

The international student as student, migrant and victim

Changing perceptions in a vexed area of public policy.

Paul Rodan

CQUniversity

From the inception of post-Colombo Plan international education in Australia, three broad research emphases have been evident: the student as student, as migrant and most recently, as victim. The victim role plays easily into preconceived notions, helping to sustain an exploiter and exploited framework in which deeper issues remain unaddressed. This article raises some such questions, especially the role of casual work, and makes the case for greater acknowledgement of the complexities in this contentious area of public policy.

Research into international education in Australia has followed several themes since the emergence of the post-Colombo Plan version in the late 1980s. This article explores the ways in which this research has helped develop perceptions of international students in Australia, first among the education community and over time, in the wider society following immigration controversies and a series of assaults.

The growth in the industry has been extraordinary, with an annual export figure of \$15.5 billion for 2008 (AEI, 2009), although the methodology for arriving at this quantum has been questioned in recent times (Healy, 2009). It is also worth pointing out that this is no longer a university-dominated phenomenon, with only 37 per cent of the 449,000 overseas students studying for a higher education qualification; a fast-growing Vocational Education and Training (VET) sector on 36 per cent; 17 per cent in English Language Intensive Course for Overseas Students (ELICOS), with the remainder in schools and 'other' (DEEWR, 2009). As of 2008, there were 1,310 providers of education to

international students (TVET, 2009, p.11), which tends to place Australia's thirty eight universities in some overall context.

Outside the school sector, which attracts interest from those involved in teacher education, research has focussed on university issues, a natural consequence of the research role synonymous with that sector. One strand focuses on the international student as student, with work on plagiarism, culturally-linked learning patterns, internationalisation of the curriculum, intercultural communication and language issues. Discussion also addressed the 'cultural deficit' explanation for the challenges faced by international students (Chalmers & Volet, 1997; Ninnies, Aitchison & Kalos, 1999; Ege & Kutieleh, 2004; Heilsten & Prescott, 2004; Sawir, 2005; Leask, 2006).

The notion of the student as 'customer' has been a recurring feature of the last two decades, perhaps more especially with the fee-paying species, both domestic and international. However, this phenomenon would appear to have generated more internal management

documentation than scholarly literature (Owens & Loomes, 2007; Svensson & Wood, 2007).

After the Federal Government's decision to link immigration policy with international education, the associated issues of adequate language skills and international graduate employability became controversial and assumed a dominant role in the media's treatment of the industry. This was perhaps inevitable, as the relevant questions sometimes spoke to ancient memories in Australia's immigration history and lent themselves more easily to an occasional newspaper headline and story than did complicated matters of intercultural pedagogy, the latter rarely featuring on the talkback circuit.

The pre-eminent academic figure in exploring the student as migrant issue was Bob Birrell, Director of Monash University's Centre of Population and Urban Research. An economic nationalist floating in an ocean of globalism (at Monash and beyond), Birrell observed the impact of the Government's 2001 decision to allow international graduates to seek permanent residency upon completion of their courses, without having to return home and then apply to immigrate. This fast-tracking had ostensibly been introduced to help counter skills shortages in specific areas in the Australian labour market, notably (in the university provision context) information technology and accounting.

By the middle of the decade, Birrell was effectively calling the exercise a failure, citing a poor employment record amongst international graduates, especially now in accounting, and pointing the finger at inadequate language skills which effectively made many graduates unemployable in a profession which places such a premium on high quality communication between professional and client (Birrell, 2006; Birrell & Healy, 2008a). Implicitly, earlier information technology graduates may have been less vulnerable in this regard, as communication skills were arguably less critical in a highly technical area.

While Birrell was drawing attention to the shortcomings in government policy as he saw them, he also took on an advocacy role, pressing that the Australian Government should abandon this failed policy and instead fund more tertiary places for Australian students who could then fill the alleged skills shortages without any language or cultural adjustment problems (Birrell & Healy, 2008). It serves no purpose to deny that many international students were motivated by the desire to immigrate and had no intrinsic interest in the discipline in question. Even if they failed to secure employ-

ment in a skill shortage area, they may still have viewed permanent residency driving a taxi in Melbourne as a preferable life to that which they left back home.

In 2007, Birrell and colleagues turned their attention to the burgeoning VET sector, where changes in government policy had rendered it more convenient and economical for international students seeking permanent residency to enrol in sub-degree courses in skills shortage areas such as cooking and hairdressing. Once again, Birrell concluded that 'only a minority... will actually enter the cooking and hairdressing occupations in Australia' (Birrell, Healy & Kinnaird, 2007, p 30). One might also note the regulatory challenge as scores of 'registered training organisations' (RTOs) sprang up to service (and indeed create) the burgeoning demand, often beyond the oversight capacity of under-resourced (mostly state) bureaucracies never designed to cope with such massive growth. Whereas all Australian universities are subject to at least a regular AUQA audit (with the findings on the public record), the post-initial registration regime with the hundreds of RTOs in Australia is much more uneven, with a crisis-audit often being the main tool of trade. The vicissitudes of federalism continue to plague this area with differing registration and reporting requirements (on top of a nationally agreed framework) between states and territories (TVET, 2009).

To this point, research output had tended mostly to concentrate on the student's academic life and related teaching and learning issues and on the immigration-education nexus, with some obvious overlap in areas such as language proficiency, especially whether the IELTS test for course entry was a legitimate tool for assessing competence at the point of exit. What emerged next, and has continued as the dominant issue in the sector to the time of writing has concerned the student outside the classroom, especially relating to the issue of student safety, both on and off campus.

This development has been led by Monash University's Chris Nyland, advancing the case that Australian providers have been derelict in areas of student safety and have instead engaged in denial and cover-up (Nyland, 2009). Nyland has also been involved, with colleagues, in research into student social well being, social inclusiveness and potential exploitation in students' roles as casual workers (Nyland et al., 2009). During 2008 and into 2009, Nyland acquired an enhanced media profile following a series of assaults on international students in Melbourne and Sydney and, more tragically, a murder in Hobart (Nyland, 2008).

The emergence of the student safety issue necessarily injected new emotional heat into discussion of international education in Australia. Stories of cowardly assaults on innocent young people are inevitably more gripping and visceral than Bob Birrell's statistics or a seminar on intercultural pedagogy, and they served to move international education from the specialist to the mainstream media in very short time.

While accusations of denial and cover-up may well be warranted in certain cases, the problem for this writer is the extent to which such emotive language can be employed to reinforce a stereotypical view of the international education sector, with mandatory 'goodies' and 'baddies'. In the earliest days of post-Colombo Plan international education, it was not unusual for critics, especially at the progressive end of the spectrum, to caricature foreign students as over-indulged rich kids sent to Australia by parents who had probably made their fortunes through corrupt practices or worse. The international student's red Porsche in the car park was contrasted with the battered brown Toyota into which the exhausted lecturer crawled after a hard day at the chalk face.

Inevitably, as international numbers grew, this parody was unsustainable, especially for anyone who spent more than ten minutes on the ground. Stories of incredible sacrifice by family to fund a son or (more rarely) a daughter were much more the norm than conspicuous consumption by affluent students. Often, the conspicuous consumption and international lifestyle of university leaders made a more legitimate target for academic critics, and the international student now assumed the status of victim, with Nyland's critique echoing student activist views that institutions were treating them as 'cash cows', taking their money but providing inadequate value in teaching and/or support services, and misleading them about certain realities of life and study in Australia (Nyland, 2008).

One of those realities relates to a need for casual work, but if students were as financially resourced as they should be, the need for such work should not be excessive. In this context, some background informa-

tion is necessary. In order to secure an international student visa, applicants are required to provide evidence that they have at least the funds to cover return air fares to Australia, course fees and (importantly) living costs, which the Department of Immigration and Citizenship (DIAC) currently nominates as \$12,000 per year (DIAC, 2009). Students with spouse and dependent children are required to produce evidence of additional financial resources.

In recognition (presumably) that living costs can vary between locations and that some additional income may be necessary or desirable, international students are permitted to undertake part-time work, but only to a maximum of twenty hours per week. Those working in excess of the maximum are liable for visa cancellation, but this can be a challenging area in

which to enforce compliance. And, obviously, those breaching visa conditions are unlikely to lodge formal complaints against exploitative employers.

DIAC stresses that the \$12,000 should not be seen as necessarily indicative of the true cost of living, which raises the question of what the figure represents, especially given that it is not indexed and has remained unchanged since

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2001. Leaving that aside, it seems reasonable to conclude that a student who genuinely has access to the prescribed \$12,000 and is able to secure twenty hours of casual work, should be able to get by. If this is not so, then potential students are being misled (Rodan, 2009a). They are also at risk of being misinformed, on living costs and other relevant issues such as safety, by the uneven quality of Australian university web sites. Some are very good, but others are incomplete at best and deceptive at worst (Rodan, 2009b).

There is a growing acknowledgement that the \$12,000 requirement is being circumvented. It is simply the case that many desperate applicants are able to provide 'evidence' of the funds at time of application, but do not retain access once in Australia. The production of bogus bank documents appears well within the skills set of various agents (Hodge, 2009). The Victorian Government taskforce on the overseas student experience (DIIRD, 2008), included in its

report a recommendation that the State Government should raise with Canberra 'the need to ensure that the \$12,000 living expenses required to get a visa is [sic] actually available to the student'. With or without the \$12,000, for some students, the need for part-time work is related to the reality that '... once a visa is granted, students from poorer families come under pressure to return some of the money to their families and end up trying to fend for themselves' (Trounson & Slattery, 2009).

The proliferation in the number of CBD-based providers has accentuated the difficulty for many students to secure accommodation in reasonable proximity to the site of course delivery. Obviously, the excessive hours problem is a near-impossible issue to research empirically, since it would be an odd student who would admit to a breach of visa conditions. However, qualitative researchers seem in little doubt that such breaches are far from unusual (Nyland et al., 2009). Students working excessive hours, presumably over several shifts, travelling more often between home, provider site and work, are *prima facie* more vulnerable to assault than are students working within the visa allowance of twenty hours maximum per week.

Moreover, 'over-working' students are clearly less able to meet the customarily prescribed weekly hours (around forty) of full time university class attendance and associated study than are those observing the rules. Neill et al. identified fifteen hours of work as a point beyond which 'there may be a detrimental effect on academic performance' (Neill et al., 2009, p. 136). However, it is axiomatic that an international student, new to the culture and without the language facility of a local, would probably need to devote more than forty hours to their academic tasks, especially when accessing language support, study skills classes and the like.

Yet, surprisingly, given the general tone of duty of care in the student safety debate, the possible negative impact of excessive casual work has received little or no critical attention, nor has it featured in discussion of workplace exploitation of internationals. Nyland et al. make no criticism of students working 'illegal' hours, while one prominent commentator viewed any constraints on international students working as likely to result in market disadvantage for Australia (Trounson & Slattery, 2009). It may well be that a restriction that is so difficult to enforce is better abandoned, but there are substantial duty of care issues which would warrant attention. One might also ask, in a situation of

such blatant exploitation of young vulnerable workers, where is the Australian union movement?

It is equally curious that the consequences for academic staff remain uncommented on. When students work excessive hours, they can miss classes (or fall asleep or lack concentration in the ones they do attend), arrive late and leave early, miss assignment deadlines and fall behind in relevant reading and non-class study activity. Moreover, some immigration-driven students will lack any inherent interest in the discipline area being studied. This adds up to a less than attractive environment for the teacher, already challenged by the intercultural terrain and probably receiving little or no professional development assistance in the struggle. When international students then fail to pass, the teacher is more likely to be scrutinised than the student, a totally unjust outcome if the student is undertaking a 'casual' workload incompatible with academic progress.

The lack of any critical focus on students is consistent with a student as victim perspective, in the long tradition of sentimental identification with the 'other'. This may suit a certain ideological predisposition, but falls short of acknowledging the complexities in the current debate. It is simply not possible to generalise about international students' motivations, financial resources, commitment and study behaviours. In the final analysis, international students are supposed to come to Australia to study, not to work. Where some, with help from unethical figures in the industry's shadows, effectively circumvent the prescribed financial resources requirements, it can be argued that they put themselves at greater risk in a number of ways. Hence, while it is difficult not to have some sympathy for those in dire straits, a totally uncritical attitude seems misplaced. The same would seem to apply in relation to the emerging revelations (at time of writing) of serious fraud and wrong-doing within elements of the VET private provider area. Is a migration-driven student who seeks to secure bogus documentation and evade course requirements a 'victim'? Challenging questions such as this serve to highlight the complex nature of the industry and unless this is recognised, it will remain the case that not all the 'denial' comes from the education providers.

Paul Rodan is Director, International Education Research Centre, CQUniversity, Melbourne, Victoria, Australia and is a member of the *AUR* Editorial Board.

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