

Committee Secretary  
Senate Education and Employment Committee  
Department of the Senate  
PO Box 6100  
Parliament House  
CANBERRA ACT 2600  
AUSTRALIA

26 September 2024

Re: *Education Services for Overseas Students Amendment (Quality and Integrity) Bill 2024*  
[Provisions]

To whom it may concern

I am an independent consultant in the tertiary education sector, a former public servant (in the Australian, New South Wales and Queensland governments) and a current PhD student at Torrens University Australia.

I have been analysing the data provided by the Department of Education and the Department of Employment and Workplace Relations in response to the recent Order for the Production of Documents to assist the Committee with its inquiry.

I apologise that I have not had the time to write a formal submission to the inquiry. My aim this week has been to do the analysis I could in the time available and share it publicly to assist the sector in understanding the issues and errors I have identified.

I have been urged by a number of people today, on publication of my second article on this topic, to share my analysis directly with the Committee and hence I am including as attachments to this letter the articles I have published this week in relation to the international student caps.

They are published [on my website](#) and hence are not as formal as submissions you would typically receive.

I trust they are useful to the Committee.

Yours faithfully



Claire Field  
**Managing Director**

**(Attachments A and B enclosed)**

## Attachment A:

### Unpacking the international student caps for each provider

<https://clairefield.com.au/unpacking-the-international-student-caps-for-each-provider/>

Published: 22 September 2024

Usually when I grab an image for these articles there's a stock picture available that more than adequately sums up the content of the article. Today I've added myself to the image because I needed a representation of how much my head is hurting after trying to untangle the allocation of international student caps at the provider level...

Let me also add at the start of this piece that given what I have identified – there will be some readers who will respond that officials have done their best working to extremely tight deadlines. As a former public servant I have enormous respect for many of the officials who will have worked on this policy initiative – but tight deadlines do not excuse all of the errors identified here. Many of them would have easily been avoided if officials engaged regularly (across departments and with the sector's regulators: ASQA and TEQSA).

So before I unpack 'who got what' and how the 2025 indicative international student caps for each provider compare with their current and prior year new enrolments, here are some of the anomalies that have my brain exploding:

1. Why are there 10 VET providers whose 2025 new overseas student commencements (their 2025 cap) are greater than the total number of international students they are able to enrol (their CRICOS cap)?
2. Given that some of these 10 providers have explicitly stated on their CRICOS entries that they offer very short qualifications (just 4 week and 8 week Certificates II and III qualifications in some cases) is it appropriate that they appear to be being rewarded for their shorter course duration by having a higher volume of students? Certificate II qualifications are supposed to run for 6-12 months, and Certificate III qualifications for 1-2 years. I would note that I make no judgements about these providers, they are not known to me and they could be delivering excellent quality training to highly skilled international students with lots of relevant prior experience and hence the very short courses, but it would be good to understand from ASQA why they are comfortable with such short courses being available for providers to deliver to international students, or if these might be the kinds of providers and courses ASQA identified in July 2024 in their [2024-25 Risk Priorities](#) when they warned that shortened course duration *"can result in insufficient skill development and knowledge retention, leading to graduates being ill-prepared for the workforce. This poses a significant safety risk to graduates, others in the workplace, and the wider community"* and went on to say that they (ie ASQA) *"have a low tolerance for providers that prioritise cost efficiency over training quality and student outcomes by reducing volume of learning or shortening training delivery timeframes, particularly in higher risk occupations, and we are using a range of compliance monitoring activities with targeted providers"*. I would also note that not all the providers who received a 2025 cap above their CRICOS cap offer short courses – as the following examples demonstrate:
3. The leadership of NIDA (the National Institute of Dramatic Art) a dual sector provider registered with ASQA and TEQSA will be wondering quite how their caps were calculated? That is because although they are CRICOS registered with 16 qualifications [they currently have no VET qualifications listed with CRICOS approval](#) and yet they received a cap of 10

international higher education students and a cap of 30 international VET students despite having zero CRICOS approved VET qualifications they can enrol them in. Adding presumably to their (and certainly my) confusion is the fact that NIDA's collective cap of 40 students for 2025 is twice as many as they can enrol in any given year (ie their total **CRICOS cap is just 20** students) and all of their courses run for longer than a year except a six-month non-AQF study abroad qualification which might be exempt from them student caps entirely (when the exemptions are finalised)

4. The Queensland School of Film and TV (EduPro Australia Pty Ltd) was granted a cap of 30 for their only CRICOS qualification, the Diploma of Screen and Media, which they teach over 67 weeks. It seems impossible to me that they will be able to squeeze 30 international students in – when their total CRICOS cap is just 20 students in any given year... There are more anomalies in the details of the providers granted a higher 2025 cap than their overall CRICOS cap but I won't list them all here – because sadly there are other anomalies to unpack...
5. How did the Anglican Schools Commission get included in the list of higher education providers (with their proposed caps for 2025)? Fortunately for other higher education providers, the Anglican Schools were granted a 2025 cap of zero international higher education students (noting that school students are not included in the caps) so no cap places will need to be reallocated to fix this error. But the Anglican Schools Commission is not now, and has never been, registered with TEQSA – so how were they included in the list of higher education providers...? My guess is that this might be because [the Anglican Schools Commission \(WA\)](#) has a “Western Australian Universities Foundation Program” on their CRICOS scope. This is a non-AQF qualification and hence does not require a provider to be a registered higher education provider to deliver it. It also therefore falls outside the definition of the courses which are in scope for the student caps – but I suspect the use of the term ‘universities’ in the course name might have been what triggered its inclusion on the list of caps for higher education providers. It definitely does not belong there and a simple cross check with the list of higher education providers with CRICOS approval either through liaising with TEQSA or by drawing down details from the CRICOS database would have identified the anomaly
6. A private dual-sector provider, Kontea Institute Pty Ltd, had its [CRICOS approval suspended by TEQSA on 28 August 2024](#). The details released by the Department in response to the Senate's Order for the Production of Documents shows that Kontea was given a cap of 10 higher education students for 2025 – with a footnote stating that “*Since providers were advised of their indicative allocations, a delegate of TEQSA has suspended the ESOS registration of Kontea. A provider limit will not be able to be used where the suspension prevents the provider from recruiting and enrolling new students.*” TEQSA suspended Kontea Institute's CRICOS registration because of “concerns about financial viability and corporate governance” and four days later [ASQA moved to cancel their RTO registration, effective 7 October 2024](#) (no details are provided on the reasons for the cancellation decision). Despite this Kontea has been allocated a cap of 33 new international VET students in 2025 and there are no footnotes to their entry indicating they will not be able to use their 2025 cap.
7. The following VET providers are appealing ASQA decisions to cancel, suspend or not renew their RTO registration in the Administrative Appeals Tribunal. (These providers may well be successful with their AAT appeals and therefore be allowed to continue to trade but, unlike the Kontea example in the higher education sector above, I have not been able to find any footnotes in the VET data indicating that they will not be able to use their caps if they are suspended from enrolling new students. Often when the AAT hears an appeals the provider is granted a stay of the ASQA sanction, subject to them not enrolling new students. This information used to be included by ASQA on their website, it should now be included on the

national training database ([www.training.gov.au](http://www.training.gov.au)) but this does not always appears to be the case on every provider record). The providers which the national database shows have current appeals underway in the AAT to cancel, suspend or not renew their registration as an RTO, and have been given caps for 2025 are:

<b>Provider</b>	<b>Indicative VET NOSC Limit 2025</b>	<b>2025 NOSC as % of CRICOS cap</b>
Nova International Education Pty Ltd	968	32%
Radix Education Pty Ltd	141	20%
Angel United Group Pty. Ltd.	101	17%
International College of Melbourne Pty Ltd	59	13%
IQRA Vocational Education and Training Pty Ltd	47	7%
Australian International Training Academy Pty Ltd	30	17%
Jasmine Education Group Pty Ltd	13	2%
Willows Education Australia Pty Ltd	4	1%
Raymond International College Pty Ltd	1	1%

Here's the list of the public universities and how their 2025 caps sit alongside their 2019 new international student enrolments (pre-pandemic), their 2023 new enrolments (post-pandemic) and their estimated 2024 new enrolments. It highlights the very different experiences of different universities this year as Ministerial Direction (MD) 106 and MD 107 took effect – prioritising processing student visa applications for low-immigration risk institutions and putting more scrutiny on visa applications for students from higher risk countries through the new Genuine Student test.

Onshore international public university student commencements							
University groupings	2019 Data from the Dept	2023 Data from the Dept	2024 Estimated data provided by the Dept	2025 indicative ISPs	% change 2019-2025	% change 2023-2025	% change 2024-2025
ATN Universities	22,870	24,523	28,469	25,350	11%	3%	-11%
Group of Eight Universities	52,053	59,084	80,673	57,950	11%	-2%	-28%
Innovative Research Universities	14,263	22,721	17,468	21,400	50%	-6%	23%
Regional Universities Network	15,208	8,612	5,294	9,300	-39%	8%	76%
Australian Catholic University Limited	1,273	1,580	3,609	1,700	34%	8%	-53%
Australian National University	2,807	3,972	3,817	3,400	21%	-14%	-11%
Central Queensland University	3,752	2,948	2,315	3,000	-20%	2%	30%
Charles Darwin University	523	1,997	1,038	2,200	321%	10%	112%
Charles Sturt University	2,994	162	343	1,000	-67%	517%	192%
Curtin University	2,118	3,646	4,088	3,500	65%	-4%	-14%
Deakin University	5,768	5,448	5,983	5,800	1%	6%	-3%
Edith Cowan University	2,488	3,722	3,378	3,600	45%	-3%	7%
Federation University Australia	4,019	2,306	442	1,100	-73%	-52%	149%
Flinders University	1,306	2,692	1,604	3,000	130%	11%	87%
Griffith University	2,830	3,817	3,003	3,700	31%	-3%	23%
James Cook University	1,135	1,962	1,064	2,200	94%	12%	107%
La Trobe University	3,660	4,095	2,795	4,100	12%	0%	47%
Macquarie University	4,036	4,556	5,203	4,500	11%	-1%	-14%
Monash University	9,998	8,310	12,573	10,000	0%	20%	-20%
Murdoch University	1,780	5,272	3,485	3,500	97%	-34%	0%
Queensland University of Technology	3,124	4,618	4,835	4,500	44%	-3%	-7%
Royal Melbourne Institute of Technology	6,599	6,409	8,750	6,600	0%	3%	-25%
Southern Cross University	2,109	939	695	1,300	-38%	38%	87%
Swinburne University of Technology	2,397	4,681	3,770	4,500	88%	-4%	19%
The University of Adelaide	3,314	3,155	4,514	3,800	15%	20%	-16%
The University of Melbourne	8,600	10,000	11,866	9,300	8%	-7%	-22%
The University of New South Wales	7,883	11,075	17,359	9,500	21%	-14%	-45%
The University of Newcastle	1,271	1,565	1,466	1,600	26%	2%	9%
The University of Notre Dame Australia	26	292	613	700	2592%	140%	14%
The University of Queensland	6,888	7,040	8,157	7,050	2%	0%	-14%
The University of Sydney	11,027	12,790	17,247	11,900	8%	-7%	-31%
The University of Western Australia	1,536	2,742	5,140	3,000	95%	9%	-42%
University of Canberra	912	1,422	1,366	1,500	64%	5%	10%
University of New England	354	681	272	700	98%	3%	157%
University of South Australia	2566	2676	2,347	3050	19%	14%	30%
University of Southern Queensland	792	998	365	1,000	26%	0%	174%
University of Tasmania	2,155	1,746	1,553	2,200	2%	26%	42%
University of Technology Sydney	4,548	4,779	5,835	4,800	6%	0%	-18%
University of the Sunshine Coast	1,188	578	862	1,200	1%	108%	39%
University of Wollongong	2,980	4,042	2,663	3,700	24%	-8%	39%
Victoria University	2,652	4,046	2,918	3,600	36%	-11%	23%
Western Sydney University	2,640	3,461	4,151	3,400	29%	-2%	-18%
<b>Total public university commencements</b>	<b>126,048</b>	<b>146,220</b>	<b>161,484</b>	<b>145,200</b>	<b>15%</b>	<b>-1%</b>	<b>-10%</b>

I have also analysed the VET and private university and non-university higher education provider (NUHEP) caps.

There is data available on 957 VET providers and I do not intend to reproduce my analysis here. Instead I am including the details of the VET providers with the 2025 caps which are the highest relative to their CRICOS cap.

	VET NOSC 2019	VET NOSC 2022	VET NOSC 2023	VET NOSC 2024 July YTD	CRICOS Cap	Indicative VET NOSC Limit 2025	2025 NOSC as % of CRICOS cap
Emma Wicks as The Trustee for Paradise Falls Trust (t/a Strike Training and Consulting)	0	234	404	144	48	279	581%
H.C.H INVESTMENTS PTY. LTD. (t/a Knights College)	661	184	513	264	135	354	262%
Golf Education Australia Pty Ltd	0	0	0	0	15	30	200%
The National Institute of Dramatic Art (NIDA)	0	0	0	0	20	30	150%
Edupro Australia Pty Ltd (t/a The Queensland School of Film and TV)	0	0	0	0	20	30	150%
Sydney Training Institute Incorporated	0	0	0	0	20	30	150%
Far North Training & Consultancy Pty Ltd	0	0	0	0	20	30	150%
New Age Professionals Pty Ltd	0	0	132	144	65	91	140%
J Chazzer & B Singh & H Singh (t/a Global Institute of Education)	0	257	404	112	230	279	121%
Ella Bache College Pty Ltd	10	3	0	0	25	30	120%

I am also including the details for all of the 155 private universities and NUHEPs. The impact the caps will have on different NUHEPs will be more evident when the providers are analysed according to ownership (eg some entities own multiple providers) and when the VET and higher education caps are considered for dual-sector providers (public and private). My intent is to post this additional analysis later this week...

**Onshore international private university & non-university higher education provider student commencements**

	2019 Data provided by the Dep't	2023 Data provided by the Dep't	2024 Data provided by the Dep't	2025 indicative ISPs	% change 2019-2025	% change 2023-2025	% change 2024- 2025
<b>Private universities &amp; NUHEPs</b>	<b>32,034</b>	<b>42,268</b>	<b>42,036</b>	<b>31,020</b>	<b>-3%</b>	<b>-27%</b>	<b>-26%</b>
Academies Australasia Polytechnic Pty Limited	376	152	489	100	-73%	-34%	-80%
Academy of Interactive Technology	208	151	36	100	-52%	-34%	178%
Acknowledge Education Pty Ltd	547	2250	1760	1520	178%	-32%	-14%
ACPE Limited	2	1	4	10	400%	900%	150%
Adelaide Institute of Higher Education Pty Ltd	10	72	104	50	400%	-31%	-52%
AIE Institute Limited	0	0	0	0			
Alphacrucis University College Limited	159	108	91	70	-56%	-35%	-23%
Analytics Institute of Australia Pty Ltd	0	19	70	20		5%	-71%
Apex Institute of Higher Education Pty Ltd	0	240	163	160		-33%	-2%
Asia Pacific International College Pty Ltd	536	714	776	480	-10%	-33%	-38%
Astra Institute of Higher Education	0	0	26	30			15%
Australasian Academy of Higher Education	0	0	209	140			-33%
Australia Advance Education Group Pty Ltd	0	635	791	430		-32%	-46%
Australian Academy of Music and Performing Arts	6	14	10	15	150%	7%	50%
Australian Campus Management Pty Ltd	9	868	1257	590	6456%	-32%	-53%
Australian Chiropractic College Limited	0	2	0	10		400%	
AUSTRALIAN COLLEGE OF CHRISTIAN STUDIES LTD	0	2	1	10		400%	900%
Australian College of Natural Medicine Pty Ltd	18	10	6	10	-44%	0%	67%
Australian College of Nursing Ltd	45	7	0	10	-78%	43%	
Australian College of the Arts Pty Ltd	25	36	51	40	60%	11%	-22%
Australian College of Theology Limited	27	11	14	15	-44%	36%	7%
Australian Data and Cyber Institute	0	0	26	30			15%
Australian Film, Television and Radio School	1	8	2	10	900%	25%	400%
Australian Guild of Education Pty Ltd	0	0	0	10			



Australian Institute of Advanced Technologies	0	0	80	50			-38%
Australian Institute of Business and Management Pty Ltd	1250	1670	1244	1130	-10%	-32%	-9%
Australian Institute of Business Intelligence Pty Ltd	0	230	224	160		-30%	-29%
Australian Institute of Higher Education Pty Ltd	526	792	1141	540	3%	-32%	-53%
Australian Institute of Management Education and Training Pty Limited	0	0	0	0			
Australian Institute of Professional Counsellors	0	18	96	20		11%	-79%
Australian Institute of Technology and Commerce Pty Ltd	0	62	74	50		-19%	-32%
Australian School of Accounting Pty Ltd	0	284	229	190		-33%	-17%
Avondale University	46	19	8	20	-57%	5%	150%
Bond University	765	530	594	360	-53%	-32%	-39%
Box Hill Institute	287	81	88	85	-70%	5%	-3%
Bureau of Meteorology	2	5	1	10	400%	100%	900%
Campion Institute Limited	0	4	1	10		150%	900%
Canberra Institute of Technology	0	0	0	0			
Canning College	0	0	0	30			
Chisholm Institute	94	54	40	55	-41%	2%	38%
Christian Heritage College	38	12	9	15	-61%	25%	67%
CIC Higher Education Pty Ltd	314	215	194	150	-52%	-30%	-23%
Colleges of Business and Technology (WA) Pty Ltd	400	652	510	440	10%	-33%	-14%
Community for Global Communications Inc				0			
Crown Institute of Higher Education Pty Ltd	179	838	708	570	218%	-32%	-19%
Danford Higher Education Pty Ltd	0	5	20	10		100%	-50%
Department of Training and Workforce Development	1	0	0	0	-100%		
Eastern College Australia Incorporated	0	2	4	10		400%	150%
ECA Higher Education Institute Pty Ltd	0	151	123	100		-34%	-19%
Edith Cowan College Pty Ltd	522	735	220	500	-4%	-32%	127%
Education Centre of Australia Pty Ltd	0	0	0	130			
Educational Enterprises Australia Pty Ltd	208	113	162	80	-62%	-29%	-51%
Edvantage Institute Australia Pty Ltd	0	176	97	120		-32%	24%



Elite Education Institute Pty Ltd	75	52	100	50	-33%	-4%	-50%
Engineering Institute of Technology Pty Ltd	68	231	130	160	135%	-31%	23%
EQUALS International (Aust) Pty Ltd	0	42	50	45		7%	-10%
Excelsia College	382	761	895	510	34%	-33%	-43%
Global Education & Tourism Group Pty Ltd				0			
Global Education Ministry Incorporated				0			
Global Leadership Institute	0	0	0	10			
Group Colleges Australia Pty Ltd	846	590	1980	400	-53%	-32%	-80%
Hawthorn Learning				0			
Higher Education Leadership Institute	0	18	17	20		11%	18%
Holmes Institute Pty Ltd	3,442	1,446	2113	980	-72%	-32%	-54%
Holmesglen Institute	264	137	125	140	-47%	2%	12%
ICHM Pty Ltd	93	131	78	90	-3%	-31%	15%
IIBIT AHE Pty Ltd	0	0	1	10			900%
Imperial Engineering Education	0	0	2	10			400%
Institute of Health & Management Pty Ltd	274	117	207	80	-71%	-32%	-61%
International College of Management, Sydney Pty Limited	509	456	338	310	-39%	-32%	-8%
International Institute of Business and Technology (Australia) Pty Ltd (IIBT)	26	10	1	10	-62%	0%	900%
Jazz Music Institute Pty Ltd	0	0	0	10			
JMC Pty Limited	101	126	103	90	-11%	-29%	-13%
Kaplan Business School Pty Ltd	1772	4696	2459	3170	79%	-32%	29%
Kaplan Higher Education Pty Ltd	57	0	65	140	146%		115%
Kent Institute Australia Pty Ltd	344	295	301	200	-42%	-32%	-34%
Kontea Pty Ltd*	0	8	19	10		25%	-47%
LCI Melbourne Pty Ltd	22	8	39	10	-55%	25%	-74%
Le Cordon Bleu Australia Pty Limited	91	115	168	80	-12%	-30%	-52%
Leaders Institute Pty Ltd	144	62	286	50	-65%	-19%	-83%
Leo Cussen Institute	44	24	23	25	-43%	4%	9%
Lincoln Institute of Higher Education Ltd	0	88	156	60		-32%	-62%
Lyons Education Group Pty Ltd	0	96	171	70		-27%	-59%
Marasi Education Pty Ltd (VSC)	0	0	14	15			7%
Marcus Oldham College	0	1	0	10		900%	
Melbourne Institute of Business & Technology Pty Ltd	1347	909	851	610	-55%	-33%	-28%

Melbourne Institute of Higher Education Pty Ltd	0	41	40	45		10%	13%
Melbourne Institute of Technology Pty Ltd	761	1683	601	1140	50%	-32%	90%
Melbourne Polytechnic	514	325	306	330	-36%	2%	8%
Monash College Pty Ltd	1958	1026	1180	690	-65%	-33%	-42%
Moore Theological College Council	0	8	10	10		25%	0%
Morling College Limited	1	2	0	10	900%	400%	
Mpika Holdings Pty Ltd	0	70	280	50		-29%	-82%
Nan Tien Institute Limited	17	0	10	15	-12%		50%
National Academy of Professional Studies Pty Ltd	0	235	108	160		-32%	48%
National Art School	2	1	1	10	400%	900%	900%
Navitas Australia	185	0	0	50	-73%		
Navitas Bundoora Pty Ltd	759	703	461	480	-37%	-32%	4%
Navitas Professional Institute Pty Ltd	240	447	740	300	25%	-33%	-59%
Nova Anglia College Pty Ltd	0	0	0	10			
Oxford Institute of Higher Education Pty Ltd	74	113	140	80	8%	-29%	-43%
PBL Education Pty Ltd	0	0	25	25			0%
Performing Arts Education Pty Ltd	0	5	0	10		100%	
Perth Bible College (Inc)	3	0	3	10	233%		233%
Photography Holdings Pty Ltd	6	5	9	10	67%	100%	11%
Polytechnic Institute Australia Pty Ltd	166	912	972	620	273%	-32%	-36%
Proteus Technologies Pty Ltd	40	301	1137	200	400%	-34%	-82%
Queensland Institute of Business and Technology Pty Ltd	940	516	473	350	-63%	-32%	-26%
Queensland Institute of Higher Education Pty Ltd	0	98	224	70		-29%	-69%
RMIT Training Pty Ltd	0	0	0	120			
Russo Business School Pty Ltd	45	55	0	50	11%	-9%	
SAE Institute Pty Ltd	152	75	61	50	-67%	-33%	-18%
Sheridan College Inc	37	13	13	15	-59%	15%	15%
Sicop Education & Technology Pty Ltd	33	134	35	90	173%	-33%	157%
Skyline Higher Education Australia	0	0	64	50			-22%
South Australian Institute of Business and Technology Pty Ltd	534	519	331	350	-34%	-33%	6%
Southern Academy of Higher Education Pty Ltd	0	0	232	160			-31%
Southern Cross Education Institute (Higher Education Pty Ltd	118	562	854	380	222%	-32%	-56%



Southern Cross Institute (SCI)	0	534	314	360		-33%	15%
SP Jain School of Global Management Pty Ltd	561	394	198	270	-52%	-31%	36%
Stanley International College Pty Ltd	4	489	657	330	8150%	-33%	-50%
Sydney College of Divinity Ltd	20	46	35	50	150%	9%	43%
Sydney Institute of Business and Technology Pty Ltd	224	120	83	80	-64%	-33%	-4%
Sydney Institute of Health Sciences Pty Ltd	2	5	2	10	400%	100%	400%
Sydney Institute of Higher Education Pty Ltd	0	319	56	220		-31%	293%
Sydney Metropolitan Institute of Technology Pty Ltd	0	350	354	240		-31%	-32%
Sydney Polytechnic Institute	0	59	177	50		-15%	-72%
TAFE Queensland	37	56	43	60	62%	7%	40%
TAFE SA	96	69	87	70	-27%	1%	-20%
Technical and Further Education Commission	369	498	808	500	36%	0%	-38%
Texila College Australia Pty Ltd	0	324	141	220		-32%	56%
The Anglican Schools Commission Inc				0			
The Australian Institute of Music Limited	121	46	44	50	-59%	9%	14%
The Cairnmillar Institute	7	6	2	10	43%	67%	400%
The College of Law Limited	14	20	17	20	43%	0%	18%
The Institute of Creative Arts and Technology	288	0	3	10	-97%		233%
The Institute of International Studies (TIIS) Pty Ltd	68	207	143	140	106%	-32%	-2%
The National Institute of Dramatic Art (NIDA)	4	1	1	10	150%	900%	900%
Think: Colleges Pty Ltd	39	6	8	10	-74%	67%	25%
Top Education Group Ltd	407	756	730	510	25%	-33%	-30%
Torrens University Australia Limited	3793	4102	3655	2770	-27%	-32%	-24%
Trinity College				0			
Union Institute of Language - Springfield Campus				0			
Universal Higher Education Pty Ltd	0	83	86	60		-28%	-30%
University of Divinity	16	15	22	15	-6%	0%	-32%
UNSW Global Pty Limited	0	0	749	510			-32%
UOWC Ltd	305	213	82	140	-54%	-34%	71%
UQ College				0			
UTS College Limited	1464	734	1085	500	-66%	-32%	-54%
Victorian Institute of Technology Pty Ltd	792	1614	914	1090	38%	-32%	19%
Wentworth Institute of Higher Education Pty Ltd	182	672	491	450	147%	-33%	-8%



Western Sydney University Enterprises Pty Ltd				0			
Western Sydney University International College Pty Ltd	28	232	234	160	471%	-31%	-32%
WHITEHOUSE INSTITUTE PTY LTD	17	1	1	10	-41%	900%	900%
William Angliss Institute of TAFE	89	81	59	85	-4%	5%	44%

## Attachment B:

### More problems in how international student caps have been allocated

<https://clairefield.com.au/more-problems-in-how-international-student-caps-have-been-allocated/>

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As the sector prepares for the Senate Committee's next and presumably final hearing into the changes to the ESOS Act which will allow Ministers to set caps on new international students, and as there are [reports emerging](#) that some providers have already had to halt student recruitment for Semester 1, 2025 – I have undertaken further analysis which identifies more problems with how the caps have been set.

These errors differ from those [in my earlier post \(22 September 2024\)](#) and impact three types of providers:

- VET providers with no enrolments in recent years
- Dual-sector providers, and
- Universities and their pathways partners

#### VET caps for providers with no enrolments

In evidence at the Senate Committee's 6 September 2024 hearing into the ESOS Act legislative changes, officials from the Department of Employment and Workplace Relations stated that they were allocating 4,560 places to "new providers" and added "those are ones already registered" to differentiate them from the "buffer of 4,000 commencements for those that are in the process of registration, based on the average ... of apportioning around 30 commencements to each of these providers."

So that's 4,560 places for new providers (30 places each) and another 4,000 places for the 133 CRICOS VET providers not yet registered but which we can expect to gain registration in the next 15 months.

In my examination of the data provided by officials to the Senate, I find it difficult to replicate the figure of 4,560 new places (set at 30 per provider) for new providers.

There are 161 providers with a cap of 30 new international students for 2025. Of these:

- 26 providers enrolled international students in 2019 but have enrolled none subsequently – indicating they are not new providers. They are CRICOS providers which have been in operation for at least 6 years but recently have chosen to focus on either domestic VET students or on international higher education
- 4 providers enrolled only 1 or 2 international students in 2022 and none before or since – probably indicating international VET students are not a key component of their VET student profile (or they would have had their registration lapsed by ASQA for not enrolling new students in the last 12 months), and
- 2 providers which each enrolled 19 students in 2023 and none so far in 2024 (one commenced operations in 2019 and the other in 2022 – meaning neither are exactly new). The contrast between the provider which commenced in 2022, enrolled 19 students in 2023, and got a cap of 30 students – with just a couple of other providers which got lower caps despite one being newer and the other also commencing in 2022 but enrolling more students than the provider lucky enough to get a cap of 30 students are shown below.

Regrettably there are many other similar anomalies of new and nearly new providers getting much lower caps than the 30 students allocated to Le Rosey Hospitality Institute)[\[1\]](#)

<b>Le Rosey Hospitality Institute Pty Ltd</b>	<b>Greenhill Institute Pty Ltd</b>	<b>Australia International Construction College Pty Ltd</b>
<ul style="list-style-type: none"> <li>• initial registration as an RTO in May 2022</li> <li>• 19 new students in 2024</li> <li>• cap for 2025 of 30 students</li> </ul>	<ul style="list-style-type: none"> <li>• initial registration as an RTO in July 2022</li> <li>• 8 new students in 2023</li> <li>• 64 new students in 2024</li> <li>• cap for 2025 of 5 students</li> </ul>	<ul style="list-style-type: none"> <li>• initial registration as an RTO in June 2023</li> <li>• 11 new students in 2024</li> <li>• cap for 2025 of 17 students</li> </ul>

- a further 129 providers enrolled no new international students in either 2019, 2022, 2023 or 2024 YTD. They were all granted a cap for 2025 of 30 new students. Some are new providers, many are not:
  - 52 of the providers which did not enrol any new international VET students between 2019 and 2024 are genuinely new – ie they were registered between 2022 and 2024
  - the remaining 77 are not new providers – some of them are decades old (14 of them were first registered as an RTO in the 1990s). These are providers which have either built a significant domestic operation and are not currently focussed on educating international students (and hence have not done so for the past six years) or they are dual sector providers and have focussed their international education offerings on higher education (see below), or, at least in one case, they are purely a higher education provider and have somehow been confused with a VET provider of a similar name and hence should not have been included on the list of VET providers[\[2\]](#)
  - leaving aside the dual sector providers and the anomalous higher education provider, the 62 longstanding VET providers who have chosen not to enrol any international students in the past six years have collectively been allocated 1,860 new students for 2025. They clearly do not need and will not use these places.

### Dual sector providers

The data shows five universities and 9 dual sector non-university higher education providers have also enrolled no international VET students between 2019 and 2024. They have been given caps allowing them each to enrol 30 new VET students in 2025.

The universities are:

- Deakin University – has 3 VET qualifications on its scope of registration – none have CRICOS approval
- Edith Cowan University – has 8 creative arts VET qualifications on scope – none have CRICOS approval
- La Trobe University – has 1 accredited VET course on scope – it does not have CRICOS approval
- The University of Notre Dame Australia – has 4 VET qualifications on scope – none have CRICOS approval
- University of Tasmania – has 11 maritime VET qualifications on scope – none have CRICOS approval.

The same pattern is true for the nine other dual sector providers with no enrolments between 2019 and 2024: Australian College of the Arts, Australian Institute of Management Education and Training, Engineering Institute of Technology, Navitas Professional Institute, Photography Holdings, Performing Arts Education, SAE Institute, The National Institute of Dramatic Art, and Whitehouse Institute.

Like the dual-sector universities listed above, none of these dual sectors providers have CRICOS approval for their VET qualifications and hence will not be able to use their cap of 30 VET students in 2025.

Collectively, that is a further 420 student places which will not be used.

### **Pathways providers**

Pathways colleges specialising in helping new international students adjust to university life in a new country have become a staple of the Australian (and global) higher education landscape since 1994 when [Rod Jones and Peter Larsen launched Perth Institute of Business and Technology](#) (now Edith Cowan College) launched their partnership Edith Cowan University.

When looked at through the lens of the proposed international student caps Australian university pathways partnerships take one of two forms:

- The partner is a standalone higher education provider with its own registration with TEQSA and hence its own CRICOS code (and in 2025 its own cap), or
- The partner is a separate legal entity but it does not have separate registration with TEQSA and hence its students are counted as the university's enrolments (and will be within the university's cap)

While we don't have details of the pathways students enrolled as part of a university's cap, we do have details of the partnerships involving providers with their own higher education and CRICOS registrations. And there could be problems for some of them depending on the cap they and their university partner has been allocated.

Here are a few scenarios:



	<b>University enrolments 2024</b>	<b>University enrolments 2025</b>	<b>University enrolments 2025</b>
<b>Scenario A:</b> University gets a cap the same as its 2024 enrolments and pathways partner's cap is lower than its 2024 enrolments	University enrolments: 4,500  University has directly enrolled 4,000 new students and accepted 500 of its partner's 2023 students into second year	University cap: 4,500  Partner's cap: 400  University directly enrolls 4,000 and accepts the 500 partner students (who originally enrolled in 2024) into second year	University cap: 4,500  Partner's cap: 400  University directly enrolls 4,100 and accepts the 400 partner students from 2025 into second year
<b>Scenario B:</b> University gets a cap the same as its 2024 enrolments and pathways partner's cap is higher than its 2024 enrolments	University enrolments: 4,500  University has directly enrolled 4,000 new students and accepted 500 of its partner's 2023 students into second year	University cap: 4,500  Partner's cap is 600  University directly enrolls 4,000 and accepts the 500 partner students (who originally enrolled in 2024) into second year	University cap: 4,500  Partner's cap: 600  University could directly enrol 3,900 and accept all of the 600 partner students from 2025 into second year - or does it only accept 500 students from its partner in 2025 (well under the partner's cap) so that the university can maintain its 4,000 direct enrolments? And if it does what does that mean for the 100 or more students who can't go on to 2 <sup>nd</sup> year university study?
<b>Scenario C:</b> University gets a cap lower than its 2024 enrolments and pathways partner's cap is also lower than its 2024 enrolments	University enrolments: 4,500  University has directly enrolled 4,000 new students and accepted 500 of its partner's 2023 students into second year	University cap: 4,000  Partner's cap is 400  University directly enrolls 3,500 and accepts the 500 partner students (who originally enrolled in 2024) into second year	University cap: 4,000  Partner's cap: 400  University directly enrolls 3,600 and accepts the 400 partner students from 2025 into second year
<b>Scenario D:</b> University gets a cap lower than its 2024 enrolments and pathways partner's cap is higher than its 2024 enrolments	University enrolments: 4,500  University has directly enrolled 4,000 new students and accepted 500 of its partner's 2023 students into second year	University cap: 4,000  Partner's cap is 600  University directly enrolls 3,500 and accepts the 500 partner students (who originally enrolled in 2024) into second year	University cap: 4,000  Partner's cap: 600  University could directly enrol 3,400 and accept all of the 600 partner students from 2025 into second year - or does it limit its partner to fewer students so that the university can maintain its 2024 highpoint of 4,000 direct enrolments (or as close to it as possible). And if so, what does that mean for the partner and their pathways students?

[1] Le Rosey Hospitality Institute Pty Ltd, Greenhill Institute Pty Ltd and Australia International Construction College Pty Ltd are not known to me. There may be valid reasons why the Department allocated them the caps that they did but the decision does not appear to be based on how new they are.

[2] The list of VET providers issued by the Department of Employment and Workplace Relations includes Danford Higher Education Pty Ltd (CRICOS Code 04122B), row 740 on the list of providers.

This institution is solely a higher education provider. It is not an RTO registered with ASQA, the VRQA or TAC and therefore should not have been included in the list of VET providers. It might have been confused with Danford College (the trading name of Star Gazers Pty Ltd, CRICOS Code 02996A) which is already included on the list of VET providers, row 50.