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CONSUMERS OF EDUCATION: 'YOUR MONEY, YOUR RIGHTS'

INTRODUCTION

In the previous chapter, I discussed the NLC's reaction to government policy from March 1985 to 1991. This chapter continues this discussion by focusing on the period after 1991 when the export education services sector continued to undergo further changes. In this chapter, I examine how the NLC campaigned and reframed their claims in light of sectoral changes. I argue that during the early stages of education aid reform, the NLC's campaign strategy involved framing their arguments' themes based on principles of certainty in fees policy and the instalment payment scheme to help alleviate financial pressures on students. Such a campaign strategy to secure policy concessions achieved modest results. (See Chapter seven)

As the export education services sector developed and commercially expanded under the government's economic liberalisation agenda, the NLC's campaign strategy had to also evolve. When the government introduced new policies to phase out fee subsidy, impose charges on dependants of overseas students and devolve welfare support responsibilities to educational institutions, its actions helped accelerate the evolution of the NLC's campaign rhetoric. The beginning of a shift in the NLC's claims-making occurred during the *National Awareness Week* campaign in late 1991. During the campaign, the students expanded their conventional campaign rhetoric to incorporate a series of demands for better quality of education services. These demands formed a precursory policy framework, which seemed to embrace the government's own 'language of liberalisation', adopting free market notions such as consumer rights and

‘value for money’ that the students reinterpreted and used in their ongoing demands for improvement in the quality of education services.

In this chapter, I will explore the evolution of the NLC’s campaign rhetoric. I will examine three campaigns that captured the development and transformation of the NLC’s claims in response to changes in the export education services sector. The first campaign, the national awareness week, sought to raise the public profile of government policy changes and its implications on overseas students, and attempted to halt the government’s retreat from welfare support services responsibilities. The second campaign, ‘Milking Calves’, focused on the students’ efforts to stop the government from imposing full fees on children of overseas students studying at elementary and primary schools. In this campaign, the NLC attempted to frame the government’s decision as contemptuous and representing an intractable expansion of the export education services sector to extract further financial revenue from children of overseas students. The third campaign involved conducting a national survey to assess overseas students’ perception of quality of education at universities. The survey campaign was particularly important because it represented the NLC’s full embrace and use of consumer rights in making subsequent claims on government and institutions.

CHANGING SECTOR, CHANGING EXPECTATIONS

Following the 1991 National Overseas Students Conference, the new NLC National Executive team began plans for a nation-wide campaign. The campaign would respond to growing volatility in the export of education services sector and address government’s withdrawal of responsibility over management of the overseas students program. Over the past three years, the government had successively phased out its subsidised fee program and introduced in its place, a new aid scholarships scheme – the *Equity and Merit Scholarship*. The government also withdrew funding for welfare support services provided by its aid agency, the *Australian Development Aid Bureau* in conjunction with state-based community organisations, the *Coordinating Committees for the Welfare of Overseas Students*. In its place, the government had stipulated that institutions were now required to allocate a proportion of full fees collected to provide

support services to overseas students. The requirement for universities to provide support services in particular represented a significant departure in government policy.

Bryan Burke observed that many institutions were ill prepared for increased welfare responsibilities and had yet to make specific provision for such services in their budget or the distribution of the full fee income in an appropriate way.

All too often Australian institutions have rushed into offering full fee programs without developing a comprehensive policy, or providing seed capital to underwrite the establishment of the new venture. It seems fairly obvious, that unless resources are put into appropriate support services, students may suffer with adverse effects on the reputation of the institution in what is a very competitive market overseas.¹

Overseas students required to pay substantial amounts to study in Australia were expecting 'value for money' for the quality of education they were receiving and the level of welfare support services provided. They were becoming acutely aware of the growing gap between expectations of appropriate levels of services and their actual delivery. Burke wrote:

In making a decision about where to study they engage in 'comparison shopping' and take their business where it best suits them. As customers they expect commensurate levels of education and support services.²

As the number of fee-paying students grew, so did their expectations of institutional responsibilities and level of quality service delivery. Even at the 1991 Annual National Overseas Students Conference, the rhetoric and tone used in formulating policies increasingly reflected the changing of the students' demographic profile and indeed expectations. At the Conference, there was growing recognition by delegates that universities and student bodies needed to show greater understanding towards education, welfare and services requirements of overseas students. There were also increased expectations of better services and programs to be specially developed to cater for an expanding and more discerning cohort. For the first time at the Conference,

¹ Burke, B.D, 1989, Overseas students – mixing it and making it in Australia, Paper presented at the Overseas Students Week, Council of Groups Supporting Overseas Students in Tasmania, Tasmanian State Institute of Technology, Launceston, p. 7

² Ibid. p.8

the NLC Executive introduced training workshops to help build delegates' understanding of welfare services issues and develop skills to campaign for more services. The workshops in fact began to provide a ready platform in which discussions about notions of 'consumer rights' and 'value for money' surfaced. In light of the increase in full fee education offerings, conference delegates were encouraged to explore issues around the quality of education and the level of services they were receiving for the amount of fees paid and develop strategies in which to 'telegraph their needs on issues affecting them to the relevant authorities'.³

NATIONAL AWARENESS WEEK

There was an overwhelming consensus among NLC Executive Members that over the previous five years, rapid policy changes had produced many inadequacies in the delivery of education services, and a slow government response to these growing challenges. Moreover, the NLC believed that overseas students generally, lacked understanding of what implications these challenges posed, especially with the government incrementally withdrawing its role in the Overseas Students Program (OSP).⁴ To address these challenges, the NLC decided to hold, a nation-wide campaign, the '*National Awareness Week*' in September 1992. The campaign would aim to raise public and student awareness of issues affecting overseas students and attempt to force the government to resume more responsibility in the overall provision of education services. The campaign strategy would involve a week-long activity of public presentations, distribution of posters and leaflets, and signing of petition cards. Immediately following the campaign, an NLC delegation would travel to Canberra to lobby government and opposition parties. To achieve maximum impact, both activities would be promoted to local and international media⁵ and arranged to coincide with the government's planned October release of its Industry Commission report investigating

³ Dasan, S, 1989, Message from the National Convenor of the NLC, National Overseas Students Conference, University of Tasmania, 1-4 July

⁴ National Executive Meeting 2.91/92, 25 August 1991, p. 8

⁵ NLC National Executive Meeting 1.91/92, 27-28 July, Adelaide, p. 17

the collapse of private colleges and ongoing problems affecting the export education services sector.⁶

In preparing for the campaign, a working group comprising the National Convenor, National Education Officer and National Women's Officer began formulating a list of core demands they planned to make to the government.⁷ First, they would push for the creation of a Federal *Overseas Students Legal Officer* position to deal with student grievances and complaints. Though it was unclear who would fund or employ the officer, such a role would nevertheless have 'State or the Commonwealth scope of authority and be located within the Department of Education or the Attorney General's Department'. Second, the students would demand better campus welfare and support services. This would include reinstating the travel concessions and funding support to State Coordinating Committees that was important in helping provide a network of community welfare support services to students. Third, they would demand that the government establish a 'one-stop-shop' approach in disseminating quality information to prospective overseas students. The students considered information about Australia's education opportunities was fragmented and marketing materials provided by agents tended to be misleading. Fourth, the students would demand that the government establish an effective and independent mechanism to monitor fee charges. The students recommended that the Prices Surveillance Authority in particular could be that independent mechanism to monitor fees. Fifth, the students would push to extend the government's protection of overseas student pre-paid fees currently available in the non-formal sector to include students in the formal sector. Last, the NLC would lobby the government to maintain its institutional accreditation requirements to ensure providers met minimum quality standards before offering education services.⁸

The student leadership had very limited time to prepare for their campaign. Within three weeks, they produced 2000 posters, 10 000 explanatory leaflets and 10 000 petition cards. Regular telephone meetings were held between the national campaign team and campus leaders to coordinate logistics and distribution. Campaign materials were then sent directly to all campuses for distribution. Students were invited to sign the petition

⁶ Quek N.M, 1991, National Awareness Week Report, National Convenor 1991/92, National Liaison Committee for Overseas Students in Australia, October, Adelaide, pp. 3-4

⁷ National Executive Meeting 2.91/92, 25 August 1991, p. 8

⁸ Ibid.

cards, which were subsequently noted by the campus campaign coordinator for reporting purposes, and then mailed to Minister John Dawkin's office. Issues briefs outlining and justifying each demand were also prepared and sent to the Minister before the students' planned lobby trip to Canberra.⁹

The short lead time in preparing for the campaign had an impact on the final number of responses. About 5000 petition cards were collected, however a number of campuses either did not receive the materials or it was delivered too late. In Queensland for example, the transportation union went on strike in the midst of distribution of campaign materials.¹⁰ Consignments of petition cards and leaflets to Western Australia went missing, leaving its state organization, the Overseas Students Association of Western Australia (OSAWA), having to photocopy petition materials and leaflets from facsimile copies and running their campaign a week later than the rest. In his report to the National Executive, the Convenor noted:

Generally, it is admitted that this campaign was organised in a rush. A number of campuses did not have sufficient notice to organise such a large-scale campaign. In addition, a number of constructive criticisms had been received with respect to the leaflet, the petition card and the posters after they had been printed. Their inputs were received too late to be embodied in the materials. Some of the concerns raised above were unavoidable because the NLC Executives had only three weeks time limit to organise this campaign.¹¹

CANBERRA LOBBY TRIP

As thousands of petition cards reached Minister Dawkin's office, a NLC delegation departed for Parliament House in Canberra to meet with the Minister. The Minister was however unavailable, instead formally responding to the NLC's list of demands through his Senior Adviser, Mr Brendan Sheehan. In his response noted by the students, the Minister agreed broadly with the NLC's submission. He agreed with the option of maintaining some form of accreditation to compel education institutions to satisfy the

⁹ Quek Ngee Meng, op.cit. pp. 3-4

¹⁰ Ibid. pp. 4-5

¹¹ Ibid.

minimum quality standard before recruiting students from overseas and to protect student affected in cases of collapse of education institutions. The Minister considered the introduction of the *Education Services for Overseas Students Act* (ESOS) legislation as a necessary regulatory arrangement required to maintain accreditation while affording considerable protection to overseas students especially in relation to refund policy.¹² He believed however that such an arrangement should only be a temporary measure and remain in force until 1 January 1993 when the sunset clause expired.

The Minister also agreed with the ‘one-stop-shop’ information dissemination concept where comprehensive information on all institutions would be available abroad. He considered the government’s new initiative to establish its education representation regionally through its Australian Education Centres (AECs) as underpinning the one-stop-shop concept. The Minister did not however believe that the government should play an active role in developing such a model as such task would be left to AECs and its member institutions.¹³ In monitoring fees charges, the Minister indicated that the Prices Surveillance Authority would accept complaints from overseas students on fees level. He however cautioned that a possible disadvantage with such approach would be delays in reviews of fees undertaken by the surveillance authority due to its extensive responsibilities.¹⁴ In monitoring the advertising abroad, the Minister stated that the government did not wish to take a pro-active role in monitoring all promotional and advertising material produced by institutions. The Minister did however invite the NLC to inform the Department of Employment, Education and Training (DEET) when it became aware of misleading advertising by institutions. ‘DEET will exercise its power under the Education Services for Overseas Students Act if it is satisfied that the institutions engaged in misleading conduct.’¹⁵ The Minister was however, lukewarm to the idea of an overseas students legal officer, requesting an NLC costing of the proposal. In the interim, the Minister informed the NLC that his department would provide assistance in the production of consolidated information that would list all available avenues for student assistance.¹⁶ The significant point of disagreement

¹² Ibid. p. 5

¹³ Ibid.

¹⁴ Ibid.

¹⁵ Ibid.

¹⁶ Ibid.

between the NLC and the Minister was about the government's provision of welfare and support services to overseas students. I will elaborate this point in the next section.

SHIFT TO CONSUMER RIGHTS

The National Awareness Week campaign and lobby trip received broad media coverage in the Australian, Malaysian and Singaporean newspapers; radio interviews with ABC Radio, SBS Radio, JJJ FM and 5UV; and SBS News short coverage on the NLC Canberra lobbying trip.¹⁷ Despite the media profile and partial success in securing the Minister's response to most of their demands, the students were deeply disappointed with the government's firm position on disowning its responsibilities over the provision of welfare and support services to overseas students. The government re-affirmed that deliveries of support services were now the responsibility of State governments and educational institutions.

Mr Dawkin's office stressed that the gap between the overseas students and the government is unbridgeable. The Federal government claimed that it is not responsible for providing welfare and support services.¹⁸

The government's firm stand on welfare support services seemed to represent a pivotal turn in the NLC's policy direction. In his report to the National Executive, the National Convenor captures the NLC's growing anger over the government's policy shift:

It is clear that the government do not treat overseas students as students per se. Rather, they see us as consumers. It appears that the government is unwilling to compromise between the overseas students interest and the government's policies towards the welfare for overseas students.¹⁹

Following the National Awareness Week, the student leaders met to reconsider their policy position. They considered their current position, in part guided by a pragmatic

¹⁷ Ibid. p. 7 - The Australian (18 September) – "Foreign students not milking cow"; The Star (Malaysia) on 30 September – "Overseas students work to cope in Australia"; The Straits Times (Singapore) on 19 September – "Foreign students blast Aussie varsity fees"; Radio interview with ABC Radio, SBS Radio, JJJ FM and 5UV; SBS News short coverage on NLC Canberra lobbying trip.

¹⁸ Quek Ngee Meng, op. cit. p. 5

¹⁹ Ibid. p. 6

push for certainty in the way fees were charged, on the one hand, and principles of education as a right on the other, needed to be recast in light of transforming policy circumstances, substantial growth in full fee paying students and increased importance placed on marketing of education services abroad.

After the National Awareness Week, we paused and reviewed the old questions once again. The main reason that international students come to Australia is to receive quality education and apply the skill and knowledge that they learnt in their home countries upon graduation. Hence, the agenda of maintaining and improving the quality of education shall be the forefront of the NLC's future policies and direction. In addition, it is clear that without adequate support services for international students, they simply cannot grab any opportunity of quality education. These are the international students that we have to identify ourselves with. They all have the same legitimate rights to claim a quality education and adequate support services upon paying full fees. In other words, both elements are within the one package of education services. This was the platform of our projects and undertakings for the remainder of my term in office.²⁰

There was little debate within the National Executive on whether to continue to focus on education as a right or focus their efforts on taking a 'consumer-oriented' approach, that is, placing more weight on promoting consumer rights to quality education services while still ensuring that appropriate level of welfare support services were provided.²¹ The NLC Executive overwhelmingly recognised that the principles of education as a right for foreign students, which was underpinned largely by foreign policy concerns, had now significantly shifted towards a policy emphasising the lucrative financial derivatives of education as an export commodity.

Education services, are they commodity? The answer would be yes, as far as most of the providers of education services in this 'export of education services industry' are concerned.²²

Based on an over-emphasis of the financial benefits of the OSP to education institutions, overseas students, they concluded, should begin recognising themselves as

²⁰ NLC Annual Report, NOSC, July 1992, p. 5

²¹ NLC National Executive Meeting, 4.91/92, 29 March 1992, p.5

²² 1992, Australian Education: Excellent or Dismal, From NLC to overseas students (Article for campus newspapers), 5 May, Media release

consumers that purchased the commodity of education services.²³ As consumers, students would require ‘essential and basic information about all institutions’, needed to make an informed decision before studying in Australia. The sector however was ‘deficient’ in providing such essential information to help students make any informed decisions. Such deficiency, they argued, was the result of an inexperienced supplier and lack of consumer protection currently existing:

Such deficiency on the Australia ‘export of education services’ stamped from the infancy stage of this industry. The legislations and the government policies are in the ‘trial and error’ process. The education institutions are unprepared and inexperienced in providing quality education services and adequate support services commensurate with the sum of money paid by overseas students. Therefore unsurprisingly, we often hear misleading pre-enrolment information, find illegal fees being charged by the institutions, poor and inadequate educational facilities, overcrowded lecture theatres and tutorial rooms, and insufficient support services to enable overseas students to adapt to their new environment.²⁴

As ‘consumers’ of education services, the NLC also believed it was now important to demand that students receive quality information and services that were commensurate with the exorbitant fees they paid. However, as consumers, they should have the right therefore, to insist on institutions addressing current deficiencies in the way they market their courses to overseas students and the quality of education and services provided. The NLC, however, recognised the need to be moderate and pragmatic in the way they approached and reconciled their claims-making. They saw themselves as having now a stake in investing considerable financial resources into their education; it was important therefore that the services they purchased remain reputable upon return to their home countries. The NLC seriously viewed this as their responsibility to pro-actively ensure that they received quality education they were ‘consuming’:

We, as consumers, of course, have a vested interest in maintaining, if not upgrading, the standard of education services that we have paid for. Ultimately, we will use that ‘piece of paper’ [degree] for our benefit. We are more keen than anyone else to solve the above problems, and looking forward to

²³ 1992, Australian Education: Excellent or Dismal, From NLC to overseas students (Article for campus newspapers), 5 May, Media release

²⁴ Ibid.

improving the Australian international education services. There are many training workshops for the providers of education services on how to market their education services around the country. Ironically, no one seems to be interested in how the overseas students feel about the product that they purchased. Since we are being seen as consumers of education, we have the right to be heard on our satisfaction with the education that we received, to make suggestion on how to improve the quality of the product.²⁵

Quality of education and support services would now become the NLC's new priority agenda. The NLC National Convenor, the National Education Officer and the National Women's Officer expeditiously spent the summer holidays crafting a policy platform that would articulate their position as 'new consumers' of education. The policy platform would be presented at the upcoming annual National Conference. The challenge in formulating a new policy platform would however lie in trying to balance opposing notions of education as commodity, yet embracing the benefits education consumerism entailed, in particular consumer rights and protection. The NLC National Executive was clearly still opposed to the notion of education as an export commodity.²⁶ They were also averse to the notion of free market forces being applied to education commodity.²⁷ They however believed that inherent within the commercialisation of education were principles of rights and responsibilities that they could leverage to the advantage of overseas students. Education consumerism would mean continuing to champion the rights of the full fee students as having the same rights and standing as local students, not only on the basis that they had paid for the right to be treated as equal participants in Australian higher education, but also by virtue of them as taxpayers.²⁸ The second advantage of education consumerism would be the freedom to question the suppliers, the institutions, if the quality of education they were receiving was not 'worth the huge sum of money students have paid.'²⁹

The underlying philosophical reason we pursue higher education is to intentionally develop our mind to a desirable state, and if the quality of education received is not adequate it inhibits us from

²⁵ 1992, Australian Education: Excellent or Dismal, From NLC to overseas students (Article for campus newspapers), 5 May, Media release

²⁶ NLC, 1992, International Students Policy – 88.8 Full Fee Program, July, NOSC

²⁷ Ibid.

²⁸ Ibid.

²⁹ NLC, 1992, Quality of education, Overseas students education and welfare handbook, p. 5

reaching that desirable state. The realistic reason is that education is our only avenue to a comfortable life when we return to our home country and or course we pay fees about \$8000 to \$24000 a year for a good education.³⁰

The embrace of consumer rights seemed like a more effective approach the students could adopt in how they responded to universities, industry stakeholders and government regulators. ‘We must protect and advance our basic rights as a student of Australian Education System’, they argued.³¹ The student leaders’ embrace of education consumerism may have been an easy proposition; however, gaining broader student support for such notions would be a challenge.

Some, if not most overseas students may feel overwhelmed by these claims for such rights because of the way in which they have been brought up, that is, being submissive and ‘receptive’ to most decisions imposed on them. Perhaps this attitude must change, for our education and academic rights, like the most fundamental rights accorded to anyone, will be eroded if we do not stand up for them.³²

In seeking to promote consumer rights to their grassroots students’ network, the NLC executive undertook three important initiatives. First, they actively promoted information about consumer rights to their membership. A series of articles on consumer rights and quality of education were distributed to campuses and published in the overseas students association publications. In addition to promoting students’ rights, the NLC circulated an Education News Folder, containing articles on consumer rights under the Australian contract law and information on consumer legislations, to all overseas students organisations. The folder would keep campuses informed of changes to policies and new developments in the export of education services sector.

Second, the NLC would begin developing quality of education and support services as a new policy platform to encapsulate its views on consumer rights. The steps towards embracing notions of education ‘consumerism’ were several. Firstly, the NLC began developing a ‘*Bill of Rights*’ that would outline the basic tenets of students’ rights as ‘consumers’ of education services. The NLC would adapt NUS’s ‘*Student Bill of Rights*’ and the Australian Vice Chancellor Committee’s (AVCC) ‘*Code of Ethics in the*

³⁰ NLC, 1992, Quality of education, Overseas students education and welfare handbook, p. 5

³¹ NLC, 1992, Overseas Students Education and Welfare Handbook, National Union of Students, Melbourne, p.4

³² *ibid.*

Provision of Full-Fee Courses to Overseas Students by Australian Higher Education Institutions'.³³ The 'NLC Bill of Rights' would entail: (1) receiving accurate and comprehensive information prior to making any commitment to an institution; (2) students selected by criteria that will ensure that they have the academic and English competence to undertake a course; (3) students undergo consistent, prompt, objective and anonymous form of assessment and to be informed how each part of the course, activity or assessment relate to the objectives of the course; (4) to receive extension of time to submit work, to be notified if they are at risk of failing a course, to receive full explanation of their grade or results, avenues for appeal, reasonable access to members of staff to discuss course-related matters outside teaching hours and access to personal files; (5) to receive adequate and suitable orientation programs and support services; and (6) to be free from discrimination and sexual harassment.

Third, the NLC would initiate a 'Legal Rights' Project to inform students about their rights as 'consumers' within Australia's legal system:

Overseas students are the consumer of education. However most of us are unsure whether we have any legal rights in the country. Further, due to our unfamiliarity with Australia's legal system and avenue of assistance, most of the overseas students feel insecure down under....This project is intended to heighten overseas students awareness in relation to their legal rights, as consumers of education services and temporary residents in Australia.

The Project would list common problems faced by students and avenues to seek assistance. Information would include details of the *Education Services for Overseas Students Act 1991* and *Trade Practices Act 1974* and how these controls affected them.³⁴ Following the commitment the Minister made during the lobby trip, the NLC received funding of \$2000 from DEET to develop and promote the Legal Rights Project.³⁵

In addition to the Bill of Rights and Legal Rights Project, the NLC developed a policy position on quality of education. It looked at 'various factors that influenced quality of

³³ 1992, *Overseas Students Education and Welfare Handbook*, NLC, Adelaide, pp.6-7

³⁴ NLC, 1992, *Legal Rights – 88.4 International Students Policy*, NOSC, National Education Policy, July

³⁵ *Ibid.*

higher education and attempted to give a measure to them.’³⁶ They identified seven markers: (1) faculty quality, the qualifications of faculty teaching staff; (2) students’ quality – the admission level of students and student employability upon completion of their program; (3) Student/staff ratio – a smaller students/staff ratio would mean that students receive more attention from their lecturers and tutors, and the availability of one-to-one consultation when it was needed is higher; (4) resources – access to quantity and quality education and library resources; for example library, laboratory and computer facilities; (5) support services – offers to assist students with initial adjustment upon arrival, accessible facilities such as affordable accommodation on or near campus, and language assistance; (6) transferable skills – students should be able to apply their knowledge when they return home; and (7) preparation for students before they return home. Returning home upon completion of a course can be as ‘traumatic’ as the culture shock of being thrust into a foreign environment when they first arrived in Australia.³⁷

The NLC’s quality of education principles, in particular, would form an important platform for future campaigns, and an important measurement of how overseas students should view Australia’s higher education system. With its key principles articulated as its core education platform, the NLC began targeting educational institutions to pressure them to assess their quality and delivery of education services based on its seven principles. The NLC would also continue lobbying government to increase its regulation of the export of education services industry³⁸ and introduce ‘quality controls’ and codes similar to those used by other industries in order to regulate the criteria and procedures for the accreditation and re-accreditation of university programs.³⁹ The NLC’s attempt at pushing for improvements in education quality would come in a form of a major overseas students survey project, which would firmly underpin their new role as ‘consumer’ advocates.

³⁶ Quek, N.M, & Soh, L.L, 1992, Quality of education in the eyes of overseas students, National Liaison Committee for Overseas Students in Australia, 20 May, Adelaide, p.1

³⁷ Ibid.

³⁸ James, D, 1992, Education industry gets low marks, Business Review Weekly, 26 June, p.22

³⁹ Quek Ngee Meng & Soh Lai Leng, op.cit. p.4

FEE FOR DEPENDANTS – ‘MILKING CALVES’ CAMPAIGN

While the NLC were reviewing their policy position, discussions were already underway between Federal and the State governments about a proposal to impose new fees on the children of overseas students attending elementary education. The fees would range from \$3500 per annum for primary schooling, to \$4500 - \$5500 per annum for secondary schooling. Only overseas students sponsored by the Australian Government and temporary residents such as diplomat, bank, industry and tourism expatriates would be exempted from fee charges.⁴⁰ The implementation of the policy would take effect from 1 March 1992.

The NLC first learnt about the proposal at a meeting with a senior adviser to the Minister of Education during their National Awareness Week Canberra lobby trip. Outraged to learn of the proposal, the NLC National Executive subsequently met to formulate a plan to oppose the policy. They drafted a media release condemning the proposal and demanding ‘an immediate recall of this inhumane decision’⁴¹.

Once again, ‘more money’ attitude has motivated this policy. NLC simply cannot see any justification for a policy that will deter children from pursuing their elementary education, nor did it view it as reasonable. We are talking about basic education for children. They are our future. The provision of basic education to them is a fundamental obligation of a civic society.⁴²

In developing a plan of action, the students explored any avenues to help bolster their anti-fees argument. One angle considered was to explore if this proposal may contravene Australia’s international human rights obligations, specifically the *Convention on the Rights of the Child*.⁴³ The students found that on 17 December 1990, Australia had acceded to the 1990 Convention based on the *Geneva Declaration on the Rights of the Child 1924*, which declared that ‘[human] kind owes to the child the best it has to give’. Article 28 of the Convention, imposing obligation on the States who acceded to it, stated that the ‘States Parties...shall make primary education compulsory

⁴⁰ Hughes, H, 1992, A policy for suicide – DEET plan will kill recruitment, *The Australian*, Higher Education Supplement, 6 November

⁴¹ National Executive Meeting 3.91/92, 13 October 1991, p. 4

⁴² Quek, N.M, 1991, Dependent fees on elementary education, National Liaison Committee for Overseas Students in Australia, Adelaide, pp. 1-2

⁴³ *Ibid.*

and available free to all.’ The NLC subsequently began arguing that the policy of charging fees for the dependents of overseas students and exporting of elementary education services to overseas students were in violation of the convention.⁴⁴

The NLC sent a submission outlining their position to Kim Beazley, the Minister for Education, and Peter Baldwin, the Minister for Higher Education.⁴⁵ In the submission they argued that children of overseas students were no different from any other children. Any fee imposed on them for primary education that they received was inconsistent with the Convention on the Rights of the Child. ‘This is echoed’, they argued, ‘in Article 2 of the Convention which stated that each child shall ‘enjoy full rights under the Convention without discrimination of any kind.’’ ‘This policy’, they said, ‘would in the eyes of international people damage the Australian government’s integrity in its international stance.’⁴⁶

The government response to their claims disappointed them.⁴⁷ While claiming that this policy was ‘fair and reasonable’, the government shifted responsibility of charging fees for children’s basic education back to the States and Territories.⁴⁸ Education Minister, John Dawkins argued that, ‘it made little economic sense to charge international students for university education and then provide free education for whatever number of children they happen to bring with them.’⁴⁹ In response to claims about United Nations contravention, the Minister responded that, based on advice from the Attorney General’s department, the policy was not in breach:

Under international law, condition of entry including payment for primary and secondary education, can be imposed on non-nationals seeking to enter a sovereign State.⁵⁰

The NLC sought the assistance of the Human Rights and Equal Opportunity Commission (HREOC) and the United Nations Association of Australia (UNAA).

⁴⁴ Ibid.

⁴⁵ Letter from Quek Ngee Meng to the Hon. Kim Beazley, Minister for Employment, Education and Training, 1992, Fees for dependent of overseas students attending elementary education, NLC, Adelaide

⁴⁶ Quek Ngee Meng, Dependent fees on elementary education, op.cit. pp. 1-2

⁴⁷ NLC National Executive Meeting, 4.91/92, 28-29 March 1992, p 4

⁴⁸ Letter from Quek Ngee Meng to the Hon. Kim Beazley, op.cit.

⁴⁹ Ibid.

⁵⁰ Letter from Kim C. Beazley, Minister for Employment, Education and Training, to Quek Ngee Meng, National Convenor, NLC, 26 February 1992.

HREOC Head, Mr Brian Burdekin and Harold Wilkinson, President of UNAA, expressed the same concerns as the NLC toward this policy.⁵¹ Mr Burdekin subsequently wrote to the minister seeking clarification concerning the basis for the government's view that imposition of fees for primary education was consistent with the Convention on the Rights of the Child and the obligation in international law, which Australia had undertaken to honour.⁵² In a similar response as given to the NLC, the Minister wrote to UNAA informing that advice from the Attorney-General's Department suggest that the policy was not in breach of either of the international agreements cited.

Australia's obligations under the International Covenant on Economic, Social and Cultural Rights and the Convention on the Rights of the Child extend to those who are citizens, permanent residents or long-term residents of Australia. At international law Australia is under no obligation to allow a non-citizen to enter the country, and may legitimately make a non-citizen's entry to Australia subject to conditions. Such conditions could include the payment of fees for attendance at an Australian school by any children of the non-citizen. Provided the condition is imposed prior to entry, this will not place Australia in breach of its obligations under the Covenant or the Convention, because at this state the non-citizen has not come within any of the categories listed in the previous paragraph.⁵³

The NLC continued its determined campaign to abolish the fee policy. They released a media statement accusing the new Keating government of violating the UN Convention, claiming that the new fees would 'force overseas students to either leave their children in their home city, or stop their children from attending school for up to four years while they finish studies in Australia.'⁵⁴ Meanwhile, efforts were underway to coordinate a nationwide 'milking calves' campaign in alliance with the National Union of Students (NUS) and the Council of Australian Postgraduate Association.⁵⁵ The NLC

⁵¹ Quek, N.M, 1992, Overseas students convenor's report, National Executive Meeting, 26 April 1992, p. 3

⁵² Letter from Brian Burdekin Federal Human Rights Commissioner to the Hon. Kim Beazley MP, Minister of Employment, Education and Training, 14 April 1992, Ref: DM 39CRC036, Human Rights and Equal Opportunity Commission, pp.2-3

⁵³ Letter from Kim Beazley to Harold Wilkinson, President, United Nations Association of Australia, 26 March 1992

⁵⁴ Quek, N.M, 1992, Media Release – Keating Government Violates UN Convention

⁵⁵ NLC National Executive Meeting, 4.91/92, 29 March 1992, p.3

and the NUS framed dependants as ‘milking calves’ and incorporated the campaign into NUS’s National Day of Action planned on 27 May.

On 1 March 1992, the government formally announced the new fee dependant charges. Universities around the country protested against the Federal Government decision. Mr Tony Pollock, Director of the Centre of International Students at Monash University, said universities depended on the research skills of overseas students and the fees would discourage them from coming to Australia.⁵⁶ ‘Overseas students make a substantial contribution to Australian research,’ Pollock argued. ‘The fees will be a considerable disincentive when universities are trying to recruit good students.’⁵⁷ In response, Mr Beazley said that about 55 000 fee-paying students came to Australia each year, but new fees would affect ‘only a handful’, between 2000 and 3000 children.⁵⁸

Professor Helen Hughes, Executive Director of the Australian National University’s National Centre for Development Studies and board member of IDP, attacked the government’s decision, claiming that it would undermine the international competitiveness of Australian education. ‘Our leading competitors do not charge school fees individually to the children of students for simple and obvious reasons,’ she said.⁵⁹

Most of the international students studying in Australia who had children were postgraduate students who made a considerable contribution to Australia in addition to their fees, and women whose studies had been delayed by child-bearing and who had been disadvantaged in education systems.⁶⁰

While domestic criticism grew, the NLC decided to scale up its rhetoric by adopting a two-prong approach. First, they would continue to criticise the government’s contravention of international convention through media releases internationally⁶¹. Second, they would begin to focus their efforts on lobbying State and Territory governments to provide broad based exemptions, appealing largely on the basis of adverse effects of the dependants’ fee policy on Australia’s image overseas and

⁵⁶ Norbury, K, 1992, Universities attack fee for foreigners, Sunday Age, 1 March, p.5

⁵⁷ Norbury, K, 1992, Universities attack fee for foreigners, Sunday Age, 1 March, p.5

⁵⁸ Dwyer, M, 1992, Malaysia angry at school fees, Australian Financial Review, 31 March, p.28

⁵⁹ Ibid.

⁶⁰ Ibid.

⁶¹ Quek, N.M, 1992, Media Release: Australian Government violates UN convention, NLC

potential loss of postgraduate research students to its competitors, the United States and UK.

The NLC's media release overseas was damning of the government's fee for dependants policy. In the release they argued:

The convention clearly states that participant countries shall make primary education compulsory and free to all. The Australian Government has always strongly been contemptuous of other nations who have breached UN Conventions, and yet they are ignoring their responsibilities and obligations under the Rights of the Child Convention in return for a windfall buck. This shameful and hypocritical act will seriously damage the Australian Government's integrity in its international stance... It is merely a guide to squeeze more money from already overburdened overseas students. It is tantamount to robbing children of their fundamental right to education. It is expected 3.33% and 5% overseas students (about 2,000 – 3,000) will be affected by this policy. The ratio of overseas students to total Australian enrolment in government schools is negligible. To squeeze that extra dollar out from this small proportion of overseas students, in return for a tarnished reputation by ignoring universal responsibility of providing basic education to children is unjustifiable... It is about time that the Australian Federal Government stopped thinking that everything is saleable and start living up to their universal recognised responsibilities.⁶²

A few days later, Malaysia's Star Newspaper and Bernama News Agency picked up the media release.⁶³ The media profile unintentionally coincided with Malaysia being embroiled in a row with Australia over a fictional movie, *Turtle Beach*, with a scene depicting Malaysians killing Vietnamese boat people. The fees for dependants angered the Malaysian Government. Malaysia's Deputy Education Minister, Mr Fong Chan Onn, said his ministry would discuss the move with Australia's High Commissioner to Malaysia. Mr Fong said Kuala Lumpur has a case because foreigners who reside in Malaysia and studied in national schools were charged the same rate as Malaysian students. 'In countries like the US, children of Malaysian students enrolled at public schools were treated like any other children'.⁶⁴

⁶² Quek, N.M, 1992, Media Release: Australian Government violates UN convention, NLC

⁶³ Selva, T, 1992, Aussies to charge kids too, Sunday Star, March 22, Kuala Lumpur, p. 3

⁶⁴ The News, 1992, Malaysia protest against foreign student fees, 25 March

Forced to clarify the fee policy, Australia's High Commissioner, Mr Frank Murray announced that children of overseas students who had submitted applications for visas before March 1 would continue to receive free schooling in Australia. He said the new policy requiring dependants of foreign students to pay for primary education applied to newcomers and its introduction of cost recovery charges would have only a minimal impact on Malaysians. Mr Murray said that no Malaysian students were affected by the new ruling and that of the 10 000 Malaysian students in Australia, only a handful had dependants attending government schools.⁶⁵ On the NLC claim that the Australian Government had violated a UN convention by imposing fees on primary education, Murray said the NLC's 'mischievous statement does not stand up to any legal scrutiny'. He said the government had recently passed laws to provide greater protection for overseas students and stiff penalties for any institution, which misled or deceived an overseas student.⁶⁶

The NLC shifted their focus to target state government Education Ministers. For example, the students wrote a letter to South Australia's Minister of Education, the Hon. Greg Crafter, conveying the deficiencies of the policy and its impact on international opinion and potential postgraduate overseas students:

This policy will give international people an impression that the Australia Government is after every cent of their hard earned money in selling education services to them. It is rather unfortunate that the image given by Australia to international people, as a result of this policy, will be a 'greedy' face. Most hurt by this policy will be prospective postgraduate overseas students, the majority of whom have children of school age. Already subjected to higher fees, they are further burdened by this policy. Inevitably, the level of contribution to the Australian research development made by postgraduate overseas students will be significantly affected.⁶⁷

To strengthen their argument in the letter, they claimed Australia's competitors in the international students market, such as the United States of America and the United Kingdom would gain a greater share of international students, those of whom who are

⁶⁵ Author unknown, 1992, Free schooling for those who apply early, The Star, 31 March

⁶⁶ Ibid.

⁶⁷ Letter from Quek Ngee Meng, National Convenor, NLC to the Hon. Greg Crafter, Minister for Education, South Australia, 10 March 1992.

dissatisfied with the attitude of Australia towards overseas students.⁶⁸ Since the Federal Government claimed that this policy was beyond the Commonwealth's power, and was the responsibility of the states and territory governments, the students argued for state governments to 'have the discretion of granting exemption to a wider group of prospective overseas students under the existing agreed national policy.'⁶⁹

...NLC would like to request your Honourable Minister to, within your legitimate portfolio, broaden the exemption of this policy in order to minimise its negative impact. The broad exemption should include students sponsored either by the home government or the international organisations which are supported by the Australian Government.⁷⁰

In April, the Star newspaper in Malaysia reported the upcoming nationwide NUS National Day of Action campaign against fees imposed on primary education. In a telephone interview from Adelaide, the NLC National Convenor said that the NLC Executive Committee had decided to take a tough stand on the matter because: 'the money earned by the government via such fees is minimal but the hardship on the students is great'.⁷¹ The Star newspaper also reported that Beazley denied a NLC claim that Australia had violated a UN convention. He said under international law, conditions of entry, including payment for primary and secondary education, could be imposed on non-nationals. Beazley dismissed claims that the policy was to earn a "quick buck" for the government because the school fees would go directly to the various states and territories.⁷²

In April, Tasmania, Western Australia, Victoria and South Australia decided to wave fees for dependants. A spokesman for the Tasmanian government indicated that 'although we've had advice that we can charge the fees, I think it's highly unlikely that we would'.⁷³ The news bolstered NLC confidence. Their strategy of targeting states seemed to have seriously undermined Federal Government policy.⁷⁴ Within three weeks, NLC received verbal and written policy statements from Queensland, Tasmania

⁶⁸ Ibid.

⁶⁹ Ibid.

⁷⁰ Ibid.

⁷¹ Selva, T, 1992, Campaign for free primary schooling, The Star, April 5

⁷² Ibid.

⁷³ Walsh, R, 1992, Fear fees will stop overseas students, Mercury, Tasmania, 3 April

⁷⁴ National Executive Meeting, 5.91/92, 19 April 1992, NLC, p. 3

and South Australian State Education Ministers granting exemption to all overseas students sponsored by their home government, or multilateral organisations such as the World Bank. The state governments also agreed to allow exemption for private overseas students on a case-by-case basis.⁷⁵

AUSTRALIAN EDUCATION: EXCELLENT OR DISMAL?

Subsequent to the National Awareness Week campaign, the NLC sought to raise the public profile of the government policy changes and its implications on overseas students particularly with the withdrawal of welfare support services. The NLC National Executive rethought their policy position and began to formulate a new position based on consumer rights. In this next section, I will focus on one example of the NLC campaign that encapsulated the students' embrace of consumer rights and push to improve the delivery of education services.

In May 1992, the NLC launched a nationwide survey project to assess quality of education provided by universities. The survey, '*Australian Education: Excellent or Dismal*', would seek to gauge overseas students' perceptions of the quality of education and their level of satisfaction of support services provided by universities. The survey formed a pivotal part of the NLC's strategy to tie its quality of education policy platform to their 'consumer-focused' strategy. To bolster their ongoing demands for increased provision of welfare support services and strengthening of regulations to protect overseas students,⁷⁶ the NLC needed to gain invaluable insights into overseas students' perception of the Australian education reputation in general, and education standards of institutions in particular. The survey was seen as an opportunity to strengthen their demands by providing overseas students the space to 'air their grievances as consumers of the local product'⁷⁷ and inform future campaign strategies.⁷⁸

⁷⁵ Quek N.M, 1992, Overseas students convenor's report, National Executive Meeting, 26 April 1992, p. 3

⁷⁶ Selva, T, 1992, NLC survey on Aussie education, *The Star*, Malaysia, 30 March; and Author unknown, 1992, Overseas student survey, *The Examiner*, 14 May

⁷⁷ Martin, K, 1992, Overseas students feel short-changed, *The Australian*

⁷⁸ Quek N.M, 1992, Australian Education: Excellent or Dismal, From NLC to overseas students (Article for campus newspapers), 5 May, Media release

The survey results also presented a powerful tool with which to promote to prospective full fee paying students, current overseas students' perception of Australia's quality higher education by publishing the results in a form of a guidebook.⁷⁹ The guide would give prospective overseas students a better idea of Australian education⁸⁰ and 'how the current users of Australian education services grade the services they receive'.

We want our friends from home to be aware of the education standard and the support services that are provided by the education institutions in Australia. They need to be forewarned about the actual education climate in Australia before making a huge investment. We want the providers of education services to tailor the international education services according to our needs. The data in the survey will serve as a basis to improve the quality of education services in your institution.⁸¹

Besides bolstering the NLC's arguments, informing campaign strategies and promoting its results to prospective overseas students, the survey also offered a potentially powerful publicity tool to force government and university and college administrators to respond to their concerns.⁸²

Its main intention is to bring forward the general perception and areas of concern of overseas students toward this 'export of education services' industry. The messages will be conveyed to the Uni administrators and the government, and they should be the ones who fix up the problems.⁸³

The survey form was substantial and comprehensive with 90 questions on teaching quality; educational facilities; fees and fee increases; welfare and support services; postgraduates; access to information on education in Australia; and comparison with other countries.⁸⁴ The NLC commissioned Student Services Australia – Tertiary Research (SSA), a wholly owned research operation of the National Union of Students (NUS) to compile and report on the survey. The survey forms were distributed on 34

⁷⁹ Ibid.

⁸⁰ T.Selva, 1992, Survey to gauge Aussie education, The Star, 31 May

⁸¹ Quek Ngee Meng, 1992, Australian education: Excellent or Dismal?, National Liaison Committee for Overseas Students in Australia, May, Adelaide, p.2

⁸² Ibid.

⁸³ Ibid.

⁸⁴ Feyi Akindoyeni, 1992, NLC Quality of Education in Australia – Survey recommendations proposal, Tertiary Research, 1 February, pp. 1-5

campuses in 23 tertiary institutions across the country. Only 1044 students responded to the 10 000 surveys distributed.

The NLC attempted to seek financial support to help analyse the survey results. They wrote to Mr John Mullarvey, Deputy Secretary, Australian Vice Chancellor's Committee informing him of the campaign launch and requesting funding:

Following this survey, the NLC and AVCC would be able to discover whether Australian education has achieved an international standard comparable to the United Kingdom and the United States of America, and if not, where the deficiencies occurred so that appropriate action can be taken. As this survey would be mutually beneficial to the AVCC, the education provider, the NLC and the students, the NLC would like to seek AVCC assistance for this project, which entails an aim to improve the quality of education in Australian educational institutions. Hence, NLC would like to apply to the AVCC for funding for the analysis of the survey.⁸⁵

The AVCC responded informing that they would consider the NLC's invitation. They however expressed concerns about some questions asked in the survey.

At the outset let me say that while some of the questions may be appropriate for assessing the quality of education in Australia provided to overseas students, a number of questions are in fact inappropriate and will elicit inadequate information. In particular the AVCC questions whether the NLC will be able to discover "whether Australian education has achieved an international standard comparable to the United Kingdom and the United States of America" from the questions being asked in the campaign. The AVCC Standing Committee on Student and Scholarships Matters will, however consider the proposal at the forthcoming meeting on 26 May 1992, including the NLC's request for financial assistance for the analysis of the survey.⁸⁶

⁸⁵ Letter from Quek Ngee Meng, NLC National Convenor to Mr John Mullarvey, Deputy Secretary, Australian Vice Chancellor's Committee, 8 May 1992, pp.1-2

⁸⁶ Mullarvey, T. J, Deputy Secretary letter to Quek Ngee Meng, 18 May 1992, Australian Education: Excellent or Dismal, Australian Vice Chancellors' Committee, Canberra, LMC288-J.LTR

Survey results

The survey findings were not complimentary of the quality of Australian education services. It showed that education facilities and services in Australia were ‘below average’ and most overseas students believed that they would receive a better education in Britain.⁸⁷ Slightly less than a quarter of respondents gave their institution’s facilities a positive assessment and 60 percent said Britain had a better standard of education. Only about a quarter of overseas students (27 percent) surveyed were motivated to study in Australia by a perception of a high standard of education offered. Proximity to the home countries of students was by far the most common reason for these students choosing to study in Australia, particularly for full fee paying and subsidised students “for whom financial concerns are paramount”.⁸⁸ The NLC’s National Convenor, Mr Quek Ngee Meng, said it was “disturbing” that Australia was assuming a position in the international students market through factors other than high quality education. ‘Unless standards improved’, he argued, ‘the international students who expect the return of their substantial investment will choose other countries.’⁸⁹

The survey also revealed that some students felt they were being ‘short-changed’ by the export education industry with complaints about overcrowded classrooms, poor facilities, misinformation, under servicing and racism.⁹⁰ The University of New South Wales (UNSW) and the University of Technology Sydney (UTS) received the biggest complaints that the education and facilities did not justify the fees charged. Forty percent of the students surveyed at UNSW were postgraduates who claimed that their supervisors were too overworked to fulfil their obligations. The postgraduate research officer with the UNSW Students Union, Ms Erica Travers, said the university had a good supervision policy, but there were not enough teachers to implement it. There were issues of courses restructured midway through the year and overseas students being required to pay a higher fee as a result.⁹¹ Other problems cited in the UTS survey included misinformation from the university regarding payments. Students said that there was no clear information on what fees they would be charged if they failed a

⁸⁷ Tideman, D, 1992, Universities fail overseas students test, *The Australian*, July

⁸⁸ *Ibid.*

⁸⁹ *Ibid.*

⁹⁰ Martin, K, 1992, Overseas students feel short-changed, *The Australian*

⁹¹ *Ibid.*

subject.⁹² Both universities criticised the survey, with the UNSW Vice Chancellor, Professor Michael Birt, saying the survey could not speak for the campuses overseas student population.⁹³

While the survey may have generated criticism from some sectors of the education services industry, it nevertheless achieved its purpose, that is, to deliver the consumers' perceptions of the quality of education they were receiving. The result of the survey, the NLC argued in subsequent forums, presented a useful picture of the international students' perception of the quality of education, while providing an opportunity for the reassessment of education service provision through the development of industry-wide standards and the support of legislative reform.⁹⁴

INFORMATION AND MARKETING RECOMMENDATIONS

A year after the survey report, the NLC commissioned Student Services Australia to formulate a recommendation paper aimed at improving the delivery and perception of the quality of education.⁹⁵ Based primarily on two documents, the NLC "*Australian Education: Dismal or Excellent*" Report, July 1992, and the Commonwealth "*Educational Services for Overseas Students (Registration of Providers and Financial Regulations) Act 1991*", the paper would contain actionable recommendations for university administrations, focusing specifically on: teaching quality; educational facilities; welfare and support services; fees; and general overview of tertiary education in Australia.⁹⁶ The NLC would subsequently circulate the recommendations to various university administrations around the country as "best case" guidelines for servicing overseas students in Australia.

⁹² Ibid.

⁹³ Ibid.

⁹⁴ 1993, NLC Annual Report, NLC National Overseas Students Conference, July, pp.5-6

⁹⁵ Student Services Australia, 1993, Quality of Education Recommendation Paper prepared for the National Liaison Committee for International Students in Australia, Student Services Australia – Tertiary Research, Melbourne, June, p. 1

⁹⁶ Akindoyeni, F, 1992, NLC Quality of Education in Australia – Survey recommendations proposal, Tertiary Research, 1 February, pp. 1-5

One area of concern, on which the recommendation focused specifically, was the area of communication between education providers and students. Prospective and currently enrolled students, the NLC argued, were very often not made aware of information crucial to undertaking study in Australia.⁹⁷

According to the results, international students often have problems in obtaining comprehensive and relevant information on Australian education services, particularly in relation to: tuition fee increases and additional fees; other costs likely to be incurred while studying; the availability of part time employment; and course structure and flexibility.⁹⁸

The report showed a high proportion of currently enrolled overseas students were unsure of their situation in relation to the frequency and degree of fee increases and their liability for additional fees where they took on additional subjects in a semester or fail subjects. For example, a third of the respondents were unsure whether their fees were subject to increases. The overwhelming majority of the students were ignorant of the degree of increase that their fees were subject to. Only one in five students responded that they received notice of fee increases before enrolment. In addition, around 40% of students were unsure whether they would incur additional fees if they chose to overload, or if they failed a subject.⁹⁹ The majority of students responded that they were not given notice of these liabilities before enrolment.

The results of the survey became a critical point in the NLC's campaign. It firstly encapsulated the NLC's complete shift in policy position from emphasising education rights to promoting consumer rights. More importantly, it inculcated the notion of 'value for money' and frequently citing consumer protection legislations and the Educational Services for Overseas Students against 'illegal' fees and in support of consumer rights of students.¹⁰⁰ Secondly, the survey raised concerns about the level of quality support services provided across the university sector, which were uneven and

⁹⁷ Student Services Australia, 1993, Quality of Education Recommendation Paper prepared for the National Liaison Committee for International Students in Australia, Student Services Australia – Tertiary Research, Melbourne, June, p. 7

⁹⁸ Sebastian, E 1994, Communication of information: Concerns of international students, in NLC, International students: determining directions, papers and proceedings from NLC National Education Seminar, July, Canberra, pp. 16-19

⁹⁹ Student Services Australia, 1993, op.cit. p. 2

¹⁰⁰ Marshall, K 1993, Fee structure needs reform, The Financial Review, September

varied. The survey's outcome helped strengthen their argument that if students were required to pay full fees for education services, the level of services and quality of education provided needed to be commensurate to the value of fees paid.

Thirdly, it highlighted major concerns about the quality of communication of information on the tuition fees levied by universities as being inadequate and potentially misleading for both prospective and currently enrolled overseas students. Students' comments revealed a widespread concern with the "hidden costs" of Australian education, which were unavailable before enrolment. These concerns would form a significant basis for future campaigns and policy discussions with government and industry stakeholders.

Fourthly, it forced the government and educational institutions to change the way they treated students and presented information. Students as consumers now required information on the costs (other than course fees) incurred while studying in Australia. Such 'hidden costs' the survey revealed, included course related costs (including course materials, field trips and outings); high transport, accommodation and living costs; health insurance premiums; parking fees; and school fees for the children of international students. For example, one third of survey respondents believed that they had received misleading information about the availability of part-time employment opportunities in Australia, therefore forming a belief that they could support themselves while studying through working part-time.¹⁰¹

Finally, the survey represented a shift in the target of the NLC's lobbying focus from government to universities. In subsequent media reports, the NLC frequently criticised Australian universities for not giving overseas students clear enough information about courses, and imposing extra charges on top of regular fees without proper warning.¹⁰² At an IDP conference on internationalising education, the NLC accused universities of 'hard sell'. 'Universities', the National Convenor told conference delegates comprising government and industry stakeholders, 'should promote long-term commitments to the welfare of their students, rather than appearing to be motivated by money alone.'

¹⁰¹ Student Services Australia, op.cit. pp.10-12

¹⁰² Marshall, K, 1993, Fee structure needs reform, The Financial Review, September

The crass 'hard-sell' approach needs to be avoided. A delicate balance in the level of promotion must be maintained so that parents and prospective students will not be put off. Measures must be taken by the Federal Government for a broader and longer-term view of international student recruitment and foster policies that will enhance Australia's image as a less greedy and more responsible international study destination.¹⁰³

The NLC developed a 'communication of information' guideline outlining the responsibility of education providers to firstly ensure that prospective and current overseas students understood the full range of information crucial to effective participation. Secondly, the information communicated to current and prospective international students should be relevant and accurate. It had to include: (a) notice of tuition fees, the frequency and degree of fee increases, and the conditions under which students become liable for additional fees; (b) notice of charges levied for course materials and resources, field trips and course-related outings; (c) notice of charges levied for use of university (or student union) run services, including: sport and recreational facilities, parking, and health and welfare services; (d) estimates of the cost of living for independent students residing in the vicinity of the institution, including the costs of: accommodation, transport, food, leisure activities, health insurance, and school fees for the children of international students; (e) estimates of the availability of part-time and casual employment; (f) estimates of the income commonly received by students successful in obtaining such employment; and (g) notice changes and adjustments in the cost factors listed above. Thirdly, it was the responsibility of education providers to ensure that prospective and current international students understand their course structure, requirements and course flexibility and any changes that may occur in this area during the course of study. Finally, education providers should ensure that international students were eligible for services and concessions in the same manner as domestic students.'¹⁰⁴

The issues outlined in the communication of information guidelines were recurring issues that had become more pronounced since the full fee program was expanded. The NLC had in the past been lobbying on the same issues. This time however, the framing

¹⁰³ Carruthers, F, 1993, Visitors attacks 'hard sell', The Australian Higher Education Supplement, 29 September, p.21.

¹⁰⁴ Student Services Australia, 1993, op.cit. pp.7-9

of their issues now had the backing of consumer survey data and a set of guidelines, through the survey recommendation paper to assist universities understand the needs and expectations of students.

GOVERNMENT AND INDUSTRY RESPONSE

In November 1993, signalling further changes to the export education services sector, the Minister of Education, the Hon. Kim Beazley, said:

Some of the approaches of the heroic age of Australian education marketing were quite jarring. It is going to take a sustained, intelligent effort to ensure that the underlying consistency of our educational values with those of other countries is understood.¹⁰⁵

The *Australian Financial Review* wrote a piece criticizing universities and education providers:

Universities and other providers were novices in the international trade game and their sometimes clumsy and controversial efforts to recruit students is thought by many to have harmed Australia's image abroad. The description last week by the former ambassador to China, Professor Stephen Fitzgerald, of universities as "carpetbaggers, the gold-diggers, the mercenaries of education", sums up the early response of the institutions to their new-found freedom with fee-paying students. In their eagerness to mine the "El Dorado" of wealthy foreigners wanting to study in Australia, the universities trampled on Australia's image abroad and may have damaged its long-term interests. Not only were they mercenaries, but in their competition for recruits, they were "bagging" each other. The result: Australian education as a whole looked bad.¹⁰⁶

Following the release of the NLC survey recommendations, Ms Mary Crawford, the Chair of the House of Representative Standing Committee on Employment, Education and Training, defended Australia's protection of overseas students at a conference in Alice Springs. In a report to *The Australian* newspaper, she said that Australia led the world in protecting overseas students from "unscrupulous operators". She however

¹⁰⁵ White, A, 1993, Foreign students shake up looms, Australian Financial Review, 16 November, p.35

¹⁰⁶ Ibid.

announced that the Commonwealth, State and Territory ministers for education had agreed to review the code of conduct covering Australian institutions providing education and training services to overseas students. The review would act as a catalyst for institutions to tighten their own procedures.’¹⁰⁷

The Department of Education, Employment and Training welcomed the survey recommendations.

DEET welcomes the contribution that the National Liaison Committee for International Students in Australia (NLC) is making to the debate about educational quality. Over the past several years, DEET has been co-operating with the NLC to develop student awareness of how to use Australian law and grievance procedures to help us raise the standard of our game. Student complaints have a healthy part to play. A quality education system is, almost by definition, one with demanding customers. I hope we can help the NLC have an effective impact on the current Australian Education Council Review of its Code of Conduct and Minimum Standards.’¹⁰⁸

The Australian Vice Chancellors Committee (AVCC) also announced that it would review its policy position relating to the relationship between universities and their students, and consider its Code and Guidelines for overseas students.¹⁰⁹ The AVCC announced that the NLC paper would be taken up in their revision of their Code of Conduct.¹¹⁰ On 25 November, the AVCC Standing Committee on Student and Scholarship Matters invited the NLC National Convenor to brief members on key issues of concern of overseas students.

As you are aware, the Standing Committee considered the NLC’s Quality of Education Recommendation Paper at its last meeting, which was held on 17 September 1993, and agreed that it would be appropriate to consider the paper further in the context of the review of the AVCC Code of Ethical Practice related to international students. Members also agreed with your suggestion that the paper would also provide a very useful

¹⁰⁷ Marshall, K, op.cit.

¹⁰⁸ Angel, C, 1993, The value of internationalisation, IDP National Conference on International Education, Images of Quality, 13-15 October, Canberra, p.1

¹⁰⁹ 1993, NLC Annual Report, NLC National Overseas Students Conference, July, p.8

¹¹⁰ Angel, C, op.cit. p.1

framework for the discussions between the Standing Committee and the NLC.¹¹¹

The Australian Education Centres (AEC) announced a Ministerial working group would review its Code of Conduct and Minimum Standards for the overseas marketing of Australian education services. Operating since 1988, the Code would be revised ‘to reflect the emphasis on internationalisation and to take into consideration other codes of conduct, such as the AVCC and ELICOS codes.’¹¹² In July 1994, DEET announced at the NLC National Seminar that the Code would incorporate specific changes: (1) the section on Provision would emphasise the need to employ teaching methods, materials and staff appropriate to the learning needs of international students. The section would also extend to include national minimum standards, addressing providers’ capacity to deliver nominated courses, mechanisms to monitor compliance with approval conditions and national consistency of course nomenclature. (2) The section on “Marketing” – this would focus providers’ attention on promoting their education products with integrity and accuracy. It would also require providers to consider the cultures of the countries in which they were marketing. (3) The section on Financial Standards would be linked to the objectives of the ESOS Act in that it required providers to include detail on the range and quality of specific information international students should be given in order for them to make an informed decision. (4) The Section on Recruitment would be extended and emphasise the important role of assessing potential applicants, conducted by trained staff or agents. It would require providers to ensure that prospective students were informed of migration regulations. (5) The section on Student Support Services would require the institution to detail the range of support provision and to consider the needs of those less than 18 years of age. (6) The final section on Sanctions would indicate that providers who did not meet the obligations of the Code may have their approval to offer courses to international students and their registration of approved providers withdrawn.¹¹³

¹¹¹ Letter from Mr Frank Hambly, Australian Vice Chancellors Committee to Mr Ali Mahmud, NLC National Convenor, 25 November 1993

¹¹² Chris Newell, Director – Policy, International Students Branch DEET, 1994, Tertiary institutional accountability and the ESOS Act, in NLC, International students: determining directions, papers and proceedings from NLC National Education Seminar, July, Canberra, pp. 24-25

¹¹³ Ibid.

In October 1993, the *Australian Financial Review* newspaper reported that universities were making major changes to their courses and services as they attempted to keep up with demands of growing numbers of full fee paying overseas students.¹¹⁴ Universities were establishing and expanding full-time staff within the newly established international office. Murdoch University, with a full-time staff of nine, looked after everything from marketing and admissions, picking students up from the airport and organising social events.¹¹⁵ Monash University with more than 4000 overseas students, ran constant evaluation programs and market research to make sure foreign students got what they wanted.¹¹⁶ The significant shift to improve services and quality of information provided seem to indicate a growing professionalism within the university sector in particular, driven in part by the recognition of the need to rehabilitate its damaged image abroad, and in part by the increased dependency on foreign students forced by diminishing government revenue.

CONCLUSION

This chapter has focused on the NLC response to increasing commercialisation of Australia's education services sector. In this chapter, I began by describing how the NLC reacted to growing volatility in the export of education services sector created by the collapse of private education colleges. I also considered the impact of the government's withdrawal of responsibility over management of the Overseas Students Program and increasing pressures on universities to make specific provision in their budgets for welfare support services. Another strand in my description is the growing expectations and demand by overseas students for better level of services specifically designed to cater to their needs. Within this context, notions of 'consumer rights', 'value for money' and quality of education emerged and developed within the NLC.

To address issues affecting students, the NLC launched a major nation-wide campaign, the *National Awareness Week*. The campaign was significant to the extent that the

¹¹⁴ White, A, 1993, Universities court a market worth \$1.1 BN, *Australian Financial Review*, 7 October, p.14

¹¹⁵ *Ibid.*

¹¹⁶ *Ibid.*

government's strident position on welfare support in particular had challenged the NLC view of overseas students entitlement. The government's firm stand on withdrawing welfare support services and shifting responsibility to state governments and institutions was the catalyst in forcing students to change their thinking and reframe their arguments. Their shift from couching their arguments largely within the frame of education rights now moved towards embracing and emphasising more consumer-oriented rhetoric when dealing with government and institutions. The opposition towards fee charges for dependants of overseas students could perhaps be seen in light of their last attempt at using education rights framing. Their major national survey assessing students' perception of the quality of Australia's education formed the beginnings of the students' acceptance of 'value for money' and consumer rights in their claims-making. While the *National Awareness Week* campaign represented the beginnings of a shift in NLC's campaign strategy, the nation-wide survey, *Australian Education: Excellent or Dismal*, encapsulated its full attitudinal shift and inculcation of principles such as consumer protection and 'value for money' in subsequent claims-making. Following the survey results, the NLC began frequently citing consumer protection legislations and the *Educational Services for Overseas Students* against 'illegal' fees and in support of consumer rights of students. They also began to regularly highlight the uneven and varied levels of welfare support available on campuses and raise concerns about the quality of information communicated to students before admission. Such claims were instrumental in influencing the behaviour of government – to introduce tighter regulatory requirements to protect students – and institutions – to improve quality and raise education delivery standards. In Chapters seven and eight, I have attempted to distinguish the difference in the NLC's approach to framing policy concerns. In the previous chapter, I discussed the NLC's response to government policy from March 1985 to 1991, influenced largely by attempts to halt significant reforms to education aid. In this chapter, however, I sought to show how the attempts to stop reforms failed and rapid expansion in education commercialisation forced the NLC to shift their campaign's agenda instead towards ameliorating the quality of education services provided to overseas students.

Nine

CONCLUSION

In the introduction of this thesis I posed the question: How did overseas students, located outside the boundaries of domestic politics and framework of citizenship and in a position of relatively limited, and in some instances absence of, political, social and legal rights, formed, mobilised and framed their arguments in seeking to influence the development of Australia's export of education services policy that directly impacted on them? As I have argued, the policy to accept full fee paying students seemed inescapable as the Australian Government swiftly moved to transform its economic structures in response to changes in the global economic environment. Under the government's public sector reforms, financial deregulation and its push to internationalise the economy, education aid not only presented a policy area in need of restructuring but a convenient soft target for deep reforms with little political and community backlash. The *Overseas Students Program* (OSP), a key part of education aid was successfully transformed into a lucrative revenue generating industry, ranking as Australia's third largest export industry after coal and iron ore and the largest services export in 2008. I also argued that the move to sell Australian education abroad unleashed a deregulated, market-driven model of full fees for foreign student recruitment; forced universities to reform and restructure themselves to take up the entrepreneurial challenge of selling education services; introduced a new commercial vernacular in higher education with notions such as 'consumer-supplier' contractual relationships and 'value for money'; and signalled the beginning of a total overhaul of the broader higher education sector, driven by Dawkin's higher education reform agenda.

The Hawke government's reform of education aid did, however, galvanise overseas students to mobilise in opposition to visa fee increases and introduction of full fees. Primarily from developing countries in the Asia Pacific, and principal beneficiaries of Australia's most successful component of its international development assistance – the *Overseas Students Program* – these students reacted to policy shifts by independently organising protests against what they viewed as the commercialisation and increasing exploitation of higher education as an export commodity.

Within two months of the government's policy announcement in March 1985, overseas students across Australia convened a national conference to form a unified voice and create a national coordinating body to oppose policy changes. The first attempt at formalising a national body failed with delegates unable to agree on a unified policy response. As the months went on, overseas student leaders recognised that their disparate anti-fees campaigns were having little impact, forcing them to meet again to make a second attempt at establishing a national body. Differing views within the student leadership on how to respond to government policy remained and continued to be an impediment towards forming a coherent national policy response. Such diverging views would however fracture the unity of the fledgling group and even threaten to prematurely end an attempt at national mobilisation.

The overseas students finally succeeded in institutionalising their protest by establishing a national collective structure in which to engage government policy. The new national structure, the *National Liaison Committee for Overseas Students in Australia* (NLC) would play a critical role in coordinating their national anti-fees campaigns, drawing together various campaign groups across the country, creating linkages to facilitate sharing and exchange of information, sharing limited resources and presenting a unified voice against fee increases. To maintain unity within the new body, the transitional NLC leadership created flexible arrangements in its new structure to accommodate opposing views and factions. Developing a national organisation was critical to national mobilisation because it reduced the cost of participation, removed duplication of effort and resources, and was an important mechanism for recruiting student leaders, all of which would help contribute to increase chances of success.

In this thesis I outlined four important premises: First, as a group of temporary residents located outside the boundaries of domestic political systems, they mobilised in an attempt to influence Australian Government policy on education from a position of limited political, social and legal rights. Second, overseas students employed conventional repertoires of contention used by social movements such as establishing formal structures, adopting action tools, framing their claims, internationalising their protest, and forming alliances in their attempt to mobilise resources and access existing avenues to influence the government's export of education services policy.

Third, their mobilisation response and campaign strategies were reactionary rather than proactive, achieving modest success in securing some policy concessions, particularly during the early stages of education aid reform. Their strategy however had to evolve as the fledgling export of education services sector expanded, having to shift their political strategy as a result. The students switched from total opposition towards full fees, to a more pragmatic, consensual and consumer advocacy role to lobby for achievable gains. They shifted their position to fully embrace and espouse the government's own 'language of liberalisation', using consumer maxims such as 'value for money' and demand for 'quality services', which they used to greater effectiveness in making consequent claims. The new consumer education advocates were able to transform how they believed education services should be viewed, as a fee for service. And as consumers of this service, they should be entitled to the same level of consumer rights and protection accorded to citizens at large.

Finally, overseas students' subsequent ability to procure concessions was derived not from their political or universal rights to education services, but from their ability to influence policy changes based on their important participation and strategic location in the Australian economy.

COLLECTIVE ACTION FRAMEWORK

From a theoretical perspective, I sought to apply all three factors in the collective action framework – political opportunities, mobilising structures and framing processes – to help understand the formation and organisation of overseas students action against changes to the Overseas Students Program. The framework maps, in general, concepts

that explain how and why collective action forms, what mobilising structures' shape they take and how collective actors attempt to frame their arguments in support of their claims. I explained how institutionalised politics broadly, and public policy within the national context specifically, catalysed and shaped the formation and subsequent mobilisation of overseas students collective action. Overseas students political mobilisation, under the Colombo Plan, was constrained by the program emphasis of the Australian Government and cultural attitudes of the general community. Changes in the economic climate, which led to shifts in institutional structures and policies from the 1970s onwards played a significant role in expanding political opportunities for overseas student mobilisation. By 1985, rumours that government was favouring the introduction of full fees, therefore contracting opportunities for further participation in Australian education, would signal the beginning of overseas students actions. The overseas students clubs and societies formed during the early development of education aid presented an environment in which a loose informal network of campus overseas student clubs and societies could quickly and easily coalesce in response to a common policy threat. The loose connective network was an important element in overseas students mobilising collectively.

If changes in education aid policy helped shape the prospects and form of overseas students collective actions, then mobilising structures influenced the way in which the students sought to organise. During the emergent phase, the overseas students began to mobilise structures and resources to underpin their opposition. The shift from an informal loose network towards developing a formal structure of 'sufficient strength' was their attempt at seizing opportunities for action. The overseas students formed a national body, the NLC, to formally represent their collective action. The NLC became the vehicle for the students to create a more enduring organisational structure to support their actions; to form larger community networks to widen avenues for opposition; to employ appropriate tactical actions in instigating policy change; and to attempt to acquire resources, access to funding and office facilities to help support their mobilisation efforts.

Following an emergent phase, organisations generally tend to undergo a process of formalisation, professionalization, internal differentiation and integration. The NLC

underwent periods of restructuring to strengthen its internal structures, professionalising its management practices and moving from a decentralised to a centralised decision-making structure. During the early stages, it underwent a process of formalisation in which it developed a formal membership process, established a national constitution, introduced formal statutes and procedures, and created formal leadership and office structure. The NLC gradually moved toward greater professionalization by introducing systems and processes and establishing a division of labour between state and national to manage issues and organise campaigns. During its development phase, the NLC would focus its efforts on building grassroots representation. This would involve lobbying actively to ensure that campus level overseas student organisations were fully resourced and adequately represented within the campus student body structure, and state bodies had access to National Union of Students' state resources. By 1990, the export of education services sector had undergone a period of significant growth with the government deciding to phase out the overseas students subsidised scheme and expand its full fee program. The ending of the subsidised program and expansion in the export of education sector would force the NLC's leadership to undertake radical restructuring of their own organisational structure to better position itself in a rapidly changing sector. The restructuring would involve centralising the NLC structure by transforming autonomous state organisations into NLC State Branches. The process of centralisation was intended to create a more unified body and contribute to the stability of the organisation.

Besides mobilising its organisational structures to create a stable organisation, another key challenge the NLC had to contend with involved entrenching itself within a broader student movement structure and securing access to a ongoing source of funding in which to underpin and sustain its activities in the long term. I argued that one aspect of an organisation's development phase involves external structuration. External structuration is the integration of a formal organisation in its environment. The key aspect of this integration involves forming key alliances to enhance legitimacy and access to resources. The National Union of Students' invitation to the NLC to administer the Union's overseas students department would help formally entrench the NLC within the larger student movement structure and give it direct access to funding and resources critical to ensure its survival. However, having support from a strong ally

may provide important resources on the one hand, but risk reducing the organisation's autonomy and threaten its stability in the long run. I argued that the NLC's relationship with NUS was subject to political manoeuvrings and contestation. I also showed that maintaining and increasing levels of financial resources required the NLC to actively participate in NUS politics. The NLC's overseas student leaders not only had to ensure they studied and passed their exams because their temporary visa residency was dependent on their academic success, they also had to focus their attention on lobbying government on particular issues, and mobilising politically within the NUS structure by running candidates at campus, state and national general students' elections to ensure that they had enough factional support and adequate representation to protect access to limited resources. The political strain of securing resources did pose a significant threat to the organisation's survival and viability.

Having an effective organisational structure and funding resources in place were key challenges facing the NLC. As the organisation developed, it increasingly became more conservative, shifting its primary activities towards maintaining its membership and searching for external funds that would contribute to the organisation's continued existence. This 'meso-level' group focus, comprises the building blocks for understanding how the NLC, as a representation of overseas students collective action, mobilised its structures and pursued resources in response to political opportunities created by a shift in government policy and the growth of an export education services sector. I argued that mediating between opportunity, organization and action are also the shared meanings and definitions that people bring to their situation. The third element, framing processes, involves fashioning a shared understanding of a problematic condition or situation that is in need of change. I argued that framing processes involves three key approaches: i) diagnostic framing in which the problem or situation is interpreted – what is wrong and why; ii) prognostic framing where a solution to the problem is presented – what is to be done; and iii) motivational framing which attempts to give people a reason to undertake collective action. I demonstrated how the NLC as representative of overseas students collective action articulated their issues and amplified them in an attempt to instigate changes.

During the emergent phase, framing is less consciously strategic. The students were not fully aware that they were engaged in an interpretive process of any real significance. In 1985, at the beginning of the push towards education trade, the message the students put forward was reactionary, opposing the increase in fees and the shift from education as a right. Later on, the students' message became more focused on highlighting the impact of fees and the need for more regulation. This message was however still encapsulated within principles of education as a right and in opposition to education trade. Within the 'education rights' frame, they reinterpreted issues such as deportation and financial pressures to propose solutions such as a freeze in fees and instalment payment schemes as solutions to alleviating pressures imposed on students due to policy changes. Their campaign achieved modest success in securing some policy concessions, particularly at the early stages of education aid reform, however their strategy had to evolve as the fledgling export of education services sector developed and rapidly expanded.

With the full fees fully implemented and the government's decision to shift the welfare and support responsibilities directly to the universities, the NLC jettisoned their 'education as a right' message to embrace and reinterpret the government's own 'language of liberalisation'. Within the government's own language of user pay, free market and commoditisation of education services, the students subsequently reframed their message as 'consumer rights', amplifying their new frame by adopting catch phrases such as 'your money, your rights', 'value for money' and reframing overseas students as 'milking cows' and their dependants as 'milking calves' in an attempt to resonate their message publicly and attract broader domestic and international attention.

FUTURE DIRECTIONS IN THIS AREA OF RESEARCH

In Chapter two, I focused on the political participation of temporary residents. Specifically I argued that foreign guest workers present a material incentive to the state because of the economic benefits derived from their residency and the significant contribution made to the well-being of their host society. Guest workers for example, help create goods and services that cater to various needs and tastes; as consumers they

contribute to the creation of more jobs; they pay taxes, which are spent on vital social institutions and economic infrastructure; and they have an enriching cultural influence on their surroundings.¹¹⁷ Yet as a foreign grouping, they are deprived of the chance politically to participate in the shaping of the social environment in which they live, work and contribute, as well as being denied many of the advantages of political membership. Despite their existence at the margins of societies and having restrictions imposed on their temporary residency, increasingly foreign workers have had greater opportunities to assert their rights in a meaningful manner. The assertion of their rights tends to be insufficient however in claiming citizenship, a highly ambitious notion, but claiming equal rights and access to protection becomes a more realistic goal because of their important contribution to the functioning of the economy.

In recent years, foreign migrant workers have achieved some gains in terms of wages, benefits and coverage for industrial and job-related accidents, and protection from abusive and exploitative employers. The claims they assert tend to be framed and constructed not in political terms, but in economic terms. Likewise, overseas students have also constructed and framed their arguments more effectively in economic terms. As the export of education services sector expanded, they subsequently framed that education is a commodity to be bought and sold in the marketplace. As students purchasing this commodity, they therefore positioned themselves as consumers entitled to full economic membership, similar to the rights and protection enjoyed by citizen consumers. By transforming their claims, they became more effective in influencing not only the provision of services and quality of education, but also the way information is communicated to potential consumers abroad.

In this thesis I have argued that to date, the collective action framework has thus far focused broadly on the formation of collective action within the citizenship sphere. The framework has not been extended to understand its application outside the regime of citizenship. I have attempted to apply this framework in analysing the collective action of overseas students and their mobilisation within the export of education services sector. In Chapter two, I focused my discussion on foreign guest workers because they

¹¹⁷ Daniel Attas, 2000, The case of guest workers: exploitation, citizenship and economic rights, Res Publica, No. 6, p.83

share similarities with overseas students and have been the focus of previous theorising on the political status and activities of non-citizens. Future research could extend the collective action framework and apply it to other temporary residents' groupings such as foreign guest workers, professional expatriates or refugees.

This research has focused its attention on particular aspects of overseas students formation, mobilisation and framing. I have been specific in the issues and case studies I have highlighted to represent overseas students mobilisation. Due to limited space, I have not covered other areas in which overseas students were actively involved in, for example, in lobbying for the introduction of the Education Services for Overseas Students Act introduced in 1991, the campaign for travel concessions, medical internship campaign and the Tuition Assurance Scheme. There is scope to broaden the research to examine the overseas students contribution generally in the development of the education services sector.

Another area for possible future research could include examining the effectiveness of the overseas student representative body after 1996 under the Howard Liberal government. Since 1996, the export education services sector has grown phenomenally into a multi-billion dollar industry. In a rapidly transforming sector and the ongoing withdrawal of the state as an active participant and industry regulator, to what extent is there a need for the ongoing support of a national overseas student organisation as negotiations and claims-making shifts from national to institutional level? The NLC under the Howard Government underwent further transformation as it sought to deal with its financial challenges and managing its relationship with the National Union of Students. The introduction of voluntary student unionism (VSU) in 2005, led to loss of essential services for many students at Australian universities, further imposing pressures on the NLC and its capacity to effectively represent a rapidly growing number of overseas students.

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