

IMMIGRATION NEWS

(Volume 142)

*Another blow to our global reputation: A
Sterling Mess*



1st August 2009

Welcome to the latest edition of IMMIGRATION NEWS brought to you by Australian Immigration Law Services. Feel free to send out this newsletter to all of your friends.

A Sterling Mess

The story of the week revolves around certain private education providers accused of deliberately flouting the laws under which they are regulated. Now Sterling College has closed its doors and a dark cloud has begun to gather over the circumstances on how this could happen. The worst part of this closure as with all the others, it's the students which will suffer the most.

A meeting was held for students of Windsor College to discuss their future. Our journalist Tanaya Das, was at the Wesley Conference Centre and has filed this report for IMMIGRATION NEWS.

The Sterling College Meeting, Sydney 30th July 2009

By Tanaya DAS

Dejection, despair, fear, hatred, anger, confusion, utter hopelessness to finally a glimmer of hope...Myriad emotions were chasing each other across the faces of almost three hundred students from the Sterling college Sydney campus gathered at the Wesley Mission Auditorium in central Sydney.

A total of 844 students will be affected by the closure (603 currently studying at the College with the remainder approved but yet to undertake study). Of this total, 604 enrolments are from India. Enrolments were distributed evenly across courses in hospitality, community welfare and hairdressing.

The students were there to attend a hurriedly convened meeting by Australian Council for Private Education and Training (ACPET). Most of them from India, with some from Nepal and Korea looking shattered had come to try and make sense of something that seemed just impossible. According to Meenakshi a final semester student of Community Welfare "The college wasn't this bad when the course started in July 2007" but in the past year the situation had come to a

point where there were students enrolling in large numbers and there were no teachers. "No teacher wants to stay, they come; teach for two weeks and then leave" she says adding "We are all ruined, three years of study that is valid only in Australia and now this"

Every one seems to be sharing the same thoughts.

The shame of having to go back with nothing to show for the huge amount of expense, the loss of face and the physical and mental hardships seem to be etched on the faces of these young faces.

The degrees from private colleges booming all across Australia although offering a chance of Permanent Residency in Australia are useless to these students anywhere else. "There are no aged care, child care or disabled care facilities in India, I have wasted three years and will have to start from scratch if I go back."

Another student Sukhbeer said she was told by her agent in Punjab, India that "This is the best college for Indian, all Indians go here" She said students who came to the campus on Tuesday were "just sitting there and crying, is this fair? Just constantly asking how can this happen? We just paid the fees three weeks back"

The community welfare students have been wrongly placed in field studies in Child care and Aged care and a lot of the final semester students just a fortnight away from graduating are worried. They need two signatures on their daily time sheets one from the care centre and another from an official at the college. They have no idea where or who to go to.

Addressing the students was a panel chaired by Mr. Stuart Watson, NSW State Manager for Department of Education Employment and Workplace relations (DEEWR) and consisting of officers the Australia Department of Education who have responsibility for administering the Education Services for Overseas Students Act (ESOS), the Australian Department of Immigration as well as the Australian Council for Private Education and Training (ACPET) attended the meeting. The Indian Consul-General in Sydney and representatives from the Embassy of Nepal also attended and promised to see students through this nightmare.

"It is an unfortunate reality of business, some businesses do well some don't" said Mr Watson at the start of his presentation. A muttering started among the attending students as to how a business that wasn't stable was allowed to open and then continue to operate and enroll students. "The college is closed and the administration said categorically it will not re-open" added Mr. Watson. There seemed to be a resigned acceptance of this fact.

All affected students were provided with information outlining their entitlements and responsibilities so that they are fully aware of the process that will be

undertaken to ensure that they are able to continue their studies and can make informed choices.

For those students who were unable to attend the meeting, ACPET as the Tuition Assurance Scheme (TAS) administrator, will contact them to apprise them of the situation, their entitlements and the various options available to them.

The Students were assured by representatives from the Department of Immigration and Citizenship “Your visas will not be cancelled as a result of this. You will be given adequate opportunity to study else where. You will be given upto three months to be placed into alternative courses and obtain enrolment” Mr Watson from DEEWR stressed “College closure is not a trigger to cancel your visa”

But the students inspite of these assurances are left wondering will everything ever be fine. A young Indian girl asked the panel during the question and answer session “What is the guarantee that this will not happen to the next college we are placed at?” And there was no convincing answer to this fear of every student present in the auditorium.

(Tanaya Das is studying her Masters of Journalism at UTS in Sydney)

More issues facing these students

The problem surrounding a school closure such as this is that the students always suffer no matter what DIAC, DEEWR or ACPET says. I'll point out why;

1) DEEWR says students will be given a full refund if they cannot be placed

- Who wants a refund? What about all the time wasted and the expense of coming here and setting up their lives?

2) Students will be placed into a new provider and course.

- After the Global College collapse last year students had to pay out of their own pocket for their new course (sometimes as much as \$10,000) and then it took months before ACPET compensated them. Also the new providers often did not give full credit for subjects obtain in the collapsed school. Also students had difficulty obtaining transcripts from the collapsed school.

3) DIAC is going to charge another \$540 for their student visa extension

- Why can't the government pay for this? It is not protecting the students

when they are forced to pay this fee at no fault of their own.

- 4) DIAC will force students to provide the usual evidence when lodging their students visas again.
- The collapse and the money students will have to outlay to get into their new schools will subject them to a financial blow. Is DIAC prepared to waive the usual money requirement evidence to grant them a new student visa?
- 5) Many students were nearly finished their Diploma in Welfare Work. Now they will have to face the higher English requirement by the AIWCW.
- Is DIAC going to compensate students failure to pass their skill assessment?

We will be monitoring what happens to these students to make sure the government looks after them properly.

Readers Comments, lots of them!

Niharika writes;
Dear Karl,

I, on behalf of the Indian student community, would like to thank you and ABC for bringing up the issues that were addressed in the recent Four Corner episode. I sincerely hope the program is successful in creating awareness amongst the authorities and the Australian population, and solicit appropriate action from the government. What overseas students are subject to, at the hands of dodgy colleges and migration agents, is comparable to exploitation and slavery, that was probably prevalent during the colonial era, and hopefully it should end now.

Once again thanks for all your efforts.

Reply: Least I can do to try and fix sections of this industry which is a law unto themselves and causing students to suffer.

Rahul Writes;
Whatever the DIAC might say. There are loads of foreign student out their doing VET

courses who are going to feel cheated as they will not be able to apply after spending a lot of money. Also those who are stuck because of priority processing and are not getting processed also feel cheated. I still do not get the point what difference is there between a employer sponsored and Australian citizen or PR sponsored. Even when sponsored by an Australian citizen or PR the govt is not responsible for 2-3 years. Why not give priority to 496/176 family sponsored visas too. And has anyone checked how many of those who apply under this and that category actually work in the same field after reaching Australia. A survey should be done and it will open DIAC's eyes. I doubt 8 out of 10 actually work in the field they apply under. Whatever DIAC does if they don't do something fast Australia is going to get a very bad image for those applying for student or immigration visas. If studies and immigration are two different things then how many students would choose Australia over the US. US has far better universities. Most students come to Australia having immigration in mind. DIAC should not forget they have competition from many other countries and loads of the B grade universities are going to close down. DIAC is fast pulling the plug on a 15 billion export industry as they name it.

Reply: Many students actually do use their skills when they finish their courses and many need to wait until they get their PR visa before they can get the jobs they want.

H.D.Pathak writes;
Hi Mr.Karl,

It is pretty much obvious that Karma plays its role, no matter what Mr. Bob Birrell has to say or any other authority who thinks Indian students or any overseas students as cash cows. For Mr. Birrell's kind information, Australia has suffered a lot in recent times, its pretty much a best example here, it might be Victoria's Bush fire in which so many have lost their houses. I am no one to predict the good or the bad Karma, time speaks for itself and the people are like eating all the money of the overseas students have to repay thrice in one way or the other. I would like to suggest this Mr. Birrell to come down from wherever he comes from and just think logically if he is cherishing the moment that overseas students have to suffer and struggle, I would like to ask him, if he had thought about nearly shutting down this huge export industry altogether. If he thinks something of himself, please Mr. Birrell, we are not at all interested in your illogical comments, for we the students are paying you indirectly or else you are nothing but a verbal-vomiting creature. Time will tell who are safe and who deserve. It's not only Australia that needs overseas students at large, many countries are open and will provide better opportunities than here. So come out of your small box world and look out where other countries stand in the world especially India.

Thanks.

Reply: Couldn't agree more about his illogical comments. This week he has demonstrated it is time he retires whilst he still has credibility.

Kalpesh writes;

Thank you very much for your regularly updation from migration zone. Do you think that Australian government need migrants anymore? Because migrants study here and acquire knowledge and skills from the same university and colleges where the local students are studying. But migrants are considered as they are not eligible to perform any task because of only they do not have residency? What do you think?

Migrants should allow to grant aussie visa from their home country in such a easy way like buying new things but after buying that we realise that actually we are cheated by seller. To come in australia and study is like losing everything. First our beloved, our family, most important is our all money. This is true that student in their home country considered as a rich person because he or she is going abroad to study but after finishing study in australia same person is being put in a lower income category. May i ask why??????

You may not have the best answer. I do have the best answer. "Because students are nothing but hand-puppet of government and if government think that this way they can earn more than definately they going that way by changing and changing changing and changing migration rules only for money money and money.

Reply: I cant blame you for feeling this is all about money. Australia does need migrants otherwise we'll become extinct.

Roshan writes;

I am a nursing student currently studying my Endorsed Enrolled nursing diploma and hoping to continue in Registered Nursing Bachelor of nursing. I would be very much appreciated if you could kindly inform me if you have taken any suggestions to change rules to nursing students. Thank you very much.

Reply: We expect IELTS requirement to rise but overall nursing is the best occupation to study now for I don't think they will ever get enough to look after us old people.

Dr. Minish writes;

Dear Carl,

This email is in response to Dr. Birrell's comments. Unfortunately for him and people like him they do not have the privilege of being gifted with common sense. Of course people do come here to get PR and settle down in this country but what would happen if they did not?? he is an academic, he can take an educated guess. The economy benefits from these students. The public benefits. entire nation benefits from them. They contribute towards running this country and that my friends is a big deal.

About his comments on Indians being soft targets for YOUTH GANGS, who are these youth gangs??? Would he like to see what happens when one of his children gets involved with one of these Gangs. I bet the result will be the same as it was for any poor Indian student.

I deal with Monash University during my work almost on everyday bases. They have a big number of their staff and students from India. Wonder if they know about his comments and what reaction would they have about it. I would also like to know why in the world was

he allowed to write those comments. Like you mentioned he is not even a migration agent.

I hope that Monash University keep up with their reputation and prevent people like Dr. Birrell from making baseless remarks in the future.

Our Reply: Couldn't agree more and yes it would be interesting to see what the Indian staff at Monash thinks.

Deep writes;

Dear Karl,

I read your news letters with quite an interest. Firstly, I would thank you for being a support for students, immigrants....

As per the comments by Dr. Birrell, I would suggest Australian universities should stop their propaganda in such countries where you get 'soft targets', as it seems from the comments, it is neither 'safe' nor 'right' to desire to immigrate to a different country. And if it is to do with the rules and regulations, then they should be very clear and bold where agencies cannot take advantage of 'soft targets' or give them the hope to make a living in a different country.

And given the fact about IELTS, it is ridiculous to give IELTS and prove your English capabilities, especially when students study in English at 'Australian Universities' and gain such high degrees. It is like doubting your own system of education.

Thank you once again and please keep the newsletters coming

Reply: Your absolutely write IELTS is a waste of time and the biggest rip off in consumer history. It seems that we do a lot of doubting our own education system here.

Munish writes again;

Dear Karl,

I agree with your idea about having an Ombudsman independent of state or federal government's influence as mentioned in your last newsletter. This body will not only help international students in expressing their concerns more freely and without fear but it will also help to keep the corrupt educational institutes and employers in check. After all it is not possible to expose all the corrupt organization by a single government agency, in fact it requires the combined effort of people and more than one agency.

On a different note, one of your reader (Mehul) was a little upset about the increased IELTS score. I will have to disagree with him. We have to realize that no matter where we come from, we are now in an English speaking country and it is therefore very basic thing to do (to be able to communicate in that language with ease and fluency). Him being a student of Nursing will have to agree that miscommunication in his field can have disastrous effects and can also put someone's life on stake and likewise in many other professions. The increase in score is most welcome step the government has taken to improve the quality of international students and resource pool that Australia is getting. And If we are studying everything in English why should there be any issues in giving an simple English test that is only designed to check your very basic communication skills.

Having said so it doesn't help when a few students instead of working hard to improve their skills, try to cut corners and cheat the system. What's the point of doing that? After all you will still need to speak in English after the test and in your respective careers. You also need it in order to become a part of the community.

However, my thought and wishes are with all the international students who are seeking permanent residencies in Australia and I hope they try to do so in an appropriate manner.

Reply: I have to agree with Deep though. It should be the standard of education is high enough to ensure you have to have good English to pass and that should be enough.

Rakesh writes;

Hi Karl

Firstly I really very appreciate for what you doing for International Students. I have seen Insight on SBS and one thing I like to also tell you about our feelings. My background is Hindu "Brahmin" means in back country India we serve to god at temple and we always give good advise to people do not drink Alcohol, Do not eat non-veg and ext. When I came here first I looking for job 6 months but I couldn't find it. And when I got Job it was in Deli Department I never touch in my 25 year life in India. But here I don't have any option in my all life I touch first time chicken here and still I feel very sadness about it and I always push my self why I take decision to come Australia. I don't have money that time to pay my expenses after this 2 year I haven't to my parents that I was worked here in Deli Department. I cried to much that day because the thing I done it I never done it before and its not on my religion but I have to do here even I can't tell about my family regarding that job otherwise they call me back to India. This is about feeling Karl which we face here now in current situation Parents are worried about Australia. I am not sure how do you think about this email but there are lots of student I know they came here with good dreams but they survive here very badly which is hard to forget. Today I feel better because this things I never share with anyone in 2 years

thanks

Reply: Thank you for sharing your heart here and its good to let it out and share with others. Hope you find everything your looking for here in Australia.

Pratik writes;

Government have to make clear that do they want only LABOR or they want Educated people to show their skills? Why don't government of Australia make any efforts to Test and Examine the student before they got their admission in Australia rather then doing it in the end of study when they had all ready spent Lot's of money for education! Is education a profit making business or a institution of knowledge where people get

knowledge?

Reply: As I said above I do agree the focus has to be back on the education standard and not the testing afterward.

Riborg writes;

Dear Karl,

Love to get this newsletter, as I feel you are ready to challenge the system and have the good of students at heart.

I just wanted to ask if anyone else has found problems with the Reading Module of the IELTS test. We have several clients shooting for all 7's, but while they can score 7.5-9.0 on other modules, their Reading scores are around 5.5! Seems strange, hey?

I did write to the IELTS people to see if they had noticed a problem with their test, and just got a response that the student could ask for a re-mark, which wasn't the point I was making at all. Does anyone else feel there is an inherent problem with the Reading module? Would love to hear other feedback.

Keep up the good fight!

Reply: Where do I start about the IELTS? There is not week goes by where I don't see a set of ridiculous IELTS scores on multiple tests. I think you'd have better chance at Lotto

Mehul writes;

Dear Mr. Karl

I am very thankful to you as you giving such valuable information regarding student's problems as well as any update from DIMIA. I read your article every time and always awaiting and eager to read upcoming news from you.

I want to share my thoughts regarding IELTS exam. I am studying in Nursing program me of three years. Now, they have change new rule regarding registration of nursing board that if you wanna register as RN you have to IELTS academic and supposed to got 7 band in each module. If we are studding in English medium so why to going for English test exam. Why it is so? How fair it is? We have to pay \$10,000 for every semester which was \$8000 last year. We investing lots of money every year and we have to wait still for registration and invest more money and time for this exam. As we are studying in University there is nothing wrong regarding education system. They might have doubt regarding university or it is money making policy? It is not end here still you have sit in exam for PR purpose in general stream.

Reply: As far as I am concerned if you can pass a Bachelor Degree and the standards necessary of nursing practice why on earth do you need the IELTS for? Again it is because they don't trust the schools and that is the worst condemnation on the whole system.

Next?

A closer looks at events before Sterling College closed its doors!

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Kind regards

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