

National Audit Office report: An exposure of Home Office failure

24 May 2019

The [National Audit Office \(NAO\) report](#) into the government's response to cheating in English language tests, published today, is a damning exposure of Home Office failure and we welcome its findings.

We have been [campaigning since 2017](#) alongside many of the students affected by the catastrophic series of decisions made by the Home Office on this matter, and we've been working with the NAO over the last few months as they carried out their investigation.

[Read the full report here.](#) [And see media coverage of the report and our response here.](#)

Key lines from the report:

- “The Department’s course of action against TOEIC students carried with it the possibility that a proportion of those affected might have been branded as cheats, lost their course fees, and been removed from the UK without being guilty of cheating or adequate opportunity to clear their names.” (p.16)
- “For two years the Department revoked the visas of anyone with an invalid test, without expert assurance of the validity of voice recognition evidence.” (p.11)
- After conducting some brief analysis on the information sent by ETS, the Home Office “concluded that ETS had not made systematic errors. We reviewed ETS’s data and identified one systematic error.” (p.13)
- “We saw no evidence that the Department considered whether ETS had misclassified individuals or looked for anomalies.” (p.13)
- “Representatives of the Department conceded that neither the expert evidence nor ETS’s assessment of invalidity could prove on their own whether a claimant cheated” (p.11)

Key statistics:

- **2,468 people** have been forcibly removed from the UK and that number is continuing to rise (p.37)
- **391 people** have been refused re-entry to the UK and again, that number is rising (p.37)
- **4,157 people** accused of cheating have now been granted leave to remain (with hundreds more still fighting legal battles) (p.12)
- **More than 6,000 people** who sat the test had their nationality listed as British - an absurd claim since no UK national would ever need to sit this test (p.13)

- Until November 2017, **the government spent £21m** on this issue, including £9m on immigration enforcement and £5.5m on appeals and judicial reviews (p.14)

What we think:

“We welcome the National Audit Office report into this fiasco, which has ruined the lives of tens of thousands of innocent students who came to the UK simply to study and have been left stripped of their rights, drowning in debt and forced to bear the black mark of fraud on their name.

“The report clearly proves what we have long suspected - that the Home Office, led by Theresa May, failed to scrutinise the evidence given to them by the testing company and shockingly chose to accept it at face value, despite multiple significant flaws in the data.

“According to that data, more than 6,000 British people sat the test, which is simply absurd. No one with UK nationality would ever need to sit the test. And that’s just the biggest anomaly - around 300 entries were in there twice, the details of where and when a student sat the test were often wrong, nationalities were often listed incorrectly, and some students were accused of cheating who had never sat the test at all. Many of the students we are working with have experienced these problems first hand.

“Thousands of people have been criminalised and their lives torn apart on the basis of fundamentally flawed evidence - and they were given no real way to fight the allegation.

“The report also shows that the daily threat these students live with of detention and deportation is a real one, with the number of people forcibly removed at nearly 2,500 - and rising. We are also deeply concerned to read that nearly 400 people have been stopped from entering the UK.

“The way the Home Office has treated these students makes a mockery of the British justice system. And the impact has been devastating. Those still living under the shadow of the allegation and fighting to clear their names live every day in growing despair. Stripped of their rights, many are destitute and suffering severe mental health problems. Many have contemplated or attempted suicide.

“We urge the Home Secretary to read this report, listen to the voices of those affected, and take urgent action to put this right.

“All those accused must be given the chance to sit a new, secure English test and, if they pass, have their names cleared and their visas given back to them, with enough time to complete their studies.

“Tens of thousands of students were accused of cheating, but they are the ones who have been cheated – cheated out of their education, their right to a dignified life, their chance of a future. It’s not too late for the Home Secretary to recognise this and change course.”