

Migrant Voice statement: Public Accounts Committee report should shame Government

18 September 2019

The Public Accounts Committee - the committee of MPs responsible for overseeing the Government's expenditure - has today [published a report](#) into the Government's reaction to allegations that some international students were cheating on an English language test in 2014. Around 34,000 students were accused of cheating and another 22,000 told their tests were questionable. Tens of thousands of students had action taken against them - their visas were revoked, many were detained, nearly 2,500 were removed from the UK. But many of them were innocent, and thousands have tried to clear their names through the courts. More than five years on, most are stuck in a labyrinthine, costly legal process that gives them little real chance of clearing their names and restarting their lives. Unable to study, work or access any public services, many are destitute and suffer severe mental health problems. Some have attempted suicide.

Migrant Voice has been working alongside the students since 2017, [supporting them and campaigning for justice](#). We submitted two significant pieces of evidence to the Public Accounts Committee as part of their inquiry, and we worked with a number of students to help them submit their own evidence. The report follows a report by the [National Audit Office in May](#) and another by the [All-Party Parliamentary Group on TOEIC in July](#).

Today's [report](#) concludes that:

"The Home Office's decision to revoke the visas of thousands of individuals before properly verifying evidence provided by ETS has led to injustice and hardship for many people...

"We are staggered that the Department thinks it is acceptable to have so little regard for the impact its actions might have on innocent people."

Later, we read: "It is shameful that the Department knows it could have acted against innocent people but has not established a clear mechanism for them to raise concerns outside of the appeals process."

The report is deeply critical of the Government's failure to verify the evidence sent to them by the testing company, ETS, which they accepted at face value, acting immediately to strip thousands of students of their visas.

It claims the fraud was the result of a "systemic failure by a private company" (ETS), and that the Government's reaction - rushing to penalise huge numbers of students - was "flawed".

Many failings are detailed in the report - the failure to get expert advice on the reliability of the evidence until 2016, the use of a licensing model that didn't allow for oversight, the failure to track costs of responding to the issue, which reduced the amount of compensation the Government could later claim.

But the Government is still refusing to help those students who were the innocent victims of those failings, despite admitting in July that it is their "duty" to do more to help those people.

One of the recommendations reads:

"The Home Office should, within three months of this report, create and promote a fair and trustworthy means of helping all individuals who may have been wrongly accused to come forward and clear their names, including ensuring that all evidence from ETS is made available to them."

In response, Nazek Ramadan, Director of Migrant Voice, said:

"We welcome this report, the third in the last five months to expose new and damning details of the Government's treatment of these students, details that would shame any government that claims to value justice and fairness.

"We particularly welcome the recommendation for the Home Office to urgently design and implement a genuine means for innocent students to clear their names, and we urge the Home Secretary to make that happen.

"Working alongside many of the students affected, we have seen first hand the extreme hardship they face every single day as a direct result of the Home Office's deeply flawed reaction. We're living in an open prison, they tell us, and our hope of ever being released is fading.

"In July, we heard the former Home Secretary finally acknowledge that the Government has a duty to do more to help those students who were wrongly accused – words these students have waited five years to hear.

"But what they need most is action – a real resolution that allows them to clear their names and restart their lives. We urge the Home Secretary to read this report and take the necessary action to end this injustice and demonstrate that international students truly are welcome in this country."

There are, however, a few places in the report where misleading or even false Home Office narratives are allowed to stand, despite information being available that poses significant challenge to those narratives:

1. *"The Dept stated that assurance from its independent expert in 2016 found no more than a 1% chance of tests being incorrectly identified as invalid."*

BUT: Last week, [the Chair of the UK Statistics Authority said](#) that there is “considerable uncertainty” in this estimate.

2. *“People with questionable results were required to sit another test & attend a Home Office interview if they wished to extend their existing visas.”*

BUT: The [APPG on TOEIC report](#) suggests many had no chance to sit a new test & were simply removed (pp 23-4).

3. *“The Department started to take action against individuals who were identified as holding invalid certificates in June 2014.”*

BUT: In official Home Office testimony, [Rebecca Collings has previously said](#) that action started in March 2014, just days after the first batch of evidence arrived (p.21).

4. *“The Department accepted that independent expert advice should have been secured earlier.”*

BUT: The [APPG on TOEIC report](#) revealed the govt HAD consulted experts at a secret meeting in 2014. But their advice was ignored (pp.21-2).

5. *“ETS declared the tests as either invalid... or questionable.”*

BUT: The [APPG on TOEIC report](#) details that these were labels assigned by the UK Home Office. ETS categories "cancelled" & "would offer retest" were re-labelled as "invalid" & "questionable". Most of the 2nd group never got that retest (p.23).