



## **Ireland's International Education Strategy (2010 -15)**

**and**

## **New Immigration Regime for Full-Time non-EEA students**

### **Some Critical Reflections**

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## ***I. Introduction***

The Irish Council for International Students (ICOS) is an independent, non-profit organization that advocates for the rights of international students and, with over 30 institutional members, provides a national platform for analysis, representation, shared learning and quality promotion in the sphere of international education.

ICOS welcomes the release of the Government's International Education Strategy 2010-15, "Investing in Global Relationships" and the Report and Recommendations of the Interdepartmental Committee, "New Immigration Regime for Full-Time non-EEA Students" which together provide a shared vision and framework for the development of our international education sector. The contribution of all relevant Government Departments to the discussions as well as the engagement with education providers, students and representative organisations sends out a positive message that Ireland is not only ready but has a strategic interest in international education and the opportunities it presents not just for individual students but for Irish higher educational institutions and the economy as a whole.

While satisfied with the broad thrust of the Government's new strategy and policies, ICOS would like to take this opportunity to comment on some of the proposed measures which the organisation feels need further elaboration or should be reviewed or strengthened.

### **"Investing in Global Relationships – Ireland's International Education Strategy 2010-15**

#### Capacity and Quality

ICOS welcomes the emphasis placed on the quality of the student experience in the strategy which will be supported by the new immigration regime. However, the importance of addressing the "capacity" issue should not be underestimated. Unless we deliver a quality service to international students, we risk undermining the currently good reputation which Ireland enjoys internationally and which provides a solid foundation on which to grow the sector in a managed way. Overcrowded lecture halls and diminished level of student support services as a result of staffing embargoes will adversely affect the learning experience of international students. This is a long term strategy and will take time to deliver on revenue targets. In the interim, we need to be mindful of meeting international students' expectations in an environment of constrained resources and increasing demand from the domestic market. A proportion of the revenue generated from international students should therefore be ring-fenced and reinvested in the supports needed to sustain a quality service.

#### Meeting student expectations

Meeting student expectations will also only be achieved if we listen to students and while the new strategy does highlight the need for and possible mechanisms for student feedback, it does not go far enough. The student voice on the High Level Group is under represented and should be strengthened with a permanent place offered to USI. Meanwhile, while it is anticipated that the introduction of stronger regulation including a Quality Mark and Code of Practice for institutions active in recruiting international students will provide much welcome protection for students, ICOS believes that ultimate protection will only be guaranteed if students have access to a robust and easily identifiable independent complaints and appeals process. This service, currently offered by ICOS on a voluntary basis should be formalised and properly resourced.

### Balanced engagement with international partners

ICOS supports the view articulated in the Government strategy that it will be important for institutions to develop their own comprehensive internationalisation strategies. As well as setting targets for international student recruitment, institutions should offer a vision and be transparent on the objectives of their strategies as well as clear on how their particular strategy will be implemented and resourced. In keeping with Ireland's broader foreign policy objectives, the Government's new international education strategy also calls for balanced engagement with our international partners which include both developed and developing countries. This is a view strongly supported by ICOS. Higher education institutions (HEIs) have a pivotal role to play in supporting Ireland's effort and image as an international donor and a global leader in the fight against poverty. It is envisaged that HEIs will include a global responsibility component in their own strategies which may be expressed in many ways including through the award of scholarships or preferential fees to qualified students from developing countries especially to those who come to Ireland under the auspices of the Irish Aid programme.

### **New Immigration Regime for Full Time Non-EEA Students**

ICOS broadly welcomes the report of the Interdepartmental Committee on a new immigration regime for non-EEA students. However, while the report makes a genuine attempt to explain the Government's position on key issues and reflects that the Committee has taken on board several of the concerns expressed by stakeholders (including ICOS) regarding the original proposals, there are still too many unanswered questions and grey areas and it remains to be seen if the new measures will adequately address Ireland's current market disadvantages when it comes to operational aspects of our visa system which see the country lagging well behind our major competitors in terms of processing times and general transparency.

### General Structure and Time Limits

ICOS welcomes the Committee's decision to extend the overall time limit a student can remain in the State for the purpose of study. The original proposal had suggested a 5-year limit should be applied and this has now been increased to 7 years and will give genuine students the opportunity to progress from language/foundation programmes at level 5-6 on the National Qualifications Framework (NFQ) to degree programmes at level 7 and above. Exceptions will be made for programmes which have by nature a longer duration such as Medicine. In addition, the Minister of Justice and Law Reform will have discretion to extend permission to stay where "special circumstances" exist. It is ICOS' view that this element of the proposals needs further clarification and elaboration. International students, just like Irish students, routinely need academic extensions to sit repeat examinations and to complete theses and research projects. Permission to remain should normally be linked to progression through a study programme but there will have to be equitable treatment for the small percentage of non-EEA students who just like EEA students may experience difficulty getting through their academic programmes on the first attempt. ICOS members are willing to work with the authorities to propose reasonable solutions which also take account of students who may be abusing the student immigration regime to extend their permission to stay in Ireland.

### Visas

The student visa system is a critical area and we can take many positives from the report in terms of the intention to fast track applications from degree level students as well as a willingness to explore with stakeholders ways to enhance the system. However, our visa entry

requirements for students remain very tough by international standards and visa turnaround times and refusal rates compare unfavourably to other countries. English language entry requirements and demonstration of financial means are just two areas, for example, where we have much tougher criteria than our nearest neighbour and biggest competitor, the UK.

### Graduate Employment Scheme

The extension of the Graduate Employment Scheme from 6 months to 12 months for graduates at Level 8 and above is very welcome. ICOS accepts that the scheme should be available on a one-off basis only but is dismayed that students who avail of the scheme are then precluded from re-entering the education system. The rationale for this decision is unclear and ICOS can see no valid reason why successful graduates of Irish HEIs should not have the opportunity after a period of work experience to progress to post graduate studies. The Graduate scheme may be the vehicle, in fact, through which these graduates fund their further studies. ICOS would like to see a reversal of this decision such that it would be open to students who have availed of the Graduate Scheme to re-enter the education system at a higher level.

### Family Unification Issues

The situation regarding family unification and the related issue of access to the state school system for the children of non-EEA students remains unsatisfactory and unclear. While the report of the Interdepartmental Committee does address the issues involved at some length before recommending that the current general prohibition on students travelling with dependents should remain in force, it fails to outline in sufficient detail the circumstances and conditions under which exceptions will be made. The imposition of an immigration levy to cover the costs to the State of providing education to children of non-EEA students is discussed but there is no indication of the amount of money which might be involved or when this information will be available. If exceptions to the general rule are to be allowed, it would also be helpful, if HEIs could get the necessary direction from INIS to allow them to properly advise prospective students. Students are more likely to choose destinations where all the information needed to make an informed decision is readily available.

### Access by Students and Dependents to Services

Regarding the general issue of access to State supports and services such as medical cards, ICOS feels that the onus should be on the service provider and not on the student to determine eligibility. The Interdepartmental Committee suggests in its report that students would be in breach of their immigration conditions if they avail of services which are open to application by persons legally resident in the State. ICOS is of the opinion that there should be consistency in the application of rules across State services and non-EEA students should not be penalised for wittingly or unwittingly availing of services to which they or their dependents are not technically entitled.

### Information and Customer Services

ICOS welcomes the intention in the new regime to be more transparent regarding immigration conditions for both visa and non-visa required non-EEA students by producing fact sheets in different languages and improving information available on the INIS website. These developments cannot come too soon. Too often, international students' first engagement with State services is a negative one and not conducive to the delivery of an enhanced student experience. It is to be expected for example that GNIB registration offices will be busy during

the peak registration months for students which are September and October and efforts being made by some offices to provide dedicated times for students are welcome. However, there is still an unacceptable level of queuing and inequitable treatment of students when compared to other immigrants and ICOS would like to see more initiatives by the GNIB to enhance the service and bring consistency to decision making.

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