

**Submission to Legal and Constitutional Affairs Committee
Re: Migration Amendment (Visa Capping) Bill 2010 [Provisions]**

‘Government needs to recognise damage being done’

by John Wallace, Director **Asia Pacific Journalism Centre**

The Asia Pacific Journalism Centre provides professional training for journalists in developing countries and international exchange programs for Australian journalists. We have a strong interest in international communication.

The APJC has links with journalism communities and student communities internationally and domestically, and we often have Australia-based international students help us with our programs, as interpreters and in other roles.

Over the past two years, we have become aware of the frustration, disappointment and distress of students we have contact with whose life plans have been disrupted by changes to visa requirements made after they were on track to getting permanent residence. This kind of anguish is conveyed in many of the earlier submissions to this inquiry.

We have also become aware of these students’ increasing use of social networking media to express their dissatisfaction to family and friends, and to prospective students contemplating study in Australia.

Their messages typically reflect the following sentiments:

“Do not come to Australia to study.”

“Australia treats international students as cash cows.”

“Australia discriminates against non-English speaking students.”

“The government retrospectively changes the visa rules for students already here.”

“Some international students are so depressed that they kill themselves.”

“The Australian government talks about human rights but ignores the rights of international students.”

“The Australian government is hypocritical.”

“The government uses the English language test to restrict visa applications from students from non-English speaking backgrounds.”

“Australia has a new White Australia policy.”

Messages similar to these are being posted on international websites and bulletin boards every day.

International students we know of spend several hours a day engaging with social media internationally to get these messages through. They have one mission: to stop others making "the same mistake" of coming to Australia.

This continual stream of communication is taking place quite separately from conventional media, with little crossover, so that conventional media users – and most Australians, I suggest – are quite unaware of the "slow burn" of this damaging underground communication traffic.

If this behaviour is being repeated across Australia, which we believe it is, then what we have here is a powerful "hidden constituency" that is doing considerable damage to Australia's education/training sector and international reputation. And one that is impervious to government influence or "spin".

Parliament – and the government – should be aware of this in its consideration of the Migration Amendment (Visa Capping) Bill 2010 [Provisions].

The proposal to provide this new legislative instrument continues a pattern of policy change that quite understandably will be perceived by international students – and by others – as retrospective, unfair and discriminatory.

This amendment, if adopted, will only further alienate international students and do further serious damage to Australia's education/training sector and to Australia's reputation internationally.

As it seeks to rectify problems created by past policies that encouraged a blurring of education and migration objectives, the government should ensure that future steps it takes consider fully and compassionately the concerns of international students caught up in a bureaucratic mess not of their own making.

The government should acknowledge the widespread sense of injustice in the international student community, including the proper basis for it, and it should present this to the Australian people as a matter of public concern, citing damage caused to the education/training sector and damage to Australia's reputation internationally, along with reference to basic equity concerns for the students themselves.

It should do this as a precursor to taking real steps, including and going beyond formal legal obligations, to ameliorate the reasonable – and damaging – concerns of international students.

Passing this amendment does none of this.