



## British Council Report on Student Visa Changes

### Migration Watch comments

#### Introduction

1. On 9<sup>th</sup> February 2012, Professor Jo Beall, Director of Education and Society at the British Council, spoke on the BBC Radio 4's Today programme about a report issued by the Council which examined the experience of Australia and the United States in tightening their visa restrictions for students. She suggested that changes introduced by the British government could have unintended consequences and that we should learn from the experiences of these other countries.

2. The study entitled "Impact of Visa Changes on Student Mobility and Outlook for the UK" was contained in a document distributed to the Higher Education sector and obtained by Migration Watch UK upon request. Apparently it has not been published.

3. The report (see Annex A) examines the examples of Australia and the United States, countries that have tightened up their student visa system and have seen a drop in student numbers and, seemingly, have later modified their policies. It is hardly a surprise that eliminating bogus students should reduce the number of visas granted – surely the purpose of the exercise. Moreover, the reduction in numbers was not uniform across the board. In Australia, Higher Education, such as universities, suffered no adverse effects following the tightening of the system – in fact, visas issued increased slightly by about 1%. The Council's report acknowledges that they found no correlation between student enrolments for higher education and tighter requirements (Page 8). The real reductions in Australia were seen in the area of Vocational Education, in courses such as cookery and hairdressing, which international students were choosing as they were an almost automatic route to settlement. The report noted that there was "widespread agreement that a variety of education providers and their agents manipulated the system primarily for migration outcomes rather than educational outcomes".

4. Furthermore, as the report itself points out, visa changes should not be seen in isolation. The strength of the Australian Dollar which appreciated against the US Dollar by 47% in 2009 to 2010 was clearly a factor. So was damage to Australia's reputation following from some physical attacks on international students. There was also bad publicity stemming from the closure of bogus education providers. According to the report, there was a drop of almost two thirds in Chinese students applying for visas in Australia and New Zealand in the years after 2002 / 2003 following bad publicity in China as a result of the closure of some private colleges.

5. In the United States the tightening of visas was initially as a result of concerns about the Student Route being used by terrorist suspects. However, when the authorities required all institutions to re-register, they found that 50% of institutions able to issue documents to international students were either closed or were only Post Office boxes.

6. It follows that the first lesson to be drawn from the experience of the United States and Australia is that the Student Route is a very likely source of serious abuse.

7. Any comparison with the United States and Australia must take account of the fact that both those countries operate a system of embarkation controls on entry and exit. The authorities are therefore able to know whether a student has left the country or not. This must be a serious deterrent to those thinking of overstaying their visa. In the UK, by contrast, embarkation controls were scrapped over a decade ago. This makes it all the more important that bogus students should be prevented from reaching the UK in the first place.

8. A further major difference is that both Australia and the United States have a system of interviews for prospective students. In the United States all visa applicants must attend an interview as part of the application process. Indeed, the American authorities have increased staff around the world in order to process these applications.

9. Similarly, an applicant for a student visa to Australia must also face an interview at which the Australian authorities include a judgement on the likelihood that the student will return home on completion of their studies. This is an important part of their decision to grant or refuse a visa. This is exactly the system which Migration Watch have been recommending for the UK for some considerable time.

10. The British Council seem to be particularly concerned about opportunities for post study work. Britain's scheme, once described by the Migration Advisory Committee as one of the most generous of its kind, has been tightened up. At a time when one in five recent British graduates is unemployed, we cannot grant free rein to international students to stay on and work – especially as a Home Office study found that 60% of Post Study Work Visa holders were in unskilled employment.

11. There is no doubt that there has been extensive abuse of the Student Route to Britain. Students have been working full time when they were supposed to be studying; visas have been repeatedly extended with no sign of progression; students have arrived in Heathrow with little or no English to study at higher educational institutions; colleges with hundreds of full time students have been found to have but a tiny handful of teachers. Abuse of this kind is seriously damaging to the reputation of the higher education sector in Britain and it is very much in their interests to insure that it is stamped out. This report from the British Council draws selectively, and misleadingly, from the evidence that they have accumulated. It should be ignored.

12 March 2012

## **Annex A**

### **Migration Watch UK Summary of British Council Report:**

#### **Impact of Visa Changes on Student Mobility and Outlook for the UK**

##### 1. Summary of Report

The British Council report uses evidence from Australia and the United States to suggest that visa reforms to tighten the student system to reduce the numbers of bogus students and colleges will damage the reputation of the UK as a place to study and will lead to a reduction in student flows.

##### **Australia**

##### 2. Rationale of Australian Visa Reform

As in the UK, the education sector has grown in Australia to become one of their largest export industries. Concern over bogus students in recent years however, led the Australian government to implement changes in an attempt to sever the almost automatic link between studying certain subjects and permanent residence.

3. Australia implemented the following changes:

- Strengthening of the interview system based on risk assessments of countries in order to better target fraud and to establish the integrity of the applicant
- An increase in the funds required to demonstrate that applicants are able to cover their living costs
- Introduction of a new Skilled Occupations List, slimmed down to better target those occupations where there are genuine skills shortages
- An increase in the minimum level of English language skills.

4. Impact on Student Flows to Australia

Australia saw a reduction in visas of approximately 50-60,000 from over 350,000 to under 300,000. This reduction was mostly seen in the area of Vocational and Educational Training.

5. Causes of Reduction in Student Flows to Australia

Apart from the reforms themselves, other factors included:

- The strength of the Australian dollar
- Concerns following physical attacks on international students
- Publicity from the closure of education establishments
- Increased competition from education establishments in competitor countries

The report notes that negative publicity caused by the closure of some bogus establishments led in part to a reduction in student numbers. There was concern that 'a variety of education providers and their agents manipulated the system primarily for migration outcomes rather than educational outcomes'. All providers were, therefore, required to re-register and to meet two new criteria - to demonstrate clearly that their primary purpose was to provide education and also to demonstrate that they had the capacity to provide that education to a satisfactory standard. As a result 49 education providers closed.

The report noted that stricter assessment levels placed on students from particular countries that were deemed to pose higher risk had not disincentivised applicants from applying to study.

6. Further policy changes

Following a decline in enrolments the Australian government reviewed the student visa programme and made a number of changes, as follows:

- Changes to the post study work visa (no explanation of changes)
- Faster visa processing times
- Less money required to demonstrate sufficient funds
- Flexible arrangements for English language study

## **United States**

7. Rationale of visa reform in United States of America

Following 9/11, the American government sought to tighten the immigration system as a means of strengthening their security; a number of terrorist suspects had entered the US by the student route.

8. The US implemented the following changes to their border system (amongst others that were not confined to those who wished to enter for study):

- Implementation of an integrated entry and exit data system
- Improved training for consular officers
- Risk based approach to migration
- ID documents for certain newly admitted aliens
- Name check procedures
- Interview requirement for almost all applicants for non-immigrant visas

Changes which specifically impacted the student route

- Re-certification of schools
- Increased fees

#### 9. Impact on Student Flows to the United States

During the late 1990s, economic growth 'had driven record numbers of applications from international students hoping to enter the US and to take advantage of its dynamic economy'. The changes implemented by the American government to the wider visa system 'clearly resulted in the reduction in the number of foreign student applications to the US'.

The evidence for a reduction in student visas is incomplete since the report provides no data for the academic years prior to 2001. The report does show a 2.4% reduction in student enrolments in 2003-4 and two consecutive years of decline, albeit small.

The changes implemented, such as the re-certification of schools demonstrated considerable abuse of the system. Over half of the 80,000 schools which had been allowed to issue paperwork in support of a visa application were found to have closed or to have been Post Office Boxes which it was concluded 'were a means for persons to enter the country and "disappear into the illegal economy" as informal workers'.

#### 10. 'Relaxation' of Policy in 2005

The United States sought to improve the system and implemented the following changes:

- Increased the staffing levels of worldwide consulates by 570
- Faster visa processing times
- More generous visa terms for Chinese nationals than previously

The United States saw a surge in applicants in 2008 as a result of doubling its overseas recruitment efforts and allowing those students studying Science, Technology, Engineering and Maths a period of post-study work as part of the practical experience component of their studies in the US.

#### 11. Lessons to be learnt from the impact of visa policy changes in the US and Australia

International students were particularly sensitive to the types of changes implemented in the United States. In an attempt to reduce fraud, non-compliance and migration risk, such policies along with various other factors led to a reduction in international students to Australia. The US and Australia tarnished their image as attractive destinations to study as a result of their stringent policies. This is likely to happen to the UK too.

## 12. Possible outcomes for the UK

Evidence from Australia demonstrates that enrolments on Vocational and Educational Training courses fell following the reforms; this may provide insight into the outcomes for the UK. A restriction on the ability of students to study pathway courses such as language courses would have a direct impact on further education institutions and an indirect impact on universities.

The post study work visa was designed to make the UK attractive to international students and to allow the UK to retain the skills of the best students. However, a Home Office study found that three out of five international students on a post study work visa were in unskilled employment. Research by the NUS suggests that the opportunity to work after their studies was an important factor for many in deciding to come to the UK; this suggests that the removal of the post-study work visa would discourage students from applying to the UK.

## 13. Conclusions

The experience with stricter immigration policies in the US and Australia suggests a likely downward trend in future international student enrolment. The British Council expects that the restrictions imposed on the Post Study Employment Route and tougher English language requirements will be the major deterrent factors for prospective students. The latter is expected to have a negative impact on pathways leading to higher education which account for 40% of non-EU undergraduate students.

Proof of academic progression before being able to extend a visa will also be a disincentive.

The removal of the Post Study Work Visa will particularly affect students from India and Pakistan and will much reduce applications for full time postgraduate courses.

Recent immigration changes have singled out the UK as the country with the toughest immigration regime compared to its competitors.

Overseas publicity for recent closures of private colleges will damage the UK education brand. Arrangements are needed for those students affected by these closures.