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**2GB, 26 September 2024 - Leader of the Opposition – Transcript –  
Interview with Ray Hadley, 2GB – Peter Dutton MP**

**RAY HADLEY:**

The front page of *The Australian*; visas – ‘Australia’s courts and tribunals bracing for tens of thousands of international students to appeal against the refusal or cancellation of their visas amid concerns that foreign visa holders are gaming the system’. Now, the figures we’ve got here, 700,000 international students currently in the country, the AAT has already been swamped with reviews. Now the figures, they said, September 1st last year, August 31st, 15,700 compared with 2,200 the year before. At the moment, July, August this year, 4,863 appeals against student visa decisions lodged with the AAT. Most of them from Indian and Chinese students. I mean, let alone the people they’re getting here in other forms. It’s just a massive problem. We will be overwhelmed.

**PETER DUTTON:**

Well, Ray, I just think when you look at the detail, this is the modern version of the boat arrivals. So people have found a weakness in the system, they are exploiting the weakness, they obviously will be getting advice from lawyers in this space and others who have tested the system and found success, and ultimately have stayed in Australia or they have extended their stay. The taxpayer’s picking up every dollar of this. For a lot of these people that Andrew Giles and Anthony Albanese have let out of immigration detention, taxpayers are paying for motel accommodation for meals and providing medical support to them as well.

So, we’re talking about hundreds of millions of dollars a year, money that should be spent on Australians and not on people who are here illegally, and the Government is happy for it, Ray. Let’s be clear about it, because they don’t believe in a strong border protection policy. It’s getting away from them, it’s having a huge impact on housing and the fact that the Prime Minister’s brought in a million people over the last two years and only 300,000 homes being built, shows that, I just think, they’ve lost control of the migration programme, as well.

## The Guardian, International students say 'we've not come illegally' after Peter Dutton makes 'boat arrivals' comparison

Caitlin Cassidy, Fri 27 Sep 2024

Raghav Motani knew he would be paying \$70,000 in student fees for his two-year master's degree in Australia. He knew about the visa processing fees, insurance policy, health coverage and expensive housing – \$800 a fortnight.

But when the University of Technology Sydney's international student officer heard the opposition leader, Peter Dutton, had compared him and his peers to the "modern version of boat arrivals", he had some questions.

"Why are you using these words to describe us? What have we done that's unlawful?" he said. "We've not come illegally, we've not jumped borders, why are we framed like this? We're helping the economy, we're putting a lot of money into it. Protect us."

Speaking on 2GB on Thursday, Dutton was commenting on a report in the Australian highlighting a surge the administrative appeals tribunal (AAT) had experienced in student visa decisions, "most of them from Indian and Chinese students".

There were 8,204 student visa cases lodged with the tribunal in the year to 31 May, compared with 2,057 in the previous 12 months. Only people already in Australia who have had their temporary visa appealed or rejected can appeal with the tribunal, which costs \$3,496.

"I just think when you look at the detail, this is the modern version of the boat arrivals," Dutton said, using rhetoric reminiscent of the Abbott-led Coalition's 2013 campaign to "stop the boats".

"People have found a weakness in the system, they are exploiting the weakness ... and ultimately have stayed in Australia or they have extended their stay."

Weihong Liang, the chair of the NSW International Student Representative Committee, said the "constant targeting" of international students was creating an "unwelcome atmosphere".

"I'm tired of hearing these negative and divisive comments," he said. "It seems there's a growing trend to compete over who can be tougher on international students."

“People will carefully consider their study destinations and choose places that are more welcoming, open and inclusive of diverse cultures.”

The International Education Association of Australia (IEAA)’s CEO, Phil Honeywood, said Dutton’s comparison also failed to acknowledge the Coalition was responsible for creating a loophole during the pandemic that made it easier for non-genuine students to stay in Australia for economic reasons.

“The Morrison government – without any consultation with the international education sector – announced uncapped work rights for supposedly full-time overseas students,” he said.

“Dutton was a key minister in government in the relevant portfolio that was front and centre when non-genuine students were allowed in. This created an influx [of people] … particularly from the subcontinent, who came to Australia to make money rather than to study.”

The policy was reversed by Labor in July last year, capping working hours at 24 a fortnight. But by then, Honeywood said, Australia’s educational reputation had been “compromised”.

He attributed the rise in appeals to a concurrent spike in student visa refusals – part of a federal government crackdown on non-genuine students found in a parliamentary inquiry to use study as a back door for work and permanent residency.

Just 80% of student visas were granted in the year to 31 August, the latest data shows, compared with 95.7% in 2020-2021.

To Honeywood, comparing international students appealing visa decisions with asylum seekers was “palpably wrong”. “The majority of these people were allowed in under the Morrison government on planes,” he said.

“Many months ago Peter Dutton made it clear he wanted to fight an election on migration – and Labor ministers have told me they have little choice.”

A spokesperson for the home affairs minister, Tony Burke, said the government “won’t apologise for returning integrity to the international education system”, adding it was “unclear” what Dutton was criticising.

“Is it the AAT that he stacked and we are replacing, or the issues with international education that emerged when he was minister and we have made wholesale reform to fix?” the spokesperson said.

“Clearly Peter Dutton doesn’t think we should be rejecting fraudulent student visa applications – our government won’t apologise for returning integrity to the international education system.”

In July, the federal government more than doubled the international student visa fee to \$1,600, after adding tougher visa conditions, stronger English-language tests and more rules for education agents who bring overseas students to Australia.

A month later, the education minister, Jason Clare, announced the commonwealth’s proposed international student cap which would limit student enrolments to 270,000 across the tertiary sector.

Mehreen Faruqi, the Greens’ deputy leader and spokesperson for higher education, said both major parties were launching a bipartisan “attack” on the sector.

“Labor … has made international students the new political footballs in this racist dog-whistling game. Migrants, international students and people of colour will yet again be harmed by this dangerous rhetoric.”

**END**

## **The Sydney Morning Herald, Dutton calls overstaying international students 'the modern version of boat arrivals'**

Natassia Chrysanthos, September 26, 2024

Opposition Leader Peter Dutton has described foreign students trying to extend their stays in Australia as “the modern version of the boat arrivals” in comments that inflame a political clash over immigration, even as Labor knocks back student visas at the highest rate in two decades.

The federal government’s rejection of more than 20 per cent of student applications in the past 14 months has provoked a growing number of people – now about 2100 a month – to challenge their visa refusals in the Administrative Appeals Tribunal and thereby prolong their stay in Australia.

As Dutton’s comments evoked former prime minister Tony Abbott’s 2013 campaign vow to “stop the boats” in gearing up for an election fight on migration, Labor fought back against the narrative it was weak on borders and pushed the Coalition on how it had fuelled the system’s issues.

Dutton told radio station 2GB on Thursday that “people have found a weakness in the system, they are exploiting the weakness” when host Ray Hadley asked him about the 700,000 international students in the country and a growing number appealing their visa cases.

“They obviously will be getting advice from lawyers in this space and others who have tested the system and found success, and ultimately have stayed in Australia, or they have extended their stay,” Dutton said.

“I just think when you look at the detail, this is the modern version of the boat arrivals.”

A spokesman for Immigration Minister Tony Burke said he made “no apology for reversing the rotting and exploitation that the former government allowed to flourish in pockets of the higher education sector”.

“A direct consequence of that is [Labor] rejecting a higher number of student visas,” he said.

“Unfortunately we are not only battling a broken migration system but also inherited an [appeals tribunal] irreversibly damaged as a result of the actions of the former government, that was beset by delays, mismanagement, and an extraordinarily large backlog of applications.”

The stern words indicate both parties will defend their immigration records as the Coalition seeks to make it an election issue, particularly as the federal government is on track to miss its targets for 2023-24.

Burke became immigration minister at the peak of boat arrivals in 2013, when more than 4000 asylum seekers were arriving a month, although new regional resettlement policies brought those numbers down soon after.

Kon Karapanagiotidis, chief executive of the Asylum Seeker Resource Centre, said Dutton’s comments were “from a predictable playbook – one of division and fear and is out of touch with the community”.

Former immigration bureaucrat Abul Rizvi said the Coalition had itself turbocharged foreign student numbers and the appeal backlogs, which had been years in the making, would take many more to resolve.

“Dutton should remember it was the Coalition that put in place unrestricted work rights for international students. It was the Coalition that established fee-free student visa applications, which turbocharged the numbers,” he said.

“It’s reasonable for Dutton to argue that Labor was too slow to turn off the taps, which they were. But to say it’s nothing to do with them is nonsense. Both major parties have been at fault on this.”

There have been a soaring number of appeals lodged with the Administrative Appeals Tribunal since the Albanese government started cracking down on student visas in the past two years. Labor rejected 20.2 per cent of student visa applications last financial year – the highest refusal rate in at least two decades.

The refusal rate so far this financial year, for July and August, is 20.4 per cent.

More than 3000 migration appeals have been lodged with the AAT each month since May, with 70 per cent of those cases in July and August relating to student visa refusals.

New migration cases in the AAT are up 241 per cent in the first two months of this financial year, compared to the one before, which has created a backlog of cases that now sits at 27,710.

More than half – 15,271 – of those are student cases: people who would have arrived in Australia on visitors or working holiday visas, and sought to stay longer by studying, or existing students seeking an additional visa who had been knocked back.

A new Administrative Review Tribunal will replace the AAT next month.

**END**

## The Australian, ‘Boat arrivals’: Dutton slams visa rort

RHIANNON DOWN, 27 SEP, 2024

Peter Dutton says a wave of international students challenging their visa refusal or cancellation through the tribunals and courts to delay their deportation is the “modern version of boat arrivals”, as the new appeals body comes under fire for failing to address the case backlog at its first meeting.

The Opposition Leader said foreigners were using the Administrative Appeals Tribunal to delay their deportation and outmanoeuvre the government’s push to cut net migration, following revelations that appeals to student visa decisions had surged.

New AAT figures, uncovered by The Australian, show the number of international students lodging reviews of their student visa refusal or cancellation was climbing rapidly, with 4863 cases lodged in July and August alone – more than double the 2278 lodged in the entire 2022-23 financial year.

“I just think when you look at the detail, this is the modern version of the boat arrivals,” Mr Dutton told 2GB Radio on Thursday. “So people have found a weakness in the system, they are exploiting the weakness. “They obviously will be getting advice from lawyers in this space and others who have tested the system and found success, and ultimately have stayed in Australia, or they have extended their stay.”

Amid concerns that a significant proportion of the almost 700,000 international students in the country could lodge appeals and exacerbate the backlog of cases, The Australian can reveal the deluge of cases was not scheduled for discussion at the inaugural meeting of the Administrative Review Tribunal.

The all-member induction, at the Pullman hotel in Melbourne’s Albert Park the day after the review body officially launches on October 14, will include sessions on the “vision and expectations of the tribunal”, the role and function of the president’s chambers and tribunal staff and new ART legislation, a leaked copy of the program shows.

The two-day program will also include a session on the “joy, struggles and inspiration of being a tribunal member”, the “pitfalls of decision writing” and a keynote address from Attorney-General Mark Dreyfus. There will also be presentations on the “accessibility and

responsiveness of the tribunal to the diverse needs of parties" and "conducting remote hearings effectively using audio visual technology where witness credibility is an issue".

Opposition immigration spokesman Dan Tehan criticised the use of taxpayer money to facilitate the gathering. "All this shows is how completely out of touch Anthony Albanese and his Labor government is in a cost-of-living crisis," he said. "They're having a two day planning meeting at considerable expense, that doesn't even deal with the number one issue facing the government; how to address its big Australia policy which is now leading to our courts and tribunals being overrun with appeals."

The AAT did not respond to questions asking how much the face-to-face would cost, but a spokeswoman said the body was "currently finalising arrangements to enable its operations to transition to the Administrative Review Tribunal". "This includes preparing to deliver training, education and professional development for members, as required under the Administrative Review Tribunal Act 2024," she said. "Details ... are yet to be finalised."

Migration Institute of Australia chief executive Helen Duncan said that while some visa holders used the AAT and the courts to extend their stay, it was important an avenue for review remained to hear the "legitimate reasons for review".

Ms Duncan said there had been a rise in unmeritorious protection visa applications as noncitizens sought to delay their deportation, with some former student visa-holders filing an application after they were rejected.

"There has been an increase in protection visa applications as well, so that has also been a problem with delayed processing and things like that," she said. "Again, people use that avenue to extend their stay in Australia."

**END**

## **SBS News, 'Does he understand the difference?': Dutton criticised for international student remarks**

Jessica Bahr, Published 27 September 2024

Peter Dutton has labelled international students seeking visa extensions the "modern day version of boat arrivals" who are exploiting system weaknesses. Experts say it's a "nonsense" and "unfair" assessment.

### **Key Points**

- Opposition leader Peter Dutton spoke about the number of international students trying to extend their visas.
- He described it as the "modern version of boat arrivals".
- Abul Rizvi, former deputy secretary at the immigration department, described Dutton's comments as "nonsense".

Opposition leader Peter Dutton has been criticised for describing international students trying to extend their visas as the "modern version of boat arrivals".

Dutton made the comments when asked about the rising number of international students in the country and the increase in applications for visa extensions with the Administrative Appeals Tribunal (AAT).

He claimed international students appealing for visa extensions were exploiting a weakness in the system.

"This is the modern version of boat arrivals, people have found a weakness in the system; they are exploiting the weakness," Dutton told radio 2GB host Ray Hadley.

"They obviously will be getting advice from lawyers in this space and others who have tested the system and found success and ultimately have stayed in Australia or extended their stay."

A spokesperson for Home Affairs Minister Tony Burke rejected the criticism saying the federal government would not "apologise for returning integrity to the international education system", according to The Guardian.

Abul Rizvi, former deputy secretary at the immigration department, described Dutton's comments as "nonsense".

"The boat arrival comparison is nonsense; boat arrivals come without a visa, all of these students came with a visa," Rizvi said.

"If he (Dutton) doesn't understand the difference between that, he shouldn't have been home affairs minister."

Abul Rizvi has criticised Peter Dutton's comments about international students.

Rizvi said if Dutton thought legal rights were a weakness in the system, he "ought to have a chat with the high court".

He said all people onshore in Australia with a visa have appeal rights when they apply for a visa onshore.

He said visa holders had had this right for decades, including when Dutton was home affairs minister.

"What these people are doing is merely exercising their legal rights ... it's not a weakness in the system, it's the way the judicial system in Australia operates," Rizvi said.

"It was around the whole time that he was a home affairs minister. If he thought it was a weakness in the system, why didn't he try to fix it?"

#### International students and housing

In the 2GB interview, Dutton also spoke about international students and migration in connection with housing shortages.

"[The government] don't believe in a strong border protection policy and it's getting away from them, it's having a huge impact on housing," he said.

"And the fact that the prime minister has brought in a million people over the last two years and only 300,000 homes have been built ... shows that, I think, they've just lost control of the migration program."

But Parth Patel, a registered migration agent, believes international students are being unfairly placed at the centre of political debates. Struggling to find rental close to his work, Dezu decided to live in a tent

Struggling to find rental close to his work, Dezu decided to live in a tent "Whenever there are any crises happening in recent times, for example the housing crisis, students are penalised," he said.

"But when the government wanted people in Australia ... the government was saying 'we will be offering free student visa extensions', or they were saying 'we will be giving full-time work rights to the students'."

Patel said migrants and international students can boost the economy and help fill skill shortages in the labour market.

"It's unfair to the students, they are actually supporting the economy," he said.

"And there are a good number who are settling in Australia (during) skills shortages and having a high skillset."

How many international students are appealing to extend Australian visas?

According to the Department of Education, in the year-to-date July 2024 there were 943, 977 international student enrolments, a 17 per cent increase in enrolments on the same period in 2019.

Year-to-date July commencements are currently the highest on record at 420,751.

The Albanese government has made a series of changes to migration policy and tightened criteria for student visas.

According to data from the AAT, over 1 July to 31 August were 15,877 active appeals from students who have had their visas either cancelled or refused.

Ali Mojtabaei, principal solicitor at the Immigration Advice and Rights Centre, said a high number of appeals was a natural consequence of tightened restrictions.

"I don't think that should have come as a surprise to anybody that you're going to have more visa refusals, and naturally you're going to have more people exercising a right to seek review of those decisions," he said.

"I reject the idea that having access to a merit review is a weakness in the system. I think it's a strength of the system."

Mojtahedi said appealing a visa refusal or cancellation is a formal and thorough process for international students.

"If people decide to take up the opportunity to seek review, then that's their right," he said.

"And I struggle to see any criticism of a person exercising a right that's given to them by parliament."

END

**Canberra Times, No Peter, they're not the new boat arrivals. But we're facing some real problems**

*Abul Rizvi (former deputy secretary of the Department of Immigration), September 30 2024*

Peter Dutton has said overseas students appealing visa refusals to the Administrative Appeals Tribunal (AAT) are the "modern version of boat arrivals".

While there are serious policy issues arising from the very large number of students and former students currently stuck on temporary visas, comparing their situation with boat arrivals is just nonsense. Boat arrivals seek to enter Australia without a visa and are subject to mandatory detention.

Because they often spend many years in detention, the costs to the taxpayer associated with boat arrivals are massive, especially as Australia has adopted a policy since mid-2013 of not allowing boat arrivals to settle in Australia.

This means long delays whilst a re-settlement place is found in another country or attempts are made to return unsuccessful asylum seekers to their country of origin.

Students on the other hand, enter Australia on a valid visa that was obtained following assessment of an application, including payment of tuition fees, English language tests, payment for private health insurance, etc.

To remain legally in Australia, they must continue to meet study requirements and remain up to date in payment of tuition fees.

They are part of one of Australia's largest industries, employing around 200,000 Australians with many businesses, large and small, dependent on their spending and on them for labour.

After the Coalition government stomped on the student visa accelerator in 2021 and early 2022, the number of student visa holders as well as former students on a range of temporary visas, including temporary graduate visas, has boomed to around 1.1 million.

Mainly due to the student boom, net migration exceeded 500,000 in 2023.

The government was never going to allow that unprecedented level of net migration to continue.

The accelerator involved giving students unlimited work rights, fee-free visa applications and access to the special COVID visa which enabled unlimited work without having to pay a tuition fee or employer sponsorship.

This led to offshore student visa applications breaking monthly records every month from February 2022 to early 2024.

This was not just COVID "catch-up" as some have alleged.

It was a function of education providers of all sorts, as well as their education agents, responding exuberantly to the Coalition government's unprecedented policy stimulation and the Labor government responding far too slowly to get things back under control.

Much of the boom was as much about selling visas with work rights as about selling education.

But the industry didn't mind.

The easy money was like a drug with many education providers and their agents quickly becoming addicted.

Record-breaking offshore student applications and visa grants in 2023 were taken by the industry as the new normal when that was never going to be the case.

Industry lobby groups such as Universities Australia continue to argue that the policy tightening introduced by government has led to a major loss in tuition fee revenue in 2024 because the 2023 levels were not sustained.

That is as much nonsense as Dutton's comparison with boat arrivals.

After the inevitable policy tightening that is the second stage of every unsustainable student visa boom, we are now entering the third stage.

This stage involves students and former students desperately looking for ways to extend their stay, including by appealing student visa refusals to the AAT and/or applying for asylum in record numbers.

These will keep rising over at least the next six to 12 months.

The much criticised student caps, which are undoubtedly poor policy as evidence to the Senate committee enquiring into the legislation has made clear, have been set at a level whereby the 1.1 million students and former students in Australia would keep growing, especially if current tightened visa policy is loosened to meet the caps.

The fundamental problem is that a substantial and growing portion of the 1.1 million students and former students in Australia on temporary visas will increasingly fall into some form of immigration limbo.

If the number of new student arrivals exceeds the number that either secure permanent residence or depart, the 1.1 million students and former students on temporary visas, will continue to grow as will the number in immigration limbo.

A rising portion will become undocumented if their appeals and/or asylum applications fail.

The solution is not to lower the caps but to find a policy solution that simultaneously ensures we target only the highest performing students but also ensures we start reducing the number of students and former students in immigration limbo and get net migration back under control.

That is essential to regaining public confidence in our immigration policies.

But the government is unlikely to admit the problems with the caps before the next election.

That sets the scene for an immigration-focused election which will inevitably involve both major parties being less than honest with the Australian public.

END

**The Guardian, Claims that international students are the ‘modern version of the boat arrivals’ are inflammatory and unhelpful**

*Sean Stimson (senior solicitor at the Redfern Legal Centre International Student Legal Service), Sat 28 Sep 2024*

They divert attention from the systemic issues plaguing our housing market and ignore the true root causes of these problems

As Australia grapples with a housing affordability crisis, international students are being unfairly scapegoated.

International students contribute almost \$50bn a year to our national economy and represent a small fraction of rental tenants nationwide, and they are not responsible for a housing crisis that has been years in the making.

Recent claims by the Coalition that international students are “the modern version of the boat arrivals” are inflammatory and unhelpful.

International education is Australia’s fourth-largest export and our largest service export, surpassing all but iron ore, coal and natural gas. In New South Wales alone, international education is the second-largest export, generating nearly \$18bn annually. This sector supports local businesses, creates jobs, fills part-time and casual roles in industries with labour shortages, and enriches our cultural landscape.

Blaming international students for rising rent and housing prices is not only unfair but also shortsighted. It diverts attention from the systemic issues plaguing our housing market and ignores the true root causes of these problems. Instead of targeting people that contribute so much to our economy, we should focus on addressing the real issues.

The housing crisis is driven by a chronic undersupply of affordable homes, lack of effective rent controls, and the commodification of housing as an investment rather than a basic human right. Successive governments have consistently failed to address these issues.

The Coalition’s recent comparison of international students exercising their legal rights in the Administrative Appeals Tribunal (AAT) to “boat arrivals” is both inaccurate and incendiary. International students are not exploiting a weakness in the system; they are navigating a complex and often opaque immigration process in pursuit of education and the

opportunity to contribute to Australian society. The AAT and similar bodies ensure that legitimate cases are heard, and their existence is crucial for upholding justice. Everyone has a right to access legal remedies when there has been an error of law.

The Albanese government's proposal to increase international student visa fees by more than 200%, from \$710 to \$1,600, will deter many students from choosing Australia, particularly those from lower socioeconomic backgrounds. In a competitive international education market, this could harm Australia's attractiveness as a study destination.

This policy also risks having a devastating impact on smaller educational institutions, which rely on a steady influx of international students. Many of these institutions serve as feeder schools for larger universities. A decline in enrolments could threaten their financial sustainability and result in significant job losses.

The ramifications extend beyond the education sector. Reducing international student numbers through exorbitant visa fees could create a harmful ripple effect across the economy. International students support jobs in education, retail and hospitality and also often work part-time in industries like healthcare – sectors already experiencing workforce shortages.

International students deserve safety, respect and fair treatment. Scapegoating them for broader policy failures is not only morally wrong but also risks damaging Australia's reputation as a welcoming and inclusive destination for education. In a globalised world where competition for international students is fierce, Australia cannot afford to tarnish its image by mistreating those who contribute so much to our society.

The housing crisis requires our politicians to have the political courage to address the real issues without resorting to scapegoating or short-term fixes.

**END**