulatory action to deter and disrupt international student exploitation and safeguard Australian international education and visa integrity.

Recommendation 13

5.238 The Committee recommends the Government use whatever means at its disposal to compel education providers to develop information channels across sectors to share credible information and concerns regarding education agents, entities and student movements to inform and support integrity in student recruitment and delivery of international education and to disrupt non-genuine students and other entities seeking to exploit the international education sector, the student visa system, and international students.

Recommendation 14

5.239 The Committee recommends the Government take firm action to address persistent and deep-seated integrity issues in the private Vocational Education and Training (VET) sector, understanding this will be a difficult and long-term reform program. Actions may require legislative changes to strengthen regulatory oversight and tough decisions and could include:

- structural reforms to improve the monitoring and assessment of current providers and increase vetting of new providers including a fit and proper person test to operate a VET provider
- a pause for at least 12 months by Australian Skills Quality Authority (ASQA) in processing new provider applications for Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) registered VET providers, with limited exceptions for legitimate applications such as industry linked entities, high economic value proposals or those endorsed by state and territory governments
- requiring new providers seeking CRICOS registration to have operated and delivered to domestic students for at least 12 months
- suspension of recruitment of international students to CRICOS VET courses identified with persistent quality and integrity issues and/or of limited value to Australia's critical skills needs, such as management and leadership courses.
- automatic suspension of new international student intake for providers under serious regulatory investigation

- cancellation of a provider's CRICOS registration if no training is delivered for a period of 12 months or more
- an ongoing boost to the resources available to ASQA for compliance and enforcement of VET regulatory and quality requirements over time.

Recommendation 15

5.240 The Committee recommends the Government implement or at least trial major reforms to how international student learning is assessed, and education quality assured for high-risk Vocational Education and Training (VET) providers and courses by working with the States and Territories to consider the following options:

- developing a framework to assess all 932 Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) registered VET providers (excluding public Technical and Further Education providers (TAFEs)) to identify higher risk providers – the framework should be equitable and transparent, informed by both quantitative and qualitative information, though not all data sources and aspects may be public
- subjecting identified higher risk providers to stricter compliance and accreditation requirements which may include:
 - trialling external assessments of a random selection of students from high-risk providers / courses to accurately assess education training quality, identify systemic issues and provide Australian Skills Quality Authority (ASQA) with better evidence to respond with and cancel the registration of non-genuine poor-quality providers, more rapidly
 - a full re-accreditation process for providers identified as posing the highest integrity and quality risks where providers would have to reapply for their registration with ASQA
 - a mechanism to separate the training function from the assessment function in limited circumstances for high-risk providers and / or course, requiring students to be externally assessed by an independent body or by a provider approved (such as TAFEs or a proven high-quality private provider permitted to undertake external assessments).

All of the above initiatives would be provider funded on a cost-recovery basis.

Recommendation 16

5.241 The Committee recommends the Government consider differentiating visa applications for international students who choose to study at Technical and Further Education providers (TAFEs). Further considerations to support TAFEs should include:

- Disaggregating Vocational Education and Training (VET) immigration data so that TAFE applications are reported separately

- supporting the Department of Home Affairs to apply a risk regime that recognises TAFEs genuine commitment to providing a quality experience for international students, by providing TAFEs with the same benefits/recognition as universities under the Simplified Student Visa Framework (SSVF).

Recommendation 17

5.242 The Committee recommends the Government review international education regulatory bodies to ensure the settings and frameworks empower proactive risk analysis, on-the-ground quality assurance practices and that individual complaints, especially complaints by students, are investigated within an efficient timeframe. The review should consider how:

- agencies could maintain a list of ‘red flagged’ individuals and entities subject to serious regulatory action or serious integrity concerns, increase the degree and scope of penalties, and regulators could be empowered to be able to investigate provider and education agent or equivalent relationships
- increase the capacity and resourcing of international regulatory bodies over time to enable the agencies to effectively conduct randomised provider checks including site visits and conduct scaled investigations into high-risk provider behaviour
- ensure resourcing is sufficient so that agencies are equipped and capably resourced to take full advantage of, and contribute to cross-agency intelligence data gathering, pursue individual student complaints/whistleblowing allegations, and be able to report annual monitoring and investigation KPIs to be set by Government.

Recommendation 18

5.243 The Committee recommends the Government amend Quality Indicators for Teaching and Learning (QILT) Surveys to include questions about education agents and equivalents that would provide more detailed information of the agent student interactions.

Recommendation 19

5.244 The Committee recommends the Government:

- review and improve protections for international students to safely report workplace exploitation, including reviewing the Assurance Protocol to ensure that students who report exploitation are protected from visa cancellation

- examine the scale and use of Australian Business Numbers (ABNs) by international students to ensure this is not being abused as a device by employers to exploit students
- consider a scheme of endorsement of ABN requests by international students that require oversight by their educational institution
- consider requiring employers to undertake a very light touch registration when they employ international students (or potentially any temporary migrant), for example a simple website registration, enabling the Fair Work Ombudsman to undertake more targeted enforcement and to fine businesses found to be employing unregistered workers.

Recommendation 20

5.245 The Committee recommends cross government agencies and the sector intensify efforts in implementing a targeted communication strategy to educate:

- international students of their rights and obligations when studying in Australia
- providers and education agents of their obligations to international students studying in Australia
- employers and industries that are high employers of international students.

Recommendation 21

5.246 The Committee recommends the Government:

- better enforce the current rules prohibiting transfers within the first six months of commencement of a student's primary course
- if resources prohibit this from being enforced in all instances, at least take a risk-based approach and enforce where there is evidence of patterns of transfers linked to certain providers or agents
- consider adjustments to the student visa system so that visa risk follows the student, shifting to the receiving providers when students transfer onshore to other providers.

Recommendation 22

5.247 The Committee recommends the Government amend Education Services and Overseas Students regulations to provide that any medical letter or certification for consideration of early release can only be issued by a medical professional who is approved under the students' Overseas Student Health Cover.

Recommendation 23

5.248 The Committee recommends the Government tighten regulations to:

- **require providers to record the details of all education agents or equivalent that they receive students from into Provider Registration and International Student Management System (PRISMS) Agents Dashboard**
- **require providers to have written agreements with all education agents or equivalent**
- **require providers to actively monitor agent conduct including annually reviewed key risk indicators**
- **enable mandatory requirements to report misconduct involving suspected trafficking to the relevant regulatory authorities.**

Recommendation 24

5.249 The Committee recommends the Government in consultation with the education sector and agent peak bodies develop model clauses for providers to use in their written agreements with education agents to improve integrity, consumer protection and enable more transparency of payments.

Recommendation 25

5.250 The Committee recommends the Government use whatever regulatory levers necessary to mandate certain minimum requirements be included in all written agreements between providers and students to increase transparency and consumer protection including:

- **standard refund conditions**
- **mandatory disclosure of agent commissions and all other payments to the agent, their employees or family, and all related entities (to avoid rorts and workaround payments that are not characterised as ‘commissions’) that are charged to the student.**

Recommendation 26

5.251 The Committee recommends an expansion of the current Education Agents Dashboard on Provider Registration and International Student Management System (PRISMS) to allow provider access to all education agents' information. Such an expansion should enable providers to consider an agent's performance before entering contractual arrangements and to be able to compare agent performance or integrity concerns about individual agents across the sector.

Recommendation 27

- 5.252** The Committee recommends, in implementing the decision to ban the payment of commissions by providers to education agents, migration agents or equivalent entities for all onshore international student transfers, the Government ensure this captures ‘marketing’ or equivalent payments to related entities and persons however they are characterised.

Recommendation 28

- 5.253** The Committee recommends the Government accept that regulation of education agents is essential and long overdue, and that a model must be determined and implemented. Government should consider the most effective way of ensuring scrutiny of education agents given their key role in providing temporary migration advice and dealing with often vulnerable consumers. Any model will need to ensure compliance with a single Code of Ethical Practice for Education Agents setting expected standards for all education agents who work with Australian education providers. Any scheme should be industry funded through cost recovery mechanisms and have adequate resourcing for compliance and enforcement.

Recommendation 29

- 5.254** The Committee recommends the Department of Education and the Department of Employment and Workplace Relations are each empowered to take a lead approach as policy owners for International Education with respect to their relevant policy portfolios. The Minister for Education and the Minister for Skills and Training, and relevant departments, should ensure the ongoing coordination of policy development and implementation. The Departments should also ensure that appropriate and holistic measures are included in their annual performance statements.



1. Introduction

- 1.1 Australia is a global leader in international education, with over 3.5 million current and former international students studying in Australia between 2002 and 2021.¹ In 2020, 10 per cent of international tertiary students around the world studied with Australian providers.²
- 1.2 International education showcases Australia to the world as an attractive destination for people to live, study, work, invest and travel. Through international education Australia can elevate broader engagement to support global and regional democratic development, human rights and economic stability. Australia's continued commitment to international education, training and research is central to Australia's soft power. These influential linkages forged through students, alumni and education providers support and develop Australia's capacity to build stronger partnerships with countries in the region and around the world. Improving partnerships and connections is strategically important for Australia in the Indo-Pacific region.
- 1.3 Australia has a lot to gain from international students choosing to live and study here. The delivery of a world class education to future leaders of countries, primarily in our own region, creates future goodwill, social licence and trade opportunities. In addition it plays a significant role in reinforcing the importance of strengthening democracy and the rule of law in our region.
- 1.4 Alongside connecting Australia with the rest of the world, the revenue generated from international education makes a significant contribution to Australia's economy. In 2019, international students contributed \$40.3 billion to the Australian economy, including through education related travel, tuition fees and living expenses. The pandemic saw this number almost halve to \$22.5 billion in 2021. Since the international borders re-opened in December 2021, there have been signs of gradual recovery towards pre-pandemic levels of enrolments and commencements.³
- 1.5 Many international students contribute to Australia's workforce by supplementing study with part-time work. Students as a young highly educated group may choose to stay on to work as graduates on temporary work visas, with some progressing along permanent skilled migration pathways to make Australia home, contributing over a lifetime to Australia's prosperity and alleviating issues of an aging population.

¹ Department of Education, Submission 43, p. 3.

² OECD 2022 International Migration Outlook, p. 13.

³ Department of Education, Submission 43, p. 3.

- 1.6 Australia's commitment to research and innovation greatly benefits from international students and graduates. This in turn creates and sustains Australia as an attractive research and study destination for the very best and brightest students from around the world. In 2020, Australia was the third most popular study destination for international students, after the United States (US) and the United Kingdom (UK). International students are integral to higher education's contribution to Australian society, bringing significant economic, cultural and community benefits.⁴

Impacts of COVID-19

- 1.7 The pandemic exposed how vulnerable Australia's education sector is to the loss of international students. Covid-19 highlighted how research funding across the board and the financial health of some education institutions were dependent on international student fee revenue. The pandemic demonstrated how many Australian businesses struggled to stay open without a ready supply of students as workers.
- 1.8 The University of Canberra commented 'In 2020 universities saw some drops in commencing international enrolments. In 2021 these were even more pronounced, sending economic shockwaves through a sector that had become dependent on fees from international students.'⁵

In 2018 and 2019, 'international education services' was the largest export for the Australian Capital Territory (ACT), worth over \$1 billion a year directly to the local economy. By 2021 its value had halved.⁶

- 1.9 There has been a drive to regain lost ground since the borders re-opened, but this space presents a unique opportunity to consider what is needed to create a sustainable, stable international education sector and ensure resilience, competitiveness, and integrity over the long term. The future of Australia's international education sector will be increasingly important in ensuring a pipeline of high quality graduates to help fill Australia's critical skills shortages.
- 1.10 Education agents are a key part of the international education sector that operate within Australia as well as offshore. The growth of education agents within Australia has resulted in fierce competition for international students within Australia (states and territories) as well as competing internationally with countries such as the United Kingdom (UK), Canada and the United States (US).
- 1.11 Fierce global competition, changes in source countries' economies, rising costs of living, negative student experience and poor graduate work outcomes continue to be significant factors impacting on future students' choice of study destination. These factors and others are changing the shape of international education.

⁴ Australian Universities Accord Discussion Paper: February 2023, www.education.gov.au/australian-universities-accord/resources/australian-universities-accord-panel-discussion-paper, viewed 21 August 2023.

⁵ University of Canberra, Submission 17, p. 2.

⁶ University of Canberra, Submission 17, p. 2.

- 1.12 Education that is delivered by reputable providers and backed by strong regulatory oversight has a direct impact on Australia's reputation to provide a high-quality education and qualified graduates. A robust education system acts on unscrupulous practices which undermine academic standards and jeopardises the global brand of Australian education. Maleficence in the international education sector is morally wrong, harms individuals and also carries national security risks, exposing employed graduates who may go on to hold sensitive positions to blackmail by foreign governments, rival corporations or criminal syndicates.⁷
- 1.13 Effective measures to ensure a quality international education sector and a positive international student experience can help deliver valuable skilled workers critical to Australia's future.

A sustainable international education sector

- 1.14 The Department of Education highlighted the importance of fostering a positive international student experience and enduring connections between alumni and Australia for sustainable growth of the sector.⁸
- 1.15 Austrade stated that 'the two primary drivers of study destination choice are perceived quality of education and employment outcomes, followed closely by safety.'⁹
- 1.16 The University of Canberra suggested that a sustainable sector is one better prepared for market shocks. The pandemic and consequent border closures had a devastating effect on international education in Australia sending economic shockwaves through a sector that had become dependent on fees from international students.¹⁰
- 1.17 The COVID-19 pandemic revealed the reliance some institutions have on a small number of countries when sourcing international students. The top five student source markets (China, India, Nepal, Vietnam and Colombia) represented 59 per cent of enrolments across the international education sector in 2021 and the two largest countries alone made up almost half of all international enrolments. This figure is higher in public universities, with the top five student source markets representing 72 per cent of international enrolments in 2021, and the largest source market representing almost half of all international enrolments.¹¹ The Committee will continue to take evidence in its further site visits and hearings in regional Australia.
- 1.18 Different institutions are reliant on it for different reasons. Some institutions, such as Federation University, were incredibly reliant on international student fee income to subsidise their domestic teaching and research that was undertaken. Other

⁷ www.lowyinstitute.org/the-interpreter/contract-cheating-how-academic-dishonesty-could-endanger-national-security, viewed 7 July 2023.

⁸ Department of Education, Submission 43, p. 22.

⁹ Austrade, Submission 73, p. 28.

¹⁰ University of Canberra, Submission 17, p. 2.

¹¹ Department of Education, Submission 43, p. 7.

institutions, such as Melbourne University and University of Sydney rely on the international student fee income, but they rely on it primarily to drive their research areas and to increase their private investment portfolios.¹²

What that means is that we've got universities, for various reasons, inherently over reliant upon a high-risk source of income. When you drill down into it, it's only three major countries who are the suppliers of most of our international student fees.¹³

- 1.19 Beyond straight revenue recovery, post COVID-19 recovery is a unique opportunity to consider a different reset on Australia's international education sector. By developing a more measured approach focused on sustainability and stability, this has the potential for the international education sector to make a significant contribution to Australia's foreign policy objectives¹⁴ over the mid to long term.
- 1.20 This more measured approach has potential to mitigate some of the serious problems in the sector, that have been driven by a race for sheer student numbers. A situation which has contributed to a dominance of education agents in international student recruitment, introduced points of ineffective regulation, opened up vulnerable points of exploitation of education and the migration system and cultivated a potentially unhealthy competition between providers and state and territory governments.
- 1.21 Austrade highlighted the severe impact COVID-19 had on the International education trade, halving its value from \$40.3 billion in 2019 (pre-pandemic) down to \$20.2 billion in the year ending June 2022.¹⁵ Although there has been a rapid rebound fuelled by pent-up demand, Department of Foreign Affairs and Trade commented that closed borders saw a reduction in student numbers, from 510,463 commencements in 2019 to 284,024 commencements in 2021.¹⁶ Current data for 2022 shows a 20 per cent increase on 2021 levels, but rebuilding the pipeline of international students will take a number of years to return to past levels.¹⁷
- 1.22 The National Tertiary Education Union (NTEU), voiced concerns that even leaving aside the impact of an international pandemic, the reality is that governments and the education sector do not have control over the fluctuations that are in built within the international education market, which may be the result of rising/falling currencies, negative media coverage, increased competition from other countries with education service industries, or changes in the education opportunities available to students in their home countries. While international pandemic is arguably at the extreme end of

¹² Dr Terri MacDonald, Director Public Policy, and Strategic Research, National Tertiary Education Union, *Committee Hansard*, Melbourne, 19 April 2023, p. 3.

¹³ Dr Terri MacDonald, Director Public Policy, and Strategic Research, National Tertiary Education Union, *Committee Hansard*, Melbourne, 19 April 2023, p. 4.

¹⁴ Australia's foreign policy objectives include promoting and protecting Australia's international interests to support our security and prosperity.

¹⁵ Austrade, Submission 73, p. 10.

¹⁶ DFAT, Submission 63, p. 4.

¹⁷ DFAT, Submission 63, p. 4.

risks for the sector, the NTEU considers the reality is that the sector will always be at risk.¹⁸

- 1.23 The NTEU stated that pre-Covid university providers had become heavily dependent on international student fee income. This discretionary revenue, derived from a largely unconstrained market, was used by providers to subsidise their domestic teaching and primarily research. The NTEU shared that the University of Sydney, for example, generated 38 per cent of its' income from international student fees in 2021, more than it received from any other source, including federal government funding.¹⁹
- 1.24 University of Wollongong (UoW) commented that universities' balance sheets have taken the biggest hit ever in their entire history. University of Wollongong, shared that they had to sell student accommodation to ameliorate UoW's financial situation.²⁰
- 1.25 The NTEU cautioned against a return to overreliance by university providers on international student fee income. The NTEU felt that this approach is an inherently high-risk business model and is subject to uncontrollable market forces. The NTEU suggested that cuts to domestic funding of up to 14 per cent via the Jobs-Ready Graduate Package in 2020 had exacerbated this reliance. The NTEU considered that such policy drivers have encouraged a profit driven corporatised culture to grow in universities, and that the principles of education being a public good are now secondary to the revenue that international education generates.
- 1.26 Research by the Australia Institute found that universities subjected to market pressures have re-constituted in corporate like forms, increasing prices wherever possible and prioritising cost saving measures. The corporatisation of universities has led to over-reliance on international student fees, the rise of casual employment and short-term contracts for university workers, with the focus on university administrators on their institutions' 'profitability' has subordinated the public service of providing quality higher education to a commercial vision.²¹
- 1.27 While there are healthy signs that the international education sector is gradually recovering from the COVID-19 downturn, the lessons learnt from the over-reliance of Australia's university sector on the international education sector should not be lost. As such, COVID-19 exposed the unsustainability of a model whereby Australia's universities are reliant on international student revenue to subsidise the cost of funding research, the conduct of which is a legal obligation to maintain the status of 'university'.²²

¹⁸ National Tertiary Education Union (NTEU), Submission 28, p. 10.

¹⁹ Mr Kieran McCarron, Policy and Research Officer, National Tertiary Education Union (NTEU) *Committee Hansard*, Melbourne, 19 April 2023, p. 1.

²⁰ Professor Alex Frino, Senior Deputy Vice-Chancellor (Innovation, Enterprise and External Relations), University of Wollongong, *Committee Hansard*, Sydney, 2 March 2023, p. 11.

²¹ *Public Attitudes on Issues in Higher Education* (12 July 2023) The Australia institute: Centre for Future Work www.futurework.org.au/report/public-attitudes-on-issues-in-higher-education/ , viewed 19 July 2023.

²² La Trobe University, Submission 24, p. 1.

- 1.28 Property development, investments, international student fees, and commercially oriented research income have become core revenue sources for universities. Since 1995, these private sources of revenue have doubled as a share of total university income: increasing from 21.7 per cent to a high of 43 per cent in 2019. As of 2023 international student fees make up 22 per cent of total revenue, investment income makes up a further 8.4 per cent, and donations, bequests, non-government grants, and disposal of property make up 5 per cent.²³
- 1.29 This growing commodification has not been lost on international students themselves, which will have a fundamental effect on prospective student choices on where to study and has a potentially serious impacts on the mental health and student experience of students who have chosen Australia. The Council of International Students Australia (CISA) summed it up:
- ...some of the people working in the international education sector have the mindset of treating us, international students like a product instead of people who are coming here to study. I think that's something fundamentally that affects lots of people's decisions, and also organisations as well.²⁴

Current Government Reviews

- 1.30 The Committee is cognisant of Government work currently underway that have significant implications for Australia's international education sector and student visa and graduate visa policies and processes. The most significant reviews included The Migration Review, The Australian Universities Accord and ESOS Review, and the Rapid Review of Australia's Visa Systems.

The Migration Review

- 1.31 On 2 September 2022, the Minister for Home Affairs, the Hon. Clare O'Neil MP, announced a comprehensive review of Australia's migration system to ensure it better meets existing challenges and sets a clear direction for the coming decades.
- 1.32 The Migration Review²⁵ intends to improve the job readiness and outcomes of international students by:
- Providing faster pathways to permanent residence for the skilled graduates Australia needs.
 - Recognising Australia's place as a destination of choice for international students, the Review will consider how to ensure that all international students are genuinely in Australia to study, including by tightening requirements and by strengthening the quality assurance of education providers.

²³ *Public Attitudes on Issues in Higher Education* (12 July 2023) The Australia institute: Centre for Future Work www.futurework.org.au/report/public-attitudes-on-issues-in-higher-education/ , viewed 19 July 2023.

²⁴ Mr Jiahao Li, National Postgraduate Officer, Council of International Students Australia, *Committee Hansard*, Canberra, 15 May 2023, p. 67.

²⁵ *A Migration System for Australia's Future* (homeaffairs.gov.au), viewed 7 September 2023.

- Reducing time international students spend on bridging visas by easing the path to graduate visas.
- 1.33 The Migration Review report was finalised in March 2023 and released for publication on 7 June 2023.
- 1.34 One of the main announcements that had bearing on this report related to the Temporary Skilled Migration Threshold. The Government announced an increase to the Temporary Skilled Migration Threshold (TSMIT) from \$53,900 to \$70,000 from 1 July 2023, as it was found that the previously low minimum income threshold paved the way for worker exploitation, including exploitation of international students and graduates.²⁶

The Australian Universities Accord

- 1.35 In November 2022 the Minister for Education announced details of the Australian Universities Accord (the Accord). It was established to consider a range of issues across teaching and learning, funding and regulatory settings, strengthening engagement between the higher education and vocational education and training sectors, research and international education. An interim report was tabled in July 2023, with a final report expected to be delivered in December 2023.
- 1.36 The Accord will review the challenges faced by international students and will examine how to support a competitive and resilient international student sector, reflecting the important role that international students play in our society and economy and international partnerships.²⁷

Education Services for Overseas Students (ESOS) Framework

- 1.37 Education Services for overseas Students (ESOS) legislation makes sure training providers meet nationally consistent standards in education delivery, facilities and services, and provides tuition fee protection for international students.
- 1.38 The Department of Education is responsible for ensuring that the ESOS Act is up-to-date. The Department of Education is overseeing changes to various aspects of the legislative framework for overseas students.²⁸

Rapid Review of Australia's Visa System

- 1.39 The rapid review is a separate investigation headed by Ms Christine Nixon AO, APM into exploitation of Australia's visa system including student visas. Media reports indicate worrying findings regarding the behaviour of disreputable agents and

²⁶ www.homeaffairs.gov.au/reports-and-pubs/files/review-migration-system-final-report.pdf, viewed 18 March 2023.

²⁷ Review of Australia's Higher Education System - Terms of Reference - Department of Education, Australian Government, VIEWED 7 September 2023.

²⁸ Education Services for Overseas Students (ESOS) Framework - Department of Education, Australian Government, viewed 7 September 2023.

providers in the international education sector and misuse of the visa system. The Government is currently considering the recommendations.

About the inquiry

Objectives and scope

- 1.40 On the 11 October 2022, the Minister for Trade and Tourism, Senator the Hon Don Farrell, requested the Joint Standing Committee on Foreign Affairs, Defence and Trade (JSCFADT), through its Trade Subcommittee, to inquire into Australia's tourism and international education sectors.
- 1.41 As part of the inquiry the committee decided to table an interim report that focuses on the challenges and opportunities presented to the international education sector since the reopening of Australia's borders. More specifically the Committee examined:
- challenges associated with the loss of international student numbers as a result of the significant disruption caused by the COVID-19 pandemic and effective measures to attract and retain students to Australia
 - online innovations in education delivery and potential opportunities to strengthen the sector's resilience
 - initiatives to ensure positive international student experience and support pathways to build their skills and contribute to Australia's prosperity
 - opportunities for international education to support strategic and foreign policy objectives.
- 1.42 The purpose of this interim report is to produce a timely report on the international education sector. Whilst acknowledging that there is an intersection between tourism and international education as Australia rebuilds these sectors post-COVID, the Committee was focused on making specific recommendations to Government in a timely manner on international education. The Committee was mindful of the Government's interest in this topic and the intersections it has with the Migration Review report published in July 2023 and the Universities Accord report due to be published in December 2023.
- 1.43 The Committee will continue to hear from stakeholders nationally and internationally for this inquiry, including groups such as the National Union of Students (NUS) and the Association of Southeast Asian Nations (ASEAN).

Inquiry conduct

- 1.44 On 19 October 2022, the Committee issued a media release announcing the inquiry and calling for submissions. The Committee invited submissions from a variety of stakeholders including government agencies, peak travel and education industry

organisations, universities, and higher education peak bodies, academics and the general public.

- 1.45 The inquiry received 127 submissions, including a number of supplementary submissions and two exhibits, which are listed at Appendix A and B respectively. Of these submissions, at least 85 primarily focused on the international education aspect of the inquiry.
- 1.46 The Committee held 20 public hearings as outlined in the table below. A list of witnesses and organisations who attended these public hearings is in Appendix C.

Table 1.1 Public hearings held

Date	Place
2 March 2023	Sydney
8 March 2023	Canberra
22 March 2023	Canberra
29 March 2023	Canberra
18 April 2023	Melbourne
19 April 2023	Melbourne
10 May 2023	Canberra
15 May 2023	Canberra
16 May 2023	Canberra
17 May 2023	Gold Coast
26 June 2023	Orange, NSW
2 August 2023	Canberra
9 August 2023	Canberra
15 August 2023	Cairns, QLD
16 August 2023	Cairns, QLD
21 August 2023	Broome, WA
22 August 2023	Freemantle, WA
13 September 2023	Canberra
3 October 2023	Port Campbell, VIC
4 October 2023	Ballarat, VIC

Report structure

- 1.47 Chapter 2 examines the value of international education students with a focus on more than just the economic value these students bring to Australia. It discusses the

need for Australia to refocus international education policy for students and institutions now and into the future. The importance of soft power diplomacy and workforce skills and planning is discussed.

- 1.48 Chapter 3 discusses the changing landscape of international education. This includes how international education can leverage the sector to source the best and brightest international graduates to support solutions for Australia's long-term skills shortages. This chapter also discusses the future of skilled work pathways including Work Integrated Learning (WIL) options available to some students.
- 1.49 Chapter 4 focuses on the international student experience and discusses the benefits that these students bring to Australia, including the importance of their cultural diversity. This chapter also discusses the high cost of living pressures for students in Australia and looks at options for student accommodation.
- 1.50 Chapter 5 outlines Australia's regulatory and legislative framework in relation to international students studying with Australian providers. This chapter highlights challenges that have arisen around data sharing between agencies and organisations. It also discusses the challenges that exist for the registration of education agents and considers how the registration process could be improved.



2. The value of international students to Australia

Overview

- 2.1 International students are highly valued in Australia for the economic, social and diplomatic contributions they make whilst studying with Australian education providers.
- 2.2 This chapter discusses evidence that recognises the much broader contribution of international student fees, towards a broader recognition of international students to Australia than the often-singular focus on international student fees and economic impacts. This is a contribution that harnesses the sectors social license to contribute to a multicultural and harmonious learning environment in which domestic and international students can thrive.
- 2.3 The Department of Education reflected that the 'Australian Strategy for International education 2021-2030 focuses on providing international students with a positive and holistic Australian experience. This includes charting a pathway to sustainable growth for Australia's international education sector, with a focus on diversification, meeting national skills needs, and students at the centre and global competitiveness.¹
- 2.4 Over the course of the inquiry the Committee discussed with stakeholders how the broader value of international education can build a more sustainable and connected approach to international education that recognises and understands the benefits of positive soft power strategies.
- 2.5 Issues of fragmentation and internal competition between states, territories and competing education providers became clear, with Austrade recognising this fragmentation issue had created duplication and confusion and was a risk to Australia's unified brand.²
- 2.6 The national face of international education promotion, Study Australia had less funding than most states for the promotion of international education, and Study Australia's budget is a small fraction of what Australia's main competitor countries investment was into national strategies for international education promotion.

¹ Department of Education, 'Australian Strategy for International Education 2021-2030', www.education.gov.au/australian-strategy-international-education-2021-2030#:~:text=The%20Australian%20Strategy%20for%20International,the%20centre%20and%20global%20competitiveness, viewed 20 August 2023.

² Ms Melissa Banks, Head of International Education Centre of Excellence, Austrade, *Committee Hansard*, Canberra, 15 May 2023, pages 47-48.

- 2.7 Issues of a lack of diversification in student markets and a reliance of student fees to fund research arose in evidence pointing to a potential vulnerability of Australia's research capacity to outside market forces and geostrategic change, and to the stability of the international education sector as a whole.

Economic value of international students

- 2.8 Prior to the impacts of the COVID pandemic, international students contributed almost \$40 billion in export value making it Australia's largest services export.³ \$16 billion of the export value of international education in the form of fee revenue paid to institutions with the remaining \$24 billion (or 60 per cent) directed to other areas of the economy, including flows to local businesses through spending on accommodation, transport, retail, food, and other costs.⁴
- 2.9 Australian Chamber of Commerce and Industry (ACCI) argued that the broader economic benefits of international education could not be over emphasised. ACCI pointed out that for every one-dollar universities collected in tuition fees there is another two dollars generated through other activity associated with international students.⁵ ACCI shared that in 2018 international education supported around 250,000 jobs in Australia and stressed the importance on international students as consumers, especially in regional Australia.⁶
- 2.10 International Student Education Agents Association (ISEAA) highlighted the connection between international tourism and education pointing to students as tourism consumers, the revenue of visiting friends and family and through edu-tourism visitors.⁷ The presence of international students in regional universities is of value to international tourism activity in those areas which are outside of the traditional international tourist destinations. With international students as tourism consumers themselves, their word-of-mouth recommendations and their visiting friends and families playing significant role in drawing international tourism to lesser-known regional areas.
- 2.11 Similarly, Charles Sturt University (CSU) discussed the significant benefits to the community that international students make, whether that be supporting employment or supporting industries such as tourism, where CSU acknowledges there exists a strong connection between international study, visits and tourism dollars through visiting friends and family.⁸
- 2.12 Echoing the strong connection between international education and tourism, English Australia highlighted that:

³ Navitas, Submission 38, p. 5.

⁴ Navitas, Submission 38, p. 5.

⁵ Australian Chamber of Commerce and Industry (ACCI), Submission 5, p. 6.

⁶ ACCI, Submission 5, p. 6.

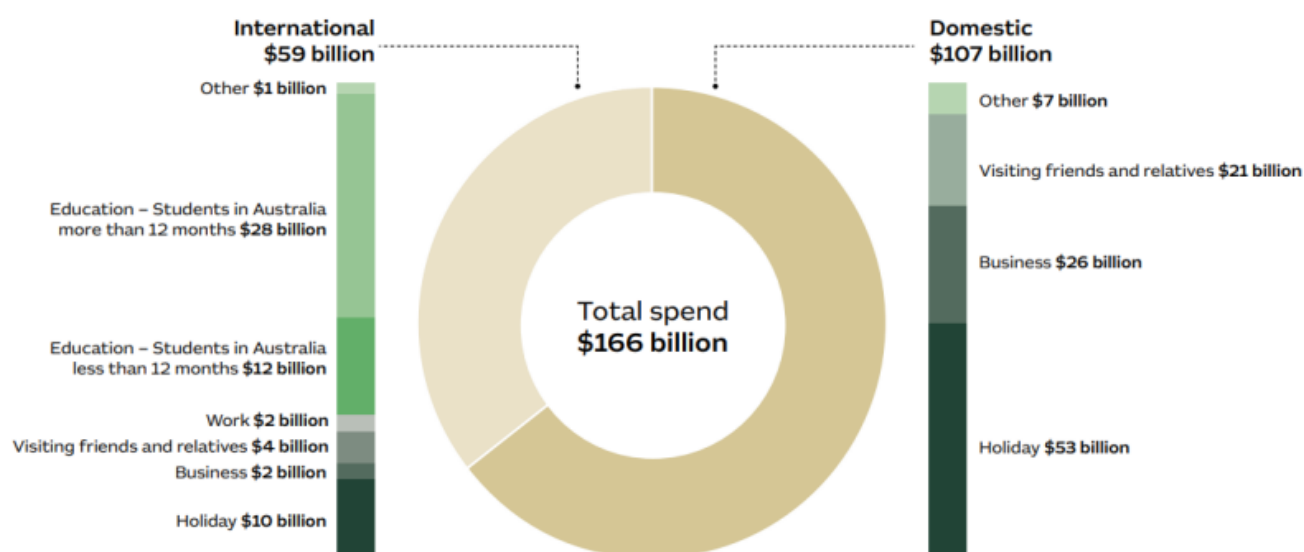
⁷ International Student Education Agents Association (ISEAA), Submission 29, p. 2.

⁸ Mr Mike Ferguson, Pro Vice-Chancellor, International, Charles Sturt University (CSU), *Committee Hansard*, Orange, 26 June 2023, p. 2.

- Education-related personal travel is more valuable than other personal and business travel in Australia overall, as well as in NSW, VIC, SA, TAS and ACT.
- Education visitors account for over 38 per cent of the total tourism spend in Australia and 57 per cent of travel exports spend, 8.5 times more than other visitors stay.
- On top of this, one in four education visitors have friends or family visit the country resulting in \$1.1 billion in 2018.
- In 2018, the Chinese spend in Australia by education visitors was larger than the total spend by all visitors from the US and UK combined.⁹

2.13 As an example, the Victorian Government offered that in Victoria alone, international education makes a significant contribution to the state's visitor economy. Pre-pandemic (2019), international education visitors accounted for 46 per cent of all international visitor expenditure in Victoria and contributed to the visiting friends and relatives (VFR) segment. According to Tourism Research Australia, in 2017, one in seven VFR travellers reported visiting a student or relative studying in Australia.¹⁰

Figure 2.1 Visitor Types and Value by cohort, year-end 2019



Source: Austrade Submission¹¹

Visitor Types and Value by cohort, year-end 2019 (Tourism Research Australia (TRA), International and National Visitor Surveys, 2020; Australian Bureau of Statistics (ABS), Australian System of National Accounts, 2020)

2.14 Austrade noted at the public hearing on 16 May 2023 that international education generates 69 per cent of international tourism spend in Australia. They elaborated

⁹ English Australia, Submission 50, p. 3.

¹⁰ Victorian Government Department of Jobs, Skills, Industry and Regions, Submission 88. p. 9.

¹¹ Austrade, Submission 73: 1, Answer to Question on Notice, p. 2.

that ‘without international education, we effectively have an international tourism sector one-third its current size—or its regular size’.¹² Other stakeholders had contested this figure, suggesting that it depended on how the data was dissected and analysed.

- 2.15 Correcting that the statistic is more accurately 68 per cent, Austrade clarified that this percentage represents the total international student expenditure in the 2019 calendar year, including students here for less than 12 months and more than 12 months, as a proportion of total international visitor spend. Comparatively, the proportion of expenditure in Australia by international students here for less than 12 months of the total international visitor expenditure was 39 per cent. Austrade explained that the way in which the data is analysed depends on the definition of visitor in the context of the visitor economy:

International students here for less than 12 months are counted as part of the visitor economy and, while students in Australia for longer than 12 months are not technically counted as visitors for the purposes of the visitor economy definition, THRIVE 2030, the national strategy for Australia’s visitor economy, makes clear that the targets set for the recovery and sustainable growth of the sector include spend by international students here for more than 12 months. Many of the spend patterns of short-term and long-term students are similar and naturally international students undertake tourism activities while they are staying in Australia.¹³

Regional Australia – Education and Skills

- 2.16 Universities Australia highlighted how international students make significant contributions to their communities, and this is particularly the case for those who study in regional Australia.¹⁴ Universities Australia urged that in any consideration on changes to post study work rights in the future, retaining a differential factor in the post study work rights for students who study at an Australia institution in a regional area would be favourable and would continue to support these critical flows of students to the regions.¹⁵
- 2.17 La Trobe University (La Trobe) commended the fact that international education and tourism sectors are being considered in tandem pointing to an Austrade Report in 2018, showing the spend in Australia by education visitors from China was larger than the total spend by all visitors from the US and the UK combined.¹⁶ La Trobe strongly recommended maintaining and strengthening the incentives for international students to study in regional Australia. La Trobe believed that the policy has been successful and has the potential to aid the recovery of both sectors.¹⁷

¹² Mrs Melissa Banks, Head of International Education, Austrade, *Committee Hansard*, Canberra, 16 May 2023, p. 22.

¹³ Austrade, Submission 73: 1, Answer to Question on Notice, p. 2.

¹⁴ University Australia, Submission 59, p. 7.

¹⁵ University Australia, Submission 59, p. 7.

¹⁶ La Trobe University (La Trobe), Submission 24, p. 1.

¹⁷ La Trobe, Submission 24, p. 1.

- 2.18 La Trobe pointed to migration settings that affords students studying at regional campuses access to more preferential post-study working rights has been especially successful:

Our experience as a university with several regional campuses has been overwhelmingly positive in this regard, with our campus in Bendigo attracting a significant increase in the number of international students so that a regional community now benefits from ten per cent of our entire international cohort (prior to the introduction of this setting it was just one per cent).¹⁸

- 2.19 Regional University Network (RUN) considered that there is a more acute prevalence of critical skills shortages across many key industries in regional Australia, as compared to metropolitan Australia. RUN gave the following health services example; 2020 Health Workforce data shows 531 full time equivalent (FTE) allied health clinicians per 100,000 people in major cities compared to 414 FTE allied health clinicians per 100,000 people in outer regional locations.¹⁹
- 2.20 RUN submitted that similar disparities in manifests disproportionately across many industries that are key to regional Australia's continued prosperity. They argued for consideration to the broader issues confronting regional Australia, international students who choose to study in, and subsequently settle within regional communities' post-graduation, play an important role in suppressing regional Australia's education divide with metropolitan Australia and addressing key regional skill shortages.²⁰
- 2.21 RUN believed there is a strong case for regional Australia hosting a greater share of the international student cohort, and for regional Australia welcoming a greater proportion of those international students who choose to remain in Australia post-graduation. Regional Australia and RUN would therefore value and benefit from any opportunity to welcome more international students, including those who eventually graduate from regional university campuses into regional workforces.²¹
- 2.22 To ensure regional Australia benefits from the contributions of international students, the Department of Education administers the Destination Australia Program, with annual funding of \$19.47 million, which supports domestic and international students to undertake study in regional areas. The fourth round opened on 11 October 2022²² and supported 480 students with scholarship funding of up to \$15,000 per year, per student, commencing in the 2023 academic year. Successful applicants of this round were distributed across 27 providers and 83 campuses in regional parts of Australia.²³

¹⁸ La Trobe, Submission 24, p. 2.

¹⁹ Regional Universities Network (RUN), Submission 26, p. 2.

²⁰ RUN, Submission 26, p. 2.

²¹ RUN, Submission 26, p. 2.

²² Department of Education, Submission 43, p. 16.

²³ Department of Education, 'Destination Australia', www.education.gov.au/destination-australia, viewed 11 September 2023.

- 2.23 Currently only four per cent of all international student are in regional Australia. Recognising chronic skills needs, particularly in parts of regional Australia, the 2023 round gave preference to applications supporting students who study courses aligned with the Government's National Skills priority list.²⁴
- 2.24 The 2024 round of the Destination Australia program offers scholarships of up to \$15,000 per student, per year to approximately 551 domestic and international students, who will be commencing their studies in 2024.²⁵

Social licence

- 2.25 The Group of Eight Universities (Go8) noted that while export revenue is unarguably important and represents a key pillar of Australia's higher education funding model, they strongly advocated for recognition of the broader benefits of international education engagement which go beyond monetary value, to the heart of the sector's social license to operate that is built on community understanding and support.²⁶
- 2.26 Independent Higher Education Australia (IHEA) emphasised the importance of international education as a strategic enabler that improves social cohesion and helps to address some of the contemporary challenges Australia is facing associated with an aging workforce, slowing population growth and weak productivity growth.²⁷
- 2.27 The Committee heard that social license is fundamentally important to the success of Australia's international education industry and, more importantly, to the experience of our international students. The international education sector has the potential to support Australian businesses and organisations to meet the needs of an increasingly multicultural population.²⁸
- 2.28 Social licence is important both for international reputation and domestic sentiment. International students must not be seen as simply profit-making ventures nor solutions to labour shortages. They must be viewed as valuable contributors to universities and the communities in which they live.²⁹
- 2.29 Innovative Research Universities (IRU), suggested 'It can be done by reframing the discourse from one of purely economic benefit to focus on the overall societal and cultural benefit of international education for communities right across Australia.'³⁰

²⁴ Department of Education, Submission 43, p. 16.

²⁵ Department of Education, 'Destination Australia', www.education.gov.au/destination-australia, viewed 11 September 2023.

²⁶ Group of Eight Universities (Go8), Submission 12, p. 3.

²⁷ Independent Higher Education Australia (IHEA), Submission 83, p.3

²⁸ Professor Sarah Todd, Vice President (Global), Griffith University, *Committee Hansard*, Gold Coast, 17 May 2023, p. 3.

²⁹ Innovative Research Universities (IRU), Submission 34, p. 2.

³⁰ Ms Bethany Keats, Marketing and Media Advisor, IRU, *Committee Hansard*, Melbourne, 18 April 2023, p. 18.

Box 2.1 Case Study: Western Sydney University

Jennifer Budimulia, Indonesia, Doctor of Medicine (current)

As well as pursuing her studies, Jennifer is building a community-based organisation to support members of the Indonesian community in Western Sydney dealing with mental health issues. The organisation, called Seribu Tujuan, started as a way of reaching out to other Indonesian students studying in Australia but has expanded to the wider NSW Indonesian community, as well as to Indonesia and the Indonesian community around the world.³¹

Her work shows how international students engage with their local communities and contribute to their wellbeing. It highlights ways in which international students in Australia take their skills and qualifications back to their home countries to benefit the community there.³²

- 2.30 Austrade advised that to operate as a sector, social license in Australia is something that constantly needs consideration. In Austrade's view communications to the Australian community are something that could be better coordinated by government, but by all stakeholders, including the peak bodies.³³ A view concurred by Griffith University who assert that social licence is fundamentally important to the success of Australia's international education industry and, more importantly, to the experience of our international students. The international education sector has the potential to support Australian businesses and organisations to meet the needs of an increasingly multicultural population, as well as providing significant employment and revenue for a range of providers and organisations and directly contributing to the tourism industry both as employees and through the visitor economy created by friends and family who travel here.³⁴
- 2.31 The Council of Australian Postgraduate Association and National Aboriginal and Torres Strait Islander Postgraduate Association considered universities are a gateway for international students to bring a range of different perspectives, life experiences and cultures to the classroom, which can enrich the learning experience for all students.³⁵ International student feedback indicates an appetite for increased connections with the Australian community, which mitigate social isolation.³⁶ Student experience is improved through enriching experiences off campus, including

³¹ IRU, Submission 34: 1, p. 1.

³² IRU, Submission 34: 1, p. 1.

³³ Ms Banks, Head of International Education, Austrade, *Committee Hansard*, Canberra, 16 May 2023, p. 19.

³⁴ Professor Sarah Todd, Vice President (Global), Griffith University, *Committee Hansard*, Gold Coast, 17 May 2023, p. 3.

³⁵ The Council of Australian Postgraduate Association and National Aboriginal and Torres Strait Islander Postgraduate Association, Submission 52, p. 8.

³⁶ Department of Foreign Affairs and Trade (DFAT), Submission 63, p. 5.

internships, employer networks and graduate opportunities and increased knowledge of complaints handling mechanism when students experience discrimination.³⁷

- 2.32 Deakin University explained the importance of developing connection programs, including the coordination between education providers, professional organisations and community organisations in order to create opportunities for international students to volunteer and to participate in community programs.³⁸ Deakin gave an example of having an international student representative at a council or local council meeting or at a cultural diversity day or harmony day to connect them with the local community which would simultaneously raise local community awareness of their contribution to Australia educationally, culturally, socially, politically, and economically.³⁹
- 2.33 Go8 suggested that the Government and the sector should instead work with community groups to emphasise the benefits that a healthy international education sector bring, not least of which are the opportunities they provide to Australian students to develop their own inter-cultural understanding and knowledge.⁴⁰ A key challenge for all stakeholders in Australian international education is to facilitate meaningful engagement between domestic and international students, and promote integration within institutions, the community and industry sectors.⁴¹

Future markets and strong competition

- 2.34 Competition is intense from the 'traditional' competitor countries such as the United States of America (USA), United Kingdom (UK) and Canada who are moving more aggressively into the southern hemisphere.⁴² There are new competitors which used to be seen as source countries, such as the United Arab Emirates (UAE) who offer a 'golden visa'⁴³ allowing a 10-year residency to the best and brightest international students from ranked universities.
- 2.35 Navitas commented that we are in a hyper- competitive period when it comes to international education:
- ... possibly the most competitive period that we've ever been in. When we surveyed just over a hundred international education leaders from universities across the UK, Australia and Canada, pretty much all of them said that competition was going to be higher, if not much higher, than what it was compared to the pre-pandemic period.⁴⁴

³⁷ DFAT, Submission 63, p. 5.

³⁸ Professor Ly Tran, Deakin University *Committee Hansard*, Canberra, 15 May 2023, p. 64.

³⁹ Professor Tran, Deakin University *Committee Hansard*, Canberra, 15 May 2023, p. 64.

⁴⁰ Go8, Submission 12, p. 4.

⁴¹ Victorian TAFE Association, Submission 32, p. 8.

⁴² Australian Catholic University (ACU), Submission 7, p. 5.

⁴³ United Arab Emirates (UAE), 'Golden visa', <https://u.ae/en/information-and-services/visa-and-emirates-id/residence-visas/golden-visa>, viewed 31 July 2023.

⁴⁴ Mr Jonathan Chew, Global Head of Insights and Analytics, Navitas, *Committee Hansard*, Canberra, 15 May 2023, p. 41.

- 2.36 Study Perth observed that the recovery speed of the international education sector 'is directly impacted by the Commonwealth government's visa-processing' for the VET and ELICOS sectors and believed that this is additionally impacting Australia's competitiveness in comparison to other countries, such as Canada and the UK.⁴⁵
- 2.37 The Australian Catholic University (ACU) suggested education technology or 'EdTech' is flourishing, with global venture capital investment into edtech doubling between 2018 and 2020. Linked-In Learning, EdX, Google and Amazon have become fierce competition, offering professional accreditation that are pushed to be industry recognised. These alternatives provide students with the opportunity to receive a certificate from a well-known brand but are often more affordable (or even free in some cases), accessible from anywhere in the world and can be completed in a shorter amount of time.⁴⁶
- 2.38 Dynamic changes underway in the region will continue to drive the region's economies offering Australia significant opportunities and challenges. Asia overall stands to deliver nearly two-thirds of global growth to 2030.⁴⁷ Within the next 15 years, four of the world's five biggest economies in purchasing power parity terms are likely to be in Asia: China, India, Japan, and Indonesia. China and India together make up more than 60 per cent of Asia's economic activity.⁴⁸
- 2.39 This economic powerhouse has significant implications for Australia's international education sector as a stronger middle class emerges in the region will seek out the best education on offer. As regions grow economically, in-country establishment and investment in education will result in-country university and centres of learning gaining prestige.
- 2.40 Source countries investment and development of their own 'home-grown' education offerings will be gaining inroads into student's choice of provider. Students will be able to choose to stay in their own countries and achieve globally competitive qualifications. This presents an emerging competitive challenge for the Australian international education sector.
- 2.41 Southeast Asia's rapid economic development and the growth of alternative education markets has meant that Australia is losing relative advantage as a destination for future leaders from the region.

The region itself is producing higher quality universities. Students in South-East Asia are choosing to stay at home and study in their top universities, especially those who, at the margins, are thinking about an international education or a good private education in a local institution. It's not just the international providers that Australia is competing with; we're competing against high-quality emerging

⁴⁵ Ms Derryn Belford, Chief Executive Officer, Study Perth, *Committee Hansard*, Freemantle, 22 August 2023, p. 2.

⁴⁶ ACU, Submission 7, p. 5.

⁴⁷ Australian Government, '2017 Foreign Policy White Paper', 23 November 2017, p. 28, <https://www.dfat.gov.au/sites/default/files/2017-foreign-policy-white-paper.pdf>, viewed 21 July 2023.

⁴⁸ Australian Government, '2017 Foreign Policy White Paper', 23 November 2017, p. 28, <https://www.dfat.gov.au/sites/default/files/2017-foreign-policy-white-paper.pdf>, viewed 21 July 2023.

institutions, because South-East Asia is becoming richer. As the region becomes richer, the competitive landscape for all of us is changing.⁴⁹

- 2.42 Independent analysis conducted for Austrade forecasts that traditional international education experiences (onshore, on-campus, face to face) will continue to be sought after by students in dominant source markets.⁵⁰ However, the continued success of the traditional model will be highly dependent on conducive and competitive student visa and post study work rights policy settings, perceptions of value for money, access to employment opportunities while studying, and relevant, meaningful graduate employment outcomes.⁵¹
- 2.43 IDP Education pointed to post-study work rights as a key battleground and that although Australia is in the lead at present, this will change.⁵² Navitas calling it a post-study work rights race with every country is trying to offer more. Navitas raised that while Australia does offer generous post-study work rights, student experience of those post-study work rights was very poor, especially when compared to domestic students. That promise that Australia makes of a great post-study, work-right experience, immersion in the job market and relevant work, Australia is not adequately delivering on that to all students. The Committee and studies by Professor Ly Tran and others have come to the same conclusion.⁵³
- 2.44 Navitas cautioned however that Australia should not be relying on post-study work rights, or on any government policy to make the Australian education product attractive; it must stack up on its own. If the international education sector is relying on policy to drive the student choice, then perhaps the value proposition is not right.⁵⁴

Marketing the sector within Australia

- 2.45 The Committee was interested to hear from witnesses whether Austrade needed more resources. IHEA commented that:
- While Austrade has brand Australia for study, the move to state-based delivery has fractured the collective sale of Australian education overseas.⁵⁵
- 2.46 University of Adelaide argued that Australian education providers, states and territories in competition with each other leads to significant wastage of marketing spend. A whole-of-sector approach could be considered, with government support to encourage collaboration between education providers and industries to provide more opportunities to students.⁵⁶

⁴⁹ Mr Ray Marcelo, Assistant Secretary, Southeast Asia Strategy, Economic and Communications Branch, DFAT, *Committee Hansard*, Canberra, 15 May 2023, p. 52.

⁵⁰ Austrade, Submission 73, p. 24.

⁵¹ Austrade, Submission 73, p. 24.

⁵² Ms Kim Dienhoff, Head of Government Relations, IDP Education, *Committee Hansard*, Melbourne, 18 April 2023, p. 57.

⁵³ Mr Chew, Navitas, *Committee Hansard*, Canberra, 15 May 2023, p. 44.

⁵⁴ Mr Chew, Navitas, *Committee Hansard*, Canberra, 15 May 2023, p. 44.

⁵⁵ Dr Peter Hendy, Chief Executive Officer, IHEA, *Committee Hansard*, Melbourne, 18 April 2023, p. 40.

⁵⁶ University of Adelaide, Submission 21, p. 6.

- 2.47 Murdoch University called for recruitment initiatives that support all universities and facilitate student enrolment outside the major urban centres. Regional authorities are keen to work with agencies to strengthen enrolments; build social diversity; provide in-study, Work Integrated Learning, and post-study work opportunities; and encourage appropriate migration pathways in areas of workforce shortfalls. These goals are currently hampered by a lack of consistency in application of various policies in respect to international education and recruitment of international students.⁵⁷ This view was echoed by Independent Tertiary Education Council Australia (ITECA) who identify a lack of consistency across the Australian Government with respect to international education policy and programs with no over-arching coordination mechanism.⁵⁸
- 2.48 Study Perth considered that all are competing at an institutional level and state level, but at an Australia level we are competing with Canada, the USA and the UK. Study Perth argued that institutions aren't big enough, nor are states big enough, in marketing speak, to get above the line. There needs to be at a whole-of-country level to get the above-the-line marketing awareness.⁵⁹

A National Brand

- 2.49 Austrade promotes a nation brand and uses this brand as a vehicle for promoting everything Australian. By operating under a national brand, Austrade argue Australia gets the benefit and the amplification of why choose Australia, and what value proposition the nation brings to the world. Education or Study Australia is a subsector within this bigger brand.⁶⁰
- 2.50 Study Australia is allocated just under \$6 million annually for dedicated education staff located in 36 locations around the world, a small specialist team in Australia, the Study Australia website and digital and social media outreach for global promotion of Australian education and training, including a marketing portal for providers and education agents. An additional \$2 million was allocated in this budget year to redevelop for user experience on mobiles, including ten foreign languages.⁶¹
- 2.51 Study Australia's budget is extremely modest given the direct revenue and soft power influences potential of international education for Australia. International education revenue (including students here under 12 months and over 12 months) generates sixty-eight per cent of international tourism spend in Australia.⁶²
- 2.52 According to the Australian Universities International Directors Forum Benchmarking International Operations 2019 prior to COVID universities re-invested on average 0.93% of international student tuition fee revenue into marketing and recruitment per

⁵⁷ Murdoch University, Submission 61, p. 3.

⁵⁸ Independent Tertiary Education Council Australia (ITECA), Submission 69, p. 3.

⁵⁹ Mrs Derryn Belford, Chief Executive Officer, Study Perth, *Committee Hansard*, Canberra, 16 May 2023, p. 22.

⁶⁰ Ms Banks, Austrade, *Committee Hansard*, Canberra, 15 May 2023, p. 47.

⁶¹ Mr Jay Meek, General Manager of Trade, Trade and Investment, Austrade, *Committee Hansard*, Canberra, 16 May 2023, p. 16.

⁶² Austrade, Submission 73: 1, Answer to Question on Notice, p. 2.

annum. This excluded staffing, but included travel, digital marketing, physical marketing, exhibitions, freight and overseas offices/staff. If the average tuition fee income per university was \$269.1 million in 2019, each university, on average would spend \$2.5 million per annum on marketing and recruitment.⁶³

I think it's important, we spend more at an Australian level, yes—that we spend not just on focusing on the Study Australia partnership but on making sure the Study Australia partnership leverages up the other activity as well. To give you an idea of orders of magnitude in the Western Australian context, the budget for StudyPerth is a couple of million dollars and the budget for Tourism WA is over \$100 million. There's a big difference between how much money is spent in the tourism and hospitality space compared to the international education space.⁶⁴

- 2.53 ITECA's submission argued that previous efforts at developing and delivering national strategies have provided broad direction for the sector, but such efforts have lacked a cohesiveness in terms of being able to bring together all agencies (at a federal, state and territory level) in a way that fully appreciates the disparate nature of the architecture within which the sector operates. ITECA considers that there is no effective coordination of the agencies across governments that are involved in international education, even at the Commonwealth level.⁶⁵
- 2.54 La Trobe's experience is that there is no coordinated response across government departments to the international education sector. La Trobe believed there is scope for a greater joined-up approach which includes skills, education and migration operating in tandem. It is La Trobe's view is that competitor nations such as Canada have the edge on Australia in this realm.⁶⁶
- 2.55 The Department of Foreign Affairs and Trade (DFAT) considered that a 'team Australia' approach makes an enormous difference, particularly in South-East Asia. That coordination, in terms of a Commonwealth-state-territory government perspective, avoiding fragmentation and presenting a cohesive front will make Australia more competitive.⁶⁷
- 2.56 Tourism Australia spent \$57.7 million in advertising and research in 2021/22, Austrade's marketing spend for international education for the same year (2021/22) was \$6,883,923.⁶⁸
- 2.57 States and territories generally undertake destination marketing activities which have dual benefits for both tourism and attracting international students. Victoria, New South Wales and Queensland have trade commissioners in various offshore locations who contribute to their state's trade and investment activities. In some

⁶³ Austrade, Submission 73:1, Answer to Question on Notice no.3, p. 4.

⁶⁴ Mrs Derryn Belford, Study Perth, *Committee Hansard*, Canberra, 16 May 2023 p. 22.

⁶⁵ ITECA, Submission 69, p. 9.

⁶⁶ La Trobe University, Submission 24, p. 3.

⁶⁷ Mrs Elizabeth Wilde, First Assistant Secretary, Development Policy Division, DFAT, *Committee Hansard*, Canberra, 15 May 2023, p. 48.

⁶⁸ Austrade, Submission 73:1, Answer to Question on Notice no.5, pages 5-6.

cases, such as Study Perth and Study Adelaide, it is the member institutions that contribute funding, in addition to government contributions.

- 2.58 New South Wales committed in 2022 \$19.1 million over 4 years for destination marketing and to improve the student experience (including internships and sports programs). Queensland in the same year announced \$20.6 million to support the State's 5 years roadmap to drive the post-pandemic recovery of International Education and Training (IET) exports. Western Australia in 2023 announced \$13.1 million investment international education for international student support (including student grants) and destination marketing. This brings Western Australia's total spend on international education to \$75 million over 4 years.⁶⁹

Comparing Australia's investment in marketing

- 2.59 Australia's spend on international education marketing is approx. \$6 million (an additional \$2 million was allocated in this budget year for a special project) in comparison with competitor countries, the United Kingdom and Canada, this is a tiny amount.⁷⁰

United Kingdom

- 2.60 The British Council, established in 1934, is the United Kingdom's international organisation for cultural relations and educational opportunities. It is a charity governed by Royal Charter and a UK public body. It has 12,000 staff across 100 locations around the world. In FY 21/22 the British Council spent £175 million (approx. AUD \$335 million) on encouraging educational cooperation and promotion the advancement of education.⁷¹
- 2.61 Marketing and promotion education initiatives in the United Kingdom (UK) are funded by the British Council and the Department for International Trade. The UK's International Education Strategy has two goals to achieve by 2030 to increase education exports to £35 billion per year (approx. AUD \$67 billion) and to increase the numbers of international higher education students studying in the UK to 600,000 per year. These goals have already been exceeded.⁷²

Canada

- 2.62 In 2019, the Canadian Government announced a new international education strategy backed by government investment of CDN\$147.9 million (approx. AUD\$165 million) over five years, starting in 2019–20, with a further CDN\$8.0 million (approx. AUD\$9 million) per year, ongoing. The strategy included approximately \$24.1 million (AUD\$27m) of funding for a targeted digital marketing strategy to attract students from a diverse range of markets.⁷³

⁶⁹ Austrade, Submission 73:1, Answer to Question on Notice no.4, p. 5.

⁷⁰ Austrade, Submission 73:1, Answer to Question on Notice no.3, p. 4.

⁷¹ Austrade, Submission 73:1, Answer to Question on Notice no.6, p. 6.

⁷² Austrade, Submission 73:1, Answer to Question on Notice no.6, p. 6.

⁷³ Austrade, Submission 73:1, Answer to Question on Notice no.6, pages 6-7.

- 2.63 To support efforts to diversify into new markets, the Canadian strategy included approximately \$4.9 million (approx. AUD\$ 5.4 million) supplemental over 5 years and \$1 million (AUD \$1.12 million) ongoing towards supporting the Trade Commissioner Service to intensify its efforts to grow and diversify Canada's international education sector.⁷⁴ Canada revenue from international education is approximately AUD\$34 billion in 2019).⁷⁵

Diversification and sustainability

- 2.64 Australian international education providers are currently dependent on a small number of markets for the majority of international student enrolments in Australia. China, India and Nepal combined make up over 50 per cent of all student visa holders. There are significant risks for providers who are overly dependent on a small number of student source markets.⁷⁶
- 2.65 The Department of Education set out how the COVID-19 pandemic revealed the reliance some institutions have on a small number of countries when sourcing international students.⁷⁷ The top five student source markets (China, India, Nepal, Vietnam and Colombia) represented 59 per cent of enrolments across the international education sector in 2021 and the two largest countries alone made up almost half of all international enrolments. This figure is even higher in public universities, with the top five student source markets representing 72 per cent of international enrolments in 2021, with the largest source market, representing almost half of all international enrolments.⁷⁸
- 2.66 Nine universities in Australia now account for 53 per cent of commencing overseas students in 2020, compared to 2019 where a similar proportion of students was distributed across 15 universities.⁷⁹ This higher concentration of students is at odds with the Australian International Education Strategy 2021-2030, which emphasises the criticality of diversification in the sector's recovery and mitigation against market shocks and minimisation of risk.
- 2.67 Prior to the COVID-19 pandemic, Australia's international education sector had enjoyed a period of strong growth, with the sector experiencing a 72 per cent enrolment growth over 2011 to the year-end 2019.⁸⁰ Despite this, during this time, relatively little thought was given to the strategic opportunities for diversification, to external risks and threats and to the sustainability of the sector.⁸¹

⁷⁴ Austrade, Submission 73:1, Answer to Question on Notice no.6, p. 7.

⁷⁵ Statistics Canada, 'Financial information of universities for 2018/2019 school year and projected impact of COVID-19 for 2020/2021', <https://www150.statcan.gc.ca/n1/daily-quotidien/201008/dq201008b-eng.htm>, viewed 13 July 2023.

⁷⁶ Austrade, Submission 73, p. 24.

⁷⁷ Department of Education, Submission 43, p. 7.

⁷⁸ Department of Education, Submission 43, p. 7.

⁷⁹ ACU, Submission 7, p. 4.

⁸⁰ ITECA, Submission 69, p. 9.

⁸¹ ITECA, Submission 69, p. 9.

- 2.68 UNSW considered that the diversification of the international student market will support sector recovery by helping to manage any risks associated with source market concentration.⁸² It will help to solidify relationships with a wider range of emerging strategic and economic partners. UNSW encouraged the Australian Government to continue to assist the sector with diversification by hosting trade missions and supporting marketing and promotion of Australian education to develop new markets of international students.⁸³

Latin America, Africa, Southeast Asia

- 2.69 DFAT considered international education is a key element of many of Australia's bilateral relationships in Latin America.⁸⁴ Australia is seen as a high quality and more cost reasonable option than some US institutions. Brazil and Colombia are the largest markets, consistently ranking in the top 10 countries with students in Australia. Australia needs to continue to invest in Brazil to strengthen relationships and better define the brand. Permanent residents and student cohorts, including those on working holiday programs, generate visitor visas demand from families and friends which helps our tourism industry. In Colombia, where our market share is low but consistent, DFAT intend to build on the bilateral Memorandum of Understanding on education and training signed in March 2022.⁸⁵
- 2.70 The Victorian Government is extending the sector's global footprint through established physical Study Melbourne Hubs in China, Vietnam and Malaysia, a hybrid hub in South Asia, and a pop-up hub for key student engagement activities in Latin America. The hubs offer a dynamic space free of charge for Victorian education providers, agents, education advisors and students to connect, including access to Study Melbourne programs delivered virtually.⁸⁶
- 2.71 University Of Canberra (UC) are increasing investment in Vietnam, the Philippines, Indonesia and diversifying our source channels across South Asia, with a particular focus on Bangladesh and Sri Lanka. UC are assessing opportunities for increasing market share in developing markets including Pakistan, North and Central Asia, Africa and Oceania.⁸⁷
- 2.72 Griffith University observed that there are many markets within Africa where Australia has not traditionally recruited large numbers of international students, but are aware that the UK, the US, Canada and other global study providers recruit good quality students.⁸⁸ Griffith University placed put an in-market representative into Kenya in 2022 to better support recruitment agents and grow the market. As a result, Griffith

⁸² UNSW Sydney, Submission 22, p. 5.

⁸³ UNSW Sydney, Submission 22, p. 5.

⁸⁴ DFAT, Submission 63, p. 9.

⁸⁵ DFAT, Submission 63, p. 9.

⁸⁶ Victorian Government Department of Jobs, Skills, Industry and Regions, Submission 88 – Attachment A, p. 24.

⁸⁷ University of Canberra (UC), Submission 17.1, p. 4.

⁸⁸ Professor Todd, Griffith University, *Committee Hansard*, Gold Coast, 17 May 2023, p. 8.

University have seen a significant increase in demand from Kenya and other parts of West Africa with many studying in non-traditional fields such as social work.⁸⁹

- 2.73 However, Griffith University noted that because these are new markets, the rate of visa rejections may be higher than in more accepted source countries such as China. Griffith University asked are there not opportunities and possibilities for Australia to think about some key countries in the African region and accept that it is going to come with a degree of visa risk and not necessarily reject out of hand.⁹⁰
- 2.74 DFAT identified opportunities for Australian institutions to provide high quality education to the growing, urbanising population in a number of African countries.⁹¹ Since 2004, more than 2,200 students from African countries have studied in Australia through the Australia Awards scholarship program.⁹² African countries are a relatively small source markets for international students – accounting for approximately 10,000 students in August 2022. The largest source African countries are Kenya (more than 3,000 students) and Nigeria (approximately 2,000 students).⁹³
- 2.75 For Latin America, Brazil and Colombia are the largest markets, consistently ranking in the top 10 countries with students in Australia.⁹⁴ DFAT considered that Australia needs to continue to invest in Brazil to strengthen relationships and better define the brand. Permanent residents and student cohorts, including those on working holiday programs, generate visitor visas demand from families and friends which helps our tourism industry. In Colombia, where Australia's market share is low but consistent, the Government intends to build on the bilateral Memorandum of Understanding on education and training signed in March 2022.⁹⁵
- 2.76 Deepening engagement with Southeast Asia is a key commitment of Government across all sectors. The Government has commissioned a Southeast Asia Economic Strategy to 2040.⁹⁶ The Strategy will set out a pathway to strengthen Australia's economic engagement with the region by mapping emerging trade and investment opportunities. International education and tourism will be addressed in the Strategy, in recognition of their value to partner countries in the region and ASEAN. In November 2022, over 85,000 (around 18 per cent) of Australia's student visa holders were from Southeast Asia, with Vietnam, Thailand, Philippines and Indonesia in Australia's list of top 10 education export markets.⁹⁷

⁸⁹ Professor Todd, Griffith University, *Committee Hansard*, Gold Coast, 17 May 2023, p. 8.

⁹⁰ Dr Carolyn Evans, Vice-Chancellor and President, Griffith University, *Committee Hansard*, Canberra, 15 May 2023, p. 66.

⁹¹ DFAT, Submission 63, p. 9.

⁹² DFAT, Submission 63, p. 9.

⁹³ DFAT, Submission 63, p. 9.

⁹⁴ DFAT, Submission 63, p. 9.

⁹⁵ DFAT, Submission 63, p. 9.

⁹⁶ DFAT, 'Southeast Asia Economic Strategy', <https://www.dfat.gov.au/geo/southeast-asia/southeast-asia-economic-strategy>, viewed 12 July 2023.

⁹⁷ DFAT, Submission 63, p. 7.

Expanding Australia's education market

- 2.77 Austrade has dedicated education trade staff in 36 locations globally. Some markets are considered particularly important for the growth of the international education sector including India, China and Southeast Asia (especially Indonesia, Vietnam, Thailand, Philippines).⁹⁸
- 2.78 Austrade considered that there is an opportunity for Australia to diversify more proactively into emerging different markets. Given the unique characteristics of each market, success requires investment in product and market development and promotion appropriate to those characteristics, while improving understanding of the markets. Austrade considers the following markets have potential for a team Australia approach in the following areas:
- Colombia – Vocational Education and Training (VET), English Language Intensive Courses for Overseas Students (ELICOS)
 - Brazil – VET Skills Training, ELICOS
 - Bangladesh – Higher Education, Transnational Education (TNE) Pathways, TNE •
 - Pakistan – Higher Education
 - Saudi Arabia – Higher Education, VET Skills Training
- 2.79 Austrade is watching and researching Kenya regarding the potential for Higher Education and TNE Pathway offerings. Austrade identify countries with potential based on the following factors:
- Austrade or Australian Government presence in the markets,
 - competitor activity,
 - potential for growth for Australian education and training including study in Australia,
 - transnational education (online, in-country delivery) and transnational education pathways, and skills training, and
 - access to data to inform strategy development.⁹⁹
- 2.80 Diversification is not limited to geographic markets. Diversification of the type of courses and the mode of delivery could help to reduce the vulnerability of Australia's international education sector to market shocks such as future pandemic and border closure disruptions, geopolitical change and economic change such as higher costs of living. global and national recessions that may drive students to choose shorter courses, or in mixed modes of delivery (partially offshore, partially onshore) to save costs.
- 2.81 Griffith University argued that there is a danger that we have become too reliant as a sector on two main markets—China and India. Although Griffith University prides

⁹⁸ Austrade, Submission 73, p. 18.

⁹⁹ Austrade, Submission 73: 1, Answer to Question on Notice no. 4, p. 7.

itself in having a comparatively diverse international cohort, there is sector-wide agreement on the need for further diversification. This requires the government to balance the risks-based approach to visas with a more flexible model that allows leeway for universities to open to new markets with appropriate due diligence but recognition that some higher level of risk is acceptable for a period of time as such markets mature.¹⁰⁰

- 2.82 Austrade works with providers to identify new markets and segments, and to diversify product offerings through customised client services for high potential education exporters (mostly Australian universities to date). The promotion of diverse fields of study can reduce sector reliance on dominant disciplines and courses, and profile Australia's wide range strengths and capabilities in education, training and research.¹⁰¹
- 2.83 Promoting fields of study that align with Australia's skills needs, and those of students' home countries, can help to diversify our campuses and classrooms, support Australia's visitor and national economy, help prepare students for graduate success and grow Australia's popularity as a study destination and partner.¹⁰²
- 2.84 With improved market access and favourable policy settings, opportunities exist for Australian education providers to establish new models of transnational education or offshore campuses while contributing to social and economic development outcomes in the region.¹⁰³

The international education sector connects communities, industry, strategic partners and people across the world; however, it is fallible and requires innovative ideas, effective measures and positive experience to ensure it continues to deliver to its full potential for the university sector and the country. ...There are opportunities for further collaboration with government and industry to regrow the sector through positive international student experiences and strategic and foreign policy setting adjustments.¹⁰⁴

¹⁰⁰ Griffith University, Submission 35, p. 2.

¹⁰¹ Austrade, Submission 73, p. 25.

¹⁰² Austrade, Submission 73, p. 25.

¹⁰³ Victorian Government Department of Jobs, Skills, Industry and Regions, Submission 88, p.17.

¹⁰⁴ The University of Adelaide, Submission 21, p. 6.

Box 2.2 Australia's International Centre of Excellence

Austrade's International Education Centre of Excellence is helping to accelerate the recovery of Australia's international education sector by undertaking a thought leadership project to identify current and emerging partnership opportunities across 14 Asian markets. The project will help Australian education providers to deliver in-market pathway programs that lead to students undertaking future studies in Australia. The project leverages Australia's position as a world leader in pathway programs enabling students from diverse academic backgrounds to gain admission to, and increase their chance of success in, Australian universities. Phase 1 of the project included Austrade international education teams in Southeast Asia, Greater China, Northeast Asia and South Asia. Teams completed research on pathway program market demand, existing in-market delivery, competition and pricing, challenges and access/regulatory issues, suitable models and potential partners. Partnership opportunities have since been identified in 14 markets: Bangladesh, China, Hong Kong, India, Indonesia, Japan, Korea, Malaysia, Philippines, Singapore, Sri Lanka, Taiwan, Thailand and Vietnam.¹⁰⁵

During 2023, Phase 2 of this project will identify similar and other strategic opportunities in Latin America, the Middle East and Africa.¹⁰⁶

Potential marketing funding models

- 2.85 Austrade proposed a range of funding models that could enable enhanced and united Australian education marketing and promotions activity. These would build on and extend structures –including the Study Australia Partnership that already exist.¹⁰⁷
- 2.86 States and territories could contribute to a joint education marketing fund which promotes Australian education and Australia as a destination via an agreed formula. This joint marketing fund could build on the governance structures and activities established through the Study Australia Partnership. The approach could enable Australia to compete, grow and defend market share in a hyper competitive environment in a more unfired and stronger position to the benefit of all stakeholders.¹⁰⁸
- 2.87 A marketing and promotions levy could be collected from CRICOS registered Australian education providers. This could be based on the New Zealand Export Education Levy (EEL)¹⁰⁹ and based on a percentage of international student fees (as captured in PRISMS).
- 2.88 Austrade noted that levy implementation and management is an extensive administrative exercise and equity issues across sub sectors and locations will have

¹⁰⁵ Austrade, Submission 73, p. 25.

¹⁰⁶ Austrade, Submission 73, p. 25.

¹⁰⁷ Austrade, Submission 73: 1, Answer to Question on Notice no. 3, p. 8.

¹⁰⁸ Austrade, Submission 73: 1, Answer to Question on Notice no. 3, p. 9.

¹⁰⁹ New Zealand Ministry of Education, 'Export Education Levy', 7 June 2023, <https://www.education.govt.nz/school/funding-and-financials/resourcing/operational-funding/export-education-levy/#reintroduced>, viewed 1 August 2023.

to be carefully managed. A levy may not be welcomed by all parts of the sector on the principles of affordability, misalignment with recovery trajectories and administration burdens.¹¹⁰

Diplomacy and foreign policy

- 2.89 The Committee received evidence that called for a revaluation of international education's role in Australia's soft power strategies to advance its interests in the region and internationally. DFAT commented:

At a time of changing geopolitical circumstances, we need a whole-of-government, whole-of-nation effort to respond to the challenges and opportunities of a changing region. A competitive and resilient international education sector advances our national interests.¹¹¹

- 2.90 International education is a national asset for Australia's strategic and foreign policy interests harnessing Australia's capacity to influence other countries in the region and internationally.¹¹² Education exchange builds influence and strengthens people-to-people links contributing to mutual understanding and enhancing mutual co-operation.¹¹³ DFAT cautioned that Australia needs to harness these connections better to deepen partnerships with the region.

We can't take our past successes as an education partner of choice in the region over recent decades for granted. To maximise the benefits that Australia's tertiary sector can bring to foreign policy priorities, all partners in the sector need to be nimble, modern and closely attuned to strategic developments across the region.¹¹⁴

- 2.91 Go8 explained that Australia's international education sector is far more integral to national success and wellbeing and security than is often recognised.¹¹⁵ The Go8 asserts that international education is not only able to support strategic and foreign policy objectives, but that it can be viewed as a key supporting pillar in helping to build and maintain multi-lateral alliances across the globe and importantly in the Indo-Pacific region, including ASEAN and Island nations.¹¹⁶

- 2.92 DFAT impressed upon the Committee that Australia's future is tied to the region. Two-thirds of the world's population live in the region, with all nations represented in the rich cultural diaspora of the Australian community.¹¹⁷ International students and international education build long-term relationships contributing to shared values for a stable and prosperous Indo-Pacific. At a time of changing geopolitical

¹¹⁰ Austrade, Submission 73: 1, Answer to Question on Notice no. 3, p. 9.

¹¹¹ Mrs Wilde, DFAT, *Committee Hansard*, Canberra, 15 May 2023, p. 51.

¹¹² Department of Education, Submission 43, p. 17.

¹¹³ ACCI, Submission 5, p. 8.

¹¹⁴ Mrs Wilde, DFAT, *Committee Hansard*, Canberra, 15 May 2023, p. 51.

¹¹⁵ Go8, Submission 12, p. 3.

¹¹⁶ Go8, Submission 12, p. 7.

¹¹⁷ Mrs Wilde, DFAT, *Committee Hansard*, Canberra, 15 May 2023, p. 51.

circumstances, Australia needs a whole-of-government, whole-of-nation effort to respond to the challenges and opportunities of a changing region.¹¹⁸

- 2.93 The Australian Government engagement in multilateral fora, such as the G20 and APEC is helping enable Australia to build a strong education reputation internationally and increase market access.¹¹⁹ This engagement includes the UNESCO Global Convention on the Recognition of Qualifications concerning Higher Education (the Global Convention), to encourage qualification recognition best principles and practices by overseas governments.¹²⁰
- 2.94 Bilateral undertakings by the Australian Government are opening up possibilities. On 2 May 2022, the Indian University Grants Commission (UGC) gazetted regulations that will allow Indian and foreign universities, including Australian universities, to offer twinning, joint and dual degrees.¹²¹ The Australian and Vietnamese Government have recently completed the Australia-Vietnam Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) online delivery pilot project that will support Australia to further its transnational education relationship with Vietnam. The project led to Vietnam permitting online/blended delivery of higher education courses by Vietnamese universities with a foreign partner.¹²²
- 2.95 State and territory governments and individual providers in the sector benefit from national agreements such as the Indonesia-Australia Comprehensive Economic Partnership Agreement (IA-CEPA) and the Australia-India Economic Cooperation and Trade Agreement (AI-ECTA), supporting the global reach of state and territory education and training ecosystem is set to further expand and its influence deepen.¹²³

Southeast Asia and the Pacific

- 2.96 Southeast Asia is home to a growing, youthful, and dynamic cohort of markets. Collectively, trade with ASEAN accounts for more than 14 per cent of Australia's overall trade and the region is a significant consumer of Australia's education offerings.¹²⁴
- 2.97 Education has been central to Australia's ties with Southeast Asia, creating people-to-people connections and supporting human capacity building in the region.

¹¹⁸ Mrs Wilde, DFAT, *Committee Hansard*, Canberra, 15 May 2023, p. 51.

¹¹⁹ Department of Education, Submission 43, p.17.

¹²⁰ Department of Education, Submission 43, pages 11-12.

¹²¹ Department of Education, 'Note on UGC regulations on Academic Collaboration between Indian and Foreign Higher Educational Institutions to offer Twinning, Joint Degree and Dual Degree Programs', 24 May 2022, <https://www.education.gov.au/international-education-engagement/resources/note-ugc-regulations-academic-collaboration-between-indian-and-foreign-higher-educational>, viewed 28 July 2023.

¹²² DFAT, 'Comprehensive and Progressive Agreement for Trans-Pacific Partnership', www.dfat.gov.au/trade/agreements/in-force/cptpp/comprehensive-and-progressive-agreement-for-trans-pacific-partnership, viewed 28 July 2023.

¹²³ Victorian Government Department of Jobs, Skills, Industry and Regions, Submission 88, p. 17.

¹²⁴ DFAT, 'Southeast Asia Economic Strategy', <https://www.dfat.gov.au/geo/southeast-asia/southeast-asia-economic-strategy>, viewed 22 June 2023.

Australia's Southeast Asia Economic Strategy to 2040¹²⁵ will set out opportunities for Australia to bolster Australia's engagement with the region, guided and promoted by the Special Envoy for Southeast Asia. DFAT informed the committee that Australia is expanding soft power influence through revitalised international scholarships and mobility programs, including to boost Asia literacy and capability in Australia.¹²⁶

2.98 Centres for research excellence such as the University of Sydney's Sydney Southeast Asia Centre offers leadership programs to cultivate high-impact leaders across Southeast Asia and help form the basis of strong Australian education engagement in the region.¹²⁷ In 2018, the University of Queensland (UQ) worked with partner organisations to design a customised leadership and management training program for fisheries leaders in the Pacific.¹²⁸

2.99 These kinds of regional engagement by the Australian education sector offers significant social benefits and builds a more resilient region which is a critical part of Australia's economic prosperity. DFAT commented:

Education and people-to-people ties add ballast to our relationships and connect us to our region. There are significant opportunities to expand the reach and depth of education partnerships, inbound and outbound, over coming decades, especially in the Pacific and South-East Asia, where Australia's interests are most closely engaged.¹²⁹

2.100 The Australian Government and higher education institutions are actively rebuilding connections to the region and exploring opportunities to develop new tertiary partnerships and pathways for Pacific students to access education opportunities in Australia.¹³⁰

2.101 DFAT highlighted future opportunities to deepen linkages between Australian and Pacific education systems and agencies including building on the success of existing partnerships such as 'the Australian Council of Education Research (ACER) with the Pacific's Educational Quality Assessment program; the Australian Skills Quality Authority's work with USP; and Australian curriculum licencing arrangements with schools in New Caledonia, Nauru and Papua New Guinea.'¹³¹

2.102 The Pacific Australia Labour Mobility (PALM) scheme utilises ongoing education and pathways for Pacific students. DFAT describe two small but successful PALM pilots with Pacific partners in Queensland and the Northern Territory for on-the-job training for a Certificate III in individual support in the aged-care sector. One directly with a

¹²⁵ DFAT, 'Southeast Asia Economic Strategy', <https://www.dfat.gov.au/geo/southeast-asia/southeast-asia-economic-strategy>, viewed 28 July 2023.

¹²⁶ DFAT, Submission 63, p. 5.

¹²⁷ Go8, Submission 12, p. 3.

¹²⁸ University of Queensland (UQ), 'UQ to strengthen leadership capabilities of Pacific fisheries leaders, 20 November 2018, <https://global-partnerships.uq.edu.au/blog/2020/03/uq-strengthen-leadership-capabilities-pacific-fisheries-leaders>, viewed 23 June 2023.

¹²⁹ Mrs Wilde, DFAT, *Committee Hansard*, Canberra, 15 May 2023, p. 51.

¹³⁰ DFAT, Submission 63, pages 5-6.

¹³¹ DFAT, Submission 63, p. 7.

registered training organisation (RTO) in the Northern Territory where students undertake a full course onshore while working on the job. In the second Queensland pilot students undertake theory offshore and then come onshore into an aged-care placement to undertake the practicum component. These projects blend Australian skills shortage objectives with international-led co-operation and foreign policy objectives in the Pacific.¹³²

- 2.103 DFAT expanded on the Australia Awards distinctive feature of support for students in country, before they come to Australia, during their time in Australia and returning through the program. The current Australia Awards include a dedicated Australia Awards Pacific and Australia Awards PNG scholarship program.¹³³

The value of research

- 2.104 Research partnerships that are strategic and sustainable value add through innovation and cooperation bringing together regional expertise and capability to tackle mutual challenges such as climate change. Most Australian universities have collaborative partnerships with international universities and centres, many of which are founded and maintained through the efforts of individual researchers and academics. Pre-pandemic, international higher degree research candidates made up over 36 per cent of total graduate research enrolments, contributing to the value of research graduates to the nation's innovation agenda and economy through research and development outputs.¹³⁴
- 2.105 The Australia Council of Graduate Research (ACGR) commented that impactful international research collaborations are often supported by or initiated through the establishment of joint or dual PhD programs where candidates work with universities or supervisors from across the world.¹³⁵ ACGR highlighted the importance in engaging in and growing these types of research education programs.¹³⁶ International research training is critical part of Australia's responsibility to support academic capacity building for developing countries. ACGR recommended consideration be given to new funding to support mobility/engagement efforts, and increased promotion and coordination of this profiling through Austrade or similar.¹³⁷
- 2.106 Through research collaboration in areas of mutual benefit, staff and student mobility, or joint training programs, the sector promotes not only Australia's education and research credentials but builds networks of recognition and support on multiple tiers from nation to nation, institution to institution and people-to-people building shared values and innovative collaborations to tackle global and regional problems.¹³⁸

¹³² Ms Edwina Betts, Acting Assistant Secretary, Education and Integration Branch, Office of the Pacific, DFAT, *Committee Hansard*, Canberra, 15 May 2023, pages 46-47.

¹³³ Mr Aedan Whyatt, Assistant Secretary, Global Programs and Partnerships Branch, DFAT, *Committee Hansard*, Canberra, 15 May 2023, pages 53-54.

¹³⁴ Australian Council of Graduate Research (ACGR), Submission 3, p. 2.

¹³⁵ ACGR, Submission 3, p. 3.

¹³⁶ ACGR, Submission 3, p. 3.

¹³⁷ ACGR, Submission 3, p. 3.

¹³⁸ Victorian Government Department of Jobs, Skills, Industry and Regions, Submission 88, p. 16.

- 2.107 The Study Melbourne Research Partnerships Program is a \$3.6 million¹³⁹ initiative driving fifteen strategic joint research projects between Victorian institutions and their international partners (in the region and internationally). The program helped establish new institutional partnerships and deepened existing collaborations across key priority areas, including renewable energy, artificial intelligence, social inclusion.¹⁴⁰
- 2.108 ACGR highlighted the value of International Higher Research by Degree (HDR) students to Australia. It has high rates of timely completion of their degrees and, often, prodigious research outputs. ACGR considered that these global scholars are critical to the cementing current research collaborations and supporting emerging areas of research and innovation. HDR candidates often contribute to the teaching workforce of Australian universities demonstrating the diversity and international character of Australian institutions and enhancing the experiences of earlier-stage students.¹⁴¹

The case for alumni and scholarships

- 2.109 The international student journey does not end at graduation. A positive student experience increases the potential of alumni to recommend Australia to future students, to deepen Australia's ties with the world, and creates enduring people to people linkages, knowledge exchanges and business and research partnerships.¹⁴² Foreign government and business leaders, including heads of state, ministers, and CEOs, have studied in Australia and have a better understanding of, and connection to, Australia's institutions, values, and perspective on the world.¹⁴³
- 2.110 International alumni of education programs in Australia, whether supported by scholarship or full fee-paying programs are leaders in the region with experience of Australian education, society and values.¹⁴⁴ Alumni networks can provide an avenue to connect to leaders and strengthen Australia's soft power and people-to-people links and cross-cultural competencies.¹⁴⁵
- 2.111 The Global Tracer Facility data showed that Australia Awards Alumni contribute across all Sustainable Development Goals, with highest contributions in education, gender equality and health and wellbeing.¹⁴⁶ Global Tracer data pointed to the importance of students building professional and personal connections while in Australia leading to engaged alumni with lasting links to Australia.¹⁴⁷

¹³⁹ Study Melbourne, 'International Research Partnerships Program', www.studymelbourne.vic.gov.au/industry/programs/research-partnerships, viewed 24 August 2023.

¹⁴⁰ Victorian Government Department of Jobs, Skills, Industry and Regions, Submission 88, p. 16.

¹⁴¹ ACGR, Submission 3, p. 2.

¹⁴² Victorian Government Department of Jobs, Skills, Industry and Regions, Submission 88 - Attachment, p. 20.

¹⁴³ Australian Government, '2017 Foreign Policy White Paper', 23 November 2017, p. 112, <https://www.dfat.gov.au/publications/minisite/2017-foreign-policy-white-paper/fpwhitepaper/pdf/2017-foreign-policy-white-paper.pdf>, viewed 21 July 2023.

¹⁴⁴ DFAT, Submission 63, p. 13.

¹⁴⁵ DFAT, Submission 63, p. 13.

¹⁴⁶ DFAT, Submission 63, p. 13.

¹⁴⁷ DFAT, Submission 63, p. 13.

- 2.112 When it comes to the experience that students have at overseas campuses and their evolution into alumni, the Lowy Institute considered that there is little that is really known whether they are developing an enduring connection to Australia that will be valuable in terms of Australia's foreign policy influence objectives, soft power in the region, or whether that attachment is primarily to the institution at which they have studied rather than to Australia as a country. It is something that Australia needs to be mindful of transnational education as an opportunity but is something that could come at a cost in some cases.¹⁴⁸
- 2.113 Investment in alumni remains a key factor in quality outcomes for Australia. The Government in recognising this is reinstating the Australia Awards Fellowships program to engage with Australia Awards alumni's established leaders as well as younger students.¹⁴⁹
- 2.114 DFAT highlighted the benefits of Australia's legacy of more than two and half million international students who studied in Australia in the past 50 years, including through Australian scholarship programs dating back to the Colombo Plan. As a result, many foreign government and business leaders have studied in Australia and understand Australian institutions, values and perspectives on the world.¹⁵⁰
- 2.115 With 100,000 Australia Awards alumni and around 35,000 New Colombo Plan (NCP) alumni, Australian government funded scholarships are a significant asset to maintain Australian influence in an increasingly competitive region.¹⁵¹
- 2.116 The Queensland Government supported the Australian Government continuing the NCP as one of the foundation programs to build life-long 'ambassadors' for Australia and recognises that international education is not just one-way.¹⁵²

State alumni engagement

- 2.117 University of Sydney shared a positive example of alumni working well:

This year, the University of Sydney celebrates 100 years since admitting the first international student to study in Australia. He was from Wuhan, China. More than 75,000 international students later, many of our alumni remain friends of the university, and indeed of Australia, through the business, government and personal connections developed during their time with us. Possibly the most famous foundation story at our university is the cohort of nine students who came to Sydney to study with us in 1979, at the end of the Cultural Revolution. Known as the Sydney Nine, these students were invited by Dame Leonie Kramer, then head of the English department, to study English literature, linguistics and Australian culture. They returned to China and established six centres for

¹⁴⁸ Ms Susannah Patton, Director, Southeast Asia Program, Lowy Institute, *Committee Hansard*, Canberra, 15 May 2023, pages 52-53.

¹⁴⁹ Mr Whyatt, DFAT, *Committee Hansard*, Canberra, 15 May 2023, p. 54.

¹⁵⁰ Mrs Wilde, DFAT, *Committee Hansard*, Canberra, 15 May 2023, p. 51.

¹⁵¹ DFAT, Submission 63, p. 13.

¹⁵² Queensland Government, Submission 82, p. 21.

Australian studies at home. Today there are 35 of these centres in China, and they play an important role in the ongoing dialogue between our cultures.¹⁵³

- 2.118 The Queensland Government expanded on their intent to ramp up the Global Friends of Queensland, and position working with Queensland's alumni as a key initiative in Queensland's revised 2022 Trade and Investment Strategy. In their view Queensland's alumni will play a role in future marketing efforts to provide personal testimonials as to the quality and employability prospects of its international educative offering.¹⁵⁴
- 2.119 The University of Adelaide leveraged alumni networks to facilitate meaningful connection between Alumni and international students during challenging times through their Career Mentoring Program.¹⁵⁵
- 2.120 The Victorian Government investment recognises the value of alumni with an extensive Trade and Investment Network of 23 offices located in cities around the world. The network is committed to building global connections now and in the long-term, including working with Victoria's international alumni.¹⁵⁶
- 2.121 International education should sit at the heart of Australia's policy objectives to foster stronger partnerships and alliances, strengthen Australia's standing globally, and build a more resilient economy.¹⁵⁷
- 2.122 However, witnesses drew attention to the often fragmented, under used and under analysed value of international students and graduates for soft power. Under Study Australia, Austrade have four quadrants of activity; connection, inclusion, belonging and ambassadorship, yet are not tasked formally with the alumni part of the sector.¹⁵⁸
- 2.123 The Lowy Institute observed that while education has been a central pillar in Australia's engagement with South-East Asia since the era of the Colombo Plan and that the network of Australian alumni in the region is arguably our greatest soft power asset, despite this, Australia has not maintained its edge in educating the future leaders of the region. This is especially the case from the more developed ASEAN countries, such as Malaysia and Thailand.¹⁵⁹
- 2.124 The Lowy Institute contend that students have many more options about where to study these days, and generally Australian institutions lack the prestige of top destinations in the UK or the US, or the scale of scholarship offerings available from Japan, China and other countries. There are already today fewer Australian alumni in

¹⁵³ Ms Kirsten Andrews, Vice-President, External Engagement, University of Sydney, *Committee Hansard*, Sydney, 2 March 2023, p. 3.

¹⁵⁴ Queensland Government, Submission 82, p. 18.

¹⁵⁵ The University of Adelaide, Submission 21, p. 3.

¹⁵⁶ Victorian Government Department of Jobs, Skills, Industry and Regions, Submission 88 – Attachment, p. 20.

¹⁵⁷ ACU, Submission 7, p. 9.

¹⁵⁸ Mrs Helen Kronberger, Manager, International Education, Global Engagement, Austrade, *Committee Hansard*, Canberra, 15 May 2023, p. 56.

¹⁵⁹ Ms Patton, Lowy Institute, *Committee Hansard*, Canberra, 15 May 2023, p. 51.

top ministerial jobs in Indonesia and Singapore, for example, than there were 10 years ago.¹⁶⁰

- 2.125 Following the scrapping of the deeply flawed Endeavour scholarship¹⁶¹, Australia does not have a scholarship which sets out uniquely to identify future leaders and educate them in Australia, because that has not been a sustained objective in Australian policy. That means it has not something that has been measured in a concerted way. The evidence is much more anecdotal. Australia currently does not have a systematic evaluation of how effective Australia is being in educating future leaders.¹⁶²
- 2.126 The Lowy Institute suggested that there is a large gap in Australia's current suite of international scholarship offerings because there is nothing to attract scholars to Australia outside the Official Development Assistant-eligible countries of the Australia Awards program, and nothing to encourage high-achieving Australian postgraduates to extend their horizons overseas.¹⁶³
- 2.127 As with Dr Joanne Barker's evidence, the Lowy Institute drew attention to conflicting objectives of Australian programs:
- I think one observation I would make is that, because the Australia Awards have multiple objectives as a scholarship program—and this is a point which has been made in DFAT's own evaluation of the Australia Awards—at times there can be conflict between development objectives and the objective of picking the topmost competitive student in a given field.¹⁶⁴
- 2.128 DFAT was mindful regarding Australian institutions offshore that there is a lack of robust research about what the impact of study at these Australian institutions based overseas is on the connection to Australia.
- 2.129 Lowy Institute considered that Australian policy and international education strategies have largely focused on the basic economic advantages to Australia of international student revenue and not as much on the questions of soft power, foreign policy, or influence.
- 2.130 In their view Australia's scholarship programs, which are a key lever of government policy, have not kept pace with this more competitive environment and this has been to Australia's detriment in terms of foreign policy and relationships with the countries of South-East Asia. The question around soft power and future leaders, has become a lot harder over recent decades because access to higher education throughout South-East Asia, has proliferated. In the early part of the Colombo Plan, it was

¹⁶⁰ Ms Patton, Lowy Institute, *Committee Hansard*, Canberra, 15 May 2023, p. 51.

¹⁶¹ Dr Joanne Barker, Private capacity, *Committee Hansard*, Canberra, 15 May 2023 p. 51.

¹⁶² Ms Patton, Lowy Institute, *Committee Hansard*, Canberra, 15 May 2023, p. 55.

¹⁶³ Dr Barker, Submission 103, p. 3.

¹⁶⁴ Ms Patton, Lowy Institute, *Committee Hansard*, Canberra, 15 May 2023, p. 55.

possible to support someone to gain a PhD who was then highly likely to become a future leader of their country. That is no longer the case.¹⁶⁵

Committee Comment

- 2.131 While the interconnected nature of international education and tourism is evident, the Committee heard conflicting data from different stakeholders around how much of international education also generates international tourism spend in Australia. The Committee understands that this is largely dependent on how the data is analysed. Despite this, it remains clear that international education has a substantial impact on the tourism sector, including through travel undertaken by international students as well as their visiting family and friends.
- 2.132 As a study destination, Australia is an appealing country of choice due to its stable democracy, vibrant multicultural society, relatively strong economy, attractive and safe lifestyle, and world-class educational institutions. Australia's geographic location in the southern hemisphere has disadvantages in cost of flights and travel but holds a key advantage of being closer to home in comparable time zones for southern hemisphere students than northern hemisphere competitors.
- 2.133 The Committee is convinced by evidence received that, above all else, there are two key factors that will drive Australia's future success in international education: (1) a ruthless focus on ensuring all students receive a quality education (2) a positive student and graduate experience. These objectives are critical if Australia is to remain an international high value educational choice, strengthen cultural capital within Australian communities through domestic and international student interactions, and create a stable pipeline targeted to fill skilled occupations in demand with well-educated graduates.
- 2.134 These two objectives are also key if Australia is to realise the broader 'soft power' and foreign policy objectives that can continue to be achieved if Australian trained alumni assume leadership roles in foreign governments and industry. Further, the Committee agrees that the international education sector plays an important role in directly advancing Australia's interests in stable and prosperous Indo-Pacific and Blue Pacific¹⁶⁶ regions. However, more can and should be done to leverage the real potential of alumni and mature relationships into strategic international partnerships.
- 2.135 The Committee is concerned by evidence, discussed later in the report, that far too much focus has been on growth in aggregate student numbers at the expense of a focus on quality and a positive student experience. The Committee's findings and recommendations aim to restore a greater focus on quality, and this may (and probably should in some parts of the sector) come at the expense of chasing growth in overall student numbers. Put simply, sustainable growth means Australia must more deliberately pursue "quality over quantity". This may mean tough decisions to

¹⁶⁵ Ms Patton, Lowy Institute, *Committee Hansard*, Canberra, 15 May 2023, p. 51.

¹⁶⁶ The 'Blue Pacific' has been used to describe the united social and economic vision that recognises the region as 'Big Ocean' countries.

cut back on lower quality students, especially in the lower end of the private VET market, and focus on market development and recruitment of high-quality students.

2.136 Australia may need to consider diversification into new education markets as an option to chase quality and reduce dependence and preserve against market shocks. This could include diversifying into new markets [in regions such as] Southeast Asia, South America and Africa and consider innovative approaches for education delivery in existing markets. The Committee heard evidence that higher education institutions in Western Australia collectively attract international students from countries different to those in other Australian jurisdictions.¹⁶⁷ For example, some of the universities present at the public hearing in Freemantle identified Bhutan as emerging source market, from which they are attracting a large number of international students.¹⁶⁸ The Committee acknowledges that, overall, the diversification of source markets will not be easy as in many places there are established competitors and no first mover advantage for Australia. However, evidence suggests that sustained and focused effort over a number of years can pay dividends.

2.137 Diversification is a priority of the Australian Strategy for International Education 2021-2030 and is an important tool to strengthen business resilience across the international education sector and to maintain competitiveness. Diversification is not just about attracting students from a range of countries. It means:

- delivering education in new ways and exploring new models of offshore education, including online delivery and industry partnerships
- diversifying where international students study in Australia, by attracting more students to regional education institutions
- diversifying the disciplines international students choose to student, beyond popular management/commerce and STEM courses, and
- sharing Australia's expertise in education policy, curriculum design and systems development internationally.

2.138 More focused and coordinated effort is needed to strengthen Australia's marketing positioning as an exporter of quality education, more investment in international education and a whole-of-government approach is required to promote to traditional source countries more effectively and widen out to new markets.

2.139 The Committee is concerned that a concentration of a small number of source markets for international students makes Australia's international sector vulnerable to market shocks and geopolitical disruption. That said, the Committee is realistic that market diversification is not easy, and it is a fact that there are two very large countries in our region – China and India – and a healthy market will continue to host large proportions of quality students from these partner nations. However market

¹⁶⁷ Mr Kelly Smith, Pro-Vice Chancellor, International, Murdoch University, *Committee Hansard*, Freemantle, 22 August 2023, p. 5.

¹⁶⁸ See for example: Mr Justin de Sousa, Director, International, University of Notre Dame Australia, *Committee Hansard*, Freemantle, 22 August 2023, p. 11; Mr Jake Garman, Deputy Vice-Chancellor, International, Edith Cowan University (ECU), *Committee Hansard*, Freemantle, 22 August 2023, p. 10.

diversification must remain a central pillar in the Government's strategy for international education with more specific focus on attracting quality students from a number of countries in a coordinated 'Team Australia' Market Diversification Plan with shared resourcing from governments and the sector.

- 2.140 The Committee acknowledges that a peculiar feature of Australia's higher education system is that universities have been forced to have a substantial reliance on international student fees to fund research. The Committee is concerned that given the volatility of the international student market and its susceptibility to outside forces this reliance represents a vulnerability in Australia's capability to advance research, development, and technological innovation for the country's future. The Committee contends that this is a key issue that Government should consider through the University Accord process so that Australia's research capabilities are less captive to the outside market forces and risks an over reliance on international student revenue to fund the research so critical to our way of life, economic success and university rankings (that in turn impact the recruitment of high-quality students).
- 2.141 The Committee is persuaded by the overwhelming evidence that marketing effort in Australia is far too fragmented as compared to comparable jurisdictions. There is a clear lack of cross Government sector in support of agreed strategies for market development and seriously insufficient funding to effectively promote international education on a national level. The Commonwealth has for many years spent far more promoting the (smaller) general tourism sector than international education which is the largest single source of foreign tourists. Many universities and most States and Territories spend far more than the Commonwealth in promoting study in Australia. The Committee's first recommendation is for a far more collaborative approach across Australian Government agencies and especially states and territories and the sector to overcome currently fragmented, duplicative and internally competitive approaches to market.
- 2.142 The Committee considers that a more unified national international education approach from marketing through to delivery has significant value in strengthening Australia's capacity to leverage Australian education to support Australia's foreign policy objectives in the region and internationally. In addition, the Committee considers that an effective evaluation of programs and review of experiences from alumni and international student should be regularly reported.
- 2.143 The Committee considers that quantifying the outcomes and actual value of Australia Awards, New Colombo and other similar education programs needs a more joined up approach so that the effectiveness of such scholarships and programs can be strategically understood and mapped as a whole landscape which includes Government (Federal, state and territory) and the sector.
- 2.144 In order to achieve a unified and consistent national brand the Government needs to work with state and territories and leading education providers to reduce the competitive race for the student dollar and invest in more collaborative approached to marketing Australian education and address the significant fragmentation, duplication and confusion.

- 2.145 The Committee is persuaded that a more unified approach would more effectively promote Australian education internationally but may also better combat student exploitation and fraudulent practices in the sector. This really is critical to maintaining the social license of the sector amongst the community and supporting Australia's reputation as a high-quality education destination which cares for and safeguards the rights of international students.
- 2.146 Study Australia under Austrade is seriously underfunded as compared to competitor nations in an increasingly competitive international environment. The Committee's view is that the Government should consider allocating more of the existing overall Brand Australia budget to international education outreach and that this commitment be used to leverage co-contributions from the sector via a focused marketing levy in accordance with the recommendation below.
- 2.147 The Committee acknowledges while the International Centre of Excellence is breaking ground for new education markets, the Committee considers that a broader targeted five-year marketing expansion focusing on new markets could accelerate this work by integrating the sector, state and territory governments and the Federal government to focus expansion efforts into select countries. Funding for this and other investments to build a more unified Team Australia brand, could be supplemented by a provider levy, a state and territory contribution fund or similar.
- 2.148 Skills shortages are endemic in critical sectors requiring VET qualification such as aged care and allied health, especially in regional Australia. There are limited post-study work rights or pathways to permanent for VET students. The Committee is concerned that opening up such pathways widely (beyond very limited circumstances) may provide perverse incentives and corrupt student choices, attracting students who have no intention of working in skills shortage areas and simply want to work in Australia hence is not persuaded at this time of the merits of extensive post study work rights in VET. If this were to be considered it should be an ad-hoc occasional approach to provide a certain number of places year to year in skills shortage areas for the benefit of the Australian economy, NOT telegraphed upfront to attract students or create expectations.
- 2.149 Instead, the Committee considers that the Government should expand practical training programs which deliver development support to Australia's near neighbours while also contributing to Australian skills needs. There are existing pilots in Timor Leste and neighbouring countries that deliver practical on and offshore education and training placements. These should be expanded creating a recognised class of 'International Traineeships'. For example, nursing and aged care qualifications could be partially delivered to students offshore, including some already working in these sectors, with the practical work integrated learning and traineeships delivered onshore. Skilled migration pathways may be available for workers who have proven their skill and work history in these sectors. This would lower the cost of training delivery and help fill Australia's skills shortage needs.

Recommendation 1

2.150 The Committee recommends the Government lead a ‘Team Australia’ program to build a stronger national international education brand and platform and agree on a five-year prioritised Market Diversification Plan. An enhanced Team Australia approach will:

- **better coordinate through shared agreements, Australian Government agencies (Department of Education, Department of Home Affairs, Department of Employment and Workplace Relations and Austrade), state and territory governments and the sector**
- **build and maintain a national platform and approach to promote Australia’s quality education within a fiercely competitive international arena**
- **address issues of fragmentation, duplication, and divisive competition in the current marketing of Australian education to the world.**

Team Australia should prioritise the development of a five-year Market Diversification Plan into new and emerging geographic markets. The five-year plan should have shared governance and be resourced across the sector including federal, state and territory contributions. The plan should:

- **identify and agree on a limited number of priority countries for joint focus in sub-Saharan Africa, Southeast Asia and South and Central America (considering for example Nigeria, Kenya, Botswana, Zimbabwe, Indonesia, Vietnam, the Philippines, Brazil, Colombia and Chile)**
- **consider innovative ways to fund places for students of the Blue Pacific to study in Australia and seek to deepen international education ties within the Pacific Island Development (PID) Forum to advance democracy and support peace and prosperity within our region**
- **form agreed migration and education settings to enable and encourage the best and brightest international students from identified priority countries to study in Australia, including Department of Home Affairs permitting lead providers to take approved and calculated risks in the early phases of market development without affecting their visa ratings**
- **drive diversification of education offerings in traditional markets, with a focus on India**
- **be jointly resourced by both the Government (via Austrade) and the sector, potentially via a light touch time-limited marketing levy on Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) providers subject to shared governance so those who pay a levy have influence over how it is spent.**

Recommendation 2

- 2.151 The Committee recommends the Government work with the sector to develop a more systemic approach to tracking and supporting alumni networks, including graduates of Australian education scholarships and programs, with the explicit aim of fostering enduring connections to Australia, with a focus on priority countries and strengthening Australia's international research networks and partnerships.**

Recommendation 3

- 2.152 The Committee recommends the Government examine opportunities to expand programs that deliver development support to Australia's near neighbours and contribute to Australian skills needs through practical on and offshore education and training 'International traineeships', with an initial focus on aged care and allied health in regional Australia. International Traineeships should be limited to Technical and Further Education providers (TAFEs) and approved Registered Training Organisations (RTOs) and companies to maintain integrity.**



3. The changing landscape of international education

Overview

- 3.1 The global pandemic had a significant impact on the international education sector including changes to visas, a shift to online studying and students reassessing where they wish to live and study. International students who have completed qualifications in Australia benefit from studying and living, working, and being part of the Australian community. This exposure enables them to develop the cultural, language and employability skills and in-turn, contribute to Australia's workforce and communities.
- 3.2 The global pandemic resulted in a considerable drop in international student numbers coming to Australia for several years which has had a significant impact on the pipeline of students coming to Australia to undertake English Language Intensive Courses for Overseas Students (ELICOS). After finishing these courses students often transition into further education in Australia.
- 3.3 This chapter discusses the changing landscape of international education and the future of skilled work pathways for international students as well as Work Integrated Learning (WIL) options to support integrity and solutions to Australia's long term critical skills shortages. In addition, online education during COVID-19 and online transnational education is discussed.

Changes in student figures

- 3.4 The Department of Home Affairs reported strong return of international students to study in Australia with 'nearly 583,000 student visas at the end of March 2023, growing to over 595,000 at the end of April 2023, on par with February 2020 numbers.'¹
- 3.5 Many of the stakeholders including the Victorian Tafe Association pointed out 'unlike short-term travel associated with tourism, education for international education operates in a pipeline model, in which commencing students translate into multiple years of future enrolments.'² The missing cohorts from 2020, 2021 and 2022 will continue to have an ongoing future impact that cannot be filled by subsequent student intakes.³

¹ Ms Alison Garrod, Assistant Secretary, Temporary Visas Program Branch, Department of Home Affairs, *Committee Hansard*, Canberra, 15 May 2023, p. 27.

² Victorian Tafe Association, Submission 32, p. 3.

³ Victorian Tafe Association, Submission 32, p. 3.

- 3.6 At University of Wollongong (UOW), the impact of COVID-19 on commencing international student numbers was seen more evidently than with re-enrolling international students, however it continued to impact both groups. UOW saw how it impacted workforce shortages in regional Australia. Commencing international student numbers for UOW peaked in 2019, but fell by 50 per cent between 2020 and 2021.⁴
- 3.7 The Victorian Government gave an example of this in the flow on effects of a significant reduction in students enrolled in English Language Intensive Courses for Overseas Students (ELICOS). Victoria's ELICOS providers, which rely heavily on international student enrolments, saw a drop of 77 per cent in student numbers between 2019 and 2021.⁵ The drop in ELICOS enrolments is likely to impact the recovery of the sector, given around 70 per cent of ELICOS students on student visas have historically transitioned to further studies in the schools, vocational education and higher education sectors.⁶ This flow-on recovery scenario is repeated throughout Australia.
- 3.8 Significant changes to the sector are occurring through the implementation of government reform including a review of the migration system, *A Migration System for Australia's Future*, and the Government's review into higher education through the *Australian Universities Accord* which intends to drive lasting and transformative reform in Australia's higher education system.⁷
- 3.9 The importance of Australia's international education sector's role in meeting Australia's domestic challenges continue to emerge with Australia facing critical skills shortages, and an aging workforce.⁸ A telling finding from an analysis of the National Skills Commission's five-year projections is the importance of education and training with more than nine out of 10 new jobs to be created in Australia over the next five years will require post-secondary qualifications, and with domestic graduate supply needing to be supplemented by international graduates.⁹

The Migration System

- 3.10 On 2 September 2022, the Minister for Home Affairs, the Hon. Clare O'Neil MP, announced a comprehensive review of Australia's migration system to ensure it better meets existing challenges and sets a clear direction for the coming decades. On the 21 March 2023, the Government was presented with the Review of the

⁴ University of Wollongong (UOW), Submission 19, p. 2.

⁵ Victorian Government Department of Jobs, Skills, Industry and Regions, Submission 88, p. 9.

⁶ Victorian Government Department of Jobs, Skills, Industry and Regions, Submission 88, p. 10.

⁷ Department of Home Affairs, 'A Migration System for Australia's Future', <https://www.homeaffairs.gov.au/reports-and-publications/reviews-and-inquiries/departmental-reviews/migration-system-for-australias-future>, viewed 6 July 2023; Department of Education, 'Australian Universities Accord', <https://www.education.gov.au/australian-universities-accord>, viewed 6 July 2023.

⁸ Independent Higher Education Australia (IHEA), Submission 83, p. 3.

⁹ National Skills Commission, 'Insight: Projecting employment to 2026', 29 March 2022, <https://www.nationalskillscommission.gov.au/insights/projecting-employment-2026>, viewed 18 July 2023.

Migration System Final Report.¹⁰ The Final Report recommended six possible reform directions for the Government to consider in relation to strengthening international student outcomes and transitions.¹¹

- 3.11 The Final Report found that although the student visa has facilitated the growth of Australia's fourth largest export industry of international education and that international students make an important contribution to Australia's labour force through part-time work while they are studying. The current settings do not allow all students and graduates to demonstrate or reach their labour market potential, and Australia is not selecting those most likely to make a good transition to permanency early enough.¹²
- 3.12 Nearly all evidence relating to international education received by the Committee cited issues with the current visa system and/or advocated for significant reform to improve visa settings for international students and graduates. International Student Education Agents Association (ISEAA) argued that the Australian migration system needed an overhaul to bring it into the post pandemic world of attracting talent to study and possibly migrate to Australia.¹³
- 3.13 These views were supported by International Education Association of Australia (IEAA) who argued in the post-pandemic war for talent, competitor study destination countries, particularly Canada, provide much clearer migration pathways and outcomes for overseas students who enrol in high skills in demand courses. IEAA stated that in contrast to Canada, Australia is restrictive and opaque regarding migration outcomes for highly motivated, skilled, qualified, and resilient young people studying onshore.¹⁴
- 3.14 University of Technology Sydney (UTS) stressed the need for coherent and joined-up settings around student visas, working visas and pathways to permanent residency. UTS argued that getting this right is crucial for the future of the international students as an industry.¹⁵
- 3.15 Bond University highlighted the confusion generated by the Genuine Temporary Entrant (GTE) for a genuine student considering a future migration outcome. Bond University commented:

...a highly talented, genuine student might like the opportunity to stay to take up a post-study work visa, but if a student indicated that they intend to take

¹⁰ Department of Home Affairs, 'A Migration System for Australia's Future', <https://www.homeaffairs.gov.au/reports-and-publications/reviews-and-inquiries/departmental-reviews/migration-system-for-australias-future>, viewed 21 August 2023.

¹¹ Department of Home Affairs, 'Review of the Migration System, Final Report 2023', March 2023, p. 10, <https://www.homeaffairs.gov.au/reports-and-pubs/files/review-migration-system-final-report.pdf>, viewed 5 July 2023.

¹² Department of Home Affairs, 'Review of the Migration System, Final Report 2023', March 2023, p. 103, <https://www.homeaffairs.gov.au/reports-and-pubs/files/review-migration-system-final-report.pdf>, viewed 5 July 2023.

¹³ International Student Education Agents Association (ISEAA), Submission 29, p. 2.

¹⁴ International Education Association of Australia (IEAA), Submission 84, p. 5.

¹⁵ University of Technology Sydney (UTS), Submission 30, p. 2

advantage of that, then it impacted their ability to obtain a student visa in the first place.¹⁶

Genuine Temporary Entrant requirement (GTE)

3.16 The Genuine Temporary Entrant requirement (GTE), underpinned by Ministerial Direction Number 69¹⁷, is the SSVF's primary integrity safeguard and enables decision-makers to refuse non-genuine applications. The GTE criterion for student visa applications requires the Minister or their delegates to be satisfied that the applicant intends genuinely to stay in Australia temporarily.¹⁸

3.17 All witnesses that discussed the GTE called for reform, commenting the assessment process highly subjective and lacking clear and consistent guidelines.¹⁹ Witnesses stated that the GTE requirements were leading students to be unfairly denied visas²⁰ and conflicted with the promise of favourable post-study work rights.²¹ Many called for the GTE to be replaced by a genuine student assessment or similar.²²

3.18 English Australia submitted:

...case officers make (GTE) decisions under a subjective framework and inconsistencies in the consideration of facts presented in personal statements. For example, an applicant having family ties in Australia could either be deemed as a positive or negative factor in the case officer's determination of granting or refusing a visa. Similarly, a student must give evidence of reasons to return to their home country after they finish their studies. However, what reasons would be viewed positively is quite unclear due to the inconsistency in feedback to applicants.²³

3.19 Ms Garrod from the Department of Home Affairs stated that:

Since reopening Australia's international borders in December 2021 there has been an increase in non-genuine applicants and fraud in student visa applications, with a corresponding decrease in the offshore student visa grant rate. This has stemmed largely from an increase in application rates from countries where the socioeconomic impact of COVID-19 was particularly high.²⁴

¹⁶ Mrs Cheryl Jolliffe, Vice President, Future Students, Bond University, *Committee Hansard*, Gold Coast, 17 May 2023, p. 9.

¹⁷ <https://immi.homeaffairs.gov.au/visa-subsite/files/direction-no-69.pdf>, viewed 25 July 2023.

¹⁸ <https://immi.homeaffairs.gov.au/visa-subsite/files/direction-no-69.pdf>, viewed 25 July 2023.

¹⁹ Ms Judith Uren Director International, Victorian TAFE Association *Committee Hansard* 18 April 2023, p.42

²⁰ University of Melbourne, Submission 62, p. 6.

²¹ Ms Jennine Tax Acting Chief Executive Officer Study Gold Coast *Committee Hansard* 17 May 2023

²² Universities Australia, Submission 59, p. 1.; Mr Kelly Smith Pro-Vice-Chancellor International, Murdoch University representing International Group, Innovative Research Universities, *Committee Hansard*, 18 April 2023, p. 20.

²³ English Australia, Submission 50, p. 8.

²⁴ Ms Alison Garrod Assistant Secretary, Temporary Visas Program Branch, *Committee Hansard*, Canberra, 16 May 2023, p. 2.

- 3.20 Griffith University informed the Committee that it supports the introduction of a genuine student test rather than the current genuine temporary entrant test. Griffith University stated:
- ...recognising the attraction and recruitment of international students provides a strategy Australia with the opportunity to retain talented and educated graduates who understand Australian culture and values and are keen to contribute their knowledge and skills to local industries and communities.²⁵
- 3.21 There was widespread concern about the lack of clarity of the GTE requirement, encapsulated in the International Student Education Agents Association (ISEAA) submission:
- (The Knight Review) introduced the contradictory Genuine Temporary Entrant (GTE) that a student visa be assessed that a student is 'genuine' and 'temporary'. In a post-pandemic international labour market, it does not make sense to inject confusion and doubt to a potential student that they must return after studying and offer 2–6-year post study work visas.²⁶
- 3.22 Study Perth considered from a state perspective that the Commonwealth Government's focus on the GTE requirement at a time when Australia is actively seeking additional skilled migration and state governments looking to support migration pathways for students who have studied in their state or territory is a contradiction. Study Perth suggested that 'the Commonwealth should be focused on ensuring only genuine students are eligible for student visas and not concern itself with students' plans after graduation.'²⁷
- 3.23 Charles Darwin University recommended while preserving the objective of student visas, the GTE criteria could be reviewed so that it is not a disincentive to attracting students open to staying to Australia post-study.²⁸
- 3.24 The University of Wollongong argued that the current Simplified Student Visa Framework (SSVF) and its associate risk assessment of universities sends a very strong message of a complicated visa process for interested international students.²⁹
- 3.25 UTS suggested replacing the GTE requirement with a Genuine Student requirement and to make it clear that an international student's ambition to live and work in Australia is acceptable (at least for designated professions).³⁰ This approach was reiterated by Innovative Research Universities (IRU), Universities Australia, Independent Higher Education Australia (IHEA).³¹

²⁵ Professor Sarah Todd, Vice President (Global) Griffith University *Committee Hansard* 17 May 2023, p.2

²⁶ ISEAA, Submission 29, p. 2.

²⁷ Study Perth, Submission 78, p. 3.

²⁸ Charles Darwin University, Submission 15, p. 4.

²⁹ UOW, Submission 19, p. 3.

³⁰ UTS, Submission 30, p. 2.

³¹ Innovative Research Universities (IRU), Submission 34, p. 2; Universities Australia, Submission 59, p. 8; IHEA, Submission 83, pages 6-7.

Graduate outcomes and employment

- 3.26 The received evidence from stakeholders urging the Government to make migration pathways much clearer. IEAA commented:

...Australia is too opaque when it comes to migration pathways. Effectively, we're inviting these young people to come and study for three or four years and potentially have a post-study work right entitlement visa for five or six years—that's a decade out of their lives—and then we're going to tell them: 'Goodbye. Go home.'³²

- 3.27 Study Gold Coast described to the Committee the experience of recruiting offshore and selling the dream to global talent to come and get a quality Australian education that is, earn while you learn and then launch your career on the Gold Coast to get a return on that investment on your education.³³

- 3.28 Study Gold Coast suggested that the migration pathways are not as solid as they are sold to be with a failure of policy and regulation settings between approving visas, offering work rights while students are here and a pathway to migration that aligns with where Australia's skill gaps are. Study Gold Coast believed policymakers and the regulators need to talk to each other to ensure that Australia is delivering on the promise being sold to students. At the same time, fulfilling that promise helps fill the skill gaps are needed going into the future.³⁴

- 3.29 The Australian Academy of Science commented that as well as contributing to the economy, international education supports Australia's access to skilled workers, with many international students going on to contribute to Australia's workforce when they graduate.³⁵ Austrade echoed this perspective and stated:

... international students are an important part of the multi-faceted solution in helping to address both immediate and long-term workforce shortages across Australia. International graduates are young, motivated, and trained to Australian standards.³⁶

- 3.30 Graduate outcomes are key indicators of the success of international education delivery and student experience and therefore how Australian graduates fare plays a role in Australia's international education reputation. The Lygon Group stated:

Graduate outcomes are a big (for students), because international students feel that the post-study work rights visa is there for them to be able to secure a job. However, the barriers are not allowing them to. Return on investment then becomes a big question (for students). That affects the word of mouth about Australia. Students are sharing that you get an Australian degree, but you can't

³² Hon Phillip Honeywood, Chief Executive Officer (CEO), IEAA, *Committee Hansard*, Melbourne, 18 April 2023, p. 15.

³³ Ms Jennine Tax, Acting CEO, Study Gold Coast, *Committee Hansard*, Gold Coast, 17 May 2023, p. 12.

³⁴ Ms Tax, Study Gold Coast, *Committee Hansard*, Gold Coast, 17 May 2023, p. 12.

³⁵ Australian Academy of Science, Submission 72, p. 1.

³⁶ Austrade, Submission 73, p. 28.

put that into practice in Australia, so they look for options where potentially you could get the return on investment. Also, the cohort of students has changed. They're questioning the quality of education in terms of theory versus practical in terms of their course content, how much hands-on experience they get, how many placements and internships they get.³⁷

- 3.31 Australia's international education sector has the potential to make a greater contribution to meeting Australia's skills needs. IDP Education considered a change of migration policy settings would cement Australia as a viable option for a wide range of students, including those who want to work after graduation to fill Australia's crippling skills shortages.³⁸
- 3.32 Post graduation, employment outcomes and the ease of the education into employment transition are an increasingly important driver of the enrolment choice of prospective students, both international and domestic. Online Education Services (OES) highlighted a 2019 study of international alumni from eight Asian markets, suggesting that 80 per cent of the students indicated they had chosen to study abroad to improve their career opportunities.³⁹

Employment patterns for international students

- 3.33 A Social Research Centre report analysed the industries that undergraduate and postgraduate coursework international graduates working full-time are most likely to be working in the Health Care and Social Assistance industry sector, particularly in Hospitals and Aged Care and in Professional, Scientific and Technical Services such as Computer System Design, Accounting Services, Engineering Design and Management Advice and related Consulting.⁴⁰ Postgraduate Research international graduates working full-time are more likely to be employed in Education and Training mainly in Higher Education and in Professional, Scientific and Technical Services such as Scientific Research Services, Engineering Design and Engineering Consulting and Management advice and related consulting.⁴¹
- 3.34 However, employment outcomes for international graduates are relatively poor compared to domestic graduates. International graduates are less likely to be working full-time than domestic graduates, have lower median full-time salaries, are more likely to be underemployed (part-time seeking more hours) and more likely to be unemployed.⁴²
- 3.35 The Social Research Centre shared the *2022 Graduate Outcomes Survey - Longitudinal* (the GOS Survey) results which showed international students were

³⁷ Ms Varsha Devi Balakrishnan, Head of Student Insights and Strategy, The Lygon Group, *Committee Hansard*, Canberra, 15 May 2023, p. 5.

³⁸ IDP Education, Submission 65, p. 2.

³⁹ Online Education Services (OES), Submission 70, p. 5.

⁴⁰ Social Research Centre, Submission 97: 2, p. 1.

⁴¹ Social Research Centre, Submission 97: 2, p. 1.

⁴² Social Research Centre, Submission 97: 2, p. 1.

behind domestic students in terms of full-time employment, had more underemployment, unemployment, lower utilisation of skills and were less likely to be in managerial and professional occupations.⁴³

3.36 The GOS Survey showed that international graduates' employment rates and median salaries remain lower than for domestic graduates. At the undergraduate study level, the short-term full-time employment rate for international graduates was 53.4 per cent in 2019, compared with 73.6 per cent for domestic graduates, a difference of 20.2 percentage points. Three years later in 2022, for the same cohort of graduates, the full-term employment rate for international graduates had increased by 21.7 percentage points to 85.1 per cent. This resulted in the difference between international and domestic full-time employment rates narrowing to 6.4 percentage points.⁴⁴ Although the Social Research Centre cautions that the 2022 result may have been influenced by the skills shortages and border closures where skill demands were a rising tide that floated all the boats.⁴⁵

3.37 International graduates are more likely to be in further full-time study than domestic graduates at all levels.⁴⁶ The 2022 Survey showed for those international graduates employed full-time in Australia, median salaries are markedly lower than for domestic graduates, a pay differential which does not diminish substantially over the medium-term. For undergraduates, international graduates had a median full-time salary of \$52,200 shortly after course completion, \$11,200 lower than for domestic graduates. Although salaries for international graduates increased to \$69,400 three years after course completion, this remained \$10,600 lower than for domestic graduates.

Graduate employment outcomes for international students in Australia are low, even with post-work rights. This is a loss not only for these students but a waste of Australian-trained professional skills and talent. Further collaboration between government, providers and industry is required to develop enhanced pathways from study to work. Currently, Australian employers outside the IT sector are reluctant to hire international graduates who cannot stay in Australia. Creating a pathway for graduates to citizenship, at least in key areas of economic need, is the single most significant policy likely to shift these outcomes.⁴⁷

3.38 Jobs and Skills Australia (JSA) suggested that 'when international students are interviewed about why they think they have difficulty utilising their skill in the Australian labour market and getting jobs that match their qualifications, two answers are the most common, one they do not have enough work experience and the other relates to their permanent residency, which goes back to the visa system.'⁴⁸

⁴³ Ms Lisa Bolton, Director, Quality Indicators for Learning and Teaching (QILT) Research and Strategy, Social Research Centre, *Committee Hansard*, Canberra, 15 May 2023, p. 1.

⁴⁴ QILT, '2022 Graduate Outcomes Survey – Longitudinal', October 2022, p. 21, [https://www.qilt.edu.au/surveys/graduate-outcomes-survey---longitudinal-\(gos-l\)](https://www.qilt.edu.au/surveys/graduate-outcomes-survey---longitudinal-(gos-l)), viewed 5 July 2023.

⁴⁵ Ms Bolton, Social Research Centre, *Committee Hansard*, Canberra, 15 May 2023, p. 1.

⁴⁶ Social Research Centre, Submission 97: 2, p. 1.

⁴⁷ Griffith University, Submission 35, p. 3.

⁴⁸ Professor Peter Dawkins, Director, Jobs and Skills Australia (JSA), *Committee Hansard*, 15 May 2023, Canberra, p. 30.

- 3.39 JSA pointed this combination results in a hesitancy of employers, partially because of visa status but is compounded by employer concerns about graduate employability skills and work experience.⁴⁹
- 3.40 JSA expanded that the relationship between the average number of formally qualified applicants, those who have the requisite training and skills, to the number of applicants who were found suitable at the end of the process was substantially different from one to one. JSA shared that the relationship between the two was closer together for a number of occupations where there was work-integrated learning, for example for registered nurses. But there was a substantial gap in the IT and engineering sectors, with large numbers of qualified applicants with the right degrees, or the right skills and training on their CV, relative to the number who were found suitable at the end of the process.⁵⁰
- 3.41 Engineers Australia told the Committee that Australia continues to highly be highly reliant on the skills of migrant engineers, with 60 per cent of Australia's engineering workforce born overseas. Engineers Australia pointed out that this cohort experiences unfavourable employment outcomes, with research that Engineers Australia conducted showing barriers to employing these engineers include the lack of local knowledge, perceived cultural deficiencies in the soft skills, work rights issues, local references, and certification queries.⁵¹
- 3.42 The Department of Jobs, Skills, Industry and Regions, Victorian Government raised concerns that 'highly capable, international students and graduates can be excluded from equal employment opportunities in Australia due to standardised recruitment practices and perceived barriers.'⁵² Other research found of the international graduates surveyed most were engaged in low or unskilled sectors with a combined 59 per cent working in the service sector (baby-sitting, aged care, and cleaning), fast food, transportation, restaurants/cafes, and retail.⁵³ In addition, most of those who work in restaurants, cafés, and fast food were under-paid for their level of qualification with an average hourly rate of \$20.5 per hour, compared to an average hourly rate of \$30, adding to the underutilisation of international graduate skills and highlights the segmented labour market that international graduates often occupy.⁵⁴

⁴⁹ Professor Dawkins, JSA, *Committee Hansard*, Canberra, 15 May 2023, p. 30.

⁵⁰ Mr Cliff Bingham, Assistant Secretary, Labour Market and Migration Branch, JSA, *Committee Hansard*, Canberra, 15 May 2023, p. 30.

⁵¹ Ms Samantha Zdjelar, General Manager, Student and Graduate Membership, Engineers Australia, *Committee Hansard*, Melbourne, 19 April 2023, p. 21.

⁵² Victorian State Government Department of Jobs, Skills, Industry and Regions, Submission 88, p. 13.

⁵³ T L Tran, G Tan, H Bui and M Rahimi, 'International graduates on temporary postgraduation visas in Australia: Employment experiences and outcomes', *Population, Space and Place*, volume no. 29, issue no. 1 (August 2022), <https://doi.org/10.1002/psp.2602>, viewed 5 July 2023.

⁵⁴ T L Tran, G Tan, H Bui and M Rahimi, 'International graduates on temporary postgraduation visas in Australia: Employment experiences and outcomes', *Population, Space and Place*, volume no. 29, issue no. 1 (August 2022), <https://doi.org/10.1002/psp.2602>, viewed 5 July 2023.

Barriers to workforce entry for international students

- 3.43 JSA expanded that the challenges that international students and graduates face in the Australian labour market are related partly to visa issues but were partly to the issues associated with work experience and employability skills.⁵⁵ Australian Chamber of Commerce and Industry (ACCI) considered that many employers are looking for more than just a qualified candidate, in addition to the technical skills that degrees produce, businesses regularly identified the importance of soft skills to help prepare young people for the workplace.⁵⁶ Business surveys have consistently reported that capabilities such as communication, planning, problem solving, teamwork and self-management are most in demand in the workplace.⁵⁷
- 3.44 Engineers Australia focused on how visa complexity is impacting not only engineering students but in finding and retaining qualified engineers. Engineers Australia told the Committee that Australia continues to be highly reliant on the skills of migrant engineers, with 60 per cent of Australia's engineering workforce born overseas. Recently conducted Engineers Australia research showed that migrants (with engineering qualifications) are more likely than their Australian born counterparts to work in non-engineering roles. Engineers Australia believed this is a challenge because Australia continues to have a shortage of engineers.⁵⁸
- There is a perception that it (placements for international students) is complex and expensive and that the long-term benefit to industry is unclear. Unfortunately, this makes a lot of our international students feel disappointed, confused, and underappreciated. International students need to be provided with learning opportunities and support services that foster long-term success for them.⁵⁹
- 3.45 The research that Engineers Australia commissioned found that barriers to employing these engineers included a lack of local knowledge, perceived cultural deficiencies in the soft skills, work rights issues, and being able to source local references, and answers to certification queries. Engineers Australia proposed that the benefits of providing greater support to international students is that their Australian education provides them with that local knowledge, such as Australian standards.⁶⁰
- 3.46 However, Engineers Australia reported from both industry and international students that there is a lack of clarity and understanding around visa requirements and restrictions for international students, which caused issues in not only students finding work placements, which they need to complete their degrees, but in finding longer term employment once students complete their studies.⁶¹

⁵⁵ Professor Dawkins, JSA, *Committee Hansard*, Canberra, 15 May 2023, p. 27.

⁵⁶ Australian Chamber of Commerce and Industry (ACCI), Submission 5, p. 7.

⁵⁷ ACCI, Submission 5, p. 7.

⁵⁸ Ms Zdjelar, Engineers Australia, *Committee Hansard*, Melbourne, 19 April 2023, p. 21.

⁵⁹ Ms Zdjelar, Engineers Australia, *Committee Hansard*, Melbourne, 19 April 2023, p. 21.

⁶⁰ Ms Zdjelar, Engineers Australia, *Committee Hansard*, Melbourne, 19 April 2023, p. 21.

⁶¹ Ms Zdjelar, Engineers Australia, *Committee Hansard*, Melbourne, 19 April 2023, p. 21

...more of an issue around the employers understanding the visa requirements and debunking some of the myths that are possibly out there around those. With engineering graduates, we struggle to get placements for them. I think a lot of our international engineering graduates would be happy to go to regional areas. They really just want a job in this country, and they want to be able to practise what they've studied and what they're qualified in. The challenge is with industry being prepared to take international students. I think there is some confusion around the visa situation and the complexity of that.⁶²

- 3.47 The Australian Nursery and Midwifery Accreditation Council (ANMAC) contend that there is huge potential for international graduates in nursing to fill the very well-known skills shortages within the industry; however, there are many, many barriers to participation.⁶³

There is so much visa confusion among employers as to what they can and can't do with new graduates. There's reluctance to invest in staff, whom they believe may leave the country because of the difficulty in obtaining visas and having a seamless process. There is also a fair bit of unconscious bias in recruitment practices.⁶⁴

- 3.48 The Queensland Government suggested strengthening the focus on graduate outcomes will benefit the sector and providing clearer pathways to permanent residency will inject a greater degree of certainty for students.⁶⁵ Independent Higher Education Australia (IHEA) advocated stronger immigration pathways to address some of the contemporary challenges Australia is facing associated with an aging workforce, slowing population growth, weak productivity growth and Australia's sovereign capability in industries such as Information Technology where international students make up 62 per cent of all Higher Education enrolments.⁶⁶
- 3.49 UTS advocated for making the pathway from the graduate work visa to permanent residency clear and simple. UTS suggested that this may include government nomination, employer nomination and points based, but the number of points needs to be substantial and guaranteed.⁶⁷
- 3.50 ACCI suggested 'improved linkages with training providers and industry for work experience and learning opportunities are vital not only in the immediate term but also to create networks that will be useful to those students in the future.'⁶⁸
- 3.51 JSA told the Committee that although there are reforms announced for the migration system to try to move towards stronger pathways to permanency for temporary

⁶² Ms Zdjelar, Engineers Australia, *Committee Hansard*, Melbourne, 19 April 2023, p. 22.

⁶³ Ms Kathryn Baird, Director, Skilled Migration Services, Australian Nursery and Midwifery Accreditation Council (ANMAC), *Committee Hansard*, Melbourne, 19 April 2023, p. 22.

⁶⁴ Ms Baird, ANMAC, *Committee Hansard*, Melbourne, 19 April 2023, p. 22.

⁶⁵ Queensland Government, Submission 82, p. 19.

⁶⁶ Independent Higher Education Australia (IHEA), Submission 83, p. 3.

⁶⁷ UTS, Submission 30, p. 3.

⁶⁸ Mr John Hart, Executive Chair, Tourism, ACCI, *Committee Hansard*, Canberra, 8 March 2023, p. 1.

migrants, many of whom are international students, it needs to be a partnership between government working on the visa system and the education sector working in partnership with employers on the skills and work experience.⁶⁹

Work Integrated Learning

3.52 One of the ways that partnerships between universities and employers have been strengthened is through the development of the 2015 National Strategy on Work Integrated Learning in University Education. Stakeholders informed the Committee that this was currently under review and a report is due at the end of 2023.

3.53 The Australian Collaborative Education Network (ACEN) provided the Committee with a brief overview of work-integrated learning:

The TEQSA has guidance notes around work-integrated learning, and ACEN has an evidence-based curriculum standards framework, so there is very much a focus on quality offerings; but, at the end of the day, it's down to the individual institutions to ensure that their offerings are meaningful and purposeful for students and that there is no exploitation there.

Largely, work-integrated learning is unpaid. When I talk about work-integrated learning, it is in a broad sense; but, in terms of internships and placements, it is largely unpaid. If it is paid, that's an employment relationship between the student and the employer, which educators don't get involved with so much. Obviously, there are the curriculum-based standards there as well, to govern.⁷⁰

3.54 ACCI informed the Committee that positive experience of international students is amplified when they are given the opportunity to build on their skills in the workplace. In the higher education space, studies indicate that work-integrated learning, particularly in undergraduate degrees, is an effective strategy in terms of providing authentic, real world learning experiences and enhancing students' employability skills. Specifically, students' communication skills, organisational abilities and confidence are enriched as well as increased ability to set and achieve goals once in the work force.⁷¹

3.55 JSA shared with the Committee how higher education has traditionally been very focused on knowledge but is increasingly getting interested in skills. JSA spoke to how they were working with several universities to explore how their curricula can better embed the employability skills that are needed and to assess them.⁷²

3.56 In the context of the Higher Education Standards Framework (Threshold Standards) 2021 (HES Framework), work-integrated learning encompasses any arrangement where students undertake learning in a work context as part of their course

⁶⁹ Professor Dawkins, JSA, *Committee Hansard*, Canberra, 15 May 2023, p. 30.

⁷⁰ Dr Denise Jackson, President, Australian Collaborative Education Network (ACEN), *Committee Hansard*, Canberra, 15 May 2023, p. 28.

⁷¹ ACCI, Submission 5, p. 7

⁷² Professor Dawkins, JSA, *Committee Hansard*, Canberra, 15 May 2023, p. 31.

requirements. In all cases work-integrated learning experiences must build towards the learning outcomes of a course and meet other HES Framework requirements such as those regarding staff qualifications, professional accreditation and student support tailored to the needs of the cohort. Work-integrated learning can be undertaken as part of coursework or research training.⁷³

3.57 Vocational placements, like work-integrated learning placements that meet the definition under the Fair Work Act 2009 (the FW Act) are lawfully unpaid. Students completing vocational placements are not considered to be employees and therefore are not entitled to the minimum wage nor other entitlements provided under the FW Act, although there are voluntary payment exceptions to this rule.⁷⁴

3.58 Work-integrated learning activities may include:

- professional workplace placements (known as internships, clinical placements, fieldwork, practicums) whether local, interstate, or international
- online or virtual work-integrated learning (for example, telehealth) with real clients or industry input
- industry-partnered projects in the classroom (for example, hackathons, incubators/start-ups) that involve industry, community, or professional partners
- a simulated work environment with industry input, consultation, or assessment, or
- activities in other contexts involving industry or community partners.⁷⁵

3.59 ACCI told the Committee that the sector recovery would be supported through improved linkages with providers and industry for work integrated learning opportunities.⁷⁶ Australian Collaborative Education Network (ACEN) shared with the Committee that work-integrated learning is highly sought after by international students, who often choose their study destination and course based on the opportunity to engage in work-integrated learning.⁷⁷

3.60 JSA spoke on the potential for work-integrated learning in supporting international higher education graduates to be more job ready:

If you think about international students in higher education, the ones who tend to do best in the labour market are those who have work experience built into their education; that is, in things like health, education, nursing and teaching, where it's built in, almost like an apprenticeship-type model. Our research shows that

⁷³ Tertiary Education Quality Standards Agency (TEQSA), 'Guidance Note: Work Integrated Learning', 4 May 2022, <https://www.teqsa.gov.au/guides-resources/resources/guidance-notes/guidance-note-work-integrated-learning>, viewed 3 July 2023.

⁷⁴ Fair Work Ombudsman, 'Student Placements', <https://www.fairwork.gov.au/tools-and-resources/fact-sheets/unpaid-work/student-placements>, viewed 3 July 2023.

⁷⁵ Tertiary Education Quality Standards Agency (TEQSA), 'Guidance Note: Work Integrated Learning', 4 May 2022, <https://www.teqsa.gov.au/guides-resources/resources/guidance-notes/guidance-note-work-integrated-learning>, viewed 3 July 2023.

⁷⁶ ACCI, Submission 5, p. 1.

⁷⁷ Dr Denise Jackson, President, Australian Collaborative Education Network (ACEN), *Committee Hansard*, Canberra, 15 May 2023 p. 26.

some of the areas of most significant skill shortage, such as ICT graduates and civil engineering graduates, areas where there are huge opportunities in the Australian labour market. There are a lot of graduates applying for jobs, but employers are not hiring them at the rate that you would expect. We interview employers about their hiring experience —and the employers in those two areas tell us that they get enough qualified applicants but not enough suitable applicants. It goes to issues associated with, when we further interrogate it, their employability skills, and their work experience.⁷⁸

- 3.61 The Committee heard that competitor countries such as the UK and Canadian Governments have incentives for industry to opt into work-integrated learning arrangements, and in Canada incentives for industry to take responsibility for developing future graduate pipelines.⁷⁹ ACEN commented:

If we look at other regions such as North America, for example, in Canada, they have great incentives for industry to get on board with WIL and also to take responsibility for developing future graduate talent pipelines. The UK is another example: there are funding incentives in place, sandwich degrees and degrees by apprenticeship. We could be doing more in that space so that we have a bit of a cultural mind shift in employers, in that they are actually responsible for development. This should not be an extra for them; it should be part of 'business as usual'.

- 3.62 Jobs and Skills Australia also commented about work-integrated learning that took place 20-30 years ago where work-integrated learning worked well, however over time it has been reduced.

... there were universities who would run things like sandwich courses, where you did a whole year's work as part of a four-year course and where there was enormous learning on the job.' Because of the increase in WIL over time, there's been a tendency for the periods of employment or periods of work experience to be reduced, sometimes to quite low levels, and for the degree of learning about work to be reduced as well.⁸⁰

- 3.63 ACEN argued for the need for an 'cultural mind shift' in Australian employers towards integrated development and support for current and future employees, through such pathways as work-integrated learning.⁸¹ ACEN felt that while the intent is there, it requires a tripartite arrangement between the student, the educator and industry, whether it is work-integrated learning or lighter touch industry engagement through 'a day in the life of' virtual experiences, a hackathon or a project or whatever it might be. ACEN believes that industry needs come on the journey with higher education

⁷⁸ Professor Dawkins, JSA, *Committee Hansard*, Canberra, 15 May 2023, p. 29.

⁷⁹ Dr Jackson, ACEN, *Committee Hansard*, Canberra, 15 May 2023, p. 28.

⁸⁰ Professor Dawkins, JSA, *Committee Hansard*, Canberra, 15 May 2023, p. 29.

⁸¹ Dr Jackson, ACEN, *Committee Hansard*, Canberra, 15 May 2023, p. 28.

providers, the intent is there but there is a lack of dedicated resources to make it happen.⁸²

- 3.64 The Department of Education is encouraging the uptake of work-integrated learning and has commissioned a number of projects to support the sector to provide more high-quality work-integrated learning opportunities, which help to create post-study work opportunities for international students.⁸³ This work includes a comprehensive profile of work-integrated learning in the higher education sector which the Department of Education commissioned from Universities Australia in 2019. This included a portal of resources and modules developed in consultation with RMIT to help international students enhance their work-integrated learning experiences and optimise employability outcomes. The Department of Education found that universities are moving beyond the historical approach to work-integrated learning to offer innovative and industry-relevant opportunities such as projects, simulations and fieldwork, and that students from across all levels of learning were actively engaged in work-integrated learning activities.⁸⁴
- 3.65 The Department of Education cautioned that international students still face barriers to taking up work-integrated learning opportunities which need to be addressed by education institutions, including challenges associated with sourcing and participating in work-integrated learning, language differences, navigating workplace culture in Australia and a lack of understanding by employers of the benefits international students can bring.⁸⁵
- 3.66 ISANA International Education Association (ISANA) commented that the lack of clarity about what did and did not count to a student visa work hours cap in the context of work-integrated learning, or in placements, was a contributing factor to students being reluctant to take up work-integrated learning opportunities and employers' confusion in offering in case the hours were restricted by the working hour cap visa condition.⁸⁶

Barriers by accreditation bodies

- 3.67 IEAA considered that accreditation bodies can be a major impediment in connecting international graduates to skilled jobs, alleging that accreditation bodies by dictating the field placement requirements and the English language levels at such high levels⁸⁷ that they are effectively barring international students from gaining the skills and accreditation they need to take up skilled work. IEAA see a two-level problem, at one level some industry accreditation bodies make it very difficult for international students to access required field work placements.⁸⁸ IEAA alleged that to be a psychologist in Australia, it is almost impossible to get a field placement, yet Australia

⁸² Dr Jackson, ACEN, *Committee Hansard*, Canberra, 15 May 2023, p. 32.

⁸³ Department of Education, Submission 43, p. 14.

⁸⁴ Department of Education, Submission 43, p. 14.

⁸⁵ Department of Education, Submission 43, p. 14.

⁸⁶ Ms Sharon Cook, National President, ISANA International Education Association (ISANA), *Committee Hansard*, 19 April 2023, Melbourne, pages 4-5.

⁸⁷ Hon Phillip Honeywood, IEAA, *Committee Hansard*, Melbourne, 18 April 2023, p. 16.

⁸⁸ IEAA, Submission 84, pages 6-7.

has all these young people who have to go to Anglo-Celtic mental health counsellors who have got no intercultural competency training.⁸⁹

3.68 Professional bodies can set their levels of English language proficiency for registration or professional accreditation. NEAS described different organisations may prescribe a specific level and period of validity for an applicant's English language proficiency assessment, for example, test validity within two years of the assessment date.⁹⁰

3.69 Hon. Phil Honeywood highlighted some contradictions that exists within the industry accreditation bodies:

... These industry accreditation bodies are all-powerful. They often don't consult as widely as they should. For example, the Australian Nursing and Midwifery Federation told me that we're going to have a shortage of 30,000 nurses by whatever date it is. But, at the same time, they've lifted the English language minimum entry level. Overnight that locked out Koreans, Japanese and Vietnamese and it meant that we became a Filipino market. It's controversial because a lot of Australians worry about it, but, at the end of the day, in aged care it's those migrant workers who are going be doing, and are still doing at the moment, the heavy lifting.⁹¹

3.70 The Committee received evidence from the Skilled Migration Services, that there is an English language requirement to get into some universities which is an academic International English Language Testing System (IELTS) of seven.⁹²

3.71 Engineers Australia suggested that the universities, not the faculties, set the IELTS target and that it varies between universities but is generally a six or a six and a half.

Engineers Australia doesn't specify the IELTS requirement for universities, so that's set by the universities in relation to what they see as reasonable for the studies that the students are going to undertake. That varies between different universities but is generally six or 6.5, rather than seven. There are also pathways into engineering programs, and there can be variation in some of the international pathways too. We do not set a requirement, per se, for registration purposes either. We are also the assessing authority for the migration skills assessment, and the IELTS that we specify there is in alignment with the general visa requirements that the government set.⁹³

⁸⁹ Hon Phillip Honeywood, IEAA, *Committee Hansard*, Melbourne, 18 April 2023, p. 16.

⁹⁰ NEAS and English Australia, Submission 9.1 and 50.1, p. 3.

⁹¹ Hon Phillip Honeywood, IEAA, *Committee Hansard*, Melbourne, 18 April 2023, p. 16.

⁹² Ms Kathryn Baird, Director, Skilled Migration Services, Australian Nursing and Midwifery Accreditation Council, Melbourne, 19 April 2023, p. 25.

⁹³ Ms Bernadette Foley, General Manager, Professional Standards, Engineers Australia, Melbourne, 19 April 2023, p. 25.

3.72 Australian Psychology Accreditation Council (APAC) highlighted the difficulties in psychology placements and international students, with barriers that mean there were:

...possibly no overseas students undergoing clinical training in psychology in Australia. This is partly because the Psychology Board won't register someone who is not resident in Australia or a citizen of Australia to practise psychology in Australia. You could say that that is a regulatory barrier. Although a lot of overseas students study undergraduate psychology, very few enter—in fact, as I said, I'm not aware of any that have entered actual clinical training.⁹⁴

3.73 APAC spoke to an overall difficulty in a lack of placement opportunities overall for domestic and international psychology students to gain a placement, in addition to barriers to accreditation detailed above on the grounds of residency.⁹⁵

3.74 The National Union of Students (NUS) argued that living in Australia provides international students with an immersive environment where they can continually practise and enhance their English language skills, therefore the expiration of English language proficiency after two years should be reconsidered to better reflect the linguistic capabilities of onshore international students and removes an unnecessary barrier and expense for international graduates to gain skilled work, or be considered for professional registration.⁹⁶

3.75 The NUS therefore recommended the requirement to revalidate English language competency after 2 years should be removed.⁹⁷ They further contend that proficiency in a language is a valuable asset that takes time and effort to develop, and it should not be disregarded or devalued based on an arbitrary time limit.⁹⁸

3.76 IEAA believed that government needs to take greater initiative on a communications campaign, both with employers and with students, particularly at the front end, when they arrive here.⁹⁹

3.77 Engineers Australia expanded on one example of provider industry integration by Charles Sturt University in Bathurst. Engineers Australia explained that the Bathurst program is structured differently to most standard Bachelor of Engineering programs, whereby students in an integrated master's program will do four one-year cadetships in the region with employers, allowing for industry integration in the region. However, Engineers Australia cautioned that while the bulk of those students are domestic students, not international students, it is a good example from a regional perspective,

⁹⁴ Dr John Dunn, Chair, Australian Psychology Accreditation Council (APAC), *Committee Hansard*, Melbourne, 19 April 2023, pages 23-24.

⁹⁵ Dr Dunn, APAC, *Committee Hansard*, Melbourne, 19 April 2023, p. 24.

⁹⁶ National Union of Students (NUS), Submission 98, pages 11-12.

⁹⁷ NUS, Submission 28, p. 12.

⁹⁸ NUS, Submission 28, p. 11.

⁹⁹ Hon Phillip Honeywood, IEAA, *Committee Hansard*, Canberra, 15 May 2023, p. 33.

understanding the needs of the region and being connected in with the university. It is just not yet been fully explored for the international student component.¹⁰⁰

Apprenticeships

3.78 State and territory governments are responsible for regulating apprenticeships and traineeships under state and territory legislation. This includes determining which qualifications can be undertaken as an apprenticeship or traineeship, and apprentice and trainee citizenship and residency requirements, which can vary from state to state. Currently, state and territory eligibility generally does not extend to international student visa holders.¹⁰¹

3.79 The Department of Employment and Workplace Relations (DEWR) informed the Committee that:

... for an apprenticeship or traineeship to be available, there must be an employer willing to sign up to a Training Contract with that apprentice or trainee. Under the Training Contract, the employer must commit to providing supervision, on the job training and paid time off work for off the job training. In exchange, the apprentice or trainee can be paid at a Training Wage, which is typically a proportion of the standard award rate.¹⁰²

3.80 The DEWR highlighted that the Australian Government's Australian Apprenticeships Incentives System seeks to address skills shortages by getting apprentices working in secure jobs that are in demand, filling skills shortages now and into the future. It does this by linking eligibility for key Incentives System payments to the Australian Government's Australian Apprenticeships Priority List (the Priority List). The Priority List is based on independent analysis of skills in demand by Jobs and Skills Australia and is updated annually. Support was expressed for the idea that apprenticeships could be offered in both the VET and university sectors.¹⁰³

3.81 In relation to vocational traineeships and apprenticeships, Mr Parsonson, Executive Officer of the International Student Education Agents Association commented:

As one who's currently working with a trade college, a privately owned trade college, the idea of using an apprenticeship as a way of directing people into proper skills, proper training and proper employment would be admirable. That would be a very good case indeed.¹⁰⁴

¹⁰⁰ Ms Bernadette Foley, General Manager, Professional Standards, Engineers Australia, *Committee Hansard*, Melbourne, 19 April 2023, p. 23.

¹⁰¹ Department of Employment and Workplace Relations (DEWR), Submission 104, Questions on Notice, 15 May 2023, p. 1.

¹⁰² DEWR, Submission 104, Questions on Notice, 15 May 2023, p. 1.

¹⁰³ DEWR, Submission 104, Questions on Notice, 15 May 2023, p. 1.

¹⁰⁴ Mr Robert Parsonson, Executive Officer, ISEAA, *Committee Hansard*, Melbourne, 18 April 2023, p. 55.

- 3.82 Hon Phil Honeywood commented that in a former position of Joint Chair of the National Electrical Contractors Association, he discovered that there were numerous migrants going into traditional trade skills. He commented:

... if we are going to bring temporary migrants here, they will not be getting the occupational health and safety training that is so crucial to these para-professional areas. So we are a great advocate of having licensed apprenticeships made available to overseas students; it seems to us to be a no-brainer. Other countries have to import this type of skillset. We should be able to train our own via international student apprenticeships.¹⁰⁵

- 3.83 Professor Peter Dawkins, Jobs and Skills Australia, discussed the idea of universities offering apprenticeships with the Committee.

Increasingly, in other countries there has been an interest in broadening this concept of apprenticeships—we tend to focus on a restricted number of trades—into a larger number of occupations. You could call them apprenticeships or cadetships, but that review that I did recommend that government have a close look at expanding the opportunities for people to combine an employment contract with a learning program and for the learning program to be designed in partnership with industry.¹⁰⁶

- 3.84 Professor Dawkins continued to impress upon the Committee the need to introduce higher apprenticeship programs. Professor Dawkins commented:

There have been various pilots of this, higher apprenticeship programs, but I think it's something that is well worth exploring. I have the opportunity to present to the higher education accord panel tomorrow, and I'll be making the same point to them: I think this is an important issue.¹⁰⁷

- 3.85 ITECA stated that 'there's a strong argument when we look at what we are calling the traditional trades, apprenticeships and training in some of those other areas ... (such as) healthcare.'¹⁰⁸

- 3.86 The Department of Education shared with the Committee the Department's focus on working with the education sector and the business community to narrow that gap for international students and in line with the direction of the government's migration strategy, including through professional associations to work in a joined-up way with the business community.¹⁰⁹

- 3.87 The Department of Education agreed that was still a great need in terms of filling workforce shortages.

¹⁰⁵ Hon Phillip Honeywood, IEAA, *Committee Hansard*, Canberra, 15 May 2023, p. 37.

¹⁰⁶ Professor Dawkins, JSA, *Committee Hansard*, Canberra, 15 May 2023, p. 29.

¹⁰⁷ Professor Dawkins, JSA, *Committee Hansard*, Canberra, 15 May 2023, p. 29.

¹⁰⁸ Mr Troy Williams, Chief Executive, *Committee Hansard*, Melbourne, 18 April 2023, p. 36.

¹⁰⁹ Ms Karen Sandercock, First Assistant Secretary, International Division, Department of Education, *Committee Hansard*, Canberra, 15 May 2023, pages 30-31.

You could almost say that one of the benefits of the COVID circumstances and their impact on the labour market is that, as a result, we have seen better employment outcomes for international students. But there is still a surprising gap, particularly for skills that are in high demand such as engineering. There we see a big discrepancy between the employment outcomes of domestic and international students for an area of work where Jobs and Skills Australia shows us that there is a high degree of skills shortage ...¹¹⁰

Higher education partnerships

- 3.88 IEAA held that many Australian employers do not understand how simple it is to employ international students in both part-time and full-time skill-in-demand occupations.¹¹¹ Engineers Australia highlighted their work in Darwin as a successful integration of Engineers Australia, working with graduates and industry to deliver the right visa message. Engineers Australia considered showcasing examples of where organisations are employing international graduates, like in Darwin, would go a long way to get industry on board.¹¹²
- 3.89 Engineers Australia spoke about a pilot program they facilitated with industry partners to do work placements for international engineering students. Engineers Australia did Australian standard type courses with them and engaged in a lot of networking to teach international students how to engage, and Engineers Australia got organisations to take those students on.¹¹³
- 3.90 From that pilot, Engineers Australia saw a number of those international students be offered not only their ongoing internship but full-time and part-time employment outside of the program. Engineers Australia suggested peak bodies are in a position where they can facilitate those types of pilots and programs and have the connections to industry to make them successful.¹¹⁴
- 3.91 UTS advocated approaches that make sure that employers are part of the process, that employers understand how the visa pathway works, so that they will employ international students knowing they can retain them long term. UTS considered working with industry as key to make sure international students have access to work placement opportunities in relevant courses will further strengthen the pathway. UTS considered this approach to be good for businesses, good for students and will help give any scheme a quality and compliance focus.¹¹⁵
- 3.92 Under the Regional Funding Framework, University of Southern Queensland provides \$125,000 supported five Study Clusters based in Cairns, Townsville, Toowoomba, Gold Coast, and the Sunshine Coast. The Clusters promoted the

¹¹⁰ Ms Karen Sandercock, First Assistant Secretary, International Division, Department of Education, *Committee Hansard*, Canberra, 15 May 2023, p. 31.

¹¹¹ IEAA, Submission 84, p. 7.

¹¹² Ms Zdjelar, Engineers Australia, *Committee Hansard*, Melbourne, 19 April 2023, p. 26.

¹¹³ Ms Zdjelar, Engineers Australia, *Committee Hansard*, Melbourne, 19 April 2023, p. 26.

¹¹⁴ Ms Zdjelar, Engineers Australia, *Committee Hansard*, Melbourne, 19 April 2023, p. 27.

¹¹⁵ UTS, Submission 30, p. 3.

economic value of the engineering and technology sector in their regions and seeks to attract employers to engage directly with the sector by facilitating pathways between students and industry to deliver better career outcomes. Students have the benefit of a range of support and professional development experiences through the Student Hub including free employment and career advice.¹¹⁶

- 3.93 *Launch U* is a talent and employability program supported by University of Southern Queensland. *Launch U* is designed to connect students, employers, and education providers through different talent and employability experiences designed to build students' professional skills. By completing the program, students develop six skills areas (e.g., emotional awareness, collaboration, digital effective, innovation, culturally conscious and self-management) to help them succeed in the workplace and be recognised as a candidate of Queensland's best global talent. More than 80 per cent of the students found the program useful and would recommend it to others.¹¹⁷

Online education delivery

- 3.94 Covid-19 saw Australian education providers by necessity rapidly pivot to online delivery. The Department of Education presented that in 2021, the Government provided more than \$90 million to support international education providers through the COVID-19 pandemic. This included regulatory fee relief and a FEE-HELP loan fee exemption so providers could repurpose funds to support business viability and students.¹¹⁸
- 3.95 The Government delivered two rounds of the Innovation Development Fund (IDF), offering almost \$20 million in short-term targeted support to private ELICOS and private higher education providers that experienced significant declines in international student enrolments. Providers were able to apply for grant funding of up to \$150,000 to diversify their education offerings into online and offshore delivery.¹¹⁹
- 3.96 Outcomes of these projects included the creation of digital learning platforms, the launch of virtual study hubs, setting up hybrid classrooms, expanding English language delivery into new offshore markets, as well as curriculum development.¹²⁰
- 3.97 As a COVID-response measure, the capped percentage for online study for onshore international students was waived by regulators since March 2020. However, this changed on 30 June 2023 with a return to regulatory settings that require providers to deliver no more than one-third of the units (or equivalent) of a higher education or VET course by online or distance learning to an overseas student.¹²¹

¹¹⁶ Queensland Government, Submission 82, pages 18-19.

¹¹⁷ Queensland Government, Submission 82, p. 19.

¹¹⁸ Department of Education, Submission 43, p. 7.

¹¹⁹ Department of Education, Submission 43, p. 7.

¹²⁰ Department of Education, Submission 43, p. 7.

¹²¹ Australian Skills Quality Authority (ASQA), 'ESOS Return to Compliance for face to face training', <https://www.asqa.gov.au/guidance-resources/esos-return-compliance-face-face-training>, viewed 3 July 2023.

- 3.98 While the use of digital platforms was accelerated out of necessity, and there has been a strong swing back to face-to-face education, evidence suggested that online education is likely to continue to be a part of how education is delivered. Technological advancement is reshaping the way the education sector organises itself and contributes to economic and community development. Griffith University related that the experience of rapidly adopting to an online education model during the pandemic taught that while it is possible to deliver high-quality educational content and instruction entirely online, students indicated clear preferences towards hybrid and face-to-face models.¹²²
- 3.99 While significant resources were invested in supporting the retention of students, Griffith's International Student Barometer 2021 revealed that 81 per cent of Griffith University respondents preferred face-to-face over online study, while off-shore students indicated a desire to transition to an in-country study experience.¹²³
- 3.100 Surveys and reports about the COVID-19 online experiences in general reported a strong and widespread desire for international students to return to onshore and face-to-face learning. Australian Technology Network of Universities pointed to certain source markets that prefer face-to-face, especially China.¹²⁴
- 3.101 Group of Eight (Go8) teach 76 per cent of all Chinese students that come to Australia, so are the largest market for Go8. The Chinese Government had to change their legislation throughout COVID-19 so that students' degrees were recognised, they have now largely shifted that back to a face-to-face qualification recognition stance.¹²⁵ In meetings with Middle East representatives there is a hard no to accepting online qualifications recognition.¹²⁶ There's not a one-size-fits-all model. Students in India did not respond as well to online learning during COVID-19 as students in China did.¹²⁷
- 3.102 Independent analysis conducted for Austrade suggested that traditional international education experiences (onshore, on-campus, face to face) will continue to be sought after by students in dominant source markets.¹²⁸ The continued success of the traditional model will be highly dependent on conducive and competitive student visa and post study work rights policy settings, perceptions of value for money, access to employment opportunities while studying, and relevant, meaningful graduate employment outcomes.¹²⁹

¹²² Griffith University, Submission 35, p. 2.

¹²³ Griffith University, Submission 35, p. 2.

¹²⁴ Mr Luke Sheehy, Executive Director, Australian Technology Network of Universities (ATN), *Committee Hansard*, Melbourne, 18 April 2023, p. 25.

¹²⁵ Ms Vicki Thomson, Chief Executive, Groups of Eight (Go8), *Committee Hansard*, Melbourne, 18 April 2023, p. 26.

¹²⁶ Mr Kelly Smith, IRU International Group and Pro-Vice-Chancellor of Murdoch University, *Committee Hansard*, Melbourne, 18 April 2023, p. 26.

¹²⁷ Ms Thomson, Go8, *Committee Hansard*, Melbourne, 18 April 2023, p. 26.

¹²⁸ Austrade, Submission 73, p. 24.

¹²⁹ Austrade, Submission 73, p. 24.

- 3.103 While this is good news for Australian onshore face-to-face international education, there is capacity to explore what online can mean for new untapped markets such as transnational and hybrid and for traditional markets to consider introducing flexibility in the delivery of services. Global flows of ideas, trade and knowledge are changing at an unprecedented rate. Increasingly sophisticated digital environments and platforms to disruptive global events such as COVID-19 are rewriting how people study and work.
- 3.104 IEAA argued for caution that Australia needs to be cognisant of some of the issues that could compromise quality if the sector moves too far to online teaching and learning.¹³⁰ While IEAA acknowledges that, particularly in the VET area, there is scope for enhanced online learning or hybrid pedagogical initiatives, there needs to be a very cautious approach to how the component of online learning could compromise the quality of the outcome of what would traditionally be face-to-face teaching and learning.¹³¹ IEAA pointed to the risk of online to impact the Chinese market, given the largely negative Chinese government stance on online learning and recognition of qualifications.¹³²

Challenges in student experience online

- 3.105 One challenge associated with the loss of international student numbers is its impact on the overall diversity of the student population in Australia. The risk associated with online learning is the limitation of diffusing these different perspectives and removing the learning opportunity to learn how to live in a diverse society.¹³³
- 3.106 Australian providers will need to consider how to best provide adequate support to online students, including technology and connectivity issues, and health and welfare. Social isolation is a common challenge in online study environments. Education providers as well as providing their own in-house support services have traditionally relied on Australian support services such as Beyond Blue and Lifeline, however most of these would not be available to online students who are located offshore.
- 3.107 TEQSA's *Foundations for good practice: The student experience of online learning in Australian higher education during the COVID-19 pandemic (2020)* identified six main themes raised by students in adapting to an online learning regime. While these themes were identified under the hard online pivot required under the pandemic, they remain important considerations for the future of Australian education online:
- reduced interaction with academic staff and peers
 - difficulties with IT and variation in staff expertise in its use
 - assessment changes

¹³⁰ Hon Phillip Honeywood, IEAA, *Committee Hansard*, Canberra, 16 May 2023, p. 1.

¹³¹ Hon Phillip Honeywood, IEAA, *Committee Hansard*, Canberra, 16 May 2023, p. 1.

¹³² Hon Phillip Honeywood, IEAA, *Committee Hansard*, Canberra, 16 May 2023, p. 1.

¹³³ The Council of Australian Postgraduate Association and National Aboriginal and Torres Strait Islander Postgraduate Association, Submission 52, p. [8].

- isolation, lack of engagement and reduced motivation
- difficulty with the translation of some subject areas from an internal to an online mode of delivery, and
- lack of access to libraries as a source of peer socialisation as well as a physical quiet study location.¹³⁴

3.108 The TEQSA report raised questions about the quality of the sector's teaching and learning IT infrastructure.¹³⁵ Navitas cautioned that international education is hypercompetitive, and it does not get more competitive than online.¹³⁶

Transnational Education (TNE)

3.109 Transnational students are those students located offshore, who do not hold a student visa and are studying at an Australian institution. For example, transnational students can be:

- at an offshore Australian provider campus
- studying for an Australian qualification through an approved third-party provider, and
- studying wholly online and located offshore.¹³⁷

3.110 University of Canberra (UC) pointed out that the key to Australian TNE success is to ensure that there a strong broader narrative on the quality of Australian higher education or tertiary education. Quality across the board is first and foremost, because we know that governments overseas and families are very interested in what they hear through the media about the universities, whether the government is supporting universities or whether they are supportive of universities.¹³⁸ Part of that is to continue to talk about rankings, that there is communication about the environment that Australia has, and that education is valued, both by the nation and by the government.¹³⁹

3.111 UC acknowledged that the issue around government-to-government relationships is a very important part on TNE success. A lot of the university partnerships offshore

¹³⁴ TEQSA, 'Foundations for good practice: The student experience of online learning in Australian higher education during the COVID-19 pandemic', November 2020, p. 2, <https://www.teqsa.gov.au/guides-resources/resources/sector-updates-and-alerts/foundations-good-practice-student-experience-online-learning-australian-higher-education-during-covid-19-pandemic>, viewed 2 August 2023.

¹³⁵ TEQSA, 'Foundations for good practice: The student experience of online learning in Australian higher education during the COVID-19 pandemic', November 2020, p. 6, <https://www.teqsa.gov.au/guides-resources/resources/sector-updates-and-alerts/foundations-good-practice-student-experience-online-learning-australian-higher-education-during-covid-19-pandemic>, viewed 2 August 2023.

¹³⁶ Mr Jonathan Chew, Global Head of Insights and Analytics, Navitas, *Committee Hansard*, Canberra, 15 May 2023, p. 43.

¹³⁷ TEQSA, 'Transnational education toolkit', November 2022, p. 3, <https://www.teqsa.gov.au/sites/default/files/TNE-toolkit.pdf>, viewed 2 August 2023.

¹³⁸ Professor Geoffrey Crisp, Deputy Vice-Chancellor Academic, University of Canberra (UC), *Committee Hansard*, Canberra, 22 March 2023, p. 4.

¹³⁹ Professor Crisp, UC, *Committee Hansard*, Canberra, 22 March 2023, p. 4.

are dependent on making sure that there are good relationships at the government level as well, between the governments and the different countries, so that Australia education providers are welcomed into those countries.¹⁴⁰

- 3.112 Deakin University shared that when they consider transnational education and Australia's further engagement across the region, it is not only a question of a financial challenge; the regulatory challenge is very significant in very complex environments.¹⁴¹
- 3.113 In the Indo-Pacific region and Latin America the demand for skills is growing due to economic challenges arising from population demographics, technology advances, structural adjustment of labour markets and the rapidly evolving needs of industry. Australia is well-placed to respond to this increasing global demand for skills development, particularly in industries where Australia is regarded as a global leader.¹⁴²
- 3.114 UC stated that they have been offering transnational education to students overseas for some time. These courses attract students who want a quality education but do not necessarily want to study in Australia. More broadly, UC considered that Australia is growing its transnational footprint with many Australian institutions offering offshore programs or opening offshore campuses, including digitisation of many courses with more students opting to study entirely online.¹⁴³
- 3.115 Austrade considered that diversification by mode and model of delivery can hedge against market disruption such as prolonged border travel restrictions, reduce reliance on a dominant international education model, and build pipelines of students for study in Australia via transnational education (TNE) pathways.¹⁴⁴ Austrade research and in-market intelligence indicated that demand for pathways and hybrid offshore online/onshore on-campus learning is building alongside the traditional student segment. This cohort seeks an international learning experience with more control over time, place, path, pace, and price. They seek qualifications and credentials that are accessible and convenient, stackable, affordable, portable, and valued by employers.¹⁴⁵
- 3.116 Department of Education identified innovations in education delivery, such as the rapid rise of online education, microcredentials, short courses and transnational education (TNE), are a key driver of new market opportunities as students seek to tailor their education experience to their preferred location and style of learning.¹⁴⁶

¹⁴⁰ Professor Crisp, UC, *Committee Hansard*, Canberra, 22 March 2023, p. 4

¹⁴¹ Mr John Molony, Vice-President, International, Deakin University, *Committee Hansard*, Canberra, 15 May 2023, p. 46.

¹⁴² ASQA, 'Protecting the quality of international VET and English language education, 2019', July 2019, p. 53, <https://www.asqa.gov.au/resources/strategic-review-reports/protecting-quality-international-vet-and-english-language-education-2019>, viewed 2 August 2023.

¹⁴³ UC, Submission 17, p. 4.

¹⁴⁴ Austrade, Submission 73, p. 24.

¹⁴⁵ Austrade, Submission 73, p. 24.

¹⁴⁶ Department of Education, Submission 43, p. 9.

Visas and legislative protections

- 3.117 An international student in Australia on a student visa who undertakes online study will come under the Education Services for Overseas Students Act 2000 (ESOS Act) legislative framework and protections. A transnational student who studies online and does not hold a student visa will not come under the protections of the ESOS Act.
- 3.118 Section 26 of the Tertiary Education Quality and Standards Agency Act 2011 (TEQSA Act) requires a registered provider to ensure that any third party delivering a course on its behalf (either wholly or partly) delivers the course consistent with all the requirements of the Higher Education Standards Framework (Threshold Standards) 2015 (the HES Framework). The HES Framework does not distinguish between requirements for courses delivered in Australia or overseas.
- 3.119 Australian registered training organisations, agents operating on its behalf, delivering VET courses leading to AQF certification to students in overseas locations, or studying online are regulated by ASQA.¹⁴⁷
- 3.120 ASQA is the national regulator for Australia's VET sector and is empowered to audit the offshore operations of registered training organisations. *ASQA's 2019 Report, Protecting the quality of international VET and English language education* highlighted regulating offshore delivery is challenging due to a range of factors, including the distance, and spread of delivery sites and the lack of timely and reliable data being available to the regulator.¹⁴⁸
- 3.121 ASQA identified a need to ensure offshore students are afforded the same protections as other students.¹⁴⁹ Offshore delivery of VET introduced risks to the Australian VET system, both nationally and internationally. This included the risk of poor-quality VET impacting the reputations of Australian VET providers, Australian VET qualifications and the Australian VET system. RTOs delivering to offshore students are not subject to any additional legislative requirements over and above the VET Quality Framework. This differs from the additional requirements placed on providers seeking to deliver to overseas students undertaking VET in Australia on a student visa, under the ESOS legislative framework. RTOs delivery non-AQF training offshore and ASQA has no authority or role in the quality assurance of this training.¹⁵⁰
- 3.122 ASQA's 2019 report found that reputational risks are generally related to the quality of program delivery. This included the risk of training and assessment not reflecting the requirements of Australian industry as described by training packages. Training and assessment that do not meet the requirements of training packages may have no value for students seeking employment in Australia and may be seen as a

¹⁴⁷ Australian Skills Quality Authority (ASQA), Submission 79, p. 1.

¹⁴⁸ ASQA, 'Protecting the quality of international VET and English language education, 2019', July 2019, p. 4, <https://www.asqa.gov.au/resources/strategic-review-reports/protecting-quality-international-vet-and-english-language-education-2019>, viewed 2 August 2023.

¹⁴⁹ ASQA, 'Protecting the quality of international VET and English language education, 2019', July 2019, p. 4, <https://www.asqa.gov.au/resources/strategic-review-reports/protecting-quality-international-vet-and-english-language-education-2019>, viewed 2 August 2023.

¹⁵⁰ ASQA, Submission 79, p. 9.

'second-class' qualification. These risks may affect students, individual providers, and the Australian VET system.¹⁵¹

Committee Comment

- 3.123 The Committee acknowledges the many issues raised in relation to the current visa framework, and in particular, the disconnect between getting an education as an international student in Australia and forging a skilled career path afterwards. The Committee notes that the Government's Migration Review will seek to address many of the visa concerns voiced in this inquiry hence makes few specific recommendations in this area given this work is underway.
- 3.124 In relation to visas, the Committee considers that the weight of evidence strongly supports the need for a substantive overhaul of the Genuine Temporary Entrant (GTE) requirement for student visas. Prospective international students should be assessed on their merits as a genuine student and the current situation is ridiculous whereby prospective genuine students are penalised and refused a visa if they simply and honestly express an interest or ambition to pursue skilled work opportunities in Australia post-graduation. Home Affairs should of course take account of integrity risks including the risks over overstaying or taking protection visa claims onshore, however merely expressing an interest in such future opportunities does not guarantee a pathway or provide any additional rights or permanent visas.
- 3.125 The Committee is extremely concerned by evidence that the current system is promoting rorts and workarounds whereby an increasing number of students are seeking a higher education visa which is easier to obtain than switching to VET courses. A Genuine Student Entry test should replace the current GTE and its design be informed by consultation with the sector. Additional safeguards should be considered to make it harder for students to obtain a visa onshore to study VET courses if they arrived in Australia to study a higher education qualification. The Committee is not recommending that the current requirement prohibiting student transfers before the first 6 months of the substantive course is complete be amended or increased as it appears to strike a reasonable balance. Rather than the visa system should not so easily facilitate large flows of students onshore from higher education to VET courses.
- 3.126 The Committee supports reform to Australia's migration system that will support clearer pathways to skilled work visas for the best and brightest international graduates from Australian universities in areas of Australia's critical skill needs. A reformed system should identify those students able to make the strongest contribution to Australia much earlier and provide pathways to skilled migration. It is reasonable to expect English language standards to have improved whilst studying in Australia and to make this a requirement of graduate work visas given clear evidence that this is a critical factor for employability and future labour market success. A

¹⁵¹ ASQA, 'Regulating offshore delivery of VET: ASQA's 2015 pilot audit program', p. 3, https://www.asqa.gov.au/sites/default/files/Regulating_offshore_delivery_of_VET_-_ASQAs_2015_pilot_audit_program.pdf, viewed 2 August 2023.

reformed migration system should not continue to give false hope to large numbers of students who are not going to meet Australia's future skills needs.

3.127 The Committee strongly advocates for the international education sector to proactively engage with industry, peak bodies, and all tiers of Government to build strategic communication and linkage strategies to better prepare and equip international students, and graduates with the employability skills and experience to transition into jobs that they are qualified for in order to:

- safeguard the reputation of a quality Australian education system that can produce real world results
- benefit foreign policy objectives of the Australian Government to support international graduates equipped with qualifications and experience to take up professional career pathways into senior levels of government and industry in their home countries or internationally, and who will likely retain a positive relationship to Australia
- benefit Australia domestically to prepare and retain the best and brightest international graduates to take up skilled jobs in Australia
- contribute to disrupting the exploitation of international graduates for low skill and gig economy labour.

3.128 The Committee recognises the importance of accreditation bodies in ensuring that Australian professional standards are upheld. The Committee is dismayed to hear evidence of unreasonable impediments for international students and graduates to achieve the accreditation necessary to be able to take up jobs that are in areas of critical skills shortages, especially in regional Australia. For example the College of Nursing acknowledged there is no apparent justification for requiring IELTS 7 level English for all international student nurses – a standard that many Australian domestic students would not meet.

3.129 The Committee believes domestic students should have priority where vocational opportunities are limited such as apprenticeships and clinical placements. However, it seems irrational that even the brightest top international students cannot pursue a clinical placement in psychology when Australia has a desperate shortage of CALD psychologists. Even the ability for up to 5% of clinical placements to be available to the highest performing international students seeking skilled migration pathways to Australia would help train and retain the best in our country. Similarly, whilst apprenticeship funding and places are restricted to domestic students, there are sustained critical skills shortages in various trades. International students are currently not permitted to meet this demand and instead are forced to return to their home countries to seek employment.

3.130 The Committee asserts there is potential for work-integrated learning models for international students, if supported by robust integrity measures to prevent exploitation. This would be an effective model for international graduates to gain workforce experience and enhance their employment prospects in Australia.

- 3.131 The Committee considers that there may be opportunity to expand an apprenticeship model for certain international students seeking to stay in Australia to meet skills shortages in areas where domestic students are not meeting these needs. This would need to be strictly capped and require significant changes to funding, regulatory and migration regimes.
- 3.132 However, the Committee is cognisant of the real risk of abuse of apprenticeships by unscrupulous providers and employers who would seek to exploit vulnerable international students into a labour exploitation situation thinly veiled as an apprenticeship. Such an expansion would be valuable if robust management and proactive monitoring was built in providers and employers were carefully vetted.
- 3.133 The Committee finally considers that for an export sector this important to Australia there has been inadequate Parliamentary scrutiny in a considered way in previous years. Australia's international education sector is highly dynamic and global markets are hyper-competitive, hence policy and regulatory frameworks must continuously evolve. There are serious issues which have been identified through this inquiry that warrant ongoing monitoring. The Committee recommends that the Committee reviews the international sector two years from now.

Recommendation 4

- 3.134 The Committee recommends the Government engage with the international education sector and industry bodies to develop and implement targeted campaigns to educate employers on the opportunities to hire international student graduates in sectors with high skilled job vacancies. Campaigns must combat employer confusion and misinformation about graduate work rights, visa conditions and pathways to permanent residency (where available). The first campaign focus should be for engineering, information technology and health industries, followed by other skilled occupations identified in high demand.**

Recommendation 5

- 3.135 The Committee recommends the Government establish a national work-integrated learning framework to oversight work-integrated learning placements. The work-integrated learning framework and any accompanying system changes should be developed in consultation with the international education sector, industry peak bodies and accreditation bodies and the work-integrated learning peak body, taking into consideration Fair Work Requirements and ensuring robust oversight of providers and businesses to prevent student exploitation and integrity loopholes.**

The work-integrated learning accreditation system should support the integration of accreditation placements into the work-integrated learning program, where appropriate. Further sandwich courses, higher education apprenticeships and other paid work and learn integrated models of study are increasingly common in jurisdictions with whom Australia competes for

international students. These models offer better integration between industry and educational entities, and should be given immediate consideration by a taskforce established by the Government.

Recommendation 6

- 3.136** The Committee recommends the Government take a pro-active, interventionist approach in reviewing unreasonable barriers to qualified international student graduates filling skills shortage roles that are imposed by professional accreditation bodies, to identify opportunities to streamline and remove unnecessary requirements while preserving quality assurance. The Committee recommends these reviews target and assess, as a matter of priority, accreditation barriers and issues encountered by qualified international graduates in health and allied health professional fields. There should be a specific focus on accreditation issues in nursing, midwifery, and psychology, then professional trades and other critical skills shortage areas, as they emerge.

Consideration should be given to improving pathways to apprenticeships and work placements for both vocational education and training and university degrees for international students where skills shortages cannot be met domestically.

Recommendation 7

- 3.137** The Committee recommends, in light of the highly dynamic nature of the international education sector and global markets and the continuously evolving policy and regulatory frameworks, an appropriate Parliamentary Committee hold a regular annual or biennial 'check-in' inquiry, either stand-alone or as part of a routine annual report inquiry by the Trade Subcommittee of the Joint Standing Committee of Foreign Affairs Defence and Trade.



4. International student experience and quality outcomes

Overview

- 4.1 Australia attracts students from over 190 countries. This collective diversity and knowledge feeds into education institutions, workplaces, and communities. International students contribute to the multicultural richness of Australian communities, bringing new ideas and different perspectives to the national conversation that shapes the nation.
- 4.2 Regional Universities Network (RUN) advocated the value that universities and regional communities place on the incredible social, cultural and economic contributions that international students provide to Australian communities. Regional Australia is made more vibrant and diverse by welcoming international students, and those that settle regionally following graduation play an important role in narrowing the gap between regional education/skilling levels with metropolitan Australia.¹
- 4.3 This chapter unpacks student experience by examining living pressures separated into student welfare and safety, accommodation, connection, and integration into Australia. The student experience is defined as a person's collective interaction, engagement, and development during their time at an education institution. Student experience encompasses both academic and non-academic lived environments.

Student experience pre and post Covid-19

- 4.4 For international students an experience of Australian life as a student can form life-long impressions of Australia as a country, as well as a place of education.
- 4.5 Positive student experiences form the building blocks for enduring people-to-people linkages in the region and internationally. A positive student experience has exponential and often intangible benefits. International graduates with a positive student experience are an incredible asset to Australia when they go back to their own countries and pass on a great message in their home countries about the hospitality and the community of the Australian people.²

Once these students have graduated from an Australian university, they retain a deep affection for us for the rest of their lives. I travelled through South-East Asia

¹ Regional Universities Network (RUN), Submission 26, p. 6.

² Ms Lee-ann Norris, Chief Student Recruitment Officer, Global and Domestic, Macquarie University, *Committee Hansard*, Sydney, 2 March 2023, p. 1.

last week, in Indonesia, Malaysia and Singapore, meeting alumni from all over the world. I am happy to talk about what we've heard about the market soundings and those experiences. We can quite confidently say that, once they join our alumni of 400,000 people living in more than 170 countries, they are a national asset.³

- 4.6 Reflecting on its experience travelling with a Western Australian ministerial delegation to Bhutan, the University of Notre Dame Australia further emphasised the influence of an international student's positive experience on the reputation of Australian states and territories:

... the striking thing was how powerful the reputation of our state and of our universities is. Communities, parents and children themselves and generations of Bhutanese people are choosing Western Australia because they know that, when they've sent previous children or adults to our universities, they've been looked after, they've had a great experience and they've returned home with the qualifications they need. And that is building the reputation of our universities in that community.⁴

- 4.7 A negative student experience can affect students mental health and the student's ability to achieve good results. Forming early perceptions of a country may influence life decisions further down the track such as choosing countries to study further, live and work in and do business with, in the future.
- 4.8 The Department of Education described how 'COVID-19 saw a drop in satisfaction with the overall quality of the entire educational experience for international students, going from 75 per cent in 2019 to 67 per cent in 2021.'⁵ Interestingly, the Department of Education noted that 'Australia was falling behind competitors in international student satisfaction prior to COVID-19, presenting a need for providers to strengthen student experience to continue to attract and retain international students.'⁶
- 4.9 As referenced elsewhere in this report, the narrow lens of seeing international students as revenue products, is not lost on international students themselves and has a fundamental impact on their student experience.
- 4.10 Council of Australian Postgraduate Associations (CAPA) and National Aboriginal and Torres Strait Islander Postgraduate Association (NATSIPA) observed the following:

At the height of the pandemic, international students in Australia had hoped their choice was worthy of recognition by governments and universities and that they would respond compassionately to this unprecedented crisis. Sadly the response

³ Ms Kirsten Andrews, Vice-President, External Engagement, University of Sydney, *Committee Hansard*, Sydney, 2 March 2023, p. 3.

⁴ Mr David Harrison, Pro-Vice-Chancellor, Communications and Engagement, University of Notre Dame Australia, *Committee Hansard*, Freemantle, 22 August 2023, p. 12.

⁵ Department of Education, Submission 43, p. 6.

⁶ Department of Education, Submission 43, p. 6.

fell short of their expectations leaving many disappointed and treated as 'cash cows'.⁷

Cost of Living

- 4.11 Increases in the cost of living for international students was an issue that was prominently raised at the public hearings. In particular, international students discussed concerns about the challenges of high and rapidly rising rental and transport costs well beyond what students had budgeted on needing to meet.
- 4.12 Ms Inuli Subasinghe, an international student at the University of New South Wales (UNSW), noted that 'the cost of rent has been at an all-time high recently' and that with increased demand for housing, 'it has been difficult for students to find accommodation.'⁸ Mr Yinfeng Shen, an international student at the University of Sydney echoed her concerns, noting that some of his friends have been forced to move out when they have been unable to pay rent increases that are double or triple the original amount.⁹
- 4.13 Ms Samanda Mularachchi, an international student at Western Sydney University, emphasised this point further by noting that her rent increased by \$110 a week this year and explained that it is 'almost impossible' for international students to find housing near their university or placement. She had anecdotally heard from other students who have compromised on their safety to avoid paying high rent:¹⁰
- ... given the housing crisis, I know that a lot of international students who came after me have settled for whatever place is easier and cheaper. Even if they are not in a safe neighbourhood, as they can only afford that, they will settle on staying there.¹¹
- 4.14 The lack of travel concessions for international students was highlighted by all student participants, as another factor adding to high cost of living pressures (and making international students feel less welcome and inferior to domestic students). Ms Subasinghe stated that many international students commute for their studies and that having concessional Opal cards would be appreciated.¹² Ms Mularachchi agreed, noting that:

It has been really stressful for a lot of international students to afford transport within New South Wales, especially for postgrad students who are currently doing their placements and who are required to complete 1,000 hours, at least in

⁷ Council of Australian Postgraduate Associations (CAPA) and National Aboriginal and Torres Strait Islander Postgraduate Association (NATSIPA) Submission 52, p.4.

⁸ Ms Inuli Subasinghe, Student Casual, University of New South Wales (UNSW) *Committee Hansard*, Sydney, 2 March 2023, p. 23.

⁹ Mr Yinfeng (Benny) Shen, Fellow of the Senate, University of Sydney, *Committee Hansard*, Sydney, 2 March 2023, p. 25.

¹⁰ Ms Samanda Mularachchi, Student, Western Sydney University, *Committee Hansard*, Sydney, 2 March 2023, p. 26.

¹¹ Ms Mularachchi, Western Sydney University, *Committee Hansard*, Sydney, 2 March 2023, p. 26.

¹² Ms Subasinghe, UNSW, *Committee Hansard*, Sydney, 2 March 2023, p. 23.

my program ... As a student assistant, I used to hear from a lot of students how far they had to travel every day and how much they would be spending, especially given that you are not allowed to work during your placement, and you have to complete 400 to 600 hours in a full-time workload.¹³

- 4.15 In addition to the cost-of-living pressures, Mr Shen listed a number of concerns that international students have raised with him, including:

... food security: accessing affordable and safe food options has also been part of a big challenge. Access to health care and other relevant support is another concern. There is a strong need for greater access to Medicare and government provision of health and wellbeing support, especially mental wellbeing supports.¹⁴

- 4.16 Some participants discussed their experience during the start of the COVID-19 pandemic. Ms Mularachchi stated that she found it really challenging to afford the fees for her study as she was unable to find work from 2019 to 2021. As a result, she went back to her country of origin and stayed there 'for more than a year because of border closures.'¹⁵ Similarly, Ms Subhasinghe identified 'paying a great amount of fees for online classes' as a 'negative':

Even now, all of the lectures have online recordings, even though we're paying the same price. Right now, we have in-person labs and tutorials, which is much better. During COVID, it didn't make sense for us to pay a lot, especially for students who had to go back home.¹⁶

- 4.17 During a roundtable discussion on international education in Freemantle, witnesses discussed the impact of state government policy settings on the cost of living and how this may influence a student's choice of study destination. In particular, the University of Notre Dame Australia, which has campuses in both Sydney and Perth, attributed the abundance of demand for postgraduate studies in Western Australia to specific state government policy settings:

I think that's supported by the government policy on schooling for dependants. In Western Australia, people who come with dependants get placed in a school and it's at a local rate. That doesn't happen in New South Wales. The other thing that happens in Western Australia is that, rightly so, we give international students the same concession rates as domestic students for public transport. That makes a significant difference. We know in places like New South Wales students are spending \$50 plus a week to get to campus.¹⁷

¹³ Ms Mularachchi, Western Sydney University, *Committee Hansard*, Sydney, 2 March 2023, p. 23.

¹⁴ Mr Yinfeng (Benny) Shen, Fellow of the Senate, University of Sydney, *Committee Hansard*, Sydney, 2 March 2023, p. 22.

¹⁵ Ms Mularachchi, Western Sydney University, *Committee Hansard*, Sydney, 2 March 2023, p. 24.

¹⁶ Ms Subasinghe, UNSW, *Committee Hansard*, Sydney, 2 March 2023, p. 25.

¹⁷ Mr Justin de Sousa, Director, International, University of Notre Dame Australia, *Committee Hansard*, Freemantle, 22 August 2023, p. 6.

Student accommodation

- 4.18 Accommodation was identified as a key factor impacting prospective international students' decisions to choose Australia as a study destination. The International Student Education Agents Association advised that in the context of a 'strong return' from international students, it now sees 'accommodation as a critical issue for students':

The price of accommodation and the availability of accommodation could be a handbrake on some of the return. The word is already going back into market that Sydney, Melbourne and other places are extremely expensive and it's difficult to get accommodation.¹⁸

- 4.19 Similarly, Macquarie University considered the issue of accommodation shortage as having 'the potential to bring everything to an immediate halt', if students are not able to get accommodation in Australia.¹⁹ The University of Wollongong (UOW) attributed this issue to being a part of 'a national general accommodation crisis and affordability crisis':

The issue is not just related to our market; it is broader than that. It impacts us enormously. It is going to be difficult for universities to solve the accommodation issues on their own, given that it is a global issue, and in this sense a nationwide issue.²⁰

- 4.20 The ISANA International Education Association (ISANA) were aware of the 'exploitation of international students in overcrowded housing accommodation' even prior to COVID-19 pandemic.²¹ Sydney University Postgraduate Representative Association (SUPRA) raised serious concerns that international students face both predatory landlords as well as a lack of knowledge of their rights and responsibilities while renting in Australia. SUPRA observed that many international students report a range of concerning experiences that occur both during and after their tenancies, including students:

- who have been pressured into signing leases before seeing the property
- who have been told to pay their bond into the personal accounts of landlords, without the option of lodging their bond with Rental Bonds Online, often before signing the lease, or seeing the property
- who have not been given a contract or condition report at any time during their tenancy
- whose contract violates the Residential Tenancies Act 2010

¹⁸ Mr Robert Parsonson, Executive Officer, International Student Education Agents Association, *Committee Hansard*, Melbourne, 18 April 2023, p. 55.

¹⁹ Ms Norris, Macquarie University, *Committee Hansard*, Sydney, 2 March 2023, p. 5.

²⁰ Professor Alex Frino, Senior Deputy Vice-Chancellor, Innovation, Enterprise and External Relations, University of Wollongong (UOW), *Committee Hansard*, Sydney, 2 March 2023, p. 5.

²¹ Ms Danielle Hartridge, Vice President, Professional Development, ISANA International Education Association (ISANA), *Committee Hansard*, Melbourne 19 April 2023, p. 11.

- who have not been given the correct, or any information about the landlord's legal name or address, which prevents them from being able to take the landlord to NCAT.²²

Purpose-built student accommodation

- 4.21 In addition to private rentals and university-owned accommodation, international students can access private purpose-built student accommodation (PBSA) and homestay, as alternative accommodation options. These two alternatives were discussed in depth at the public hearings as both short term and long-term solutions to student accommodation shortages.
- 4.22 Purpose-built student accommodation (PBSA) is 'an all-inclusive and fully furnished housing option' exclusively for students, who are enrolled at an education institution to study. It is designed to meet the needs of students, often incorporating features such as retail outlets, communal spaces, study areas and other amenities. PBSA buildings are usually located near education precincts, with adequate access to transport.²³
- 4.23 ISANA recognised that councils and the cities put a lot of effort at that time into purpose-built accommodation, fast-tracking approvals and building the sector up. ISANA is concerned that almost 10 years later, the purpose-built accommodation sector, which they consider is enormous in Melbourne now, is still not meeting the needs of international students. The price points were noted as being 'exceptionally high.'²⁴
- 4.24 While PBSAs in Australia are usually privately owned and operated, providers have agreements and/or partnerships with universities to provide housing to students.²⁵ They additionally offer pastoral care to students, including mental health, wellbeing services and study assistance, in collaboration with universities. Recognising that students often stay for a few semesters or years and most for the duration of their studies, PBSAs typically offer semesterly or academic year leases.²⁶
- 4.25 The Student Accommodation Council noted that since PBSA is exclusively for students, 'it provides confidence for young people considering moving to Australia that they will be able to find housing'.²⁷ They noted that international students living in PBSA are 'better protected and connected than those in the private rental market, and are less-vulnerable to exploitation by landlords'.²⁸ As such, the Student Accommodation Council affirmed that 'a strong supply and availability of PBSA removes barriers to decision-making that might influence' a prospective international

²² Sydney University Postgraduate Representative Association (SUPRA), Submission 86, p. 5.

²³ Student Accommodation Council – Property Council of Australia, Submission 49 (Attachment), p. 5.

²⁴ Ms Hartridge, ISANA, *Committee Hansard*, Melbourne, 18 April 2023, p. 11.

²⁵ Student Accommodation Council – Property Council of Australia, Submission 49 (Attachment), p. 9.

²⁶ Student Accommodation Council – Property Council of Australia, Submission 49 (Attachment), p. 9.

²⁷ Student Accommodation Council – Property Council of Australia, Submission 49, p. 6.

²⁸ Student Accommodation Council – Property Council of Australia, Submission 49, p. 7.

student's decision to choose Australia as a study destination.²⁹ The Student Accommodation Council described modern purpose-built student accommodation as usually consisting of communal areas, including gaming areas, gyms and cinema rooms, all of which 'are created and set up for the best possible environment for the students.'³⁰

- 4.26 Advising that current vacancy rates of PBSA in some Australian capital cities are zero, the Student Accommodation Council believed that it was 'imperative that the supply of PBSA beds grow to accommodate international students and alleviate pressure on the already stressed private rental market' as international students return.³¹

Encouraging investment in purpose-built student accommodation

- 4.27 As a non-traditional investment category, PBSA is often characterised as an alternative housing asset class and requires investment at the development stage. Both of these factors have contributed to 'relatively low levels of investment from domestic investors', such as superannuation funds and investment trusts. Instead, 'Australia's PBSA sector has traditionally relied on foreign investment' capital, which has enabled the sector's strong growth over the past decade.³² The Student Accommodation Council argued that there is 'an undersupply in Australia of purpose-built student accommodation' when compared to competitor markets, such as Canada, the UK and the US.³³

- 4.28 High fees and charges were identified as a disincentive for further investment in Australia's PBSA sector. The Student Accommodation Council observed that investors are subject to a number of fees, regulations and charges, including foreign owner stamp duty charges, land tax surcharges which are complex and vary by jurisdiction, as well as high Foreign Investment Review Board (FIRB) fees. By way of example, the Student Accommodation Council demonstrated how FIRB fees can vary according to whether a PBSA development is designated for a particular university:

... if PBSA developments are not specifically designated for a particular university, they are charged residential FIRB fees rather than commercial FIRB fees. This can effectively increase fees almost a hundred-fold, the FIRB transaction fees for a \$50 million residential property are over \$1 million, but just \$13,200 for a commercial property.³⁴

- 4.29 The Student Accommodation Council believed that 'exempting the PBSA sector from foreign-owned land tax and stamp duty surcharges' and having consistent tax

²⁹ Student Accommodation Council – Property Council of Australia, Submission 49, p. 6.

³⁰ Ms Anouk Darling, President, Student Accommodation Council, Property Council of Australia, *Committee Hansard*, Melbourne, 19 April 2023, p. 16.

³¹ Student Accommodation Council – Property Council of Australia, Submission 49, p. 7.

³² Student Accommodation Council – Property Council of Australia, Submission 49, p. 7.

³³ Ms Torie Brown, Executive Director, Student Accommodation Council, Property Council of Australia, *Committee Hansard*, Melbourne, 19 April 2023, p. 16.

³⁴ Student Accommodation Council – Property Council of Australia, Submission 49, p. 7.

policies across states and territories would assist in encouraging further investment in the sector.³⁵ The Student Accommodation Council described the current environment that the PBSA sector is operating in as ‘a patchwork quilt of fees, regulations and charges’ that its ‘members spend all their time trying to decipher.’³⁶

- 4.30 In relation to reduced domestic investment in the sector, the Student Accommodation Council believed that ‘lifting the national understanding of PBSA ... will enable growth in domestic investment and help the sector establish itself as a mature asset class in the Australian property sector.’ In particular, the Student Accommodation Council advocated for a unified classification of PBSA as an asset class, which clearly defines the sector.³⁷
- 4.31 Given that PBSA is largely recognised as an alternative housing asset, the Student Accommodation Council advised that Australian capital and, in particular superfunds, are subject to ‘all the restraints around alternative capital that they are allowed to invest in.’
- 4.32 Student Accommodation Council commented that lack of understanding around the asset means that PBSA is perceived to be of a higher risk class.
- If it were understood as a sector and it were moved out of the risky alternatives, that would unlock, potentially, the super funds, who are sitting there. We do behave like the residential sector because we're long-term landowners and holders. We don't sell. It's an annuity asset.³⁸
- 4.33 In this way, a greater understanding of PBSA and efforts to change the perception of it being considered risky alternatives would make investments in the sector from superfunds more likely.³⁹
- 4.34 The Student Accommodation Council observed that ‘Australian super funds invest in PBSA internationally, but they don't invest in PBSA in Australia.’⁴⁰
- 4.35 Student Accommodation Council believed there is a leadership role the federal government needs to play, in understanding that the growth of this asset class will take students out of the private rental market and add to supply. We need to incentivise the growth of this asset class.⁴¹

³⁵ Student Accommodation Council – Property Council of Australia, Submission 49, p. 7.

³⁶ Ms Brown, Student Accommodation Council, Property Council of Australia, *Committee Hansard*, Melbourne, 19 April 2023, p. 16.

³⁷ Student Accommodation Council – Property Council of Australia, Submission 49, p. 7.

³⁸ Ms Darling, Student Accommodation Council, Property Council of Australia, *Committee Hansard*, Melbourne, 19 April 2023, p. 16.

³⁹ Ms Darling, Student Accommodation Council, Property Council of Australia, *Committee Hansard*, Melbourne, 19 April 2023, p. 16.

⁴⁰ Ms Darling, Student Accommodation Council, Property Council of Australia, *Committee Hansard*, Melbourne, 19 April 2023, p. 16.

⁴¹ Ms Darling, Student Accommodation Council, Property Council of Australia, *Committee Hansard*, Melbourne, 19 April 2023, p. 16.

Homestay

- 4.36 The Committee heard evidence of homestay as viable alternative accommodation for international students. Homestay describes a type of accommodation arrangement provided to a student studying or training at an Australian education institution. Under this arrangement, students live with a locally-based individual, couple or family, known as 'the host'. Students are provided with their own room and have access to other household facilities.⁴²
- 4.37 The University of New South Wales (UNSW) identified homestay as being a solution to manage the current accommodation shortage faced by higher education institutions, noting that:
- Homestay is a wonderful, wonderful thing for the students and often for the families or empty nesters ... Australians embrace this ... There are risks, of course. We are very cognisant of that, because not every home is going to be identical, obviously. But it's a wonderful thing and it works, largely.⁴³
- 4.38 In Griffith University's view, homestay can enhance the student experience and create opportunities for accommodation that don't take housing in the private rental market away from other Australians:
- Sharing a house with an Australian of course is a great way to meet ordinary Australians. It helps with the housing crisis, and it also helps people in Australia to feel a more personal connection with international students rather than perhaps just seeing them in large statistical terms, and to understand some of the individuals, their struggles and things their families might have gone through to send them here ... It's about trying to make sure that our classrooms, student societies and campuses have a greater integration between international and domestic students.⁴⁴
- 4.39 While agreeing that homestay is a great alternative to student accommodation, Macquarie University observed that 'homestay was impacted during COVID'. They advised that 'a lot of families previously taking advantage of [homestay] have pulled out' and that further promotion is needed to encourage 'families to want to open their homes again'.⁴⁵
- 4.40 MyStay International held the view that homestay was the only viable solution to managing the current student accommodation shortage in the short-term. By way of example, they pointed to how homestay eased the pressures of student accommodation shortages in Perth:

⁴² Study Gold Coast, Submission 96, p. 1.

⁴³ Professor Merlin Crossley, Deputy Vice-Chancellor Academic Quality, University of New South Wales, *Committee Hansard*, Sydney, 2 March 2023, p. 11.

⁴⁴ Dr Carolyn Evans, Vice-Chancellor and President, Griffith University, *Committee Hansard*, Canberra, 15 May 2023, p. 63.

⁴⁵ Ms Norris, Macquarie University, *Committee Hansard*, Sydney, 2 March 2023, p. 12.

During the severe shortage of accommodation in semester 1 [of 2023] we worked with the Western Australian government and four of the main universities in Perth. They used their own resources to help promote hosting and diverted those hosts to us. This resulted in 500 new host applications in Perth, and during that first semester, every single student application we received we were able to make. We wouldn't have been able to do that without the resources of the universities and the government promoting the opportunity.⁴⁶

- 4.41 Similarly, Study Gold Coast and the City of Gold Coast partnered together to launch the 'Host for the Coast' campaign in January 2023. By May 2023, the campaign received 385 expressions of interest across the Gold Coast, with many hosts willing to offer more than one bed. Study Gold Coast has estimated that the campaign had unlocked approximately 500 beds for international students.⁴⁷

Box 4.1 Case Study: Host for the Coast

'Host for the Coast' is a joint campaign launched by the City of Gold Coast and Study Gold Coast that invited residents, with a spare room to consider hosting an international student. The goal of the initiative was to alleviate the pressure on the private rental market in the Gold Coast, by releasing beds in residential homes for international students through a homestay arrangement.⁴⁸

As part of the campaign, the Mayor for the City of Gold Coast, wrote letters to approximately 55,000 homes in the Gold Coast, actively targeting those within proximity to education institutions and transport links. In conjunction with these letters, advertising campaigns took place on LinkedIn, Facebook and in the Gold Coast Bulletin.⁴⁹

Homeowners interested in hosting international students were directed to register their expression of interest and a homestay partner would then contact the resident to provide further information, including the requirements and responsibilities involved in becoming a host. After agreeing to move forward with the arrangement, 'a comprehensive registration process is undertaken by the Homestay partners', including an at home visit to ensure the suitability of the environment as well as checks to confirm that all necessary insurances were current and in place.⁵⁰ Study Gold Coast advised that there is an onboarding process to make sure that it is a good experience on both sides.⁵¹

Study Gold Coast observed that most of the expressions of interest came from older homeowners and in particular:

⁴⁶ Mr David Bycroft, Founder and Chief Business Development Officer, MyStay International, *Committee Hansard*, Melbourne, 19 April 2023, p. 13.

⁴⁷ Study Gold Coast, Submission 96, pages 1-2.

⁴⁸ Study Gold Coast, Submission 96, p. 1.

⁴⁹ Study Gold Coast, Submission 96, p. 2.

⁵⁰ Study Gold Coast, Submission 96, p. 2.

⁵¹ Ms Jennine Tax, Acting Chief Executive Officer, Study Gold Coast *Committee Hansard*, Gold Coast, 17 May 2023, p. 13.

... empty nesters, who have spare rooms but may not want to go onto flatmates.com to rent a room because they're not sure about how that might work out. The idea of having a vetted student and having a home stay company work in the middle to make sure that the partnership works and is de-risked from both sides was a really attractive offering.⁵²

Noting that they are gathering 'rich content from homestay families and international students and their experience', Study Gold Coast confirmed at the time of the inquiry that they will be continuing the campaign. In the context of mortgage stress being an ongoing issue, Study Gold Coast described homestay arrangements as 'a win-win scenario' in supporting Gold Coast residents and managing the accommodation shortage experienced by international students.⁵³

- 4.42 MyStay International highlighted the need for further promotion of homestay opportunities, including advertising the tax-free status of hosting an international student.⁵⁴ According to the Australian Tax Office Interpretative Decision ID 2001/381, the amount of rent received by a taxpayer for up to two international students under a homestay arrangement is not considered assessable income under section 6-5 of the *Income Tax Assessment Act 1997*.⁵⁵
- 4.43 Further, MyStay International believed that referring to homestay as hosted accommodation will assist in marketing this alternative housing option to higher education international students, as MyStay felt that the term homestay is perceived as being associated with students under the age of 18 years old.⁵⁶
- 4.44 International students under the age of 18 in Australia must have approved accommodation and welfare arrangements in place before a student visa can be issued and regulated by the Australian government to ensure student safety and wellbeing. There are less controls for international student over 18, the necessity of a strong oversight and control of broader homestay arrangements for over 18 international students will be critical. Ms Joy Xu, an international student, shared her experience living in a homestay arrangement, when she first arrived in Australia in 2014. She described it as 'really lovely at the beginning':
- ... but, following that, they started to borrow money from me. They were treating me so nicely and were so friendly, so I felt that it was okay to help them out. But it came to be a pattern of behaviour and, when I stopped allowing them to borrow money, their attitude changed. After that, I moved out.⁵⁷
- 4.45 It was Ms Xu's view that universities and colleges have a certain responsibility to review a host's eligibility to engage in a homestay arrangement. Reflecting on her

⁵² Ms Tax, Study Gold Coast *Committee Hansard*, Gold Coast, 17 May 2023, p. 13.

⁵³ Ms Tax, Study Gold Coast *Committee Hansard*, Gold Coast, 17 May 2023, p. 13.

⁵⁴ Mr Bycroft, MyStay International, *Committee Hansard*, Melbourne, 19 April 2023, p. 13.

⁵⁵ www.ato.gov.au/law/view/document?docid=AID/AID2001381/00001 viewed 10 August 2023.

⁵⁶ Mr Bycroft, MyStay International, *Committee Hansard*, Melbourne, 19 April 2023, p. 13.

⁵⁷ Ms Joy (Jiacong) Xu, International Student Officer 2023, University of Technology Sydney (UTS), *Committee Hansard*, Sydney, 2 March 2023, p. 26.

experience, Ms Xu stated that if hosts are providing accommodation mainly for financial reasons, 'that will put international students at certain risk.' However, if the intention of hosts are to support the genuine cultural integration of international students then it is 'a great thing and should be continued.'⁵⁸

- 4.46 MyStay International advocated for independent national standards to be implemented to protect international students from exploitation during the accommodation shortage.⁵⁹ MyStay listed a number of minimum standards that they believed should be implemented, including 'compulsory host background checks, host room checks and host training for approved host families'.⁶⁰

Student accommodation in regional Australia

- 4.47 Witnesses raised the difficulties in investing in student accommodation in regional Australia. UOW had been advised that accommodation developers generally avoid building accommodation in regional areas as they see 'too much risk' in this market:

They are always looking for opportunities to re-do something in metropolitan areas; however, regional areas miss out. It is a shame. Wollongong is only an hour and 20 minutes away. We've got plenty of land to build student accommodation on. It's an issue that could require government support.⁶¹

- 4.48 The Student Accommodation Council observed that international investors looking to develop PBSA in Australia consider the gateway cities of Sydney and Melbourne first. Second-tier cities such as Brisbane, Adelaide, Canberra and Perth are then considered.⁶² To make an investment case for PBSA in regional Australia, a large number of international students are needed, given that 'they make up 80 per cent' of PBSA residents.⁶³ The Student Accommodation Council stated that 'traditionally there hasn't been that strong supply of international students at regional universities.' Acknowledging that this is changing, the Student Accommodation Council listed supply dynamics, planning restrictions, building costs as some of the factors determining the viability of an investment case. Comparatively, CBD areas have a 'proven operating asset class.'⁶⁴
- 4.49 Given the nature of lease agreements for PBSA, the Student Accommodation Council additionally raised that PBSA assets are empty during the December to February period as it is restricted to only letting to students. The Student

⁵⁸ Ms Xu, UTS, *Committee Hansard*, Sydney, 2 March 2023, p. 26.

⁵⁹ Mr Bycroft, MyStay International, *Committee Hansard*, Melbourne, 19 April 2023, p. 13.

⁶⁰ MyStay International, Submission 102, p. 4.

⁶¹ Professor Frino, UOW, *Committee Hansard*, 2 March 2023, p. 12.

⁶² Ms Darling, Student Accommodation Council, Property Council of Australia, *Committee Hansard*, Melbourne, 19 April 2023, p. 14.

⁶³ Ms Brown, Student Accommodation Council, Property Council of Australia, *Committee Hansard*, Melbourne, 19 April 2023, p. 14.

⁶⁴ Ms Darling, Student Accommodation Council, Property Council of Australia, *Committee Hansard*, Melbourne, 19 April 2023, p. 14.

Accommodation Council stated that in this context the ‘capital and investment case [in regional areas] just doesn’t stack up.’⁶⁵

- 4.50 MyStay International viewed homestay as the only short-term solution for managing the shortage of student accommodation regional Australia. MyStay believed that promoting homestay hosting opportunities is easier in regional cities, as communities in these areas are more engaged in local communication through newspapers and local radio talkback.⁶⁶

...the newspaper runs your story and everyone reads the newspaper. They're more intent in communication, they listen to the radio, the local talkbacks et cetera. We see the hosted accommodation solution being done properly and not being referred to as homestay, as it still carries an under-18 attachment to it. We want to get to the over-18s. Regional is a very fast way to solve the problem with hosted accommodation in regions.⁶⁷

- 4.51 MyStay International indicated that a successful method of promoting hosting an international student has been when education providers have reached out to parents of former domestic students. This was confirmed to be the most responsive way to advertise homestay hosting opportunities. In the context of regional areas, MyStay International informed that they work with the international student needing accommodation, the government and local council to promote it widely.⁶⁸

Safety and welfare

- 4.52 Sydney University Postgraduate Representative Association (SUPRA) discussed types of racism and discrimination that international students face both on and off campus, both before, during and after COVID-19. These experiences not only affect the wellbeing, safety and security of international students, but also negatively affects the desirability of Australia as a location for education and migration.⁶⁹
- 4.53 SUPRA related a case study where a student began to receive racist messages from a classmate via the Zoom chat function during online lectures while in lockdown. This student raised the issue with their tutor, but the chat had not been saved. This issue began to occur repeatedly to the point where the student could not participate in class. The student had to receive special permission to watch the lecture recordings instead of attending the Zoom classes live.⁷⁰
- 4.54 Further, the Committee heard that some international students were not aware of the supports and access to legal rights when confronted with racism and illegal activity. For example, Ms Xu, an international student from UTS recalled an incident when her

⁶⁵ Ms Darling, Student Accommodation Council, Property Council of Australia, *Committee Hansard*, Melbourne, 19 April 2023, p. 14.

⁶⁶ Mr Bycroft, MyStay International, *Committee Hansard*, Melbourne, 19 April 2023, p. 15.

⁶⁷ Mr Bycroft, MyStay International, *Committee Hansard*, Melbourne, 19 April 2023, p. 15.

⁶⁸ Mr Bycroft, MyStay International, *Committee Hansard*, Melbourne, 19 April 2023, p. 15.

⁶⁹ SUPRA, Submission 86, p. 7.

⁷⁰ SUPRA, Submission 86, p. 8.

phone, laptop and money was stolen, noting that she did not know anything about the outcomes of the police investigation:

I didn't know much about my legal rights and how I could navigate myself in that situation. I felt vulnerable at the time, because I knew this was not a safe place anymore. I didn't know the whole process of applying for another homestay; it would have been too complicated for me. I chose to stay there after that ...⁷¹

- 4.55 Ms Xu recounted on another experience in which she was robbed by a group of teenagers and her phone was stolen. When she told police that she was able to track the exact location of her phone using the 'find my iPhone' app, they did not do anything. Ms Xu stated that at the time, she didn't know the process of an investigation:

I felt as though I had little support with that. I don't know whether universities have such support available as well, so I had to recover by myself, talk to my family, and that thing just passed. That could be addressed in a better way and for there to be a better approach.⁷²

- 4.56 Reflecting on these experiences, Ms Xu reiterated the need for all international students to be informed about their legal rights, the supports they have access to and where they can go for assistance when similar incidents occur. She held the view that 'promotion and information are really essential.' Ms Xu praised the work of her university in this area, explaining that she appreciates seeing regular communication through email about safety, seeking help and who she can speak to about different issues.⁷³

Connection to and integration into Australia

- 4.57 International students expressed interest in contributing to the Australian community whilst studying in Australia. For example, Ms Katja Strehle, a fourth-year PHD student at Western Sydney University, stated that she 'would like to give back to the community, because there has been a lot of economic investment in me and my research.'⁷⁴

- 4.58 Ms Xu noted that 'apart from studying, I have been actively involved in community service, politics and the university movement':

I am currently a strategic campaigner in the gig economy at the Transport Workers Union. I have been a previous organiser for the Labor Party and a digital mentor at the UTS Centre for Social Justice & Inclusion, teaching the ageing population about their digital devices and needs during COVID, to help them to

⁷¹ Ms Xu, UTS, *Committee Hansard*, Sydney, 2 March 2023, p. 27.

⁷² Ms Xu, UTS, *Committee Hansard*, Sydney, 2 March 2023, p. 27.

⁷³ Ms Xu, UTS, *Committee Hansard*, Sydney, 2 March 2023, p. 27.

⁷⁴ Ms Katja Strehle, International Student, Western Sydney University, *Committee Hansard*, Sydney, 2 March 2023, p. 23.

get through isolation periods during COVID. I also officially started my term as an international student officer at the UTS Students' Association earlier this year.⁷⁵

- 4.59 Professor Hawke, School of Rural Health Dubbo/Orange, highlighted the many benefits that international students bring to regional areas, including adding 'cultural diversity of our cohorts ... they provide social and economic benefits to our communities, and they help the university meet delivery costs. Many show a strong interest in working in rural areas after graduation. Over 40 per cent of doctors in Dubbo are overseas trained.'⁷⁶

Regional universities

- 4.60 An issue that occurred frequently throughout the inquiry with respect to student experience was the dilemma regarding international education in regional areas. Regional communities offer exceptional student experience and employment opportunities and make a terrific contribution to regional campuses and communities. However despite efforts by successive governments it has proven very difficult to attract students to study in regional areas in significant quantities.
- 4.61 Evidence received indicated this is because the young people coming to Australia to study are seeking to live in metropolitan areas and there is little that government policy can do to change these market preferences. Incentives to study in regional areas have proven to have relatively modest impacts.
- 4.62 Professor Catherine Hawke, School of Rural Health Dubbo/Orange, discussed some of the barriers for bringing international students to the regions.

Unfortunately, despite a strong desire, very few international students join our rural programs. There are various barriers to their participation, including policy and capacity. In short, the Commonwealth department of health does not strongly support international students completing rural clinical placements. The department's policy is that overseas students may not benefit directly from its funding, overseas students should only be offered places if they're not filled by domestic students, and universities cannot count international student completions towards their performance reporting.⁷⁷

- 4.63 Professor Hawke suggested the following changes needed to be made to assist in bring international students to regional areas:

Increasing the numbers of international students would require steps like: a change of policy from the Commonwealth Department of Health; a long-term strategy initially focusing on expanding rural placement capacity; providing more affordable accommodation for all health students and creating part-time

⁷⁵ Ms Xu, UTS, *Committee Hansard*, Sydney, 2 March 2023, pages 22-23.

⁷⁶ Professor Catherine Hawke, Head of Clinical School, School of Rural Health Dubbo/Orange, University of Sydney, *Committee Hansard*, Orange, 26 June 2023, p. 1.

⁷⁷ Professor Catherine Hawke, Head of Clinical School, School of Rural Health Dubbo/Orange, University of Sydney, *Committee Hansard*, Orange, 26 June 2023, p. 1.

employment opportunities for them; a whole-of-government approach from the Commonwealth to align health, education, tourism and visa policies et cetera; and a deep partnership approach between the Commonwealth, the states and the territories with rural communities, local health services and universities.⁷⁸

Regional universities with metropolitan campuses

- 4.64 One of the consequences of the difficulty for regional universities, as well as lower ranked metropolitan universities in recruiting international students is they may be disadvantaged in their ability to generate income from international education. In turn, this has driven many institutions to establish a footprint in metropolitan CBDs to recruit international students and generate revenue. Teaching on these campuses is often subcontracted to private providers. The quality of the student experience in these circumstances where the overwhelming majority of students are international housed in CBD office buildings is questionable however these universities seem forced to compete and chase revenue using this model.
- 4.65 The Central Queensland University (CQUniversity) was a good example of being a regional university with metropolitan campuses. CQUniversity informed the Committee it has six campuses in regional Queensland and three capital city campuses in Sydney, Melbourne and Brisbane. The Committee was interested to know what was driving the demand for these metropolitan campuses. CQUniversity commented the students:

... have a social network in Melbourne, and therefore with the cost of living pressures and the ability to have a social network, they are driven to having a predisposition to choose to study in Melbourne, but they do want a Central Queensland University degree.⁷⁹

Committee Comment

- 4.66 The study experience of international students has a substantial impact on Australia's overall reputation, including its position as a high-quality higher education provider. In order to remain competitive with other countries, Australia must deliver a world class education accompanied by a positive student experience.
- 4.67 Relatively high cost of living and the availability of affordable housing were some of the factors prominently raised as negatively affecting the experience of international students studying in Australia. These factors of course are issues right across the Australian community at present given the cost of living crisis confronting developed economies post-COVID and the Committee is concerned that international students are not unfairly scapegoated or blamed for broader pressures in the housing market. In aggregate, international students add enormously to Australia and their

⁷⁸ Professor Catherine Hawke, Head of Clinical School, School of Rural Health Dubbo/Orange, University of Sydney, *Committee Hansard*, Orange, 26 June 2023, p. 1.

⁷⁹ Mr Shehan, Thampapillai, International Director, Central Queensland University, *Committee Hansard*, Cairns, 15 August 2023, p. 6.

contribution to housing demand is modest as compared to the population at large, noting also the contribution of Purpose Built Student Accommodation to meeting demand. If the government adopts the Committee's suggested focus on 'quality not quantity' outlined in Chapter 1 and the suggestions elsewhere in this report that prompted a decrease in the overall number of international students in the lower end of the VET market coupled with an increase of home-stay and PBSA of course that may have a minor impact in moderating housing market pressures in some locations.

- 4.68 The Committee is concerned to hear that many international students compromised their safety to find affordable housing. The Committee is aware that in this context, the lack of travel concessions and more generally the high costs of living in most Australian capital cities, adds further financial pressure for international students. The Committee considers that state and territory governments should commit to introducing equitable travel concessions for international students. The most cost-effective way to do this is likely to be to build it in as a policy requirement when next public transport services are tendered and contracted which will take years to achieve but a commitment to reform is warranted.
- 4.69 Regional Australia can offer an exceptional student experience and employment opportunities. The Committee acknowledges evidence that many young people seek study and work at an early stage of their lives in major cities and that there are consequently real limitations to what can be done by governments given fundamental consumer choices. The Australian Government should consider what further promotion of regional study may be possible and additional incentives to encourage students to study in regional areas.
- 4.70 Outside of the private rental market and accommodation owned by higher education providers, PBSA and homestay are alternative forms of accommodation available to international students. In relation to PBSA, the Committee understands that this type of accommodation is designed to meet the needs of international students, including through the spaces built to encourage study and socialising. PBSA is often conveniently located near the education institution, which means transportation costs are lowered and it offers pastoral support, making it a desirable option for international students new to Australia.
- 4.71 The Committee is surprised to hear evidence of the exceptionally low level of domestic investment in the PBSA sector. Perversely, Australian superfunds invest in PBSA in overseas but not in Australia. The Committee's is persuaded by evidence received that this reduced domestic investment strongly influenced by the complex and irrational tax treatment of PBSA across jurisdictions, as well as the general classification of PBSA as an 'alternative' asset class which assigns a higher risk profile thus deterring domestic institutional investors (especially superfunds). This is a complex issue beyond the Committee's competence to make specific recommendations to solve, hence a further review of the asset class classification of PBSA and the interactions with the tax system is recommended, probably best led by Treasury. This review should consider changes to FIRB assessment responding to the evidence outlined above. A Treasury led review will assist the Australian Government in better understanding what incentives are needed to boost domestic investment in the PBSA sector.

- 4.72 The Committee considers that Homestay can play a larger role in providing alternative accommodation options. Homestay can provide additional capacity for international students relieving a small amount of demand on the private housing market; provide a more authentic Australian experience for students; and provide tax-free income to Australians with a spare room or two. In reaching this conclusion the Committee acknowledges that Homestay is not a silver bullet, and that vulnerability, safety and risks of exploitation need to be managed. The Committee echoes the views of MyStay International that independent nationally consistent Homestay standards would help to protect international students. The Committee commends the success of the 'Host for the Coast' program and considers that reviewing this program would provide insights and assist in building a robust, national homestay model that States, Territories and local governments could choose to adopt and promote.
- 4.73 International students add to the multicultural richness of many communities across Australia. In addition to the knowledge and diverse perspectives they bring, it is clear that they actively contribute to the community that they stay with while studying in Australia. The Commonwealth Government cannot however be responsible for all aspects of the student experience and the Committee considers that greater clarity is needed between all levels of government regarding the lead roles and responsibilities for enhancing Australia's student experience. In particular, State and Territory governments and local governments (with leadership from Capital City Lord Mayors) should lead efforts to foster greater inclusion of international students in Australian communities and society and send leadership signals that international students are welcome and valued.
- 4.74 The Committee acknowledges concerns regarding the desirability of the widespread practice in the university sector whereby universities establish CBD campuses largely comprised of international students and sub-contract the teaching to private institutions. This appears to be driven primarily by universities unable to recruit significant numbers of students to their campuses due to location not meeting market preferences. The issue could be considered as part of the University Accord process and may warrant adjustments to funding formulas to ensure genuine regional universities in particular are adequately funded and not forced in effect to chase revenue in this manner, as there are serious questions regarding the quality of the student experience and desirability of public universities contracting teaching of substantive courses to private providers in large volumes.

Recommendation 8

- 4.75 The Committee recommends the Government develop an International Education Compact for the endorsement of National Cabinet, to clarify the roles and responsibilities of respective levels of government regarding the quality and integrity standards of Australia's international education system and to improve international student experience. Such responsibilities, for example, may confirm:**

- the Federal Government has lead responsibility for visa policy and processing, quality regulation (with states and territories referring Vocational Education and Training (VET) regulatory powers where necessary), agent regulation, leading the international marketing of Australian education (in collaboration with states and territories), consumer protection (including tuition protection schemes) and prevention of workplace exploitation for students
- state and territory governments have lead responsibility for domestic transport including committing to uniform public transport concessions, accommodation, student welfare, community integration measures such as volunteering and participation in Australian community life and celebrating the contribution that international students make to Australian society, and destination marketing in collaboration with the Commonwealth
- local council mayors have a special leadership role in fostering a culture of welcoming students into Australian communities and championing community inclusion
- a proposal that the Governor-General, State Governors and Territory Administrators host an annual reception with leading international students or sector and civic awards to recognise the contribution that international students make to Australia and champion greater community inclusion
- shared responsibility to support the Council of International Students Australia (CISA) and similar international student organisations to build their capabilities as a support and resource bridge between domestic and international students, and for new international students to acclimatise to Australian life.

Recommendation 9

- 4.76** The Committee recommends the Government use its convening power to encourage state and territory governments, local government authorities and universities to develop appropriate local accommodation models including home stay in their respective jurisdictions to help alleviate pressing student accommodation issues and deepen connections between international students and Australian society, highlighting the tax advantages for Australians who host up to two international students.

Best Practice Home Stay models should be informed by the Gold Coast Council's 'Host for Coast' program and developed in consultation with established reputable homestay organisations such as the Australian Homestay Network and international education peak bodies and include:

- formal eligibility review processes and ongoing quality assurance
- strong risk management focus in the lower end of the education provider market to prevent accommodation exploitation, and forms of worker exploitation such as rental debt bondage

- focus on home stay opportunities that support providers and communities in regional Australia
- a specific focus on home stay support for (domestic and international student) regional placements.

Recommendation 10

4.77 The Committee recommends the Government urgently work to foster the expansion of the Purpose-Built Student Accommodation (PBSA) sector including:

- examining mechanisms to boost domestic and superannuation fund investment into PBSA (as the majority of capital invested at present is foreign) including support for a new asset class of PBSA, recognising that it is now a mature and specialist housing product
- engaging with state, territory and local governments to remove planning and development impediments to PBSA developments
- working with regional universities and considering incentives to support PBSA developments in regional Australia.

Recommendation 11

4.78 The Committee recommends the Government review and consider the desirability of the widespread practice in the university sector whereby universities establish Central Business District (CBD) campuses largely comprising international students and sub-contract the teaching to private institutions. This could be considered as part of the University Accord process and may warrant adjustments to funding formulas to ensure genuine regional universities in particular are adequately funded and not forced in effect to chase revenue in this manner.

5. Regulation and Integrity

Overview

- 5.1 Australia's regulatory and legislative framework needs to keep pace with the changing landscape of international education to ensure sector integrity, improve student experience and be effective in an environment transformed by the experiences of the COVID-19 pandemic.
- 5.2 This chapter begins by setting out the legislative frameworks of relevance to the inquiry. The remainder of the chapter expands on the major concerns and proposals raised in evidence to ensure integrity of the sector, safeguard the welfare of international students studying in Australia, and preserve Australia's international reputation for quality education.
- 5.3 Over the course of the inquiry, the media broke stories about alleged people trafficking in the Australian international education sector, and of ongoing criminal and government investigations of serious exploitation and abuse of international students, in which education agents and education providers were implicated.¹ Consequently, some hearings and the resulting evidence concerned the relevant and pressing discussions on the issue of exploitation.²
- 5.4 Many of the issues raised intersect with ongoing Government work. As referenced elsewhere in this report, the Government's Migration System for Australia's Future Review³ will include a significant overhaul of the student visa system and the Department of Education advised that a rolling Education Services for Overseas Students (ESOS) legislative reform will be undertaken to continue to align to and support visa integrity. Other issues raised in evidence include a return of the capped working hours condition to the student visa have since been implemented by Government.⁴
- 5.5 This chapter discusses:
 - the need for better intergovernmental infrastructure to enable timely and effective data and information sharing across the various agencies that regulate the sector

¹'Fake schools, fake students: Criminals make mockery of education visas', The Age, 16 May 2023, www.theage.com.au, viewed 10 August 2023.

²'Grotesque abuses': Secret review of migration system scathing of failures' The Age 14 May 2023, www.theage.com.au, viewed 10 August 2023.

³ www.homeaffairs.gov.au/reports-and-publications/reviews-and-inquiries/departmental-reviews/migration-system-for-australias-future, viewed 24 July 2023.

⁴ www.immi.homeaffairs.gov.au/visas/getting-a-visa/visa-listing/student-500/temporary-relaxation-of-working-hours-for-student-visa-holders, viewed 24 July 2023.

- the need for the sector to work together to share information across the sector to inform their own risk management and enhance information sharing with Government to uphold the integrity and reputation of the sector
- loopholes and serious vulnerabilities in the current system that are allowing the exploitation of students and misuse of the education sector and student visa system
- challenges in the management of third-party entities in the recruitment of students both on and offshore.

Australia's regulatory environment

- 5.6 Most international education competitor countries, including United Kingdom (UK), United States of America (USA), Canada and New Zealand do not offer the same degree of tuition protection and legally mandated obligations for education providers specific to international students that Australia offers.⁵ Australia's legislative framework helps safeguard and promote Australia's international education reputation.⁶
- 5.7 The committee heard from English Australia who surmised that Australia possessed a mature and advanced regulatory approach to international education.⁷ English Australia pointed to global recognition such as Singapore's Strategy for Global Schoolhouse: A Review, in which Australia's regulation of international education is applauded as a best practice example, highlighting Australia's strict quality standards, effective regulation, and comprehensive student support services as key factors in attracting international students.⁸
- 5.8 The Department of Education stated that 'Australia's world-class legislative framework is another feature that attracts and retains international students.'⁹ In addition the Department of Education highlighted the following:
- To ensure the framework can best support the sector's recovery, improve student experience and be effective in an environment changed by the experiences of the COVID-19 pandemic, the department will continue to draw on consultations with the sector and regulators to inform an ongoing program of reform including quality and student experience elements.¹⁰
- 5.9 ASQA informed the committee that there are opportunities to consider further controls to reduce the flow of business to unscrupulous agents and afford the sector greater protection to mitigate risk to students and the sector's reputation for quality.¹¹

⁵Australian Strategy for International Education 2021-2030, www.Australian Strategy for International Education - Department of Education, Australian Government, viewed 21 August 2023.

⁶Department of Education, Submission 43, p. 14.

⁷ English Australia, Submission 50.1, p. 11.

⁸ English Australia, Submission 50.1, p. 11.

⁹ Department of Education, Submission 43, p. 14.

¹⁰Department of Education, Submission 43, p. 14.

¹¹ASQA Submission 79, p. 8.

The Education Services for Overseas Students Act 2000 (ESOS Act)

- 5.10 All education providers that teach international or ‘overseas’ students (defined as a person holding a Subclass 500 student visa¹²) must in addition to regulations specific to their sector comply with those set out under the *Education Services for Overseas Students Act 2000* (ESOS Act) and associated instruments and the relevant regulations under the *Migration Act 1958* and associated legislation.
- 5.11 The Australian Government, through the Department of Education, administers the *Education Services for Overseas Students Act 2000* (ESOS Act) and its associated instruments.¹³ The ESOS Act sets out the legal framework governing delivery of education to international students in Australia on a student visa. The ESOS legislative framework is designed to support visa integrity and the *Migration Act 1958* and its associated regulations which is the legislative basis governing the regulation of student visas.
- 5.12 One of the ESOS framework’s core objectives is to support visa integrity, the legislation, policy, assessment, and regulation of student visas is the responsibility of the Department of Home Affairs and is in the portfolio of the Minister for Home Affairs. The Department of Home Affairs regulates the conduct of registered migration agents through the Office of the Migration Agents Registration Authority (OMARA).
- 5.13 The ESOS framework governs the registration process and obligations of registered international education providers, the Tuition Protection Service and enforcement and compliance arrangements for education providers.¹⁴ Under the ESOS legislative framework is the *Education Services for Overseas Student (ESOS) Regulations 2019* supporting the implementation of the ESOS Act.
- 5.14 The National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code) provides nationally consistent standards for the conduct of registered providers and the registration of their courses. The National Code standards set out requirements and procedures to ensure providers of education and training courses to international students can clearly understand and comply with their obligations.
- 5.15 Under the ESOS Act, international students can only enrol and study in Australia on a student visa with education providers registered under the ESOS Act and listed on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS).¹⁵ *The Education Services for Overseas Students (Registration Charges) Act 1997* imposes provider registration charges in relation to CRICOS.

¹² www.immi.homeaffairs.gov.au/visas/getting-a-visa/visa-listing/student-500#Overview, viewed 29 June 2023.

¹³ www.legislation.gov.au/Details/C2022C00066, viewed 29 June 2023.

¹⁴ www.education.gov.au/esos-framework, viewed 7 July 2023.

¹⁵ Department of Education, *Education Services for Overseas Students (ESOS) Framework*, viewed 26 June 2023.

- 5.16 The ESOS Act allows international students access to an Australian education by operating in conjunction with domestic education frameworks, including: the Australian Qualifications Framework (AQF); the *Higher Education Support Act 2003*; the *National Vocational Education and Training Regulator Act 2011*; the *Tertiary Education Quality and Standards Agency Act 2011*; the *Australian Education Act 2013*; the Higher Education Standards Framework 2021; and other state and territory school legislation.
- 5.17 In essence, the ESOS framework holds the door open for international students on student visas to enjoy domestic legislative protections.
- 5.18 Additionally, under the ESOS legislative framework are:
- English Language Intensive Courses (ELICOS) Standards, an enforceable legislative instrument under the ESOS Act. The ELICOS Standards provide a basis on which regulatory authorities can register a provider on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS), under the ESOS Act, to deliver an ELICOS course. ELICOS providers wanting to be registered on CRICOS need to meet the Standards.
 - Foundation Program Standards which govern foundation programs and courses that are 'pathway' or 'bridging' courses for international students to progress to entry into higher education programs in Australia. The Foundation Standards provide a basis on which regulatory authorities can register a provider on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS), under the ESOS Act, to deliver a Foundation course. Foundation providers wanting to be registered on CRICOS need to meet the Foundation Standards.
 - Tuition Protection Service (TPS) assists international and domestic students if their education provider closes, stops offering their course, fails to start their course or discontinues units of study they are enrolled in. It is primarily funded by a levy paid by the education providers of the students it is designed to assist.
 - TPS is given effect through the Education Services for Overseas Students (TPS Levies) Act 2012 which contains provisions to require providers to pay fees and levies to fund the TPS, and Education Services for Overseas Students (Calculation of Refund) Specification 2014 which enables the TPS to consider refunds to international students if the provider defaults or the student's visa application is refused.
- 5.19 International students in Australia are covered by Australian law common to those that protect Australian residents and citizens such as the *Competition and Consumer Act 2010*, the *Fair Work Act 2009*, and others.

Regulators

Higher Education

- 5.20 Higher education providers are subject to regulatory requirements including those stemming from the *Higher Education Support Act 2003* (HESA) and Higher Education Standards Framework (Threshold Standards) and the Australian Qualifications Framework (AQF).¹⁶
- 5.21 The Tertiary Education Quality and Standards Agency (TEQSA) is Australia's independent national quality assurance and regulatory agency for higher education established under the *Tertiary Education Quality and Standards Act 2011*. TEQSA is the ESOS agency for all higher education providers (within the meaning of the Tertiary Education Quality and Standards Agency Act 2011) across Australia.¹⁷

Vocational Education and Training (VET)

- 5.22 Vocational Education and Training (VET) legislation and associated instruments include the *National Vocational Education and Training Regulator Act 2011* (NVETR Act). Standards for Registered Training Organisations (RTOs) 2015, National Vocational Education and Training Regulator (Data Provision Requirements) Instrument 2020.
- 5.23 National standards for VET are agreed by the Australian Government and state and territory governments through the Ministerial Council. Many of these standards are implemented as legislative instruments under the NVETR Act.
- 5.24 The national regulator for VET established under the NVETR Act is the Australian Skills Quality Authority (ASQA). ASQA's regulation of Australia's vocational education and training sector is supported by a framework of legislation and standards. ASQA's oversight of VET providers who enrol international students is enabled through ASQA's designated authority under the ESOS Act. ASQA is the ESOS agency for all National VET Regulator (NVR) registered training organisations (within the meaning of the National Vocational Education and Training Regulatory Act 2011) in all states and territories.¹⁸

English Language Intensive Courses (ELICOS)

- 5.25 ASQA is the ESOS agency for providers of English Language Intensive Courses for Overseas Students (ELICOS) programs in all states and territories except where a provider delivers the program:
- in the capacity of a school
 - in the capacity of a higher education provider

¹⁶ www.education.gov.au/higher-education-loan-program/higher-education-support-act-2003-and-guidelines, viewed 13 July 2023.

¹⁷ www.teqsa.gov.au/, viewed 13 July 2023.

¹⁸ www.asqa.gov.au, viewed 13 July 2023.

- under an Entry Arrangement¹⁹ with at least one higher education provider.

5.26 TEQSA is the ESOS agency for:

- all foundation programs
- all ELICOS delivered by a higher education provider
- all providers delivering ELICOS programs under an Entry Arrangement²⁰ with at least one higher education provider.

Schools

5.27 The Secretary of the Department of Education and their designates are the ESOS agency for all schools. The state and territory authorities' role are to recommend school providers for registration and monitor schools' compliance under the ESOS Act.

Other entities and agencies

5.28 The Department of Home Affairs and the Australian Border Force are key international education regulators as they hold regulatory powers under the *Migration Act 1958* and associated legislation which governs student and post graduate work visa conditions and are responsible for visa regulation.²¹

5.29 The Department of Home Affairs regulates and registers migration agents through OMARA. Department of Home Affairs detailed that OMARA has a total of nineteen staff who look at professional standards and the investigations team of thirteen full time equivalent staff to regulate almost 5,000 registered migration agents.²²

5.30 The Overseas Students Ombudsman investigates complaints about private education and training institutions in Australia. The Ombudsman's services are free, independent, and impartial. The Overseas Students Ombudsman (OSO) investigates individual complaints about the actions or decisions of private registered education providers in connection with intending, current or former overseas students; works with private registered education providers to promote best practice handling of overseas students' complaints and reports on trends and broader issues that arise from complaint investigations.²³

¹⁹ Entry Arrangement - means a pathway arrangement under which an overseas student, who completes an ELICOS program with the provider, meets the minimum English proficiency requirements for entry with the higher education provider to study a higher education course or foundation program.

²⁰ Entry Arrangement - means a pathway arrangement under which an overseas student, who completes an ELICOS program with the provider, meets the minimum English proficiency requirements for entry with the higher education provider to study a higher education course or foundation program.

²¹ MIGRATION ACT 1958 (austlii.edu.au), viewed 4 September 2023.

²² Mr Charlie Shandil Assistant Secretary, Immigration Policy, and Planning Branch Department of Home Affairs, *Committee Hansard*, Canberra, 15 May 2023, p. 24.

²³ Commonwealth Ombudsman, Submission 75, p. 2.

Issues

Data sharing and communication

- 5.31 A range of agencies and regulators at different levels of government operate in the international education sector. Australian Government agencies have distinct and separate responsibilities cutting across education, immigration, employment, and marketing, with little incentive, or established conduits, to consider the sector on a holistic basis. Decisions made in one policy space may have broader sectoral and economy wide implications.²⁴
- 5.32 Currently, the Department of Education's Provider Registration and International Student Management System (PRISMS) can be accessed by the Department of Home Affairs, and the regulators, TEQSA and ASQA to allow officers to check on student data contained and collected through the system. Providers and their agents have access to PRISMS to add to and access their own PRISMS data holdings.
- 5.33 The Quality Indicators for Learning and Teaching (QILT) survey is a source of valuable information on student experience, including their experience with education agents. University of New South Wales claimed that QILT's student experience surveys have been 'an absolute gift to the sector in focusing minds on evidence around the student experience.'²⁵ The Social Research Centre considered that some of the questions in the surveys could be adapted, especially to gather more nuanced evidence on student interactions with education agents.²⁶
- 5.34 Department of Home Affairs spoke of the Education Regulators and Immigration Committee (ERIC) a small existing interagency group set up by the Department of Home Affairs to discuss observed visa risk information within the confines of ERIC with the Department of Education, TEQSA and ASQA.²⁷
- 5.35 The Committee heard that the evidence base appears fragmented, with different datasets measuring different aspects of the sector and no obvious platform to support a whole-of-government approach to policy development, evaluation or holistic data sharing. Monash University suggested there was an essential need for greater cross-government and jurisdiction coordination to 'remove regulatory rigidities, overlap and communication variations from all the agencies with a stake in international education to ensure that the various legislative frameworks that apply to international education are in alignment.'²⁸

²⁴ Productivity Commission: International Education Services, www.pc.gov.au/research/completed/international-education, viewed 4 August 2023.

²⁵ Professor Merlin Crossly, Deputy Vice-Chancellor Academic Quality, University of New South Wales, *Committee Hansard*, Sydney, 2 March 2023, p. 9.

²⁶ Ms Lisa Bolton Director, QILT Research and Strategy, Social Research Centre, *Committee Hansard*, Canberra, 15 May 2023, p. 8.

²⁷ Ms Alison Garrod Assistant Secretary, Temporary Visas Program Branch, Department of Home Affairs, *Committee Hansard*, Canberra, 16 May 2023, p. 2.

²⁸ Monash University, Submission 25, p. 2.

- 5.36 ASQA considered better connectivity across government is needed to enhance sharing intelligence and information.²⁹ ASQA suggested that such an approach should be based on a firm footing around governance with clear roles and responsibilities on how work is undertaken.³⁰ The Department of Education considered that information shared earlier would be able to assist regulatory action, whether it is criminal action, or education quality action.³¹
- 5.37 Griffith University informed the committee that if there were more proactive sharing, it would strengthen Australia's student visa settings and integrity. Griffith University was aware of recent calls for the further regulation of recruitment agents and recognised that the management of recruitment agents is a core component of a robust visa regime and support a diverse international student community.³² Before looking at further regulation and associated compliance obligations, Griffith University recommended that there be greater transparency and sharing of agent data from the Department of Home Affairs to providers to assist them to better assess agent behaviour and performance, not just the institutions but across the sector.³³
- 5.38 The Department of Education supported joined up engagement between the Department of Education, Department of Home Affairs and the regulators because some of the activity is often through criminal channels, and it is through ABF and other investigative arms of the Department of Home Affairs that information is drawn to the attention of the Department and regulators.³⁴
- 5.39 ASQA called for more opportunities to embed and enhance a joined-up connectedness and shared that the agency is focused on leveraging a systemic connectedness across government and law enforcement of data and intelligence pointing to the demonstration of Operation Ingleenook, the Australian Border Force (ABF) led multidisciplinary, multi-agency task force.³⁵
- That is where having that opportunity to have that connectedness, information, intelligence, and data-sharing across government really helps us have a better understanding of where individuals might be located. But it might also be the case that it's not within our powers to deal with those individuals, and we need to rely on and engage with other agencies and other law enforcement to support that work.³⁶
- 5.40 Monash University considered that coordination needs to be undertaken at the federal level, including Department of Education, Department of Employment and

²⁹ Ms Saxon Rice, CEO, ASQA, *Committee Hansard*, Canberra, 16 May 2023, p. 7.

³⁰ Ms Saxon Rice, CEO, ASQA, *Committee Hansard*, Canberra, 16 May 2023, p. 7.

³¹ Ms Karen Sandercock, First Assistant Secretary International Division, Department of Education, *Committee Hansard*, Canberra, 15 May 2023, p. 23.

³² Professor Sarah Todd, Vice President (Global) Griffith University, *Committee Hansard*, Gold Coast, 17 May 2023, p. 2.

³³ Professor Sarah Todd, Vice President (Global) Griffith University, *Committee Hansard*, Gold Coast, 17 May 2023, p. 2.

³⁴ Ms Sandercock, Department of Education, *Committee Hansard*, Canberra, 15 May 2023, p. 23.

³⁵ Ms Saxon Rice, CEO, ASQA, *Committee Hansard*, Canberra, 16 May 2023, p. 3.

³⁶ Ms Saxon Rice, CEO, ASQA, *Committee Hansard*, Canberra, 16 May 2023, p. 11.

Workplace Relations, Department of Industry Science and Resources, Department of Home Affairs, TEQSA and ASQA. This coordination should then feed into alignment of ESOS legislative framework and the Migration Act.³⁷

Student visa applications and recruitment

- 5.41 Despite strong signs of recovery post Covid-19, Navitas, an Australian company who supports international students to transition to a higher learning environment, identified long term impacts for the sector. Within the Australia's student recruitment and admission infrastructure, Navitas saw a weakness and dilution due to staff retrenchment and cutbacks over the past two years including loss of expertise in the field.³⁸ This mirrored broader staff retrenchment and cutbacks throughout the education sector. Further loss through lack of access in source countries, and the closure or take-overs of in-country recruitment agencies has meant there has been instabilities introduced all along the student recruitment chain.
- 5.42 Nous Group research found that pursuit of volume (number of international students recruited) had primacy for most providers. Their research identified increasing pressures to diversify the sources of their international students was leading to a choice for education providers to upscale internal recruitment staff or using agents and sub-contractors.³⁹
- 5.43 Many witnesses identified the uncapping of allowable work hours for international students applied as a COVID-19 measure, became a driver of fraudulent student visa applications from people seeking to get into Australia on a student visa and work full time, corrupting the student recruitment pipeline. Navitas saw an increasing number of student visa applicants gaining student visas for the purposes of work, with the student visa representing a low cost, de-facto work visa whilst full work rights existed. Navitas believed this undermined the integrity of the student visa in some sectors.⁴⁰
- 5.44 International Education Association of Australia (IEAA) felt that even though the cap had been reinstated, the flow on impact of the uncapped change would continue for some time as the non-genuine students who got in to work full time would be in the education system for some time, and there would be those who are still attempting to get in, and then there is potential continuation of pressure on genuine students to work more and study less, leading to them to be either in breach, to fail or to move to a less onerous course on shore.⁴¹ IEAA found that another effect of uncapping the work hours was that many genuine students have come under mental health

³⁷ Monash University, Submission 25, p. 2.

³⁸ Navitas, Submission 38, p. 6.

³⁹ [www.Public-meets-private-The-growth-of-educational-services-in-international-student-recruitment.pdf](https://www.nousgroup.com/public-meets-private-the-growth-of-educational-services-in-international-student-recruitment.pdf) (nousgroup.com), October 2022, viewed 4 September 2023.

⁴⁰ Navitas Submission 38 p.10

⁴¹ Hon Phillip Honeywood, CEO, International Education Association of Australia, *Committee Hansard*, Melbourne, 18 April 2023, p. 2.

pressure from family back home to abandon study to work full time and remit monies back home to support families that were economically hard hit by the pandemic.⁴²

5.45 IEAA pointed to the jump in Nepalese student applications for the NSW education sector during the uncapped work period, which moved Nepal with a population of twenty-seven million, ahead of India with a population of over a billion people, on the list of total student application numbers.⁴³

5.46 The Department of Home Affairs conceded that ‘the reality is that we have seen a series of vulnerabilities across the full spectrum of the visa program.’⁴⁴ In particular, the Department of Home Affairs commented:

I think the struggle that we have is the demarcation between what we can do onshore and what happens offshore, which we have heard about today as well. In the department, we obviously look at student visas through the lens of students that are here, currently, meeting their visa conditions, plus students that need to arrive into the country from their country of origin.⁴⁵

Simplified Student Visa Framework (SSVF)

5.47 The Simplified Student Visa Framework (SSVF) introduced on 1 July 2016 intended to streamline student and temporary visas and make available a single Student Visa (Subclass 500). For international student recruitment, the SSVF moved key evidentiary proofs of a student’s visa application from the Department of Home Affairs to education providers. When issuing a Confirmation of Enrolment (CoE) to a student, providers are required to validate and check applying students’ English language levels, their financial capacity to support themselves and their academic suitability for the courses for which they were applying.

5.48 Under the SSVF, students who are able to provide CoEs from education providers with a good immigration compliance record as part of their visa application receive more streamlined visa processing and need to provide less evidence to support their visa application.⁴⁶ The Department of Home Affairs stated that the evidence level rating under the Simplified Student Visa Framework (SSVF) dictates the financial and English language evidence level needed to be provided by a student in their visa application.⁴⁷ In 2016–17, 85 per cent of total applications where the applicant was outside Australia were processed under streamlined evidentiary requirements.⁴⁸

⁴² Hon Phillip Honeywood, CEO, International Education Association of Australia, *Committee Hansard*, Melbourne, 18 April 2023, p. 2.

⁴³ Hon Phillip Honeywood, CEO, International Education Association of Australia, *Committee Hansard*, Melbourne, 18 April 2023, p. 6.

⁴⁴ Mr Charlie Shandil, Assistant Secretary, Immigration Policy and Planning Branch, Department of Home Affairs, *Committee Hansard*, Canberra, 15 May 2023, p. 23.

⁴⁵ Mr Charlie Shandil, Assistant Secretary, Immigration Policy and Planning Branch, Department of Home Affairs, *Committee Hansard*, Canberra, 15 May 2023, p. 23.

⁴⁶ Department of Home Affairs, Submission 77, p. 18.

⁴⁷ Department of Home Affairs, Submission 77.1, p. 18.

⁴⁸ <https://www.homeaffairs.gov.au/reports-and-pubs/files/simplified-student-visa-framework.pdf>, viewed 1 August 2023.

- 5.49 The SSVF introduced a country and provider risk model to guide evidence requirements for students. Under the SSVF risk matrix, an education provider is responsible for the immigration outcomes of students they recruit offshore, even if the student chooses to change providers onshore (what is termed as a 'trailing risk').⁴⁹ Some submitters proposed that Australia should adjust the system so the 'trailing risk' followed the student when they changed providers, or that it at least be shared. Home Affairs would not provide comment on the potential merits of such proposed changes.
- 5.50 Many education providers pass the SSVF assessment onto education agents to screen students during offshore recruitment interviews. Education agents assess the English language, financial evidence and often this assessment work includes agents conducting background profiling of students to determine their future intentions with regards to post-graduate work and migration opportunities for compliance with Genuine Temporary Entrant (GTE) requirements.⁵⁰
- 5.51 Evidence to the Committee detailed how providers and education agents often drafted GTE letters and evidence for prospective students. Most providers and education agents at minimum offer guides and templates to students to instruct them on how to respond to the GTE requirement.
- 5.52 Under SSVF, providers seeking to access the benefits of lower evidentiary requirements and faster visa processing, have a key role in vetting the students they are seeking to enrol.⁵¹ The due diligence to check a prospective students English language level, their financial capacity to study and live in Australia, and their ability to study the course that they are applying to study in, is carried out by education agents who are paid a commission for every student recruited, and often bonuses if they can recruit bulk numbers of students to providers, and by education providers who receive substantial international student fee revenue.

Student recruitment, study, and work

- 5.53 Predatory practices by international student recruitment agencies (education agents) have been a concern in Australia.⁵² These practices can include misleading advertisements, false promises of guaranteed visas or employment, exorbitant fees, and inadequate support for students' welfare. Such practices can exploit vulnerable students, mislead them about educational opportunities and outcomes, and lead to financial and emotional distress.⁵³
- 5.54 Evidence described at the recruitment stage, issues of active collusion between non-genuine students, agents, and education providers to subvert the student visa system, including provision of fraudulent documentation on qualifications, English

⁴⁹ Mr Kelly Smith, Pro-Vice-Chancellor, International, Murdoch University representing International Group, Innovative Research Universities, *Committee Hansard*, Melbourne, 18 April 2023, p. 20.

⁵⁰ International Student Education Agents Association (ISEAA), Submission 29, p. 3.

⁵¹ Department of Home Affairs, Submission 77.1, p. 18.

⁵² National Tertiary Education Union (NTEU), Submission 28, p. 17.

⁵³ National Tertiary Education Union (NTEU), Submission 28, p. 17.

language levels and student finances. Education agents directing genuine students to take up courses that are unsuitable for the student, but profitable for the agent in commissions and the provider in recruitment numbers. ISANA saw a lot of problems with students being given misinformation, resulting in students leaving their primary course and course hopping.⁵⁴

- 5.55 A post graduate student offered the following comment as to how some international students feel they are treated:

I would say some of the people working in the international education sector have the mindset of treating us international students like a product instead of people who are coming here to study. I think that's something fundamentally that affects lots of people's decisions, and also organisations as well.⁵⁵

- 5.56 Navitas alleged that current visa settings protect onshore providers who 'poach' students as their 'provider risk rating' is not impacted by non-compliance of onshore transferring students. The trailing risk remains with the provider who recruited the student offshore, despite the student no longer being with them onshore.⁵⁶ Southern Cross University see some education agents using universities who have attracted students to Australia to access onshore students and divert them to other, cheaper providers. This has a commission incentive attached to those second-tier institutions, but it also leaves universities holding the trailing visa risk.⁵⁷

- 5.57 IEAA highlighted an issue where agents are making money out of double commissions paid by the student. Hon Phil Honeywood provided the following example:

The other danger in all of this is that we are aware, for example, of offshore agents who will have their cousin running the onshore operation. So it becomes a fully vertically integrated business model that the offshore agent gets the student initially and then the student arrives, using public university as a Trojan horse. Often quality private providers are a Trojan horse to get the student visa. When they arrive in Australia, they then have been organised by the cousin here who's the onshore agent to then direct the student to another provider so that the company or the vertically integrated business model picks up two commissions. It picks the commission up from the initial provider that has done the offshore recruitment and then picks up a further commission from redirecting that student to another provider subsequently, usually after about five or six months.⁵⁸

⁵⁴ Ms Sharon Cook, National President, ISANA International Education Association, *Committee Hansard*, Canberra, 15 May 2023, p. 11.

⁵⁵ Mr Jiahao Li, National Postgraduate Officer, Council of International Students Australia, *Committee Hansard*, 15 May 2023, p. 67.

⁵⁶ Navitas, Submission 38, p. 10.

⁵⁷ Mr Dean Gould, Chief Marketing Officer, Southern Cross University, *Committee Hansard*, Gold Coast, 17 May 2023, p. 4.

⁵⁸ Hon Phillip Honeywood, CEO, International Education Association of Australia, *Committee Hansard*, Melbourne, 18 April 2023, p. 5.

- 5.58 Migration Institute of Australia considered that if registered migration agents, financial advisers all have to disclose commissions, why should education agents be any different.⁵⁹ What ITECA have looked at is an arrangement where not only the fees are disclosed but there's a schedule of other necessary arrangements which are made very clear to both the student and the provider and are readily discoverable by Government, such as the health insurance; a copy of the agreement between the student and the agent, whether that be an onshore agent or an offshore agent; and transparency of any third party agreements.⁶⁰
- 5.59 Navitas expressed the opinion that unscrupulous providers and agents sought to exploit policy settings, which in turn is resulting in negative downstream effects for high-quality international education providers, including onshore movement of students. IEAA echoed this concern, pointing to issues in Tasmania where IEAA saw twenty private providers set up in Tasmania to offer vocational diplomas called 'the diploma of leadership'.⁶¹
- 5.60 Victorian TAFE Association (VTA) argued that 'most private for-profit training institutions have been able to respond to changing enrolment patterns, with lower cost structures and more flexible work conditions'. VTA emphasised the role that some private for-profit institutions are playing in facilitating exploitation of students, charging low student fees, and turning a blind eye to student non-attendance at classes. This behaviour fuelled by uncapping of work hours for international students.⁶²
- 5.61 The Language Academy also noted some problems with are evident with some private for-profit education providers.
- ...they (non-genuine students) opt to move to schools where attendance is not taken properly, the academic level is not good enough, and you have a student living here for 10 years but they can't even speak English very well and they have no academic goals.⁶³
- 5.62 Australian Academy of Vocational Education and Trades (AAVET) shared the following:
- We refer to them as 'ghost schools', because there are very few students to be seen. I've walked into a few, looking at hiring premises. You will see teachers at desks, on computers, in empty classrooms.⁶⁴

⁵⁹ Ms Bronwyn Markey, Senior Professional Services Manager, Migration Institute of Australia, *Committee Hansard*, Canberra, 15 May 2023, p. 17.

⁶⁰ Mr Troy Williams, Chief Executive, Independent Tertiary Education Council Australia, *Committee Hansard*, Melbourne, 18 April 2023, p. 33.

⁶¹ Hon Phillip Honeywood, CEO, International Education Association of Australia, *Committee Hansard*, Melbourne, 18 April 2023, p. 6.

⁶² Victorian TAFE Association, Submission 32, p. 4.

⁶³ Mr Pablo Carpio, Managing Director and Owner, The Language Academy, *Committee Hansard*, Gold Coast, 17 May 2023, p. 10.

⁶⁴ Mr Menelaos Koumides, Managing Director Australian Academy of Vocational Education and Trades, *Committee Hansard*, Canberra, 16 May 2023, p. 6.

- 5.63 Mr Kyle Jardeau argued that perversely, ‘ghost students’ are a valuable income source for colleges, who receive the fees but do not have to provide the tuition, he related being told the college he worked for did not report ghost students because ‘you get a reputation’, which meant that education agents would not send any students to colleges who reported non-attendance by students.⁶⁵
- 5.64 Professor Dawkins from Jobs and Skills Australia commented that many of the international students studying VET courses are in the management and commerce areas. Professor Dawkins observed that:
- Commercial cookery is in there, but things like leadership, management and business are highly prevalent in the VET courses that students do, mostly in private providers. The VET system is very different from higher ed. Higher ed is predominantly in universities; the VET international students are predominantly in private providers, and they’re mostly doing those management and leadership-type courses, and it’s not clear that they are a particularly strong pathway into areas of skills shortage in Australia.⁶⁶
- 5.65 While most training providers demonstrate the capability and commitment to deliver quality VET outcomes, ASQA is acutely aware of a number of risks associated with international VET and ELICOS delivery including those that can arise from criminal activity in the form of collusion between unscrupulous, non-genuine providers and unethical education agents, motivated by visa fraud.⁶⁷
- 5.66 ASQA noted that this type of criminal activity can inflict significant harm on students, on confidence in an otherwise dedicated and committed sector and damage Australia’s reputation for quality educational outcomes.⁶⁸ Vocational Education and Training (VET) students are vulnerable to being taken advantage of by unregulated education agents or their subcontractors offering courses and pathways to permanent residency, which is often a key feature of what people are after.⁶⁹
- 5.67 As of 30 June 2023, ASQA informed the Committee that there were a total of 932 CRICOS registered providers.
- 5.68 ASQA provided the Committee with the number of CRICOS applications received over the last two financial years which showed an upward trend. See table below:

⁶⁵ Mr Kyle Jardeau, Submission 4, p. 3.

⁶⁶ Professor Peter Dawkins, Jobs and Skills Australia, *Committee Hansard*, Canberra, 15 May 2023, p. 36.

⁶⁷ ASQA, Submission 79, p. 3.

⁶⁸ ASQA, Submission 79, p. 3.

⁶⁹ Ms Laura Angus, First Assistant Secretary, Careers and International Skills, Department of Employment and Workplace Relations, *Committee Hansard* Canberra, 15 May 2023, p. 27.

Table 5.1 CRICOS applications

Year	1 st quarter	2 nd quarter	3 rd quarter	4 th quarter	Total
2021-2022	20	36	39	41	136
2022-2023	45	44	44	55	188

Source: ASQA Question on Notice

- 5.69 Applications for both VET and CRICOS registration initially increased and then fell markedly in 2018-19 as measures were taken to ‘raise the bar’ on market entry. To protect the quality and reputation of the VET and international education sectors, from 1 July 2018, ASQA applied greater scrutiny to all applications to establish new training providers and implemented a two-year initial registration period for new applicants.
- 5.70 This initial registration period allows ASQA to assess the compliance and capability of the new provider against requirements in the *Standards for Registered Training Organisations (RTOs) 2015*. These measures led to a decrease in initial applications in 2018-19. Since that time, with the exception of a dip in 2021 during the COVID-19 pandemic, initial applications have been trending upwards.⁷⁰
- 5.71 ASQA is responsible for identifying the risk to the quality and international reputation arising through exploitation of the sector for criminal activity. ASQA understands that international students seeking to study VET in Australia can be particularly vulnerable to exploitation by non-genuine providers and education agents.⁷¹ ASQA commented:
- This risk arises through collusive activity between non-genuine providers, unethical education agents and students who seek to enter Australia for paid employment, rather than to engage in study.⁷²
- 5.72 The Department of Employment and Workplace Relations (DEWR) commented that they ‘have a focus to strengthen the integrity of how the international education sector interacts with the migration system and to limit fraudulent activity in international student exploitation.’⁷³
- 5.73 Some Committee public hearings held in May, coincided with media coverage of the serious exploitation of international students. An article published in *The Age*, reported on how registered migration agents were rorting the system without penalty and more than a dozen education providers were found to be corrupt and facilitating sex trafficking.⁷⁴

⁷⁰ ASQA, Submission 79.4, p. 2.

⁷¹ ASQA, Submission 79, p. 5.

⁷² ASQA, Submission 79, p. 5.

⁷³ Ms Laura Angus, First Assistant Secretary, Careers and International Skills, Department of Employment and Workplace Relations, *Committee Hansard*, Canberra, 15 May 2023, p. 27.

⁷⁴ ‘Grotesque abuses’: Secret review of migration system scathing of failures’, *The Age*, 14 May 2023, Secret review of Australian migration system is scathing of failures (theage.com.au), viewed 4 September 2023.

- 5.74 The Committee was assured that ‘Because of suspected cases of serious exploitation of students occurs drawing students into the ambit of criminal networks, debt bondage, and sex trafficking, the Australian Border Force is leading a multiagency operation to identify threats and coordinate whole-of-government effects to deter and disrupt exploitation of the temporary visa program.’⁷⁵

TAFE

- 5.75 The Victorian TAFE Association (VTA) provided evidence to the Committee that highlighted ‘international education as a critical part of Victoria’s economy, as well as being an important tool to help create global citizens, facilitate diplomacy and encourage partnerships.’⁷⁶
- 5.76 VTA discussed the competitive nature of international VET in Australia and observed that competition from countries such as Germany, Canada and Singapore is increasing rapidly.⁷⁷
- 5.77 The Committee received evidence that the ‘pandemic created major disruption across the sector and there is still uncertainty about the long-term effect of the pandemic ...’.⁷⁸
- 5.78 Unlike short-term travel associated with tourism, education for international education operates in a pipeline model, in which commencing students translate into multiple years of future enrolments. The missing cohorts from 2020, 2021 and 2022 will continue to have an ongoing future impact that cannot be filled by subsequent student intakes.⁷⁹
- 5.79 VTA compared the running costs and staff variations between TAFEs and private for-profit providers.
- TAFEs have reported significant structural challenges with impacts in terms of volume, and with challenges in adjusting costs to match falls in revenue, with large, full-time and permanent workforces as their major expense. TAFEs are public organisations owned by the states and territories, they are large organisations with, on average, 900 staff. That compares to the average size of private for-profit institution, being 12 training staff.⁸⁰
- 5.80 VTA submitted evidence indicating that international students studying at TAFEs across Australia is only around 5% of the total number of students studying in vocational education and training.⁸¹

⁷⁵ Ms Alison Garrod, Assistant Secretary, Temporary Visas Program Branch, Department of Home Affairs, *Committee Hansard*, Canberra, 16 May 2023, p. 2.

⁷⁶ Victorian TAFE Association, Submission 32, p. 1.

⁷⁷ Victorian TAFE Association, Submission 32, p. 1.

⁷⁸ Victorian TAFE Association, Submission 32, p. 3.

⁷⁹ Victorian TAFE Association, Submission 32, p. 1.

⁸⁰ Victorian TAFE Association, Submission 32, p. 4.

⁸¹ Victorian TAFE Association, Submission 32, p. 5.

- 5.81 Visa processing times were raised with the Committee as a priority area for further Government consideration. VTA explained that when the Australian borders opened there was a strong demand for visa applications from potential students, resulting in a significant backlog and prompting a blowout in waiting times particularly for vocational education and training applicants.⁸²
- 5.82 It was explained to the Committee that some VET students were waiting 12 weeks for a visa in contrast to Higher Education students only waiting 35 days on average for the same reporting period.⁸³
- 5.83 VTA explained that TAFEs integrate international students into existing classes with domestic students, 'whilst in many for-profit registered training organisations (RTOs) international students are the primary source of both students and income.'⁸⁴
- 5.84 VTA recognised that there is a critical juncture for international VET in Australia. VTA called for:
- A whole of government approach, which supports and promotes activities, strengthens networks and adopts sensible, inclusive policies is required to support TAFE continue our reputation as a world leader in international education.⁸⁵
- 5.85 VTA called for the Government to prioritise and differentiate visas applications for international students who choose to study at TAFEs.⁸⁶

Work conditions

- 5.86 Students are vulnerable as workers. Mr Shen, an international student shared that many of his peers experience exploitative working conditions and increasing living costs.⁸⁷ The NTEU stated that 'unlike other migrant workers, international student workers have less regulatory requirements on their visas in relation to employment, outside the number of hours that they can officially work during semesters.' These factors in the view of the NTEU, make international student workers susceptible to exploitation by employers, with underpayment, wage theft, bullying, harassment, and labour trafficking.⁸⁸ Employers are abusing the ability of students ability to hold an ABN and too many employers tell students they are contractors when they are in fact employees. The NTEU believed that 'more focus on shifting penalties to employers and giving international students whistleblower protections so that they could report their underpayment is one approach.'⁸⁹

⁸² Victorian TAFE Association, Submission 32, p. 4.

⁸³ Victorian TAFE Association, Submission 32, p. 5.

⁸⁴ Victorian TAFE Association, Submission 32, p. 6.

⁸⁵ Victorian TAFE Association, Submission 32, p. 1.

⁸⁶ Victorian TAFE Association, Submission 32, p. 6.

⁸⁷ Mr Yinfeng (Benny) Shen, Fellow of the Senate, University of Sydney, *Committee Hansard*, Sydney, 2 March 2023, p. 22.

⁸⁸ National Tertiary Education Union (NTEU), Submission 28, p. 3.

⁸⁹ Dr Terri MacDonald, Director Public Policy, and Strategic Research, NTEU, *Committee Hansard*, Melbourne, 19 April 2023, p. 8.

...international students are also highly susceptible to exploitation, and student visas have been viewed by some as an effective way to traffic labour.⁹⁰

- 5.87 The National Tertiary Education Union (NTEU) considered that one of the easiest ways to traffic labour in Australia is through international student visas. While Government, trade unions, industry and community organisations have attempted to address the exploitation of international student workers, it remains that unscrupulous employers still engage in exploitative employment practices and trafficking.⁹¹
- 5.88 Evidence from several witnesses described collusion between agents and colleges regarding student visa holders who had no intention of studying, but instead pay course fees as the price for living and working in Australia. Navitas understood that some of the Certificate III courses delivering Registered Training Organisations (RTOs) are supporting a system of non-attendance. These RTOs are fraudulently issuing qualifications, of cases where students completing commercial cookery courses are 'placed' in a restaurant which has a direct connection to the RTO and for which students pay an additional, under the counter, fee to be listed as an employee and signed off on their one year's work experience so they can gain a skills assessment and secure PR.⁹²
- 5.89 Sydney University Postgraduate Representative Association (SUPRA) reported that many international students face exploitative working conditions, a situation which worsened during COVID-19.⁹³ International students are exposed to the threat of their visa being cancelled, because, in part, they have limits on the hours they are allowed to work. Some employers take advantage of this, by locking those students into working for below minimum pay or working additional hours without pay.⁹⁴
- 5.90 The Migrant Justice Institute stated that current immigration settings contribute to exploitation of migrant workers. This includes students and graduates, based on findings from the most comprehensive study to date into wage theft and working conditions among international students, backpackers and other temporary migrants in Australia which draws on responses from 4,322 temporary migrants.⁹⁵ Findings confirmed that wage theft is endemic among international students, Working Holiday Makers and other temporary migrants in Australia. Almost a third (30 per cent) of survey participants earned \$12/hour or less, approximately half the minimum casual wage. This included 25 per cent of international students. Almost half (46 per cent) earned \$15/hour or less, including 43 per cent of international students.⁹⁶

⁹⁰ Mr Keiran McCarron, Policy and Research Officer, NTEU, *Committee Hansard*, Melbourne, 19 April 2023, p. 1.

⁹¹ NTEU, Submission 28, p. 18.

⁹² Primary Industry Skills Commission (PISC), Submission 106, p. 3.

⁹³ Sydney University Postgraduate Representative Association, Submission 86, p. 5.

⁹⁴ Sydney University Postgraduate Representative Association, Submission 86, p. 5.

⁹⁵ Migrant Justice Institute, Submission 81, p. 5.

⁹⁶ Migrant Justice Institute, Submission 81, p. 5.

- 5.91 The Migrant Justice Institute claimed that many international students stay silent for fear that if they report exploitation, they will put their visa and stay in Australia at risk or jeopardise a future visa. In *International Students and Wage Theft in Australia* (2020), 38 per cent of students did not seek information or help for a problem at work because they did not want 'problems that might affect my visa'.⁹⁷
- 5.92 The NTEU argued that new legislation should be considered to protect international student workers from loss of visa status when reporting workplace exploitation.⁹⁸
- 5.93 The Migrant Justice Institute criticised the existing protections such as those offered through the Assurance Protocol⁹⁹ established to encourage international students to approach the Fair Work Ombudsman as ineffective, with only an average of 15 migrant workers using it each year. Only seventy-five workers since 2017 were given protection under the Assurance Protocol.¹⁰⁰
- 5.94 The NTEU¹⁰¹ and ISANA¹⁰² both argued for giving international students whistleblower protections so that they could report exploitation. The Migrant Justice Institute proposed two sets of whistleblower reforms that will help bring exploited workers out of the shadows. The first is protection from visa cancellation and the second is a short-term visa with work rights to enable workers to pursue a claim without fear of repercussions for their visas.¹⁰³

Onshore course movement and Concurrent Study

- 5.95 Between 15 December 2021, when Australia's borders opened to fully vaccinated student visa holders, and 31 May 2023, the Department of Home Affairs received 11,807 Student Primary (subclass 500) (Vocational Education and Training Sector) visa applications where the client's location at the time of lodgement was in Australia, and the previous visa held was a Student Primary (subclass 500) (Higher Education Sector) visa. Of these:
- 10,682 were granted and
 - 226 applications refused.¹⁰⁴
- 5.96 Student (Higher Education sector) visa holders seeking to change providers for study at the same level are not required to apply for a new Student visa. As a result, the

⁹⁷ Migrant Justice Institute, Submission 81, p. 7.

⁹⁸ National Tertiary Education Union (NTEU), Submission 28, p. 4.

⁹⁹ Under Assurance Protocol, the Department of Home Affairs (DHA) commits to generally not cancel a worker's visa for breach of work rights if the worker is assisting the Fair Work Ombudsman (FWO) with its inquiries.

¹⁰⁰ Dr Laurie Berg, Associate Professor, Faculty of Law, University of Technology Sydney; Co-Executive Director, Migrant Justice Institute, *Committee Hansard*, Sydney, 2 March 2023, p. 31.

¹⁰¹ Mr Kieran McCarron Policy and Research Officer, NTEU, *Committee Hansard*, Melbourne, 19 April 2023, p. 8.

¹⁰² Ms Sharon Cook, National President, ISANA International Education Association, *Committee Hansard*, Melbourne, 19 April 2023, p. 9.

¹⁰³ Dr Laurie Berg, Associate Professor, Faculty of Law, University of Technology Sydney; Co-Executive Director, Migrant Justice Institute, *Committee Hansard*, Sydney, 2 March 2023, p. 33.

¹⁰⁴ Department of Home Affairs, Submission 77.1 QoN No.5, p. 2.

Department of Home Affairs reporting does not capture the 'at level' movement from a 'low risk' (Evidence Level (EL) 1) provider to a 'higher risk' (EL2 or EL3) provider.¹⁰⁵

- 5.97 International students are meant to complete the first six months of their primary course before being allowed to change courses or providers. However the ability to hold concurrent Confirmation of Enrolments has been used in effect as a loophole to enable student visa holders to change courses before even commencing their initial studies or completing the required six months.¹⁰⁶
- 5.98 The ability to hold concurrent Confirmation of Enrolment documents and/or student visa holders changing courses before commencing their studies or within six months from arrival in Australia is largely permitted under Australia's migration legislation.¹⁰⁷
- 5.99 Student visa holders can move between courses and institutions and are subject to a range of controls. These regulatory controls are shared between the Department of Home Affairs through the Migration Act 1958 and Department of Education through the Education Services for Overseas Students (ESOS) Act 2000.¹⁰⁸
- 5.100 Under Australia's migration legislation, a mandatory visa condition 8202 (Meet Course Requirement) provides that student visa holders must: be enrolled in a full time, registered course; achieve satisfactory course progress; achieve satisfactory course attendance; and maintain enrolment in a course at the same level or higher Australian Qualification Framework (AQF) level for which they were granted the visa.¹⁰⁹
- 5.101 Transferring to a lower AQF level course (as the primary course of study) would result in a breach of visa condition 8202, however in most circumstances, students intending to transfer to a lower AQF level course as their primary course of study must mandatorily apply for and be granted another student visa by the Department of Home Affairs appropriate to the level of their intended studies and before commencing studies at the lower-level course.¹¹⁰
- 5.102 Victorian TAFE Association commented:
- ... there's a large amount of scrutiny around recruiting students, making sure they're genuine, and there's a risk rating associated with countries and with providers. There's a large layer of scrutiny that happens before you come onshore. But once you come onshore, there's enough looseness in the system to allow transfers and exploitation of students.¹¹¹

¹⁰⁵ Department of Home Affairs, Submission 77.1 QoN No.5, p. 2.

¹⁰⁶ Department of Home Affairs, Submission 77.1 QoN No.3, p. 2.

¹⁰⁷ Department of Home Affairs, Submission 77.1 QoN No.3, p. 2.

¹⁰⁸ Department of Home Affairs, Submission 77.1 QoN No.1, p. 2.

¹⁰⁹ Department of Home Affairs, Submission 77.1 QoN No.2, p. 2.

¹¹⁰ Department of Home Affairs, Submission 77.1 QoN No.3, p. 2.

¹¹¹ Ms Judith Uren, Director International, Victorian TAFE Association, *Committee Hansard*, Melbourne, 18 April 2023, p. 43.

- 5.103 As discussed previously, under the current Simplified Student Visa Framework (SSVF), a student visa applicant who can show a confirmation of enrolment from higher education provider with a low-risk rating (for example in one of the Group of Eight Universities) will be granted a student visa relatively quickly. Assessment is higher for vocational education and training (VET) and the application process is slower as a result.
- 5.104 Lygon Group shared that they have seen students speaking to current students realistically about coming in, for example, 'If we come in through a Group of Eight Universities that guarantees that I would get a visa,' and then coming here and then looking for loopholes where they could swap to a cheaper provider which means that they are looking for the private sector providers.¹¹²
- 5.105 Victorian TAFE Association related that of the top ten VET commencements, number one by far, was India with 17,109 commencements. But, if a VET provider wanted to recruit a student into VET in India, the student's chance of getting a visa granted is 4.6 per cent if the student is offshore.¹¹³ Most VET providers do not invest in offshore recruitment as for every hundred students only four will be granted a visa.¹¹⁴
- 5.106 Victorian TAFE Association (VTA) continued, however, if you look at the onshore visa grants, 97 per cent of onshore Indian students will get a visa to study VET. Victorian TAFE Association considered that these students are likely getting in on a higher education student visa, and then switching to a VET course. This is because a new onshore student visa required for a student to change from the higher education sector to the VET sector is relatively easy to get and is not subject to the level of scrutiny that the same student would attract if they applied for a student visa for VET studies offshore.¹¹⁵
- 5.107 Primary Industry Skills Commission (PISC) detailed that several education/migration agents recognised an opportunity to game the student visa system and provide permanent residency (PR) outcomes through student visas.¹¹⁶ These agents advise students that the best way to secure PR and work in Australia is to:
- ... apply for a university course to secure a low bar requirements student visa offshore, which they can then transfer onshore to a VET lower level (Generally Cert III) program, for an occupation which is on the MLTSSL (Occupational Demand List). This is then favoured by the Department of Home Affairs as it meets the requirements of occupations in demand in Australia.¹¹⁷

¹¹² Ms Varsha Devi Balakrishnan, Head of Student Insights and Strategy, The Lygon Group, *Committee Hansard*, 15 May 2013, p. 4.

¹¹³ Ms Judith Uren, Director International, Victorian TAFE Association, *Committee Hansard*, Melbourne 18 April 2023, p. 43.

¹¹⁴ Ms Judith Uren, Director International, Victorian TAFE Association, *Committee Hansard*, Melbourne 18 April 2023, p. 43.

¹¹⁵ Ms Judith Uren, Director International, Victorian TAFE Association, *Committee Hansard*, Melbourne 18 April 2023, p. 43.

¹¹⁶ Primary Industry Skills Commission (PISC), Submission 106, p. 2.

¹¹⁷ Primary Industry Skills Commission (PISC), Submission 106, p. 2.

5.108 PISC believed this been occurring for some time with these unscrupulous agents having significantly benefitted financially from the practice through both provider commissions and likely kickbacks from business seeking low skilled workers. The practice led to high numbers of applications for Cert III in Commercial Cookery, and several trade courses especially Carpentry, Painting and Automotive Mechanics. The students see these courses as a quick way to gain PR with no intention of working in these occupations upon completion.¹¹⁸

5.109 PISC regarded this practice as damaging to Australia's skilled workforce, as there are remains serious skill shortages in all these areas, despite significant numbers of graduates and PR being granted over the past 20 years. PISC summed it up with the following comment:

... this as an abject failure of the current visa model which is encouraging rorting of student visas.¹¹⁹

Circumvention of the six-month rule

5.110 Under the *ESOS Act*, international students are generally restricted from transferring for six months after commencing their primary course. The National Code of Practice for Providers of Education and Training to Overseas Students 2018 (Standard 7) requires that providers not knowingly enrol an overseas student seeking to transfer from another registered provider's course, prior to the overseas student completing six months of their principal course.

5.111 Additionally, providers must have an implemented policy and process for assessing transfer requests received from overseas students prior to completion of their first six months.¹²⁰ Standard 7 requires that this policy articulate the circumstances under which it would be in the best interests of the student to be released from their primary course before six months.¹²¹

5.112 Student transfers before the six-month limit is reached can be granted if the provider agrees to release them. This usually requires the student to provide evidence of compelling and compassionate circumstances for release to another provider and includes other conditions that must be met under the National Code.¹²²

5.113 However, the Lygon Group told the Committee how some students they surveyed commented:

Some of them have shared that their agent actually has counsellors and GPs that can provide them with a letter to progress through institution swapping.¹²³

¹¹⁸ Primary Industry Skills Commission (PISC), Submission 106, p. 2.

¹¹⁹ Primary Industry Skills Commission (PISC), Submission 106, p. 2.

¹²⁰ www.legislation.gov.au/Details/F2017L01182, viewed 7 July 2023.

¹²¹ www.legislation.gov.au/Details/F2017L01182, viewed 7 July 2023.

¹²² Department of Education, www.internationaleducation.gov.au/Regulatory-Information/Pages/National-Code-2018-Factsheets-.aspx, viewed 18 July 2023.

¹²³ Ms Varsha Devi Balakrishnan, Head of Student Insights and Strategy, The Lygon Group, *Committee Hansard*, Canberra, 15 May 2013, p. 4.

Concurrent Study

- 5.114 At the time the Committee was collecting evidence international students were permitted to undertake additional study (a course of education or training) at the same time as the principal course for which they hold a student visa. This is termed 'concurrent study' and the student can have two Confirmations of Enrolments in PRISMS one for their primary course and one for a second 'supplementary course.' The main purpose of allowing concurrent study is to enable students to supplement their primary study with short courses that can enhance their qualifications and/or employability.
- 5.115 International Education Association (ISANA) highlighted its members' main concerns were in relation to the effectiveness of the regulation. ISANA members were concerned about loopholes that were being exploited, including course hopping, students enrolling in lower AQF courses without any implications for their student visas, and concurrent enrolments.¹²⁴
- 5.116 The Central Queensland University (CQ University) commented at the time of the inquiry that international students were prohibited from transferring between registered providers before completing six months of their principal course.
- Under current regulations, international students are prohibited from transferring between registered providers before completing six months of their principal course. It is the experience of CQUniversity that this practice is not adhered to by the student. Evidence shows that a number of students are utilising provisions within the concurrent COE process to transfer to a lower level or vocational degree which is not inline or comparable with their initial visa approval and we would challenge the notion that these students would have been issued a visa under such arrangements should they have been originally declared.¹²⁵
- 5.117 The Committee heard from several witnesses how students, providers and education agents were utilising concurrent study as a loophole to skip the student to a cheaper, shorter course, or to an unscrupulous provider who has false front courses with the planned intent of the student visa holder to work full time and not study at all. Such loopholes in the current student visa regime are being exploited by some providers and agents, particularly those who deliberately target international students once they are in Australia, incentivising them to leave their primary provider by offering lower tuition fees.¹²⁶
- 5.118 Women Can Australasia raised concerns about the abuse of concurrent study to enable students to move from one provider to another almost immediately after students arrive in Australia, loosely termed as 'course hopping'.¹²⁷

¹²⁴ Ms Sharon Cook, National President, ISANA, *Committee Hansard*, Canberra, 15 May 2023, p. 11.

¹²⁵ Central Queensland University, Submission 90, p. 1.

¹²⁶ Professor Sarah Todd, Vice President (Global) Griffith University, *Committee Hansard*, Gold Coast, 17 May 2023, p. 2.

¹²⁷ Women Can Australasia (WCA), Submission 55, p. 2.

5.119 Southern Cross University has seen some education agents working with private providers to leverage off universities who have attracted students to Australia to divert those students to other, cheaper providers. This has a commission incentive for the agents who are paid to recruit and move onshore students to those second-tier institutions, leaving universities holding the trailing visa risk.

5.120 Southern Cross University observed:

We see some of these organisations leveraging universities who have attracted students to Australia and then diverting them to other, cheaper providers. This has a commission incentive attached to those second-tier institutions, but it also leaves universities holding the trailing visa risk. Consumer choice or customer choice is the justification for this: they choose to change institution. But it does leave the universities holding that trailing visa risk, and we would say that it's equivalent to visa rorting.¹²⁸

5.121 Navitas considered some onshore student movement to be 'poaching' where students move to lower cost providers who typically have reduced face-to-face learning or lesser attendance requirements and spoke about the role some private for-profit institutions are playing in facilitating exploitation of students, charging low student fees, and turning a blind eye to student non-attendance at classes.¹²⁹

5.122 The Primary Industry Skills Commission (PISC) stated that the risk driven settings present at the time the Committee was conducting evidence, together with artificial occupational demand listings have actively supported a new migration agency industry focused on permanent residency outcomes for students irrespective of what course of study the student prefers. This, combined with the consequence of concurrent Commencement of Enrolment (CoE) and vocational visa approvals onshore is exacerbating the problem and seriously undermining the integrity of the Study Visa program.¹³⁰ PISC suggested that:

Government agencies must accept responsibility and where necessary, work with the education sector to implement solutions that do not support a misuse of the Study visa model. Previous concerns raised by this Skills Council to support genuine study priorities have not been addressed.¹³¹

5.123 Victorian TAFE Association expanded on the issue of students who are disappearing almost immediately after they arrive. We talk to our members about students enrolling in TAFE and then going somewhere else, and they say, 'We've got students flying into Melbourne or Sydney, because they can't fly into Adelaide or Tasmania direct, and they disappear.' They do not get to Adelaide or Tasmania because they swap over to a course as soon as they arrive in the larger city.¹³² We have regional

¹²⁸ Mr Gould, Southern Cross University, *Committee Hansard*, Gold Coast, 17 May 2023, p. 3.

¹²⁹ Victorian TAFE Association, Submission 32, p. 4.

¹³⁰ Primary Industry Skills Commission (PISC), Submission 106, p. 3.

¹³¹ Primary Industry Skills Commission (PISC), Submission 106, p. 3.

¹³² Ms Judith Uren, Director International, Victorian TAFE Association, *Committee Hansard*, Melbourne 18 April 2023, p. 44.

members, SuniTAFE in Mildura that have the same issue, where people fly into Melbourne, and they disappear.¹³³

5.124 The Australian Academy of Vocational Education and Trades (AAVET) gave examples of providers that harvest onshore students from other providers and utilise concurrent study to do so.¹³⁴ These providers in AAVET's view have become adept at gaming the system and are highly competent in licensing requirements.¹³⁵

5.125 The Department of Education acknowledged that it is aware that concurrent certificates of enrolment have facilitated inappropriate movements in the sector and that the number of transfers associated with concurrent study has been more than the Department was expecting and growing.¹³⁶

5.126 The Department of Education advised that options to refine or remove this provision to provide better management of the requirements under Standard 7 of the *ESOS Act* were being examined along with other enhancements to regulatory responses.¹³⁷ After investigations identified the misuse of concurrent enrolment as an integrity issue, the Australian Government advised on 26 August 2023 that it had closed:

... a loophole which allows education providers to shift international students who have been in Australia for less than six months from genuine study to an arrangement designed to facilitate access to work in Australia.¹³⁸

5.127 To further support the integrity of the international education system and the enrolment of genuine students, the Australian Government announced that it will:

- increase the amount of savings international students will need to get a student visa
- apply additional scrutiny to high-risk cohorts
- consider using its powers under Section 97 of the *ESOS Act* to issue suspension certificates to high-risk education providers.¹³⁹

Overseas comparison for Education Agents

5.128 Canada does not have a nation-wide endorsed list of education agents, code of conduct, or consistent model of agent regulation across Canada. However, the province of Manitoba, introduced legislation in 2016 to protect the rights of

¹³³ Ms Judith Uren, Director International, Victorian TAFE Association, *Committee Hansard*, Melbourne 18 April 2023, p. 44.

¹³⁴ Mr Menelaos Koumides, Managing Director Australian Academy of Vocational Education and Trades, *Committee Hansard*, Canberra, 16 May 2023, p. 6.

¹³⁵ Mr Menelaos Koumides, Managing Director Australian Academy of Vocational Education and Trades, *Committee Hansard*, Canberra, 16 May 2023, p. 6.

¹³⁶ Ms Alison Cleary, Acting Assistant Secretary, International Quality Branch, Department of Education, *Committee Hansard*, Canberra, 15 May 2023, p. 13.

¹³⁷ Ms Alison Cleary, Acting Assistant Secretary, International Quality Branch, Department of Education, *Committee Hansard*, Canberra, 15 May 2023, p. 13.

¹³⁸ Ministers of Education, 'Action to end rorts in international education', Media Release, 26 August 2023.

¹³⁹ Ministers of Education, 'Action to end rorts in international education', Media Release, 26 August 2023.

international students. This legislation outlines the regulations education providers must adhere to when working with agents, to ensure agents adhere to ethical and honest conduct in the best interests of international students.¹⁴⁰

- 5.129 The education agent is expected to know how to lodge a student visa successfully while staying compliant with Australian migration regulations.¹⁴¹ Much of the activity of an education agent, or via a sub-agent in the initial recruitment phase of an offshore candidate, occurs offshore.
- 5.130 For Australia, Canada, the US, UK, and New Zealand student recruitment is largely outsourced to for-profit education agents. On the whole, Canada does not have an endorsed list of education agents, code of conduct, or consistent model of agent regulation across Canada. However, the province of Manitoba, introduced legislation in 2016 to protect the rights of international students. This legislation outlines the regulations education providers must adhere to when working with agents, to ensure agents adhere to ethical and honest conduct in the best interests of international students.¹⁴²
- 5.131 Similarly, the UK has limited agent regulation. There is no government legislation that directly regulates agents; however, protections and quality assurance measures are embedded in other legislation. The British Council operates as a certification body for education agents and provides online training for UK education agents. The UK government is currently developing a national code of ethics for agents and is establishing a quality framework, leading to closer alignment with the Australian and New Zealand systems for regulation.¹⁴³
- 5.132 New Zealand publish a by-country list of quality education agencies. Like Australia's ESOS Act, New Zealand's Education (Pastoral Care of Domestic Tertiary Students) Interim Code of Practice 2019 regulates providers by holding them responsible for the behaviour of the agents they use. Agent performance data from markets with high volumes of applications is published publicly to promote transparency.
- 5.133 New Zealand encourages agencies to become an Education New Zealand Recognised Agency (ENZRA), which allows agencies access to tools to assist them in quality delivery of services. However, this program is opt-in, and agencies are not required or regulated to register. A review of ENZRA is currently underway.
- 5.134 For the United States, commissioned agent use has only been endorsed by the US government since 2018; there is no federal regulation of agents, however quality standards have been developed by the American International Recruitment Council (AIRC). AIRC, a non-profit of U.S. tertiary institutions and student recruitment agencies, operate as a certification body, providing access to a 5-year certification register for agents for a fee of US\$10,000.

¹⁴⁰ International Student Education Agents Association (ISEAA), Submission 29, p. 4.

¹⁴¹ International Student Education Agents Association (ISEAA), Submission 29, p. 4.

¹⁴² International Education Act | About IE | International Education | Education & Training | Province of Manitoba (gov.mb.ca), viewed 4 September 2023.

¹⁴³ Become a UK agent or counsellor | British Council, viewed 4 September 2023.

Agent aggregators

5.135 Australia and its competitor countries have noted an increase in large-scale agent aggregators that host platforms and market to education providers and education agents and sub-agents recruiting international students to Australia.

5.136 In Australia, education agents are a key part of the international education sector. International Education Specialists (IDP) conducted research into students that showed most education agents are operating ethically, and the sector has been thriving because of the work that education agents do.¹⁴⁴

5.137 ISEAA echoed the above sentiment:

Education agents promote education and support students on their journey, including student visa related matters. Education agencies operate outside Australia, but there is also a significant number in Australia supporting students throughout their experience onshore beyond their successful enrolment and visa outcome. Agents often provide 'welcome and arrival services', job support/placement services, career coaching services, even psychological and mental health support; all for free, as part of their commitment to student support. Students and parents generally go back to the education agent for ongoing advice or if they have issues with the education provider, and agents act as a mediator for academic, and payment related issues.¹⁴⁵

5.138 The Committee received evidence that Austrade engages with education agents through the partner portal on the Study Australia website. Austrade encourages agents to sign up and only accept sign-ups from agents who are representing Australian CRICOS-registered providers. The partner portal provides information to them to make sure that education agents are aware of any changes to policy; to let them know what is going on in the market; and to remind them of their responsibilities. It is more of a positive, community-building initiative where Austrade try to get them to remain loyal to Australia and to ensure that their students are well-informed and well-prepared for studying and living in Australia. However, Austrade conceded that they do not know when education agents have done the wrong thing.¹⁴⁶

5.139 Griffith University commented that education agents play a valuable role in the journey for many students and their families who are seeking advice and support regarding a significant investment in an overseas education.¹⁴⁷ ISEAA stated that students and parents generally go back to the education agent for ongoing advice or if they have issues with the education provider, and agents will act as a mediator for

¹⁴⁴ Ms Jane Li, Area Director, Australasia and Japan, IDP Education, *Committee Hansard*, Canberra, 15 May 2023, p. 17.

¹⁴⁵ International Student Education Agents Association (ISEAA), Submission 29, p. 2.

¹⁴⁶ Ms Melissa Banks, Head of International Education, Austrade, *Committee Hansard*, Canberra, 15 May 2023 p. 43.

¹⁴⁷ Professor Sarah Todd, Vice President (Global) Griffith University, *Committee Hansard*, Gold Coast, 17 May 2023, p. 2.

academic, and payment related issues.¹⁴⁸ ISEAA noted that during the COVID-19 crisis, education agents were sources of valuable information and welfare when students were in distress.¹⁴⁹

- 5.140 Internationally, the trend to use third parties (like education agents) to recruit students is on the rise, with the USA, a country that was once very reluctant to utilise education agents has seen a marked change. For example, in 2016, only 37 per cent of US universities and colleges were working with commission-based agencies, a 2023 survey found that as many as 62 per cent of institutions collaborate with commission-based agencies.¹⁵⁰
- 5.141 This percentage is even higher in Australia, the 2021 Quality Indicators for Learning and Teaching (QILT) survey reported 87 per cent of international undergraduate students used an agent when coming to Australia to assist with visa applications or to enrol at an institution.
- 5.142 The Committee received evidence that showed the QILT Survey asked narrow questions of education agents. However, in that narrow band the satisfaction rate was very high at 93 per cent, with students rating the service provided by their agent positively.¹⁵¹ Social Research Centre considered that there is scope to ask more detailed questions to get better insight into students' experience with education agents.¹⁵²
- 5.143 International Student Education Agents Association (ISEAA) reports over 21,000 education agent offices are registered in PRISMS.¹⁵³ Noting that the registration is of individual education agents (who may sub-contract to other agents) or an agency or businesses (who may have many individual education agents in their employ or who sub-contract). The PRISIMS count does not factor in sub-agent numbers. This means that there are likely many more education agents operating in the Australian international education environment and many of those who would operate offshore.
- 5.144 The growth of education agents within Australia is driven in part by competition for international students within Australia (states and territories) as well as competing internationally with countries such as the UK, Canada, New Zealand and the US, and is in part due to the complexities involved in the 2016 introduction of the Simplified Student Visa Framework (SSVF) and the introduction in 2011 of the Genuine Temporary Entrant (GTE) criteria which sends a very strong message of a complicated visa process for interested international students.¹⁵⁴

¹⁴⁸ International Student Education Agents Association (ISEAA), Submission 29, p. 3.

¹⁴⁹ International Student Education Agents Association (ISEAA), Submission 29, p. 3.

¹⁵⁰ AIRC and BONARD *Research Report: State of international student recruitment and enrolment field*, May 2023, State of the Field Survey — AIRC (airc-education.org), viewed 4 September 2023.

¹⁵¹ Ms Lisa Bolton, Director, QILT Research and Strategy, Social Research Centre, *Committee Hansard*, Canberra, 15 May 2023, p. 8.

¹⁵² Ms Lisa Bolton, Director, QILT Research and Strategy, Social Research Centre, *Committee Hansard*, Canberra, 15 May 2023, p. 8.

¹⁵³ International Student Education Agents Association (ISEAA), Submission 29, p. 4.

¹⁵⁴ University of Wollongong, Submission 19, p. 4.

- 5.145 The exponential growth in Australia's education market and the strong competition to recruit large numbers of students has taxed the ability of providers to vet student enrolments, in some cases education agents' roles have expanded as providers shift more and more responsibility onto agents.¹⁵⁵

Current regulation

- 5.146 The London Statement (2012) endorsed by the United Kingdom, Australia, New Zealand, and Ireland is the closest example of global regulation which lists ethical and best practice standards for education agents' integrity, transparency, and professionalism.¹⁵⁶
- 5.147 A challenge for Australia in the regulation of education agents is the Government's limited jurisdiction with respect to offshore-based agents. In contrast to migration agents that are regulated by a government registration authority (OMARA), thousands of education agents operate offshore outside the direct jurisdiction of the Australian government's authority, whereas most migration agents and their potential clients are based in Australia.¹⁵⁷
- 5.148 The Committee heard that issues related to education agent behaviour overseas have been addressed indirectly by setting requirements for education providers within Australia. The Department of Education commented that 'the behaviour of education agents is the responsibility of the providers for whom they work and by whom they're remunerated'.¹⁵⁸
- 5.149 The Department of Education continued by stating:
- Government's position has been to regulate the providers in the sense of their relationship with their agents, and there are requirements in the existing education services for the overseas student framework that require they only work with agents who act in the best interests of the student. Providers are required to cease working with education agents they find have not met those obligations.¹⁵⁹
- 5.150 This regulatory control is exerted through the National Code of Practice for Providers of Education and Training to Overseas Students (2018) (the National Code). Education providers are responsible for ensuring that their education agents act ethically, honestly and in the best interest of international students and uphold the reputation of Australia's international education sector. These provider obligations are set out in Standard 4 of the National Code of Practice for Providers of Education and Training to Overseas Students 2018 (the National Code) and standards 1.3.4, 1.3.5, 7.1.1 and 7.1.5 of the Higher Education Standards Framework (Threshold

¹⁵⁵ International Student Education Agents Association (ISEAA), Submission 29, p. 3.

¹⁵⁶ The London Statement, www.britishcouncil.org/sites/default/files/london_statement.pdf, viewed 19 July 2023.

¹⁵⁷ International Student Education Agents Association (ISEAA), Submission 29, p. 4.

¹⁵⁸ Ms Alison Cleary, Acting Assistant Secretary, International Quality Branch, Department of Education, *Committee Hansard*, Canberra, 15 May 2023, p. 9.

¹⁵⁹ Ms Alison Cleary, Acting Assistant Secretary, International Quality Branch, Department of Education, *Committee Hansard*, Canberra, 15 May 2023, p. 9.

Standards) 2021. Similar guidelines have been produced in the UK and the US, although, unlike in Australia, they are not legally mandated.

- 5.151 The National Code requires providers to enter into formal agreements with education agents who formally represent them and is silent on requirements in situations where providers are approached directly by agents. Where providers have not formalised an arrangement with an agent through a written agreement, providers cannot guarantee the student is receiving accurate information about the institution and providers have little recourse for corrective action.
- 5.152 The University of Melbourne considered that institutions' ability to engage with reputable agents is stymied by a lack of transparent information on agent performance.¹⁶⁰
- 5.153 However, as providers only have access to information on the performance outcomes of their own agents in PRISMS, there is an information gap when they are looking to partner with new agents. Even with sufficient data, not all education providers take a proactive approach to monitoring agent behaviour that would require them to terminate the relationship with the agent. While education providers are required to outline their processes for monitoring agent behaviour in their agent agreements, standards vary between providers. ITECA commented:
- It needs to be made very clear that the education agent-student-provider relationship is not deficient or malign in every case. Indeed, there is no reliable available data on the extent to which these relationships can be damaging in the context of a sector in which more than 470,000 student visas were lodged prior to the pandemic and around 365,000 in the most recent program year. At the same time, there is ample and reliable evidence from participants across the sector that the current system in which there is no oversight of this relationship, and no oversight of education agent activity is a significant omission that cannot continue.¹⁶¹
- 5.154 From Deakin University's perspective Australia has a robust regulatory framework for the quality assurance and management of education agents. More than 80 per cent of Deakin University international student cohort comes through the education agent channel, one way or another. When we are vetting agents with whom we want to work, we require them to have undertaken that certification program it is not a hands-off distant relationship with our agents. Deakin undertakes a rigorous annual review, and we will let them go where it is not working.¹⁶²
- 5.155 NEAS considered that the onus should be on the providers to manage the quality of their education agent partners, through the national standards.¹⁶³ NEAS argued that

¹⁶⁰ University of Melbourne, Submission 62, p. 4.

¹⁶¹ ITECA, Submission 69, p. 7.

¹⁶² Mr John Molony, Vice-President, International, Deakin University, *Committee Hansard*, Canberra, 15 May 2023, p. 42.

¹⁶³ Dr Patrick Pheasant, Chief Executive Officer, NEAS Australia, *Committee Hansard*, Sydney, 2 March 2023, p. 17.

there is no independent quality assurer for education agents in Australia. There are a lot of certifications and professional development.¹⁶⁴ NEAS has a set of standards that is very much voluntary for education agents at this stage. NEAS developed these standards three years ago and have a number of agents who have gone through that quality assurance process.¹⁶⁵

- 5.156 In Deakin University's view, the biggest gap is the lack of data that comes out of the PRISMS system:

Where breaches occur which, we need to respond to, the data of that breach sits in the system for a long time before we see it. If that were able to be made available to us at an early stage—what I am describing from Deakin University's point of view is replicated across the sector—we would be in a position to act more swiftly and get on top of whatever the issues were... I understand that it is a different risk profile for lower ranked universities and for VET providers, where there are cheaper fees.¹⁶⁶

Agents Market

- 5.157 The current student recruitment market is an 'agents' market' where providers are engaged in intense competition to recruit international students both onshore and offshore. This places providers at a disadvantage in managing agents as educational institutions are driven by recruitment targets. Multiple additional factors hamper the ability of providers to control agent behaviour, including the existence of powerful education agency networks and regular use of subagents.¹⁶⁷

- 5.158 Navitas highlighted that competition for international students around the world is fierce:

We are in a hyper-competitive period when it comes to international education—possibly the most competitive period that we've ever been in. When we surveyed just over a hundred international education leaders from universities across the UK, Australia, and Canada, pretty much all of them said that competition was going to be higher, if not much higher, than what it was compared to the pre-pandemic period. It will be especially intense around student recruitment.¹⁶⁸

- 5.159 The Australian Academy of Vocational Education and Trades provided evidence that 98 per cent of students are now going through agents in international VET and there

¹⁶⁴ Dr Patrick Pheasant, Chief Executive Officer, NEAS Australia, *Committee Hansard*, Sydney, 2 March 2023, p. 17.

¹⁶⁵ Dr Patrick Pheasant, Chief Executive Officer, NEAS Australia, *Committee Hansard*, Sydney, 2 March 2023, p. 17.

¹⁶⁶ Mr John Molony, Vice-President, International, Deakin University, *Committee Hansard*, Canberra, 15 May 2023, p. 42.

¹⁶⁷ Education agent standards in Australia and New Zealand – government's role in agent-based international student recruitment: Studies in Higher Education: Vol 47, No 4 (tandfonline.com), viewed 4 September 2023.

¹⁶⁸ Mr Jonathan Chew, Global Head of Insights and Analytics, Navitas, *Committee Hansard*, Canberra, 15 May 2023, p. 41.

has been subsequently a blowout in agent commissions.¹⁶⁹ Mr Kyle Jardeau held the view that 'agents hold all the power':

They (agents) alone provide the colleges with much-needed overseas students. This forces the colleges into a bidding war which has resulted in agent commissions being as high as 30 per cent of what the student pays, for the life of the enrolment.¹⁷⁰

- 5.160 Central Queensland University stated that vocational education providers are paying up to 40 per cent of tuition fees as commission to agents, leaving them no choice but to operate like visa factories on thin margins.¹⁷¹ Agents themselves can be squeezed by students, with agents sometimes passing on up to 80 per cent of the agent commission to the student to engage with them.¹⁷²

Education Agent Issues

- 5.161 A serious and unsolved problem is the prevalence of unscrupulous agents and recruiters funnelling unqualified students to universities worldwide. Document fraud has gained momentum due to commission-based agents who have an incentive to ensure that students are 'packaged' with impressive credentials as their commissions depend on successful student placement.¹⁷³

- 5.162 Hon Phil Honeywood commented:

We know that the behaviour of certain agents is such that they will find ways and means around any official cap on commissions or transparency around commissions. For example, it's well known in the industry that certain providers have given cash bonuses to individual employees of agents.¹⁷⁴

- 5.163 The Lygon Group highlighted that education agents are an important source of news for students offshore about Australia and not just about international education; agents are sharing news about Australian politics, policies, life, events happening in Australia:

(Agents are) often the first and the only source of information a lot of students and their families have about Australia. I think this could be concerning in some ways, because we have students who are getting conflicting sources of information from different places. It's very confusing, and agents are playing a role in that information flow, which we find could be a little bit worrisome without

¹⁶⁹ Mr Menelaos Koumides, Managing Director, Australian Academy of Vocational Education and Trades, *Committee Hansard*, Canberra, 16 May 2023, p. 6.

¹⁷⁰ Mr Kyle Jardeau, Submission 4, p. 3.

¹⁷¹ Central Queensland University, Submission 90, p. 5.

¹⁷² Central Queensland University, Submission 90, p. 5.

¹⁷³ Corruption in Higher Education: Global Challenges and Responses, edited by Elena Denisova-Schmidt, 2020, ParInfo - Corruption in higher education [electronic resource] : global challenges and responses / edited by Elena Denisova-Schmidt. (aph.gov.au), viewed 4 September 2023.

¹⁷⁴ Hon Phillip Honeywood, IEAA, *Committee Hansard*, Melbourne, 18 April 2023, p. 5.

other genuine and trustworthy sources of information in the right channels to students.¹⁷⁵

- 5.164 The issues raised in evidence for this inquiry mirrored those raised in the *Report of the inquiry into efficacy of current regulation of Australian migration and education agents* encapsulated by the Law Council of Australia (LCA) evidence of education agents engaging in a range of inappropriate conduct, including advising/promising students that certain courses of study have permanent migration pathways but in fact do not. These courses tend to be long in duration and financially lucrative for the education agent; advising applicants to apply for student visas with the sole intention of 'buying time' to find a work or family sponsor; advising applicants how to bolster or create stronger Genuine Temporary Entrant (GTE) claims when, in fact, these claims do not exist or are marginal.¹⁷⁶

Agent transparency and data

- 5.165 The National Code (Standard 4) only requires providers to have written agreements with those agents that formally represent their education services. It is silent on requirements to have written agreements in situations where providers are approached directly by agents, or where informal 'one off' negotiations occur which do not have a formal agreement in place. There is a lack of transparency on the use of sub-agents, where agents outsource recruitment. Providers may not be aware that an agent has outsourced some or all their services.
- 5.166 The main issues that concern ISANA members are in relation to the effectiveness of the regulation. There are a number of loopholes that are exploited, including course hopping, students enrolling in lower AQF courses without any implications for their student visas, and concurrent enrolment. ISANA contends that there needs to be greater transparency with education agent practices, including the payment of commissions.
- 5.167 In 2018, Australia's ESOS Act was amended to allow for greater transparency around education agents' performance. The Department of Education hosts an Education Agents Dashboard through the Provider Registration and International Student Management System (PRISMS).¹⁷⁷ The Dashboard holds information about students recruited through education agents which providers can use to assess agent recruitment performance. Providers record agents with whom they have formal arrangements and are currently not required to record informal agent arrangements in PRISMS. Education providers can only see reports for its own students recruited

¹⁷⁵ Dr Angela Lehmann, Head of Research, The Lygon Group, *Committee Hansard*, Canberra, 15 May 2023 p. 9.

¹⁷⁶ *Report of the inquiry into efficacy of current regulation of Australian migration and education agents* tabled: 21 February 2019, www.aph.gov.au/Parliamentary_Business/Committees/Joint/Migration/Migrationagentregulation/Report, viewed 10 July 2023.

¹⁷⁷ The Dashboard records student information including if the student successfully completed their enrolment; has had their visa application refused or their visa grant cancelled; transfers to another provider; notify early cessation of their studies; have their studies terminated for non-payment of fees or disciplinary reasons; be reported for unsatisfactory course progress or course attendance or deferred or suspended their studies.

through education agents. Providers cannot see information about education agents and students from other providers.

5.168 Universities Australia strongly argued for making comparative data about agent performance against other agents and across different universities available in PRISMS.¹⁷⁸

5.169 ISANA made the following observations about the need for greater transparency of agents.

The framework that we've got in place is not working, and I think that's something we really need to focus on. We need to look a little bit more into how we can improve that. We also need greater transparency. The Department of Education made some changes to the ESOS regulations pre COVID to get a lot more transparency around education agents. There's a dashboard on PRISMS. That's about agent performance and agent behaviour, and that doesn't seem to be having the focus that it used to have a few years ago, pre COVID, so it'd be good to see some of that conversation coming back around to how we can be more transparent around agent behaviour...¹⁷⁹

5.170 University of Melbourne recommended improvement of data collection and sharing through PRISMS on education agent performance to assist universities to identify disreputable agents.¹⁸⁰

5.171 ITECA concluded that it is very important that all providers have access to a suite of information on all education agents and that that suite of information should be expanded, not just in relation to agents that they might use. There might be some discomfort for some providers, in relation to that, but ITECA think on balance that is reasonable and justified.¹⁸¹

5.172 ISEAA commented that there are agents who try to get contracts with universities and others and will often be refused, which is why they sometimes move down the chain to VET providers that might not be of top quality.¹⁸²

5.173 Griffith University noted recent calls for the further regulation of education agents and recognise that the management of education agents is a core component of a robust visa regime and support a diverse international student community. Griffith University recommends that before looking at further regulation and associated compliance obligations, that there be greater transparency and sharing of agent data to assist

¹⁷⁸ Ms Catriona Jackson, Chief Executive Officer, Universities Australia, *Committee Hansard*, Canberra, 15 May 2023, p. 12.

¹⁷⁹ Ms Danielle Hartridge, Vice President, Professional Development, ISANA International Education Association, *Committee Hansard*, Melbourne, 19 April 2023, p. 11.

¹⁸⁰ University of Melbourne, Submission 62, p. 3.

¹⁸¹ Mr Felix Pirie, Deputy Chief Executive, Policy and Research, Independent Tertiary Education Council Australia, *Committee Hansard*, Canberra, 16 May 2023, p. 17.

¹⁸² Mr Robert Parsonson, Executive Officer, International Student Education Agents Association, *Committee Hansard*, Canberra, 15 May 2023, p. 21.

providers to better assess agent behaviour and performance, not just the institutions but across the sector.¹⁸³

- 5.174 A study into agent and third-party provider use in the UK showed that universities that are successfully navigating the agent landscape emphasise developing or procuring expertise on how to select and manage partnerships and invest in incentives and contractual terms to mitigate risk.¹⁸⁴ Research suggested further measures like a comprehensive due diligence of all new education agent engagements, audits and background checks should be carried out, this is reflective of findings from the Joint Standing Committee on Migration (2019) *Report of the Inquiry into Efficacy of Current Regulation of Australian Migration and Education Agents*.
- 5.175 While Australian education providers are legally mandated to manage the agents they work with, further support through the development of a step-by-step good practice in appointing, training, supporting, and managing education agents could be of value. These steps would add a supportive dimension to the ESOS regulations already in existence and could support the sector towards a unified framework of agent management, which would support other regulatory changes. ISEAA suggested the introduction of an entry level course for education agents based on the ESOS Act and migration regulations associated with the student visa (Subclass 500). ISEAA argued that ensuring that suitable training and continuing professional development taken by education agents in Australia and around the world to deliver best practice service. In ISEAA's view industry-led and government endorsed certification would be a first step in getting better oversight of education agents.¹⁸⁵
- 5.176 Universities Australia (UA) stated they do not have any direct role in managing the relationship with agents, they were shocked by the media reports of trafficking and abuse by students. UA observed that this is not new and has been seen before and places a cloud over the reputation that Australia has established.¹⁸⁶
- 5.177 UA's view on increasing the enforcement of the current regulatory framework, is that they were mindful that there is a current regulatory framework, but it seems the 'bad guys' are paying no attention to it and 'getting away with murder'.¹⁸⁷ UA considered that the issue is more about better enforcement of the current rules that Australia already has.¹⁸⁸

¹⁸³ Professor Sarah Todd, Vice President (Global) Griffith University, *Committee Hansard*, Gold Coast, 17 May 2023, p. 2.

¹⁸⁴ Public-meets-private-The-growth-of-educational-services-in-international-student-recruitment.pdf (nougrouper.com), viewed 4 September 2023.

¹⁸⁵ ISEAA, Submission 29.1, Question on Notice, 18 April 2023, p. 1.

¹⁸⁶ Ms Catriona Jackson, Chief Executive Officer, Universities Australia, *Committee Hansard*, Canberra, 15 May 2023, p. 12.

¹⁸⁷ Ms Catriona Jackson, Chief Executive Officer, Universities Australia, *Committee Hansard*, Canberra, 15 May 2023, p. 12.

¹⁸⁸ Ms Catriona Jackson, Chief Executive Officer, Universities Australia, *Committee Hansard*, Canberra, 15 May 2023, p. 12.

5.178 IDP Education observed that one matter that might be encouraging poor behaviour are weaknesses in the contracts between a provider and an education agent.¹⁸⁹ IDP Education commented that 'if you get the contract requirements right, including clear strong contractual obligations it is an effective way to incentivise agents to meet good standards.'¹⁹⁰

A few years ago, I used to work on some of those contracts and a lot of what we see is probably a quite immature contract approach compared to other industries. I think some work could be done there. Perhaps it is training across providers, or having a model contract or something like that might help.¹⁹¹

Registration of education agents

5.179 Over past years governments have funded several programs and have made changes to monitor, and support the ethical behaviour of, education agents including the introduction of the PRISMS Agent Dashboard, Australian Education Agent Code of Ethics referenced in the national code, Victorian TAFE International Education Agent Best Practice Guide, ISANA's National Code Tutorial and Education Agent Training Program.¹⁹²

5.180 ISANA emphasised that regulatory bodies need to have more ability to monitor and regulate to ensure there is best practice, not just minimum standards.¹⁹³ ISEAA advocated for a registered education agent system, seeing the need for oversight of agents and accountability of agents, because they consider oversight is severely lacking.¹⁹⁴ ISANA proposed that education agents should be registered like migration agents and required to demonstrate they understand their role and responsibility in ethical marketing and recruiting, as well as the implications for students and the sector more broadly.¹⁹⁵

5.181 Primary Industry Skills Commission (PISC) emphasised that the Government should introduce a comprehensive education agent licensing requirement that bans co-location/investment with RTOs/Universities and in training sites such as restaurants for commercial cookery students, and workshops for building and automotive trades for post study work placements.¹⁹⁶

¹⁸⁹ Ms Kim Dienhoff, Head of Government Relations, International Development Program Education, *Committee Hansard*, Canberra, 15 May 2023, p. 22.

¹⁹⁰ Ms Kim Dienhoff, Head of Government Relations, International Development Program Education, *Committee Hansard*, Canberra, 15 May 2023, p. 22.

¹⁹¹ Ms Kim Dienhoff, Head of Government Relations, International Development Program Education, *Committee Hansard*, Canberra, 15 May 2023, p. 22.

¹⁹² Ms Sharon Cook, National President, ISANA International Education Association, *Committee Hansard*, Canberra, 15 May 2023, p. 11.

¹⁹³ Ms Sharon Cook, National President, ISANA International Education Association, *Committee Hansard*, Canberra, 15 May 2023, p. 11.

¹⁹⁴ Mr Robert Parsonson, Executive Officer, International Student Education Agents Association, *Committee Hansard*, Canberra, 15 May 2023, p. 16.

¹⁹⁵ Ms Sharon Cook, National President, ISANA International Education Association, *Committee Hansard*, Canberra, 15 May 2023, p. 11.

¹⁹⁶ Primary Industry Skills Commission (PISC) *Submission 106* p.2p.5

5.182 IDP Education considered that while there is an existing regulatory framework around providers managing the quality of their education agents, a further step to a direct education agent regulation is a good concept. IDP Education strongly cautioned that there must be consideration of resourcing issues in terms of enforcement and the monitoring and execution of any regulatory framework.

It will need careful consideration, in terms of the potential damaging of the agents' footwork, and operational costs, and potentially discouraging any innovations that agents may have.¹⁹⁷

5.183 ITECA proposed a register of international student agents that CRICOS registered providers must use; the registrant must be a legal entity; the agents on the register will be required to undertake five modules, and these modules will be ethics, as it applies in the context of the national code, the Australian visa framework, the requirements of the ESOS Act, Australian workplace rights, and student wellbeing and accommodation; and the agent must publish their fees and disclose these to students.¹⁹⁸

5.184 ITECA considered the commitment to maintain an understanding of and comply with requirements should be underpinned by a requirement to renew registration every two years. This will require amendments to the ESOS Act; however, the need to preserve the Australia's reputation for excellence warrants such a legislative amendment.¹⁹⁹

5.185 IDP Education are conscious of the extensive offshore network of agents and the hundreds of thousands of sub-agents who work for primary agents who represent the institutions in Australia. IDP education cautioned given the issues of jurisdiction in foreign countries, how would Australia regulate those agents? The challenges of offshore and of sub-agents needs to be considered because a lot of those agents remain unknown.²⁰⁰

5.186 Independent Higher Education Australia (IHEA) wanted to see education agents registered and regulated. IHEA membership collectively believed there was potential rorting and unethical practices occurring offshore. IHEA are particularly concerned about those unethical education agents operating in the Indian subcontinent.²⁰¹

5.187 Independent Tertiary Education Council Australia (ITECA) advise that while there is a natural tendency to regulate the onshore sector, it has a proposed market distortion. It is in that context that ITECA looked at it through a different prism and had several

¹⁹⁷ Ms Jane Li, Area Director, Australasia and Japan, IDP Education, *Committee Hansard*, Canberra, 15 May 2023, p. 17.

¹⁹⁸ Mr Felix Pirie, Deputy Chief Executive, Policy and Research, Independent Tertiary Education Council Australia, *Committee Hansard*, Canberra, 16 May 2023, p. 16.

¹⁹⁹ Mr Felix Pirie, Deputy Chief Executive, Policy and Research, Independent Tertiary Education Council Australia, *Committee Hansard*, Canberra, 16 May 2023, p. 16.

²⁰⁰ Ms Jane Li, Area Director, Australasia and Japan, IDP Education, *Committee Hansard*, Canberra, 15 May 2023, p. 17.

²⁰¹ Dr Peter Hendy, CEO, Independent Higher Education Australia, *Committee Hansard*, Melbourne 18 April 2023, p. 33.

discussions with government and other stakeholders about creating a more transparent framework that works equally well for offshore and onshore agents.²⁰²

- 5.188 ITECA commented the challenge in regulation is that it creates an opportunity for further loopholes. What ITECA found is even though there are problems with offshore agents there are very good agents who provide a cost effective and good service. While there is an inclination to suggest Australia simply locks overseas agents out of the equation, ITECA advise that would lock good agents out the market.²⁰³
- 5.189 The Department of Education agreed that regulating agents who operate outside of Australia is a serious constraint that needs to be navigated. The Department of Education advised that there are opportunities and some options that the department is working through that go to improving the accountability of providers. The Department of Education stated that there is more that providers can be asked or required to do to take more responsibility for the behaviours of their agents.²⁰⁴
- 5.190 The Department of Education is conscious of legal constraints regarding commercial-in-confidence requirements of both the providers and the agents themselves but consider that there are opportunities to improve transparency across the sector, including for example requirements to make information available about education agent commissions to students potentially in the context of written agreements between providers and students.²⁰⁵

Government Register

- 5.191 An existing example of a government-controlled agents registry is the Office of Migration Agents Registration Authority (OMARA) under the Department of Home Affairs. OMARA requires that migration agents be Australian citizens, permanent residents or New Zealand citizens holding special visa status.²⁰⁶
- 5.192 Based on the OMARA model a government administered education agents registry or licensing board would require significant investment of resourcing both in the legislative and operational establishment and ongoing resourcing over time. A government register would likely require a levy on providers to offset the cost of education agent regulation assumed by Government. Monitoring and investigative powers would need the ability and resources to have offshore reach and powers to investigate.

²⁰² Mr Troy Williams, Chief Executive, Independent Tertiary Education Council Australia, *Committee Hansard*, Melbourne, 18 April 2023, p. 33.

²⁰³ Mr Troy Williams, Chief Executive, Independent Tertiary Education Council Australia, *Committee Hansard*, Melbourne, 18 April 2023, p. 33.

²⁰⁴ Ms Alison Cleary, Acting Assistant Secretary, International Quality Branch, Department of Education, *Committee Hansard*, Canberra, 15 May 2023, p. 9.

²⁰⁵ Ms Alison Cleary, Acting Assistant Secretary, International Quality Branch, Department of Education, *Committee Hansard*, Canberra, 15 May 2023, p. 9.

²⁰⁶ Ms Alison Cleary, Acting Assistant Secretary, International Quality Branch, Department of Education, *Committee Hansard*, Canberra, 15 May 2023, p. 9.

5.193 Department of Home Affairs cautioned that currently OMARA looks at registered migration agents only, some of whom do provide education advice. The OMARA does not have jurisdiction over investigating that advice in relation to education. The Department of Home Affairs expanded that what this means is that, with any sanction or decision or investigation of a migration agent, who is an education agent, Department of Home Affairs focus is solely on the immigration advice that has been given.

The OMARA doesn't have jurisdiction over actually investigating that advice in relation to education. So what this means is that, with any sanction or decision or investigation of an RMA, who is also an education agent, we can only focus solely on the immigration advice that has been given. In terms of data sharing, it would be useful, but I think the second point is really to ask the question: what power do we still have if we were to find information from an education agent, in relation to education advice, that was untoward? And what role does the department have in that? Currently, as I said, the powers are limited to immigration advice only.²⁰⁷

5.194 The Department of Home Affairs told the Committee that OMARA has no jurisdiction over unregistered immigration assistance conducted offshore, as Part 3 of the Migration Act 1958 does not have extraterritorial effect. At present, of the approximate 4,850 registered migration agents (RMAs) registered with the OMARA, around two hundred list their primary business address as offshore.

5.195 Although they may choose to operate offshore, all RMAs must meet the same requirements and standards to become and remain registered with the OMARA. Should the OMARA receive a complaint in relation to the conduct of an RMA, including an RMA operating offshore, as the regulator of the RMA profession the OMARA may investigate the conduct and take disciplinary action where necessary.²⁰⁸

5.196 ISEAA pointed out that even with a government registration authority like OMARA, to get rid of a migration agent is an incredibly difficult process, to get the evidence and to take out migration agents.²⁰⁹ OMARA registers and regulates registered migration agents, but ISEAA hear about dodgy migration agents in the media all the time. What these are most often is unregistered operators, and this is the difficulty. There is no jurisdiction from the OMARA to regulate them. These unregistered migration agents have to be reported to the Australian Border Force (ABF). They are a very low priority because of the under-resourcing of the ABF, and because of the legislation that prevents them from doing things around investigations. For that reason, ISEAA argue the regulation of education agents on a similar basis would not be a practical solution.²¹⁰

²⁰⁷ Mr Charlie Shandil, Assistant Secretary, Immigration Policy and Planning Branch, Department of Home Affairs, *Committee Hansard*, Canberra, 15 May 2023, p. 23.

²⁰⁸ Department of Home Affairs, Submission 77.2 Question on Notice No. 11, p. 10.

²⁰⁹ Mr Robert Parsonson, Executive Officer, International Student Education Agents Association, *Committee Hansard*, Melbourne, 18 April 2023, p. 60.

²¹⁰ Ms Bronwyn Markey, Senior Professional Services Manager, Migration Institute of Australia, *Committee Hansard*, Canberra, 15 May 2023, p. 16.

Industry led education agent register

- 5.197 ISEAA argued for an industry-led registry and not be 'government registered' with all the legal implications of that status. ISEAA proposed a register would be controlled by a joint industry body of agents and providers, be self-funding, and would have training and complaint capacity.²¹¹ ISEAA observed that while many agencies and providers deliver training to staff, but it is by no means consistent or recorded.²¹²
- 5.198 ISEAA considered an industry register does not solve all issues but provides a minimum benchmark of training and will be useful as providing an initial barrier to agents entering the industry where there are none presently.²¹³ ISEAA proposed that registered education agents and counsellors would have to undergo training in ESOS legislation, student welfare/mental health first aid, career planning fundamentals, migration relating to student visas. ISEAA further proposed the industry registration could be rolled out over a two-year period and get consensus by providers and peak bodies to require their agents to undergo training.²¹⁴

Combined model: Industry register with government support

- 5.199 The Committee heard from Hon Phil Honeywood that this was not the first time an industry led education agent register has been proposed:

I want committee members to understand that this has been tried before and that perhaps industry-led and industry-run might sound like a nice idea, but getting everyone to step up to the plate is far more challenging. On that basis, I would argue that government probably needs to embark on a new process by which it makes it very clear—particularly for onshore education agents, where you can regulate them—that there has to be both industry and government involvement.²¹⁵

- 5.200 Evidence suggested an industry led education agents register which is supported through Government legislation could be a solution to address the current state of unregulated education agents. This approach alleviates the regulatory burden of a full government register, enables a stronger ongoing involvement of providers and the sector opportunity to demonstrate self-regulation, but contains the strength of Government legislation to ensure compliance.

Committee Comment

- 5.201 The Committee considers there is a clear need to enhance information and data sharing across agencies to identify loopholes and vulnerabilities in the sector and support joined-up responses to maleficence. The fragmentation of regulatory

²¹¹ ISEAA, Submission 29.1, p. 4.

²¹² ISEAA, Submission 29.1, p. 4.

²¹³ ISEAA, Submission 29.1, p. 4.

²¹⁴ ISEAA, Submission 29.1, p. 4.

²¹⁵ Hon Phillip Honeywood, IEAA, *Committee Hansard*, Melbourne, 18 April 2023, p. 4.

arrangements and lack of coherent information sharing and analysis hamper the ability of agencies to detect and respond to fraud, criminal activities and misuse of the visa system. In the Committee's opinion, a more substantial formal platform of information and data holdings should have the capability to identify potential trends and support forward planning in cross-agency risk mitigation. In making this finding and the consequential recommendations the Committee acknowledges that improvements will not be easy or straightforward to devise and implement and that it is likely to be an iterative process over time.

- 5.202 In the Committee's view such enhancements would enable more holistic and connected mapping and analysis of international education sector which could be utilised in support of Australia's national objectives for economic and foreign policy. This information enhancement should include state and territory governments, and the sector where appropriate.
- 5.203 The Committee acknowledges that there are sensitivities and limits of information and data gathering, sharing and use which are subject to various legislative frameworks across Government. The Committee considers that efforts should be made to improve sensitive information sharing within current legislative constraints managed through tiering of information sharing platforms to which a need-to-know approach be applied to be legislatively compliant to safeguard exchanges. The Committee cautions that this approach should not be to the extent where it would impede the effectiveness of intelligence, investigation and enforcement strategies and action and that legislative changes may be required to enable a more robust integrity regime.
- 5.204 The Committee believes that such arrangements should be responsive enough to support more effective regulatory action. Building a stronger framework of verifiable information has the potential for a positive impact downstream on visa processing times, supporting visa integrity and unscrupulous third-party activity.
- 5.205 The Committee considers that competition between providers for students is not an adequate reason to prevent information being shared to stop maleficence in agent behaviour and the activities of spurious providers that enable international student exploitation and visa rorting. Recognising that the risk of reputational damage and harm to the integrity of Australia's international education should outweigh the individual pursuit of student numbers and regulatory regimes need to prioritise the collective good.
- 5.206 Overwhelming evidence is deeply concerning that Australia's international education sector and student visa system is being abused to the extent that international students in Australia are vulnerable to serious exploitation including being trafficked for sex and enslaved under conditions of debt bondage and forced labour conditions. This is utterly unacceptable, both morally and for the good of the sector.
- 5.207 The Committee acknowledges the challenges of isolation, intimidation, and fear of retribution that an exploited student may face in Australia and the inherent vulnerability that temporary migration status can engender. That this fear is often exacerbated by threats of deportation made by unscrupulous agents, providers and

employers who may be operating within a sophisticated chain with links to organised criminal networks.

- 5.208 The Committee is mindful that students are reluctant and fearful to report abuse, and that coming forward may be complicated by a lack of English language skills and lack of easy access to information on their rights, obligations, and protections available to them as students. The Committee considers that the Government must do more to ensure that current protections such as the Assurance Protocol are improved and that further protections should be considered.
- 5.209 At minimum the Government should work with the sector and across agencies to develop a communication strategy with targeted approaches to students, prospective students offshore and to providers and education agents. This strategy would include in language materials, and would target student dominated social media platforms on and offshore. The Committee considers that the Government work across agencies to ensure such messaging reaches employers and industry bodies that are traditionally high employers of international students.
- 5.210 The Committee suggests that there is merit in examining the scale and use of ABNs by international students, especially in circumstances where it is related to their area of study. In this context, it is worth considering whether education institutions should have a role in endorsing or overseeing the ABN requests made by international students for study purposes. Such mechanisms may assist in ensuring that ABNs are not used by employers to exploit students. As heard by the Committee, a significant driver of exploitation appears to be students being forced to work as 'contractors' when they are actually employees.
- 5.211 Similarly, there is merit in considering requiring employers to undertake a very light touch registration when they employ international students (or potentially any temporary migrant). This could take the form of a simple website registration, requiring employers to record the name, date of birth and visa number of international students they employ on whatever basis. Such a requirement would enable the Fair Work Ombudsman to undertake more targeted enforcement and to fine businesses found to be employing unregistered workers, rather than punishing the student worker. This proposal is somewhat akin to the reform direction in the recent independent Migration System Review led by Dr Martin Parkinson in relation to allowing portability of skilled migrants who leave their initial employer, proposing a light touch registration system of the worker, role and salary details.
- 5.212 The Committee considers that the international education sector has a significant role to play in this promotion and education, including offering avenues through which students can safely report abuse and secure support.
- 5.213 The Committee heard evidence of organised offshore to onshore operations to channel students into Australia for purposes other than legitimate study, most commonly work scams of various kinds, including simply securing a visa to work not genuinely to study. Practices include falsifying documents to enable non-genuine students to take higher education places to rort the current student visa system and circumvent risk tiering.

- 5.214 The Committee received evidence of providers targeting students onshore with cheaper courses and promises of permanent residency and that such providers often run a low-skilled labour racket through false front schools and courses. That the practice included providers falsifying records of study progression to meet student visa requirements and ESOS legislation to enable students to work full time.
- 5.215 The Committee is of the strong view that these practices are not only damaging to Australia's international education sector, but they undercut Fair Work regulations. This is morally wrong for the individuals affected, and negatively impacts all Australian workers by distorting the labour market and putting downwards pressure on wages in low-paid sectors for everyone. Such practices contribute to employer abuse of international students who will either fail to gain an Australia education or gain qualifications without any subject competence but are nonetheless charged international student fees to do so.
- 5.216 The Committee strongly welcomes the Government's announcement on 26 August 2023 that the concurrent study feature in the PRISMs system has been removed. A working group was established and operated by the Department of Education in 2020 and 2021 which made clear the misuse. Concurrent study has demonstrably been abused to:
- funnel non-genuine students into 'ghost schools' for the purposes of full-time work, and/or into debt labour conditions or into a trafficking situation,
 - be exploited as a loophole by unscrupulous providers and agents to convince genuine higher education students to switch to their cheaper and sub-standard courses within the six-month transfer limit of the student's primary course,
 - port the student visa system as a pathway to permanent residency, and
 - as a money-making enterprise by agents and providers in collusion with businesses to extract multiple commissions from providers for a single student who is then confined to being a source of low skilled labour.
- 5.217 The Committee acknowledges that the majority of education agents seek to do the right thing and work to support genuine students to make the important life choice to study in Australia. Strong offshore advocates for the Australian education sector are important and should be valued.
- 5.218 However, loopholes in the visa and education system have contributed to abuse of the Australian migration system and education sectors by unethical education agents, providers, and employers. Some agents and providers are sometimes operating within organised criminal networks to funnel international students into Australia for purposes other than gaining an Australian education. That this activity contributes to worker abuse, and the exploitation of students and is a direct threat to Australia's international education reputation and the integrity of the migration system. That these practices have long term and damaging implications to Australia's foreign objectives in the region and internationally and decisive action is required.
- 5.219 Evidence to the Committee is overwhelming that there are persistent and deep-seated issues in the bottom end of the private VET sector. It cannot be denied that

some providers in the private VET sector have systematically exploited Australia's education system and broken migration law to funnel vulnerable international students who are unwilling participants into sophisticated operations that in almost all cases lead to labour exploitation and worse indentured slave labour and sex trafficking.

5.220 The Committee considers that determined and focused action is required to weed out disreputable providers and send a strong message that Australia is serious about protecting the integrity of international education. Serious reform will be difficult and long-term requiring additional resources tough decisions. The Committee's recommendations propose a range of measures including:

- structural reforms to improve the monitoring and assessment of current providers and increase vetting of new providers including a fit and proper person test to operate a VET provider
- a pause for at least 12 months by ASQA in processing new provider applications for CRICOS registered VET provider, with limited exceptions for legitimate applications such as industry linked entities, high economic value proposals or those endorsed by state and territory governments
- requiring new providers seeking CRICOS registration to have operated and delivered to domestic students for at least 12 months
- automatic suspension of new international student intake for providers under serious regulatory investigation
- cancellation of a provider's CRICOS registration if no training is delivered for a period of 12 months or more.

5.221 Although a radical step, given the scale of the problems as well as other policy objectives outlined in this report, there is a very strong case for Government to consider suspension of recruitment of international students to CRICOS VET courses identified with persistent quality and integrity issues and/or of limited value to Australia's critical skills needs such as leadership and management courses.

5.222 The Committee considers that major changes to how student learning and quality are assessed should be trialled and introduced. To use an analogy, when a car rolls off a production line, quality and safety of the vehicle is not assessed by checking how many staff worked on it, that the timesheets are filed correctly, that the factory is swept clean and that management can fill out paperwork. The car is checked and tested. In tertiary education however, the education ecosystem is used as a proxy for quality and regulators are very limited in what they can do.

5.223 The Committee's recommendations propose that the Government consider options (provider funded on a cost-recovery basis) including to:

- develop a framework to assess all CRICOS registered VET providers (excluding public TAFE) to identify higher risk providers
- subject higher risk providers to stricter compliance and accreditation requirements which may include:

- trialling external assessments of a random selection of students from high-risk providers / courses to accurately assess education training quality, identify systemic issues and provide ASQA with better evidence to more rapidly respond with and cancel the registration of non-genuine poor-quality providers,
- a full re-accreditation process for providers identified as posing the highest integrity and quality risks where providers would have to reapply for their registration with ASQA, and
- a mechanism to separate the training function from the assessment function in limited circumstances for high-risk providers and / or course, requiring students to be externally assessed by an independent body or by a provider approved (such as TAFEs or a proven high-quality private provider permitted to undertake external assessments).

- 5.224 To support such initiatives, improvements to the capabilities and resourcing of regulators will be necessary over time.
- 5.225 The Committee received evidence from TAFE about the negative impact the pandemic had on the sector, given international education operates in a pipeline model, in which commencing students translate into multiple years of future enrolments. The Committee is very supportive of the excellent work that is undertaken by TAFEs throughout Australia that includes educating and supporting international students. The Committee is aware that TAFEs onshore VET students has dropped to under five per cent of their market share. The Committee encourages the Government to consider what can be done to support Australia's long standing TAFE system that has a positive record of providing education and support services to all of its students, including international students.
- 5.226 The Committee recommends consideration be given to prioritising visa applications for international students who choose to study at TAFEs. The Committee believes this would be supportive for the Australian TAFE system and would assist the Government in weeding out nefarious education agents who are damaging Australia's reputation for international students by channelling students into ghost school providers and then onto illegal work practices.
- 5.227 Regarding education agents, the Committee is firmly of the view that an opt in industry-only register would not go far enough. In the Committee's view the regulation of education agents is essential and long overdue, and a model must be determined and implemented as soon as practicable, understanding this is a complex endeavour. The Government should consider the most effective way of ensuring scrutiny of education agents given their key role in providing temporary migration advice and dealing with often vulnerable consumers. A robust industry-led model backed by legal regulatory requirements to participate would seem to be the minimum response warranted. Consideration could also be given to bringing the regulation of education agents into the sort of framework that governs migration agents.
- 5.228 Whatever model for education agent regulation is ultimately adopted will need to ensure compliance with a single Code of Ethical Practice for Education Agents

setting expected standards for all education agents who work with Australian education providers. Consideration will need to be given as to how to ensure the scheme covers scuba-agents and aggregator platforms. Any scheme should be industry funded through cost recovery mechanisms and include penalties for agents and the providers that use unregistered agents. A scheme will require enhanced resources for investigation and enforcement if it is to be effective.

- 5.229 There is little transparency about the transactional relationships between providers and agents. There is a lack of data on the use of sub-agents, where agents outsource recruitment, including those located in other jurisdictions. Providers may not always be aware that an agent has outsourced some or all its services.
- 5.230 As providers are not required to record informal arrangements in the Provider Registration and International Student Management System (PRISMS), there is no Government oversight on these agent and provider relationships, and difficult to identify patterns of unethical behaviour. In addition to their own enquiries, providers rely on advice and information from the Government, peak bodies, and other contacts to manage their agent relationships and assess any new agent.
- 5.231 Even with sufficient data, not all education providers take a proactive approach to monitoring agent behaviour which would require them to terminate the relationship with the agent. While education providers are required to outline their processes for monitoring agent behaviour in their agent agreements, standards vary between providers.
- 5.232 In addition, the Committee has concerns surrounding the student visa system when a student transfers onshore to a new education provider. At this stage the visa risk stays with the initial provider. The Committee sees merit in the Government considering adjustments to the student visa system so that the visa risk follows the student thereby shifting to the receiving provider.
- 5.233 Further consideration is required by Government to determine how best to improve the transparency between providers and education agents with a focus on protecting the international student during their stay in Australia and ensuring that the student receives accurate and informative information from the agent whilst studying in Australia. The Committee considers the case for mandating transparency in agent commissions is overwhelming, whereby providers would be obliged to disclose to students commission paid to their agent.
- 5.234 The Committee welcomes the Government's announcement that agent commissions and similar payments for all onshore student transfers will be prohibited. This would have major impacts for onshore education agents who facilitate onshore student transfers. A likely response would be for institutions to directly employ marketing and recruitment staff which would ensure they are responsible for their behaviour. Somewhat akin to changes in the travel industry where airlines progressively removed commissions any remaining agent market for onshore student transfers would need to adopt a fee for service model. This change accompanied by an overhaul of regulatory arrangements (outlined earlier) to crack down on the bottom end of the private VET market would go a long way to cleaning up the onshore

problems in the sector. In implementing this measure, the new rules will need to be carefully crafted to remove the ability for agents and providers to put in place ‘workarounds’ such as marketing charges and other payments to agents, their families, staff or related entities.

- 5.235 Finally, the Committee acknowledges the professionalism of the Department of Education and the very helpful approach taken to assisting the Committee in its inquiry. Implementation of international education policy is complex as although the Minister for Education is the policy owner, multiple portfolios have responsibilities for implementation critical to achieve government’s broad policy objectives. The Department of Employment and Workplace Relations, reporting to the Minister for Skills and Training, for example, has oversight of the vocational education and training sector. The Committee acknowledges the inherent complexity in the governance arrangements of international education.
- 5.236 The Committee considers that Government must empower the Department of Education as the overarching policy owner so it can properly measure and advise the Minister for Education on whether government’s policy objectives are being achieved in full. This should include assessment as to whether other portfolios are playing their part and achieving their policy outcomes – for example whether quality regulation is adequate or not. The Department should ensure that there are appropriate measures included in its annual performance statement that adequately reflect its responsibilities and the importance of the sector.

Recommendation 12

- 5.237 The Committee recommends the Government significantly improve data sharing between agencies to address serious integrity concerns, including formal information and sharing agreements and platforms between the Department of Home Affairs, the Department of Education, Tertiary Education Quality and Standards Agency (TEQSA), Australian Skills Quality Authority (ASQA), and where appropriate, the Commonwealth Ombudsman, Austrade and the Department of Employment and Workplace Relations.**

Government should form or utilise an existing cross agency expert group to oversee the development of these platforms to ensure:

- **legislative basis and privacy considerations are appropriately addressed without preventing the effective sharing of information**
- **platforms are sufficiently resourced to rapidly identify and track high-risk behaviours by education providers, education agents and related third parties and have capacity to map such behaviours to international student movements and student visa data**
- **platforms can inform more effective and timely regulatory action to deter and disrupt international student exploitation and safeguard Australian international education and visa integrity.**

Recommendation 13

5.238 The Committee recommends the Government use whatever means at its disposal to compel education providers to develop information channels across sectors to share credible information and concerns regarding education agents, entities and student movements to inform and support integrity in student recruitment and delivery of international education and to disrupt non-genuine students and other entities seeking to exploit the international education sector, the student visa system, and international students.

Recommendation 14

5.239 The Committee recommends the Government take firm action to address persistent and deep-seated integrity issues in the private Vocational Education and Training (VET) sector, understanding this will be a difficult and long-term reform program. Actions may require legislative changes to strengthen regulatory oversight and tough decisions and could include:

- structural reforms to improve the monitoring and assessment of current providers and increase vetting of new providers including a fit and proper person test to operate a VET provider
- a pause for at least 12 months by Australian Skills Quality Authority (ASQA) in processing new provider applications for Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) registered VET providers, with limited exceptions for legitimate applications such as industry linked entities, high economic value proposals or those endorsed by state and territory governments
- requiring new providers seeking CRICOS registration to have operated and delivered to domestic students for at least 12 months
- suspension of recruitment of international students to CRICOS VET courses identified with persistent quality and integrity issues and/or of limited value to Australia's critical skills needs, such as management and leadership courses.
- automatic suspension of new international student intake for providers under serious regulatory investigation
- cancellation of a provider's CRICOS registration if no training is delivered for a period of 12 months or more
- an ongoing boost to the resources available to ASQA for compliance and enforcement of VET regulatory and quality requirements over time.

Recommendation 15

5.240 The Committee recommends the Government implement or at least trial major reforms to how international student learning is assessed, and education quality assured for high-risk Vocational Education and Training (VET) providers and courses by working with the States and Territories to consider the following options:

- developing a framework to assess all 932 Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) registered VET providers (excluding public Technical and Further Education providers (TAFEs)) to identify higher risk providers – the framework should be equitable and transparent, informed by both quantitative and qualitative information, though not all data sources and aspects may be public
- subjecting identified higher risk providers to stricter compliance and accreditation requirements which may include:
 - trialling external assessments of a random selection of students from high-risk providers / courses to accurately assess education training quality, identify systemic issues and provide Australian Skills Quality Authority (ASQA) with better evidence to respond with and cancel the registration of non-genuine poor-quality providers, more rapidly
 - a full re-accreditation process for providers identified as posing the highest integrity and quality risks where providers would have to reapply for their registration with ASQA
 - a mechanism to separate the training function from the assessment function in limited circumstances for high-risk providers and / or course, requiring students to be externally assessed by an independent body or by a provider approved (such as TAFEs or a proven high-quality private provider permitted to undertake external assessments).

All of the above initiatives would be provider funded on a cost-recovery basis.

Recommendation 16

5.241 The Committee recommends the Government consider differentiating visa applications for international students who choose to study at Technical and Further Education providers (TAFEs). Further considerations to support TAFEs should include:

- Disaggregating Vocational Education and Training (VET) immigration data so that TAFE applications are reported separately
- supporting the Department of Home Affairs to apply a risk regime that recognises TAFEs genuine commitment to providing a quality experience for international students, by providing TAFEs with the same benefits/recognition as universities under the Simplified Student Visa Framework (SSVF).

Recommendation 17

5.242 The Committee recommends the Government review international education regulatory bodies to ensure the settings and frameworks empower proactive risk analysis, on-the-ground quality assurance practices and that individual complaints, especially complaints by students, are investigated within an efficient timeframe. The review should consider how:

- **agencies could maintain a list of ‘red flagged’ individuals and entities subject to serious regulatory action or serious integrity concerns, increase the degree and scope of penalties, and regulators could be empowered to be able to investigate provider and education agent or equivalent relationships**
- **increase the capacity and resourcing of international regulatory bodies over time to enable the agencies to effectively conduct randomised provider checks including site visits and conduct scaled investigations into high-risk provider behaviour**
- **ensure resourcing is sufficient so that agencies are equipped and capably resourced to take full advantage of, and contribute to cross-agency intelligence data gathering, pursue individual student complaints/whistleblowing allegations, and be able to report annual monitoring and investigation KPIs to be set by Government.**

Recommendation 18

5.243 The Committee recommends the Government amend Quality Indicators for Teaching and Learning (QILT) Surveys to include questions about education agents and equivalents that would provide more detailed information of the agent student interactions.

Recommendation 19

5.244 The Committee recommends the Government:

- **review and improve protections for international students to safely report workplace exploitation, including reviewing the Assurance Protocol to ensure that students who report exploitation are protected from visa cancellation**
- **examine the scale and use of Australian Business Numbers (ABNs) by international students to ensure this is not being abused as a device by employers to exploit students**
- **consider a scheme of endorsement of ABN requests by international students that require oversight by their educational institution**
- **consider requiring employers to undertake a very light touch registration when they employ international students (or potentially any temporary migrant), for example a simple website registration, enabling the Fair Work**

Ombudsman to undertake more targeted enforcement and to fine businesses found to be employing unregistered workers.

Recommendation 20

5.245 The Committee recommends cross government agencies and the sector intensify efforts in implementing a targeted communication strategy to educate:

- **international students of their rights and obligations when studying in Australia**
- **providers and education agents of their obligations to international students studying in Australia**
- **employers and industries that are high employers of international students.**

Recommendation 21

5.246 The Committee recommends the Government:

- **better enforce the current rules prohibiting transfers within the first six months of commencement of a student's primary course**
- **if resources prohibit this from being enforced in all instances, at least take a risk-based approach and enforce where there is evidence of patterns of transfers linked to certain providers or agents**
- **consider adjustments to the student visa system so that visa risk follows the student, shifting to the receiving providers when students transfer onshore to other providers.**

Recommendation 22

5.247 The Committee recommends the Government amend Education Services and Overseas Students regulations to provide that any medical letter or certification for consideration of early release can only be issued by a medical professional who is approved under the students' Overseas Student Health Cover.

Recommendation 23

5.248 The Committee recommends the Government tighten regulations to:

- **require providers to record the details of all education agents or equivalent that they receive students from into Provider Registration and International Student Management System (PRISMS) Agents Dashboard**
- **require providers to have written agreements with all education agents or equivalent**

- require providers to actively monitor agent conduct including annually reviewed key risk indicators
- enable mandatory requirements to report misconduct involving suspected trafficking to the relevant regulatory authorities.

Recommendation 24

5.249 The Committee recommends the Government in consultation with the education sector and agent peak bodies develop model clauses for providers to use in their written agreements with education agents to improve integrity, consumer protection and enable more transparency of payments.

Recommendation 25

5.250 The Committee recommends the Government use whatever regulatory levers necessary to mandate certain minimum requirements be included in all written agreements between providers and students to increase transparency and consumer protection including:

- standard refund conditions
- mandatory disclosure of agent commissions and all other payments to the agent, their employees or family, and all related entities (to avoid rorts and workaround payments that are not characterised as ‘commissions’) that are charged to the student.

Recommendation 26

5.251 The Committee recommends an expansion of the current Education Agents Dashboard on Provider Registration and International Student Management System (PRISMS) to allow provider access to all education agents' information. Such an expansion should enable providers to consider an agent's performance before entering contractual arrangements and to be able to compare agent performance or integrity concerns about individual agents across the sector.

Recommendation 27

5.252 The Committee recommends, in implementing the decision to ban the payment of commissions by providers to education agents, migration agents or equivalent entities for all onshore international student transfers, the Government ensure this captures ‘marketing’ or equivalent payments to related entities and persons however they are characterised.

Recommendation 28

5.253 The Committee recommends the Government accept that regulation of education agents is essential and long overdue, and that a model must be determined and implemented. Government should consider the most effective way of ensuring scrutiny of education agents given their key role in providing temporary migration advice and dealing with often vulnerable consumers. Any model will need to ensure compliance with a single Code of Ethical Practice for Education Agents setting expected standards for all education agents who work with Australian education providers. Any scheme should be industry funded through cost recovery mechanisms and have adequate resourcing for compliance and enforcement.

Recommendation 29

5.254 The Committee recommends the Department of Education and the Department of Employment and Workplace Relations are each empowered to take a lead approach as policy owners for International Education with respect to their relevant policy portfolios. The Minister for Education and the Minister for Skills and Training, and relevant departments, should ensure the ongoing coordination of policy development and implementation. The Departments should also ensure that appropriate and holistic measures are included in their annual performance statements.

Senator Deborah O'Neill
Chair
Trade Subcommittee
17 October 2023

Hon Shayne Neumann MP
Chair
Joint Standing Committee on Foreign Affairs, Defence and Trade
17 October 2023



A. Submissions

- 1 Leaders Institute Pty Ltd
- 2 James Cook University
- 3 Australian Council of Graduate Research
- 4 Mr Kyle Jardeau
 - 4.1 Supplementary to submission 4
- 5 Australian Chamber of Commerce and Industry
 - 5.1 Supplementary to submission 5
 - 5.2 Supplementary to submission 5
- 6 Prof Gui Lohmann
- 7 Australian Catholic University
- 8 Mr Simon Cole
- 9 NEAS Australia
 - 9.1 Supplementary to submission 9
- 10 Tourism Western Australia
- 11 Tourism and Transport Forum
- 12 Group of Eight Universities
- 13 Australian Geoscience Council Inc
- 14 Destination Gold Coast
- 15 Charles Darwin University
- 16 Bond University
- 17 University Of Canberra
 - 17.1 Supplementary to submission 17
- 18 Duolingo

- 19** University of Wollongong
- 20** Backpacker & Youth Tourism Advisory Panel (BYTAP)
- 21** The University of Adelaide
- 22** UNSW Sydney
 - 22.1 Supplementary to submission 22
- 23** South Australian Tourism Commission
- 24** La Trobe University
- 25** Monash University
- 26** Regional Universities Network
- 27** Cruise Lines International Association Australasia
- 28** NTEU
 - 28.1 Supplementary to submission 28
- 29** ISEAA - International Student Education Agents Association Limited
 - 29.1 Supplementary to submission 29
 - 29.2 Supplementary to submission 29
 - Attachment 1
- 30** University of Technology Sydney
- 31** Outdoors NSW & ACT Limited
- 32** Victorian TAFE Association
- 33** RMIT University
 - 33.1 Supplementary to submission 33
- 34** Innovative Research Universities
 - 34.1 Supplementary to submission 34
- 35** Griffith University
 - 35.1 Supplementary to submission 35
- 36** Australian Business Deans Council
- 37** Symphony Services Australia

- 38** Navitas
- 39** Queensland Tourism Industry Council
- 39.1 Supplementary to submission 39
- 40** TasTAFE
- 41** Australian Regional Tourism
- 42** Townsville Enterprise Limited & Study Townsville
- 43** Department of Education
- 43.1 Supplementary to submission 43
 - 43.2 Supplementary to submission 43
- 44** Australian Tourism Export Council
- 44.1 Supplementary to submission 44
 - Attachment 1
- 45** Australian Technology Network of Universities (ATN)
- 45.1 Supplementary to submission 45
- 46** National Association for the Visual Arts Ltd
- 47** Queensland University of Technology
- 48** ISANA International Education Association
- 49** Student Accommodation Council - Property Council of Australia
- 49.1 Supplementary to submission 49
 - Attachment 1
- 50** English Australia
- 50.1 Supplementary to submission 50
 - 50.2 Supplementary to submission 50
- 51** ACT Government
- 52** Council of Australian Postgraduate Associations and the National Aboriginal and Torres Strait Islander Postgraduate Association
- 53** NSW Government
- Attachment 1
 - Attachment 2

- Attachment 3
- 54** TEQSA (Tertiary Education and Quality Standards Agency)
 - 54.1 Supplementary to submission 54
- 55** Women Can Australasia (WCA)
- 56** Airbnb
- 57** Independent Schools Australia
- 58** Victorian Chamber of Commerce and Industry
- 59** Universities Australia
- 60** Tourism Australia
- 61** Murdoch University
 - 61.1 Supplementary to submission 61
 - 61.2 Supplementary to submission 61
- 62** The University of Melbourne
- 63** Department of Foreign Affairs and Trade
 - 63.1 Supplementary to submission 63
- 64** Business Events Council of Australia
 - 64.1 Supplementary to submission 64
 - Attachment 1
 - Attachment 2
- 65** IDP Education
- 66** The Tourism CoLab
 - 66.1 Supplementary to submission 66
- 67** Tasmanian Government
- 68** The Central Victorian Goldfields World Heritage Bid
 - 68.1 Supplementary to submission 68
- 69** Independent Tertiary Education Council Australia (ITECA)
 - 69.1 Supplementary to submission 69
- 70** Online Education Services (OES)

- 71** StudyAdelaide
- 72** Australian Academy of Science
- 73** Austrade
- 73.1 Supplementary to submission 73
- 74** The Indigenous Art Code Ltd, The Copyright Agency Ltd and Arts Law Centre of Australia
- 75** Commonwealth Ombudsman
- 75.1 Supplementary to submission 75
 - Attachment 1
- 76** Australian Airports Association
- 76.1 Supplementary to submission 76
- 77** Department of Home Affairs
- 77.1 Supplementary to submission 77
 - 77.2 Supplementary to submission 77
 - Attachment 1
 - Attachment 2
 - Attachment 3
- 78** StudyPerth
- 78.1 Supplementary to submission 78
- 79** Australian Skills Quality Authority (ASQA)
- 79.1 Supplementary to submission 79
 - 79.2 Supplementary to submission 79
 - 79.3 Supplementary to submission 79
 - 79.4 Supplementary to submission 79
- 80** Australian Chamber - Tourism
- 81** Migrant Justice Institute
- 82** Queensland Government
- 83** Independent Higher Education Australia (IHEA)
- 84** International Education Association of Australia

- 85** Confidential
- 86** Sydney University Postgraduate Representative Association
- 87** Bathurst Regional Council
- 88** Victorian Government Department of Jobs, Skills, Industry and Regions
- Attachment 1
- 89** Destiny Rescue Ltd
- 90** CQUniversity Australia
- 90.1 Supplementary to submission 90
- 91** STUDY AND WORK
- 92** Australian Federation of Travel Agents
- 93** *Name Withheld*
- 94** Queensland Airports Limited
- 94.1 Supplementary to submission 94
- 95** Mr Tirtha Khatiwada
- 96** Study Gold Coast
- 97** The Social Research Centre
- 97.1 Supplementary to submission 97
 - 97.2 Supplementary to submission 97
- 98** National Union of Students
- 99** The University of Sydney
- 100** Australian Psychology Accreditation Council
- 101** Engineers Australia
- 102** MyStay International
- 103** Dr Joanne Barker
- 104** Department of Employment and Workplace Relations
- 105** City of Gold Coast
- 105.1 Supplementary to submission 105

- Attachment 1
- 106** Primary Industries Skills Council
- 107** Mitchell Institute
- 108** Mudgee Wine growers
- 109** Confidential
- 110** Professor Catherine Hawke
- 111** Charles Sturt University
- 112** Confidential
- 113** New Caledonia
- 114** Western Sydney Airport
- 115** Broome Chamber of Commerce and Industry Inc
- 116** Regional Development Australia (RDA) Kimberley
- 117** Ecotourism Australia
- 118** TTNQ
- 119** TAFE Queensland International Education
- 120** National Indigenous Australians Agency
- 121** Adventure Queensland
- 122** Accommodation Australia
- 123** Shire of Broome
- 124** The University of Western Australia
- 125** Nyamba Buru Yawuru
- Attachment 1
- 126** Edith Cowan University
- 127** Western Australian Government Department of Jobs, Tourism, Science and Innovation



B. Exhibits

- 1 *Opportunities and challenges for international graduates in Australia's workforce*,
Presentation by Jobs and Skills Australia to Council for International Education,
Professor Peter Dawkins AO
- 2 Four academic papers on the tourism sector provided by Associate Professor Gabby
Walters



C. Public Hearings

Thursday, 2 March 2023 - Sydney

Round table of Universities

- Ms Kirsten Andrews, Vice-President, External Engagement, University of Sydney
- Mr Iain Watt, Deputy Vice-Chancellor, and Vice-President (International), University of Technology Sydney
- Professor Merlin Crossley, Deputy Vice-Chancellor Academic Quality, University of New South Wales
- Professor Alex Frino, Senior Deputy Vice-Chancellor (Innovation, Enterprise and External Relations), University of Wollongong
- Ms Lee-ann Norris, Chief Student Recruitment Officer, Global and Domestic, Macquarie University

ELICOS peak bodies/associations

- Mr Brett Blacker, Chief Executive Officer, English Australia
- Dr Patrick Pheasant, Chief Executive Officer, NEAS Australia

Round table of International Students

- Ms Joy (Jiacong) Xu, International Student Officer 2023, University of Technology Sydney (UTS)
- Mr Weihong Liang, President, Sydney University Postgraduate Representative Association, University of Sydney
- Mr Yinfeng (Benny) Shen, Fellow of the Senate, University of Sydney
- Ms Katja Strehle, International Student, Western Sydney University
- Ms Samanda Mularachchi, Student, Western Sydney University
- Ms Inuli Subasinghe, Student Casual, Arc@UNSW

Migrant Justice Institute

- Dr Laurie Berg, Co-Executive Director

Round table of tourism peak bodies

- Mrs Margy Osmond, Chief Executive Officer, Tourism and Transport Forum
- Mr Peter Shelley, Managing Director, Australian Tourism Export Council

- Ms Anna Taylor, National Policy Manager, Australian Tourism Export Council

Wednesday, 8 March 2023 - Canberra

Australian Chamber of Commerce and Industry (ACCI)

- Mr John Hart, Executive Chair, Tourism
- Ms Ingrid Fraser, Associate Director, Workforce & Tourism Policy
- Ms Natalie Heazlewood, Senior Policy Adviser

Wednesday, 22 March 2023 - Canberra

University of Canberra

- Professor Geoff Crisp, Deputy Vice-Chancellor (Academic) and Vice-President

Wednesday, 29 March 2023 - Canberra

Australian Airports Association

- Mr James Goodwin, Chief Executive
- Mr Scott Martin, Director of Policy and Advocacy

Tuesday, 18 April 2023 - Melbourne

International Education Association of Australia (IEAA)

- Hon Mr Phil Honeywood, Chief Executive Officer, International Education Association of Australia

Round table of university peak bodies

- Ms Vicki Thomson, Chief Executive, The Group of Eight
- Mr Luke Sheehy, Executive Director, Australian Technology Network of Universities
- Ms Bethany Keats, Marketing and Media Advisor, Innovative Research Universities
- Mr John Preston, Government Relations and Policy Advisor, Innovative Research Universities
- Mr Peter Chesworth, Deputy Chief Executive, Universities Australia
- Mr Kelly Smith, IRU International Group, Innovative Research Universities; and Pro-Vice-Chancellor International, Murdoch University

Round table of private provider peak bodies

- Mr Troy Williams, Chief Executive, Independent Tertiary Education Council Australia

- Mr Felix Pirie, Deputy Chief Executive – Policy & Research, Independent Tertiary Education Council Australia
- Dr Peter Hendy, Chief Executive Officer, Independent Higher Education Australia (IHEA)

Round table of TAFE peak bodies

- Ms Judith Uren, Director International, Victorian TAFE Association
- Mr Bruce Bradfield, International Marketing Manager, William Angliss Institute of TAFE (member of the Victorian TAFE Association)
- Ms Lyndal Manson, Director, Governance, Policy and Projects, TAFE Directors Australia

Round table of education agents bodies

- Mr Brian Smith, Head of Global Stakeholder Engagement, IDP Education
- Ms Kim Dienhoff, Head of Government Relations, IDP Education
- Mr Robert Parsonson, Executive Officer, International Student Education Agents Association

Victorian Chamber of Commerce and Industry

- Mr Dylan Broomfield, General Manager, Policy and Advocacy
- Ms Sarah Rillo, Manager, Campaigns and Advocacy

Wednesday, 19 April 2023 - Melbourne

Round table of union/ professional associations

- Mr Kieran McCarron, Policy and Research Officer, National Tertiary Education Union
- Dr Terri MacDonald, Director Public Policy and Strategic Research, National Tertiary Education Union
- Ms Sharon Cook, National President, ISANA International Education Association
- Ms Danielle Hartridge, Vice President, Professional Development, ISANA International Education Association

Round table of student accommodation organisations

- Mr Geoff Denison, President, Student Accommodation Association, Student Accommodation Association
- Ms Torie Brown, Executive Director, Student Accommodation Council – Property Council of Australia
- Ms Anouk Darling, President, Student Accommodation Council – Property Council of Australia

- Mr David Bycroft, Founder and Chief Business Development Officer, MyStay International, MyStay International

Round table of accreditation bodies

- Ms Kathryn Baird, Director, Skilled Migration Services, Australian Nursing and Midwifery Accreditation Council
- Ms Samantha Zdjelar, General Manager, Student and Graduate Membership, Engineers Australia
- Ms Bernadette Foley, General Manager, Professional Standards, Engineers Australia
- Dr John Dunn, Chair, Australian Psychology Accreditation Council

Wednesday, 10 May 2023 - Canberra

Business Events Council of Australia

- Mr Andrew Hiebl, Company Secretary
- Dr Leo Jago OAM, Chair

Monday, 15 May 2023 - Canberra

Roundtable: International Education Data Insights

- Ms Lisa Bolton, Director, QILT Research and Strategy, Social Research Centre
- Mr Simon Walker, Managing Director, National Centre for Vocational Education Research
- Mr Jeffrey Smart, Director & Co-Founder, The Lygon Group
- Dr Angela Lehmann, Head of Research, The Lygon Group
- Ms Varsha Devi Balakrishnan, Head of Student Insights and Strategy, The Lygon Group
- Ms Karen Sandercock, First Assistant Secretary, International Division, Department of Education
- Ms Alison Cleary, Acting Assistant Secretary, International Quality Branch, Department of Education
- Ms Rachel Lloyd Assistant Secretary, International Policy Branch, Department of Education

Roundtable: Education Agents

- Mr Robert Parsonson, Executive Officer, International Student Education Agents Association
- Ms Sharon Cook, National President, ISANA International Education Association
- Ms Danielle Hartridge, Vice President Professional Development, ISANA International Education Association, Department of Home Affairs

- Ms Kim Dienhoff Head of Government Relations, IDP Education
- Ms Jane Li, Area Director Australasia, IDP Education
- Ms Bronwyn Markey, Senior Professional Services Manager, Migration Institute of Australia (MIA)
- Ms Catriona Jackson, Chief Executive, Universities Australia
- Hon Mr Phil Honeywood, Chief Executive Officer, International Education Association of Australia (IEAA)
- Mr Charlie Shandil, Assistant Secretary, Immigration Policy & Planning Branch, Department of Home Affairs
- Ms Alison Garrod, Assistant Secretary, Temporary Visas Program Branch, Department of Home Affairs
- Ms Karen Sandercock, First Assistant Secretary, International Division, Department of Education
- Ms Alison Cleary, A/g Assistant Secretary, International Quality Branch, Department of Education
- Ms Rachel Lloyd Assistant Secretary, International Policy Branch, Department of Education

Roundtable: Work Integrated Learning, Skilled Work and Graduates

- Ms Anna Faithfull, Deputy Secretary, Skills and Training Group, Department of Employment and Workplace Relations/ Australian Apprenticeship Support Network
- Ms Laura Angus, First Assistant Secretary, Department of Employment and Workplace Relations/ Australian Apprenticeship Support Network
- Mr Cliff Bingham, Assistant Secretary, Jobs and Skills Australia
- Professor Peter Dawkins, Director, Jobs and Skills Australia
- Ms Alison Garrod, Assistant Secretary, Temporary Visas Program Branch, Department of Home Affairs
- Hon Mr Phil Honeywood, Chief Executive Officer, International Education Association of Australia (IEAA)
- Mr Robert Thomason, Executive Director, VETASSESS
- Professor Denise Jackson, President, Australian Collaborative Education Network (ACEN)
- Ms Karen Sandercock, First Assistant Secretary, International Division, Department of Education
- Ms Alison Cleary, A/g Assistant Secretary, International Quality Branch, Department of Education
- Ms Rachel Lloyd Assistant Secretary, International Policy Branch, Department of Education

Roundtable: Innovation, Transnational, Diversity and Hybrid Futures

- Ms Claire Field, Private Capacity
- Mr David Linke, Managing Director, EduGrowth
- Ms Marnie Watson, Chief Commercial Officer, Acumen (Part of Sannam S4Group)
- Mr Jonathan Chew, Global Head of Insights and Analytics, Navitas
- Mr Simon Finn, Head of Strategic Engagement and Government Relations, Navitas
- Mr John Molony, Vice President, International, Deakin University
- Hon Mr Phil Honeywood, Chief Executive Officer, International Education Association of Australia (IEAA)
- Ms Karen Sandercock, First Assistant Secretary, International Division, Department of Education
- Ms Rachel Lloyd, Assistant Secretary, International Policy Branch, Department of Education
- Ms Elizabeth Wilde, First Assistant Secretary, Department of Foreign Affairs and Trade (DFAT)
- Mr Aedan Whyatt, Assistant Secretary, Global Programs and Partnerships Branch, Development Policy Division, Department of Foreign Affairs and Trade (DFAT)
- Ms Edwina Betts, A/g Assistant Secretary, Education and Integration Branch, Office of the Pacific, Department of Foreign Affairs and Trade (DFAT)
- Mr Luke Hartley, Assistant Director, Global Programs and Partnerships Branch, Development, Policy Division, Department of Foreign Affairs and Trade (DFAT)
- Ms Melissa Banks, Head of International Education Centre of Excellence, Austrade
- Mrs Helen Kronberger, Manager International Education (Global Engagement), Austrade

Roundtable: Soft Power and Building Resilience

- Dr Joanne Barker, Private Capacity
- Ms Susannah Patton, Chief Executive Officer, International Education Association of Australia (IEAA)
- Mrs Elizabeth Wilde, First Assistant Secretary, Department of Foreign Affairs and Trade (DFAT)
- Mr Aedan Whyatt, Assistant Secretary, Global Programs and, Partnerships Branch, Development Policy Division, Department of Foreign Affairs and Trade (DFAT)

- Mr Ray Marcelo, Assistant Secretary, Southeast Asia Strategy Economic, and Communications Branch, Office of Southeast Asia, Department of Foreign Affairs and Trade (DFAT)
- Ms Edwina Betts, A/g Assistant Secretary, Education and Integration Branch, Office, of the Pacific, Department of Foreign Affairs and Trade (DFAT)
- Mr Luke Hartley, Assistant Director, Global Programs and, Partnerships Branch, Development Policy Division, Department of Foreign Affairs and Trade (DFAT)
- Mrs Helen Kronberger, Manager International Education (Global Engagement), Austrade
- Ms Karen Sandercock, First Assistant Secretary, International Division, Department of Education
- Ms Rachel Lloyd, Assistant Secretary, International Policy Branch, Department of Education

Roundtable: Student Experience

- Professor Ly Tran, Deakin's Research for Educational Impact Centre, Deakin University
- Ms Danielle Hartridge, Team Member, Best Practice International Student Engagement, Deakin University
- Dr Carolyn Evans, Vice Chancellor and President, Griffith University
- Ms Caroline Hartnett, Deputy Director, Study Melbourne and International Education
- Ms Jane Johnston, Chief Executive, Study Adelaide
- Ms Karen Sandercock, First Assistant Secretary, International Division, Department of Education
- Ms Rachel Lloyd, Assistant Secretary, International Policy Branch, Department of Education
- Mr Jiahao Li, National Postgraduate Officer, Council of International Students Australia (CISA)

Tuesday, 16 May 2023 - Canberra

Roundtable: Quality and Integrity

- Hon Mr Phil Honeywood, Chief Executive Officer, International Education Association of Australia (IEAA)
- Mr Menelaos (Mel) Koumides, Managing Director, Australian Academy of Vocational Education and Trades Pty Ltd t/as Academia International
- Ms Christina Bolger, Deputy Chief Executive Officer, Australian Skills Quality Authority (ASQA)
- Ms Kellie Spence, Executive Director, Australian Skills Quality Authority (ASQA)

- Mr Alistair Maclean, Chief Executive Officer, Tertiary Education Quality and Standards Agency (TEQSA)
- Ms Jenny Dodd, Chief Executive Officer, TAFE Directors Australia
- Ms Klara Major, Assistant Director, Industry Investigations Team, Office of the Commonwealth Ombudsman
- Ms Emma Cotterill, Senior Assistant Ombudsman – Investigations, Office of the Commonwealth Ombudsman
- Ms Alison Garrod, Assistant Secretary, Temporary Visas Program Branch, Department of Home Affairs
- Ms Karen Sandercock, First Assistant Secretary, International Division, Department of Education
- Ms Alison Cleary, A/g Assistant Secretary, International Quality Branch, Department of Education
- Ms Rachel Lloyd, Assistant Secretary, International Policy Branch, Department of Education

Roundtable: Marketing to International Students

- Mr Jay Meek, General Manager Trade, Trade and Investment, Austrade
- Mrs Helen Kronberger, Senior Global Engagement Manager, Trade and Investment, Austrade
- Ms Jessica Hamilton, General Manager, Communication & Marketing, Austrade
- Mrs Melissa Banks, Head of International Education, Austrade
- Mr Felix Pirie, Deputy Chief Executive, Policy & Research, Independent Tertiary Education Council Australia (ITECA)
- Hon Mr Phil Honeywood, Chief Executive Officer, International Education Association of Australia (IEAA)
- Mrs Saskia Loer Hansen, Deputy Vice-Chancellor, International & Engagement, RMIT University
- Mrs Derryn Belford, Chief Executive Officer, StudyPerth

Wednesday, 17 May 2023 - Gold Coast

International Education Roundtable

- Ms Jennine Tax, Acting Chief Executive Officer, Study Gold Coast
- Mrs Cheryl Jolliffe, Vice President, Future Students, Bond University
- Professor Sarah Todd, Vice President, Global, Griffith University
- Mr Dean Gould, Chief Marketing Officer, Southern Cross University
- Mr Troy Yue, Chief Executive Officer, National Institute of Education and Technology (NIET) Group Pty Ltd

- Mr Pablo Carpio, Director, Owner, The Language Academy
- Ms Kylie Cooper, Acting Executive Director, Study Queensland Directorate

Mayor's Student Ambassadors Roundtable

- Ms Mary Shanice Saavedra, Mayor's Student Ambassador 2022, Study Gold Coast
- Ms Mrisha Upadhyay, Mayor's Student Ambassador 2023, Study Gold Coast
- Mrs Nikol Slynkova, Mayor's Student Ambassador 2021, Study Gold Coast

Australian International Student Tours

- Ms Tanya Ferguson, Director

Major Events Gold Coast

- Mrs Jan McCormick, Chief Executive Officer

The University of Queensland

- Dr Gabby Walters, Associate Professor in Tourism

International Tourism Roundtable

- Ms Karen Bolinger, Interim Chief Executive Officer, Destination Gold Coast
- Mrs Sarah Colgate, Board Member, Destination Gold Coast; and Head, Strategic Relationships, Hot Air Balloon Gold Coast and Cairns
- Ms Adrienne Readings, Chair, Destination Gold Coast; and General Manager, Gold Coast Convention and Exhibition Centre
- Mrs Amanda Byrne, General Manager, Aviation Business Development, Queensland Airports Limited
- Ms Lauren Horner, Brand Manager, The Tour Collective
- Mr Greg Yong, Chief Executive Officer, Ardent Leisure

Tourism and Industry Roundtable

- Ms Gayle O'Brien, General Manager, Queensland Department of Tourism, Innovation and Sport
- Mr Nick Elliott, Group Executive, Corporate and Industry, Tourism and Events Queensland
- Ms Melanie Anderson, General Manager, Strategy & Advocacy, Queensland Tourism Industry Council
- Dr Esther Anderson, Senior Research and Policy Officer, Queensland Tourism Industry Council
- Ms Maxine 'Rhonda' Appo, Indigenous Program Manager, Queensland Tourism Industry Council

City of Gold Coast

- Ms Tanya Lipus, Manager of City Economy
- Mr Darren Stewart, Manager of City Projects

Monday, 26 June 2023 - Orange

Roundtable - Universities

- Ms Julia Andrews, Director, External Engagement, Bathurst and Orange, Charles Sturt University
- Mr Mike Ferguson, Pro Vice-Chancellor, International, Charles Sturt University, Charles Sturt University
- Professor Catherine Hawke, Head of Clinical School, School of Rural Health Dubbo/Orange, University of Sydney

Round table – Regional tourism

- Ms Nerida Sweetapple, General Manager, Orange360
- Councillor Jason Hamling, Mayor, Orange City Council
- Ms Rachelle Robb, Director, Corporate and Commercial Services, Orange City Council
- Mr Glenn Mickle, Tourism Manager, Orange City Council
- Ms Charlotte Gundry, Executive Officer, Orange Region Vignerons Association
- Mr Sean Haylan, General Manager, Destination Central West NSW

Mr Jie Hou, Private capacity

Roundtable – First Nations tourism

- Ms Annette Steele, Chief Executive Officer, Orange Local Aboriginal Land Council
- Mr Michael (Mick) Madden, Justice Officer, Orange Local Aboriginal Land Council
- Mr Gerald Power, General Manager and Owner, Indigenous Cultural Adventures

Round table – Mudgee/ Bathurst tourism

- Mr David Lowe, Committee Member, Business Mudgee; and Member Representative, Mudgee Wine Association
- Ms Julia Andrews, Director, External Engagement, Bathurst and Orange, Charles Sturt University
- Mr Tim Booth, Chief Executive Officer, Mudgee Region Tourism
- Mr David Flude, Manager, Economic Development, Bathurst Regional Council

Wednesday, 2 August 2023 - Canberra

Blue Mountains Tourism - videoconference

- Mr Jason Cronshaw, President
- Mrs Anthea Hammon, Vice President

Wednesday, 9 August 2023 - Canberra

Western Sydney International Airport

- Mr Simon Hickey, Chief Executive Officer
- Ms Alison Webster, Executive General Manager, Commercial and Strategy

Tuesday, 15 August 2023 - Cairns

International Education Roundtable

- Ms Danelle Parker, Executive Officer, Study Townsville
- Mr Shehan Thampapillai, International Director, Central Queensland University Australia
- Ms Shelley Lewis, Director of International Engagement, TAFE Queensland

International Tourism and Peak Bodies Roundtable

- Ms Elannah (Lani) Strathearn, General Manager, Tourism Tropical North Queensland
- Ms Peta Zietsch, Chair, Adventure Queensland
- Ms Elissa Keenan, Chief Executive Officer, Ecotourism Australia
- Mr Gareth Phillips, Chief Executive Officer, Association of Marine Park Tourism Operators

Regional Economic Development

- Mrs Lisa Woolfe, Director Visitor Economy and Marketing, Townsville Enterprise
- Dr Dianne Dredge Director, The Tourism CoLab

Experience and Adventure Tourism

- Mrs Angela Freeman, Director and Co-owner, Hartley's Crocodile Adventures
- Mr Steve Edmondson, Owner - Operator and Director, Sailaway Port Douglas
- Ms Laurie Pritchard, Owner and Managing Director, Small World Journeys

Wednesday, 16 August 2023 - Cairns

First Nations Tourism Roundtable

- Mr James William, Chief Executive Officer, Torres Strait Island Regional Council

- Ms Julia (Jules) Taylor, Senior Legal Officer, Coordinator, Future Acts Mining and Exploration Unit, North Queensland Land Council NTRB Aboriginal Corporation
- Mr Dale Mundraby, Operations Manager, Mandingalbay Authentic Indigenous Tours
- Mr Darrell Harris, General Manager, Cairns Indigenous Art Fair Limited

Monday, 21 August 2023 - Broome

First Nations Tourism

- Ms Ninielia Mills, Chief Executive Officer, Nyamba Buru Yawuru
- Ms Ellen Smith, Chief Business Development Officer, Nyamba Buru Yawuru

Regional Economic Development

- Mr Glenn Moore, Director, Destination Broome
- Mr Keith Williams, Director Development Services, Shire of Broome
- Mrs Kim Brown, Acting Director, Regional Development Australia Kimberley
- Mr Glen Chidlow, Director, Industry and Infrastructure, Kimberley Development Commission
- Mr Samuel Shaw, Executive Support Officer, Broome Chamber of Commerce and Industry
- Mr Martin Pierson-Jones, President, Broome Chamber of Commerce and Industry
- Mr Bill Tatchell, Chief Executive Officer, Australia's North West Tourism
- Ms Paula O'Brien, Destination Marketing, Digital Executive and Projects, Australia's North West Tourism
- Ms Melanie Virgo, General Manager, Broome Visitor Centre

Experience and Adventure Tourism

- Ms Clancy McDowell, Executive Director, Kimberley Arts Network
- Mr Paul Cripps, General Manager, HeliSpirit
- Mr Ashley Munn, Owner, Air Kimberley

Airlines and Cruises

- Mr Vincenzo Foti-Cuzzola, Commercial Manager, Broome International Airport
- Mr Criag Shaw, Chief Executive Officer, Broome International Airport
- Mr Michael McConachy, Managing Director, HM Consolidated Group
- Mr Shayne Murray, Chairman, Cruise Broome

Tuesday, 22 August 2023 - Fremantle

International Education Roundtable

- Mr David Harrison, Pro-Vice Chancellor, Communications and Engagement, University of Notre Dame Australia
- Mr Justin de Sousa, National Director, International, University of Notre Dame Australia
- Professor David Sadler, Deputy Vice-Chancellor Education, University of Western Australia
- Professor Xiaotian Zhang, Associate Deputy Vice-Chancellor, Curtin University
- Mr Kelly Smith, Pro-Vice Chancellor, International, Murdoch University
- Dr Marija Petrovska, Senior International Adviser, Logistics, Edith Cowan University
- Mr Jake Garman, Deputy Vice-Chancellor International, Edith Cowan University
- Ms Derryn Belford, Chief Executive Officer, StudyPerth

First Nations Tourism Roundtable

- Mr Robert Taylor, Chief Executive Officer, Western Australian Indigenous Tourism Operators Council
- Mr Karl Millard, Memberships Manager, Western Australian Indigenous Tourism Operators Council

WA Department of Jobs, Tourism, Science and Innovation

- Mrs Robyn Robb, Director International Education
- Dr Alex King, Executive Director, Strategic Policy

International Tourism Roundtable

- Mrs Carolyn Turnbull, Managing Director, Tourism Western Australia
- Ms Sonja Mitchell, Chief Executive Officer, Destination Perth
- Dr Lianne Cretney-Barnes, Chairperson, Australia's South West Regional Tourism Organisation
- Ms Kym Francesconi, Chair, Australia's North West Tourism Inc
- Mr Marcus Falconer, Chief Executive Officer, Australia's Golden Outback
- Mr David O'Malley, Chief Executive Officer, Australia's Coral Coast

Accommodation and Transport Industry

- Mr Bradley Woods, Chief Executive Officer and Executive Director, Australian Hotels Association WA
- Ms Angela Beechey, Strategic Policy Manager, Tourism, Accommodation and Workforce Development, Australian Hotels Association WA

- Mrs Carol McCracken, Chief Executive Officer, Caravan Industry Association Western Australia

Wednesday, 13 September 2023 - Canberra

Australian Tourism Industry Council

- Mr Evan Hall, Chairperson
- Ms Erin McLeod, Chief Executive Officer

Tuesday, 3 October 2023 – Port Campbell

Mr Marcus Clarke, CEO, Eastern Maar Aboriginal Corporation

Great Ocean Road Tourism Board

- Dr Jeremy Johnson, Chairman
- Ms Joanne Birley, Industry Development Manager

Wildlife Wonders

- Ms Lizzie Corke OAM, Co-Founder, Conservation Ecology Centre

Wednesday, 4 October 2023 - Ballarat

The Victorian Goldfields Heritage Bid

- The Hon John Brumby AO - Co Patron - Victorian Goldfields World Heritage Bid, former Premier of Victoria
- Ms Susan Fayad - World Heritage and Regional Development, Lead City of Ballarat
- Mr Trevor Budge AM, World Heritage Strategic Projects Officer, City of Greater Bendigo

Tourism Roundtable

- Ms Sarah Pilgrim, Executive Manager, Tourism Midwest Victoria
- Mr Terry Karamaloudis, Manager, Tourism and Major Events, City of Bendigo, Bendigo Tourism (via teleconference)

Mr Rodney Carter, Group CEO, Djaara (Dja Dja Wurrung Clans Aboriginal Corporation)

Tourism Businesses

- Ms Katrina Nitschke, Deputy CEO, Sovereign Hill Museums Association
- Mr Timothy Canny, Owner/Operator, Sovereign Park Motor Inn