

THE POLITICISATION OF ENGLISH PART 2: THE *access* TEST AND THE SKILLED MIGRATION PROGRAM

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In a 1994 article (People and Place, vol. 2, no. 2) Hawthorne outlined the evolution of English language testing as a significant instrument of Australian immigration policy. The current article explores the development and ramifications of language testing since 1992 for the selection of intending skilled migrants at Australian overseas posts. A forthcoming article will analyse language testing in relation to the assessment of Class 816 asylum seekers from the People's Republic of China.

SKILLED MIGRATION AND ENGLISH LANGUAGE TESTING

In 1992, with Australia in deep recession and pressure mounting for ongoing reduction of immigration intakes, consistent evidence was emerging of the disproportionate labour market disadvantage faced by non English speaking background (NESB) workers.¹

Many such workers were highly skilled – professionals selected to migrate to Australia in the late 1980s during the period of unprecedented expansion of the skilled migration program which followed publication of the CAAIP Report.²

The figures for the most common incoming professions – engineering and nursing – give some indication of the scale of these arrivals. In the decade from 1982-83 and 1992-93, 16,813 migrant nurses entered Australia.³ The surge of migrant engineers to Australia was even greater. Between 1987-88 and 1992-93, 18,581 engineers migrated, in comparison to an 817 per year average over the previous 20 years.⁴

Though in theory skilled NESB applicants were required to be tested in advance for English language competence, this requirement was waived for Concessional Family applicants. Nor was it systematically applied to Independent applicants – the majority of whom self-assessed, given no adequate system was in place to check them.⁵ Many skilled migrants thus reached Australia with minimal competence in English at time of arrival – a major deficit, in the eyes of employers and professional groups, presenting serious barriers to their professional employment.⁶

THE INTRODUCTION OF *access*

From July 1992 this situation was rigorously addressed by the Department of Immigration and Ethnic Affairs (DIEA) through the intro-

duction of mandatory English language testing.

Three major groups were to be tested pre-migration:

- (i) Skilled NESB migrants qualified in key professional fields, henceforth to be known as 'Occupations Requiring English' (ORE's).
- (ii) Independent category principal applicants, in order to define the number of points (from a maximum of 20) which could be earned for English as a Second Language (ESL) competence under the revamped points system.
- (iii) Other Independent and Concessional applicants, including adult family members of principal applicants, to determine whether they would be entitled to English as a Second Language (ESL) tuition in Australia.

This mandatory English language testing represented a radical departure from past practice in a number of ways.

Firstly, the pass mark for vocational ESL competence was set by DIEA rather than the test developers – a situation allowing for the assessment of English to become a direct and malleable instrument for the control of skilled immigration intakes.

Secondly, 'Occupations Requiring English' embraced an extremely comprehensive list of professions and trades – 114 occupations related to health, engineering, public safety, education, and policing.⁷ From this time forward ORE Concessional as well as Independent principal applicants who failed to demonstrate 'vocational competence' in English would not be permitted to migrate to Australia – however high the number of points they rated on other criteria. According to DIEA 'vocational English' was the ability

...to speak and understand English well and with sufficient vocabulary to participate fully, both formally and informally, in a wide range

of work and social situations, with a fairly high degree of fluency and precision.⁸

Thirdly, the allocation of a maximum 20 points to Independent applicants possessing 'vocational' competence in English offered a substantial competitive advantage to candidates from English speaking backgrounds (ESB), or from countries with strong traditions of teaching English (such as Hong Kong, India). For example 100 points were required by Independent principal applicants by 1994 – 70 of which could be gained through possession of recognised qualifications supported by three years experience, and 20 through high level English. Candidates with strong ESL skills could thus score 90 points before the awarding of any additional points for age.

Finally, off-shore language testing would be applied to all Independent and Concessional applicants (principal as well as adult dependents), in order to check their future language learning needs in Australia. Any candidates defined as requiring further ESL instruction would be required to pay significant up-front fees, ranging from \$A4,080 to \$A1,020 per person, as a precondition of application processing. According to DIEA:

The charge is payable for each applicant aged 18 years or over who is assessed as not having functional English. If you are in one of the categories required to pay the charge.... you must pay the charge before your visa is granted... On arrival in Australia you will then be provided with up to 510 hours of English tuition, or as many hours as it takes for you to achieve this level of proficiency, whichever comes first.⁹

If the charge is not paid the visa will not (repeat not) be granted.¹⁰

This fee requirement – part of a new Adult Migrant English Program 'user pays' principle – represented a major departure from past DIEA practice. It was one, moreover, with clear potential to disadvantage or deter poorer NESB applicants pre-migration.

THE DEVELOPMENT OF *access*: THE AUSTRALIAN ASSESSMENT OF COMMUNICATIVE ENGLISH SKILLS TEST

The implementation of this rigorous ESL testing policy was a world first, of potential interest to other countries with high immigration intakes (such as Canada). The Australian government invested \$1.9 million

in the new *access* test's development – fully aware, according to project manager Colin McNaught of Macquarie University, that it would be 'a high stakes test where people's lives would be contingent upon the results of it. To that extent, reliability of test results was of the first importance'.

When Professor Chris Candlin, Executive Director of Macquarie University's National Centre for English Language Teaching and Research (NCELTR), was approached by DIEA to develop the test in August 1992, he foresaw significant challenges:

(The) administrative challenges... in setting up such a kind of a worldwide system (over a very short period)... Secondly we were concerned about issues of equity. Thirdly we were concerned about cost.

To a degree, Candlin's concerns were fuelled by awareness that – for all the evidence of NESB immigrants' comparative labour market disadvantage – there was in fact no linear relationship between ESL ability at time of entry and successful resettlement.

The history of post World War 2 migration had been studded by 'success stories' of NESB migrants who had arrived without English, yet risen to positions of wealth and influence. Individuals' language acquisition could be powerfully mediated by motivation, educational background, age, learning skills and cultural knowledge. Given this, and that a language test could not screen for learner potential, substantial money had to be invested in the development of an assessment mechanism of the highest possible validity:

I think that right from the beginning our argument to the Department was that the degree of investment you make in reliability and validity in tests is obviously commensurate with the importance for individuals of the test; and that in this case that importance was very high...(W)e have had a Department representative at our test development meetings, and there has always been a very strong argument in favour of having double rating, of rater training, of interviewer training, and all of this has been accepted by the Department without demur... (W)e have had nothing but the strongest support from them, in terms of those things that we felt have been necessary to ensure reliability and validity... We (also) got a commitment from the Department from the beginning for a research agenda, which would contribute to the reliability of the test.

Candlin counselled strongly against the use of existing tests such as the International English Language Testing System (IELTS), except as an interim measure. IELTS was a UK/Australian test co-designed in the late 1980s and since internationally used to check NESB students' ESL readiness for tertiary studies. Administered by the Cambridge University Local Examinations Syndicate, it was increasingly characterised by reduced Australian involvement. Candlin had previously been closely involved with the test, including as Chair of Development Committee. In his view it had only limited capacity to assess 'vocational' levels in English. Moreover IELTS had largely been trialed on young Singaporean and Hong Kong students rather than a cross-section of candidates worldwide. It has certain problems with reliability, and permitted constant recycling of test items – a practice with clear implications for test security. For all these reasons, Candlin felt it was unacceptable for use as a screening mechanism for entry to Australia.

Over the following twelve months a consortium headed by NCELTR and involving the Language Testing and Research Centre (LTRC) at the University of Melbourne, the Language Testing and Curriculum Centre (LTCC) at Griffith University, and the Adult Migrant English Service NSW, assembled a team to purpose-design and meticulously validate the *access* test of 'vocational' English – in the process developing testing expertise in ESL professionals around the country, to 'use this process as a means of upgrading the... assessment skills of a wide variety of people'.

The standards applied to the test's development were without precedent in Australia, and possibly world-wide. Test items were rigorously trialed. Teams of assessors were recruited and recurrently trained – provided with constant feedback through computerised 'bias' charts, on overall as well as individual assessment performance. As a further safeguard against rater bias, all speaking and writing tests were designed to be double rated. Specific research projects were undertaken to assess, among other things, the impact of differential test modes, to ensure that results for taped and live versions of the speaking test would be comparable for candidates. In locations where *access* or IELTS were not yet avail-

able, DIEA Migration Officers were provided with enhanced training and guidelines to assess NESB candidates – an improvement over previous more ad hoc practice.¹¹

The aim throughout this test development process was to ensure equity, to remove any risk of discrimination from language screening. The first overseas administration of *access* was in April 1993, with tests returned to Australia for marking. By October 1994 *access* was available in 27 locations, with seven further locations scheduled to come on-stream in the next four months, and a late 1995 target of global availability.¹² According to DIEA's *access* coordinator, examination centres were sought which could offer a secure test environment – for example British Council, Australian Education Centres, IELTS outlets and approved educational institutions.

In countries where language laboratories were frequently unavailable, or unreliable due to lack of technical maintenance, the consortium activated a wide range of personal and professional contacts to secure appropriate venues. At times, this was done on a grace and favour basis, drawing on NCELTR's international network.

Though *access* was offered on a user-pays basis, fees were scaled in line with specific location costs, to cover local administration and some test development. Candidates were guaranteed a six week turnaround in results. By 1994 an *access* handbook had been prepared, providing background detail supported by samples of a range of test items covering social and vocational contexts (for example Medicare, employment).¹³ This handbook was intentionally pitched at intermediate to advanced level readers, rather than translated, given that the whole process was designed to encourage candidate self-assessment.

In relation to standards, the *access* handbook specified six levels of competence, whose details are worth noting. Level 6, as defined below, was originally required for both Occupations Requiring English and for Independents wishing to secure the maximum ESL points test score (20), across all four skills: speaking, listening, reading and writing. This level almost certainly matched Australian employer expectation regarding 'vocational' English.¹⁴

Level Six

You can read and understand a wide range of

English texts easily and with good comprehension; you can write English appropriately and with quite a high degree of accuracy for a range of purposes; you can easily understand spoken English in a wide variety of situations; you can speak English appropriately and with quite a high degree of accuracy and fluency in most cases.¹⁵

In May 1994, this requirement was substantially eased for OREs, who were now obliged to meet Level 5 rather than Level 6 standards. Level 5 standards involved reading 'with reasonably good comprehension', writing 'well enough to communicate effectively for most purposes', understanding 'quite competently', and speaking 'fairly fluently and accurately' – in other words demonstrating a good ESL basis, though not immediately fulfilling the more stringent employer's requirements.¹⁶

A further modification introduced for ORE applicants was that they were now required to achieve 'vocational' English levels (that is Level 5) on only three rather than four of the language skills – a softening allowing for one area of linguistic weakness.¹⁷ NCELTR had advised a degree of latitude on this, given that otherwise excellent applicants might have lesser skills in relation to speaking, for instance, primarily due to lack of practice. DIEA later justified the decision in the following way:

The changes to the measurement of English language points recognise both that English language competency needs to be measured across a wide range of skills, and that the top score previously required was generally beyond occupational requirements.¹⁸

MANDATORY ESL TESTING OF SKILLED MIGRANTS: THE ISSUES

It goes without saying that DIEA's introduction of mandatory English language testing represents a major and timely reform – one likely to alert skilled NESB applicants in advance to the often critical link between ESL skills and employment outcomes, while ensuring that incoming migrants more immediately meet the expectations of Australian employers.¹⁹ Further, it should guarantee the Australian government a substantial saving in terms of post-arrival ESL training – particularly since ORE professionals are defined as ineligible to access Australia's Adult Migrant English Program (AMEP).

At this stage however there remain four key issues to watch in relation to the pre-migration testing of English.

Numbers

The first relates to what I have previously defined as 'the politicisation of English' – the use of testing as a significant means of **controlling overall numbers** within the skilled migration program.

Prior to the introduction of mandatory English language testing, levels of skilled migrants had been historically high in Australia, with the majority of those arriving from NESB source countries. By 1993-94 numbers had dramatically reduced, for example from 30,160 (1991-92) to 9,171 (1993-94) in the Independent category, and from 21,325 (1991-92) to 8,107 (1993-94) in the Concessional Family category.²⁰

According to a DIEA spokesperson this reduction occurred across the immigration program. In terms of time it could not be directly attributable to the introduction of testing. Rather it was likely to be a reflection of reduced international demand for migration to Australia at a time of recession, reinforced by the 1992 raising of the number of points required (100 for Concessional and 110 for Independent applicants), and the introduction of a cluster of fees for ESL testing, on-shore ESL training, qualifications and health assessment.

Despite this denial, it is likely that mandatory testing has had at least some degree of impact since its progressive introduction mid-1992 – particularly given that both IELTS and *access* initially had very high target scores. Moreover a potential had been built into the system to use ESL as a 'drawbridge' within the skilled migration program. The consortia developing and administering the *access* test did not have the power to set pass rates. Rather, according to Candlin, it advised DIEA on the characteristics of specific levels – leaving the Department to make ultimate decisions on the number of applicants who passed.

What we've said... is that the values the Department chooses to put upon the results of the test in terms of migration points is a decision that the Department makes - not us. We can say to you in respect of levels... where we wish to place the person. It's for *you*, as user of that information, to decide what you're going to do with it from a policy point of view... Migration Planning were the people

who wanted to keep this flexibility, they wanted to be able to raise or lower the (level) so to speak, in response to other factors.

It is significant to note in relation to this that very high pass levels were specified for both *access* (Level 6) and IELTS (Band 7) while Australia was in recession and wished to substantially cut skilled migrant intakes.²¹ It was with the economic recovery and a cautious rise in the migration program, that language requirements were significantly eased.²²

Ethnicity

As previously stated, unprecedented measures have to date been taken to ensure that *access* operates without bias. By definition however **any** selection process is compelled to discriminate – using key criteria to define winners and losers.

In terms of pre-migration language testing, English speaking background (ESB) applicants are clearly advantaged – an issue that interestingly has aroused minimal response from Australian ethnic communities to date, perhaps due to NESB professionals' disproportionate unemployment during recession. ESB applicants are in fact advantaged in two ways: through their capacity to be awarded the maximum 20 score under ESL points testing, and through their automatic pass rates in Occupations Requiring English.

Certain NESB groups are also clearly advantaged within this process – applicants from former Commonwealth countries such as India, Sri Lanka, Malaysia and Hong Kong for instance, as well as West Europeans from countries with strong traditions of teaching in English. In terms of numbers, the former will certainly predominate over the latter, given variation in regional levels of demand for migration. Many are in fact **exempt** from language testing – for example if they have 'undertaken ... higher education in an institution where ALL instruction was conducted in English. The qualification must require at least three years full time study.'²³

Other NESB groups (for example East Europeans) are likely to fare comparatively poorly – an issue the consortium is well aware of, and according to Candlin has raised with DIEA:

(T)his is a matter that is very clear to us, that if you come from Hong Kong your chances of doing well on *access* are infinitely better than

if you come from Kazakhstan. And we said to them 'Look, the evidence from the first round of *access* shows that people coming through the Moscow centre are doing proportionately less well than people from other centres. We may need to consider this.'

In the event, DIEA decided not to. Candlin acknowledges that **any** pre-migration procedures will distort selection processes to some degree – including health checks and qualifications recognition requirements. At the same time, though results by country of origin are not yet publicly available, *access* clearly has a potential to 'skew' selection outcomes by ethnicity, given differential country of origin patterns of past ESL exposure.

A related issue concerns access and equity: the imposition on NESB applicants of substantial pre-migration fees to cover language testing and – should this be necessary – the costs of subsequent AMEP instruction (for example \$2,040 for Independent principal applicants, for spouses and each adult dependant).²⁴ ESB applicants are exempt from such fees. Nor should they represent a burden for applicants from relatively affluent regions (such as Hong Kong or France). By contrast they may pose a significant barrier for less materially advantaged ethnic groups – for example non-Humanitarian applicants from the former East European bloc, who may have transitional problems with English, but otherwise represent excellent skilled migrant potential.

Perhaps this does not matter. DIEA, along with other government departments, defends the introduction of a partial user-pays system – arguing it has in fact coincided with growth in AMEP client participation.²⁵ Moreover, as the ELICOS experiment has shown, intending applicants from even relatively poor nations such as the People's Republic of China have proven able to locate sums of \$5,000 or more to access overseas study.

Despite this, access and equity should be monitored in relation to ESL off-shore fees and testing.

Field

A further critical issue relates to the way mandatory language testing may influence the type of skills imported to Australia in the future.

Under the points system, it is not in fact essential for applicants to secure any or all of the available points for English to be eligible

to enter Australia. By May 1994 Independents required 100 points, compared to 95 for Concessionals.²⁶ 70 points could be scored by possession of a recognised trade certificate/degree/diploma alone – so long as this was supported by three years professional experience. Substantial additional points were awarded applicants of prime workforce age – 30 for those aged 18 to 29 years, 25 for those 30 to 34, and 15 for those aged 35 to 39. Even Independent applicants with modest ESL skills could secure a further 10 points for their competence in English. Similarly Concessionals had the potential to score for family relationship, citizenship and location.

Given this situation it is the Occupations Requiring English – 114 occupations across a range of previously defined fields – which have the potential to powerfully influence the type of skills selected within the skilled migration program.

Principal applicants in non-Humanitarian categories will be ineligible to migrate, regardless of number of points earned, if they cannot demonstrate possession of 'vocational' levels of English. This requirement has the potential to significantly reduce the numbers of incoming NESB in ORE professions such as engineering, nursing, medicine and teaching, as well as in select 'public safety' trades (such as electricians). Simultaneously, contemporary policy may be inadvertently admitting a growing proportion of NESB applicants with recognised skills which are marginal to the Australian labour market and thus less in demand – such as philologists, architects or lawyers. These migrants may arguably require greater ESL competence to secure work, given the existence of fewer job opportunities. Despite this – not being defined as skilled in Occupations Requiring English – they will not have been required to demonstrate high level English in advance. Many will inevitably migrate without it.

Should this become a problem in the future, DIEA might be compelled to broaden the definition of OREs or further lower the ESL pass mark.

Maintenance of standards

A fourth issue concerns the maintenance of the high test design and validation standards established from the outset for *access*.

In May 1994 the *access* contract was put out to tender – a Department of Finance

requirement for all major projects. The original consortium learned in November that it had been unsuccessful in the tender process, on cost grounds only. No questions had been raised concerning its established track record or capacity to deliver. The contract had been awarded – reportedly without benefit of expert independent testing advice – to a new partnership between Griffith University and the International Development Program (IDP).

The delivery of *access* in its post-development stage is obviously an issue requiring careful and ongoing monitoring, in order to ensure that the test's rigour and reliability are not in anyway diluted.

CONCLUSION

The past two years have seen the progressive implementation of mandatory English language testing at overseas posts – in particular through *access* – a test which is a radical yet potentially justifiable screening tool within the skilled migration program.

Minimal information is available to date on its consequences, either off-shore or within Australia. In identifying the issues to be watched, this paper is inevitably speculative. It will be important to keep potential problems in mind, however, with the progressive emergence and analysis of hard data.

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AUSTRALIA'S POPULATION 'CARRYING CAPACITY'. ONE NATION - TWO ECOLOGIES. A REVIEW AND ASSESSMENT

David Mercer

Following an earlier analysis of the submissions to the inquiry (*People and Place*, vol. 2, no. 3), this article presents an overview and critical appraisal of the House of Representatives Standing Committee for the Long Term Strategies' report on Australia's Population 'Carrying Capacity'. The constitution of the Committee, the inquiry process and the report production process are outlined, and the main findings and recommendations are evaluated critically. The report did not produce a conclusive recommendation on an 'ideal' population but did present a series of options for discussion.

Published in December, 1994, by the Australian Government Publishing Service, *Australia's Population 'Carrying Capacity'* (APCC) is the final report of the fifth and most recent inquiry conducted by the bipartisan House of Representatives Standing Committee for Long Term Strategies. Since its formation in 1990 this Committee (which is chaired by the Hon Barry Jones MP) has produced an average of one publication a year on issues of social and economic significance to Australia and potentially it plays

a useful role in terms of providing a public forum for the airing and dissemination of views on a wide range of national concerns.

As its name implies, an essential element of the Committee's charter is to encourage Australian governments to move away from their traditional, *ad hoc* decision-making procedures and adopt a longer-term, strategic approach to the setting of policy goals. Nowhere is this course more appropriate than in relation to current population and immigration policy.