

## “I want my future back”: Briefing note for international students campaign (June 2020)

In February 2014, BBC Panorama revealed cheating by some international students on an English language test known as TOEIC at two London test centres. The UK government asked Educational Testing Service (ETS), the company that ran the test, to investigate, while also placing ETS itself under criminal investigation.

As a result of the investigation by ETS, the Home Office accused almost 34,000 students of cheating. Their visas were immediately revoked or refused and they were told to leave the country. More than 2,400 were deported (a number that continues to rise). A further 22,000 were told their test results were “questionable”.

Most had no right of appeal in the UK so no way to defend themselves. But cases that have made it to the courts have shown that the evidence the Home Office relied upon to make the accusations is largely absent – and where it does exist, it’s deeply flawed. Students have been accused of cheating in one test centre, while having proof they sat the test in another. Others were accused having never sat the test at all.

A [Public Accounts Committee report](#) on the matter published in September 2019 describes the Government’s treatment of the students as “shameful”. We read elsewhere in the report:

*“It is entirely unacceptable that, despite now recognising that hundreds of people still maintain their innocence, the Home Office has not acted to put right the wrongs caused by its actions.”*

**Six years on** and many of the students who stayed in the UK to try and clear their names are destitute and suffering severe mental health problems. Most haven’t seen their families back home for five years and have missed weddings and funerals of close relatives. Many have contemplated or attempted suicide. Those fighting legal battles have been forced to spend tens of thousands of pounds and face years of Home Office appeals. When they win, some are given just 60 days to find a new university to sponsor them. But since the allegation remains on their records, few universities will accept them, with most deeming them “high risk”.

The Covid-19 pandemic has exacerbated their struggles. Unable to work or access any public services, many relied on charities for their basic needs, most of which have now paused their operations, and their legal cases have stalled.

Those who have left the UK can’t start new courses, find good jobs or get a visa for any other country due to the black mark against their name. Many have been rejected by their families, who have a strong belief in this country’s justice system and can’t believe the UK would treat an innocent person this way.

Some of the students have been campaigning for justice for years. In 2017, we at [Migrant Voice](#) joined them in their fight. We are asking the government for 3 things:

1. Let the students sit a new Secure English Language Test.
2. Clear the names of those who pass and remove the criminal allegations against them.
3. Give them back the status they lost and grant them enough time to complete their studies.

In **July 2018**, [we published a report](#) that triggered [a Westminster Hall debate](#), where the issue was described as “Britain’s forgotten immigration scandal”. In **January 2019**, we demonstrated at Westminster with 100 of the affected students. An [Early Day Motion](#) calling for action was later signed by 43 cross-party MPs. In **March**, an APPG on TOEIC was launched, chaired by Stephen Timms MP, with Migrant Voice as the Secretariat. In **May**, the [National Audit Office published a report](#) that [criticised the Home Office](#) for failing to scrutinise evidence and protect innocent students. In **July**, [the APPG on TOEIC launched a damning report](#) following a series of revelatory hearings. Later that month, then [Home Secretary Sajid Javid acknowledged that the Home Office had a “duty” to do more to help](#) those wrongly accused and [published a statement](#) outlining updates to guidance on TOEIC cases and hinting at a future scheme for students to have their cases reviewed. Questioned by Stephen Timms MP on his first day in office, Prime Minister Boris Johnson said he was aware of the issue and would update his colleague soon.

Despite a third damning report in **September 2019**, this time by the [Public Accounts Committee](#), progress has stalled. In **March 2020** the Home Office finally published the [new guidance on TOEIC cases](#) announced by Javid eight months earlier, but this contained little of substance and no acknowledgment of the revelations in the three 2019 reports. Later that month, [Home Secretary Priti Patel promised to “look into” the TOEIC matter](#), but, despite a number of letters and briefings sent by ourselves and Stephen Timms MP, there has been no further progress. The campaign continues.