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THE POLITICISATION OF ENGLISH: THE EVOLUTION OF LANGUAGE TESTING

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English language competence is central to the employment prospects of migrant professionals. However, until recently, the testing procedures used by professional associations and the Australian Government have been poorly designed and poorly implemented.

The past ten years have seen the evolution of English-language testing as a significant instrument of Australian immigration policy — an issue to date attracting minimal public attention. Two case studies serve to illustrate this developing trend:

- * The 1992 introduction of mandatory English language testing at overseas posts in a range of skilled occupations — with passes henceforth compulsory for principal applicants in prominent occupations, to be known as 'Occupations Requiring English' (ORE) (teachers, lecturers, health professionals, engineers, pilots, air traffic controllers, electrical tradespeople and judges).¹ Assessment of English from this time became a direct and malleable instrument for the restriction of skilled migrant intakes.
- * The announcement of mandatory English-language testing as a means of screening and selecting the People's Republic of China (PRC) nationals who had reached Australia post-Tiananmen Square (1989), applying for permanent residence as asylum seekers prior to the 1992 cut-off date. ('Principal applicants will be required to

demonstrate that they have the ability to communicate in English in a mix of work and social situations...'²) Selection by vocational English provided one acceptable means of limiting the size and settlement needs of the PRC 'compassionate' intake.

This article focuses on the evolution of English-language testing in relation to skilled migration categories. It argues that the introduction of mandatory language testing as a screening device represents a significant and timely reform — one introduced at the end of a decade characterised by two recessions, and the emergence of increasing evidence concerning the comparative labour market disadvantage of skilled non-English speaking background (NESB) migrants (see Footnote 3).

This mandatory language testing represents a substantial break with past Department of Immigration and Ethnic Affairs (DIEA) practice, in a number of significant ways. Firstly, visas are now denied principal ORE applicants who fail to demonstrate vocational English as a Second Language (ESL) competence — regardless of the number of points attained across other selection criteria, or Concessional

Family status. Secondly, it involves the allocation of significant government resources (\$1.9 million) to the development of an objective and properly validated test (the *access* test), supported by the use of internationally accredited alternative tests in the interim.

THE CASE FOR THE INTRODUCTION OF MANDATORY ENGLISH-LANGUAGE TESTING

Politically these reforms have emerged at the end of a decade marked by substantial fluctuation in Australia's migration policy, with three dominant features worth noting:

- * The selection of increasing numbers of skilled category migrants — with arrivals in peak years ranging from 48 per cent of total migrant intake (1982-83: 44,973 people) to 58.3 per cent (1990-91: 70,943 people).⁴
- * The increasing preponderance of NESB skilled-category arrivals — a reflection of the fact that by 1990 those migrants outranked English-speaking-background (ESB) migrants two to one in possession of tertiary qualifications.
- * The growing diversification of NESB source countries — a trend illustrated by region of origin data for engineers (the prime occupational group arriving), and standing in marked contrast to Australia's traditional selection practice. (By 1990-91, the peak year of recent skilled migration, UK engineers had reduced to 10 per cent of the total engineering intake, while the whole of Europe amounted to a further eight per cent. Skilled engineering migration had become a largely Asian phenomenon — with North East Asia accounting for 31 per cent of

arrivals, South Asia for 21 per cent, and South East Asia for 16 per cent.⁵)

The arrival of these skilled NESB migrants was accompanied by mounting concern in certain Australian professions about the scale and professional calibre of those selected — an issue rarely voiced in periods dominated by ESB rather than by NESB skilled migration, and in some cases were clearly motivated by labour market protectionism. Whatever the basis of this concern, many critics justifiably argued a link between ESL ability, and competence within professional employment. According to Martin Thomas, President of the Institution of Engineers Australia,

Australia, at least in the immediate term, is accepting too many migrant engineers. While meeting education requirements sufficient for graduate membership... and hence gaining immigration points, many are not adequately skilled, whether by language capability, postgraduate experience or current competence, in the most needed engineering skills in Australia to find a job... Some members of IEAust have suggested, and I share their views, that in addition to (qualifications' recognition) attention should be paid also to prospective immigrants' professional experience and English language skills before immigration rather than after arrival.⁶

The medical profession in Australia (one traditionally hostile to incoming medical NESB migrants) placed prime emphasis on English — an issue it viewed as central to public safety. According to Ralph Blacket, Chairman in 1990 of the Australian Medical Council's Examination Committee,

...all English speaking developed countries take the view that foreign medical graduates who choose to

emigrate must demonstrate in objective testing a good level of proficiency in English as well as the level of professional competence expected of graduates of their chosen country.⁷

Two significant issues are raised by these critics. The first is that ESL testing should be **mandatory** in occupations to which vocational levels of English are arguably critical. The second is the need for ESL testing to be seen as **objective** — whether undertaken by NESB professionals as a precondition for migration, or within Australia prior to professional registration.

VOCATIONAL ENGLISH TESTING: A MEDICAL CASE STUDY

The medical profession had already pioneered compulsory ESL testing in Australia, in somewhat notorious circumstances. Egon Kunz, in his benchmark study of medical protectionism (*The Intruders*), indicted the Australian Medical Association for its longstanding and 'implacable opposition' to the entry of post-war East European medical refugees — including its orchestration of a scare campaign designed to denigrate their professional ability.⁸ Fundamental to this professional exclusion was the introduction of a 'vocational' English language test — one which lacked both formal validation and face validity and, according to a number of prominent academics, was designed 'to keep the wog doctors out'.

Controlled by the medical profession, this test reportedly required analysis of 'passages of purple prose' or 'nineteenth century literary criticism', and had an outrageously low pass rate. Sealed off from external scrutiny, it persisted to the early 1980s despite vigorous protests from NESB doctors — effectively blocking the vast

majority from registration, since it stood as a gatekeeper to the subsequent testing of medical knowledge.

In the early 1980s minor improvements flowed from the involvement of COPQ (Council on Overseas Professional Qualifications). In 1987, as pressure mounted for decisive reform, Tim McNamara (currently Director of the University of Melbourne's Language Testing and Research Centre) — was commissioned to devise and properly trial Australia's first genuinely Occupational English Test (OET). This test, since used in a variety of versions across all health professions, separately tested speaking, listening, reading and writing, in contexts with genuine medical face validity.

By 1989 NESB doctors taking the test in Australia and overseas would secure dramatically higher pass rates — ranging from 50-85 per cent.⁹ The issue of ESL competence however was arguably not limited to Occupational English pass rates. Many critics of the subsequent Multiple Choice Question (MCQ) and Clinical tests — theoretically designed to assess only medical performance and knowledge — would argue that these also represented de facto ESL tests, given that 'knowledge' was assessed through a rigorous filter of English.¹⁰ The MCQ involved the speed reading of a large body of sophisticated medical text, prior to the selection of answers for subtly-worded multiple choice questions — no time concession being allowed for candidates who were not native speakers of English.

Perhaps unsurprisingly, in 1990 Blacket (Chairman of the Australian Medical Council's Examination Committee) reported NESB candidates to have exceptionally high failure rates — 67 per cent of East Europeans, for

instance, and 79 per cent of certain Asian groups, compared with 39 per cent of ESB doctors. Blacket readily ascribed this outcome to their presumed medical inferiority:

It is unrealistic to expect that most middle-aged foreign medical graduates who were poorly trained and had inappropriate postgraduate experience in a deprived environment will ever reach the professional standards of Australian-trained doctors.¹¹

So confident was he of the above that he excluded consideration of 'possible lack of English as a cause for failure' from his analysis of MCQ and Clinical test results — an intervening variable 'not... evaluated in this study', regardless of the obvious demarcation in pass rates between ESB and NESB countries (an extraordinary omission for a scientist). According to Blacket graduates from 'South Africa, Canada and the United States' were likely to pass the exams. NESB candidates from 'the third world and Eastern Europe' were very likely to fail — the exceptions being candidates from West Germany and former Commonwealth countries like Singapore or Hong Kong, regions clearly characterised by education systems with substantial exposure to English.

This issue of 'knowledge' testing via a filter of English is one of growing significance, given the current shift to **competence-based** assessment of skills across a range of Australian professions. To 'prove' possession of professional competence, NESB professionals may increasingly have to pass knowledge tests constructed in English. Those lacking sophisticated ESL skills may be barred from professional registration — a trend creating further impetus for the off-shore screening of English.

ESL TESTING AT OVERSEAS POSTS: 1980 to 1992 DEVELOPMENTS

In theory, such ESL testing was not a new innovation. In 1980, when language testing was still in its infancy in Australia and properly validated vocational language tests did not exist, ESL competence already featured as a points-weighted factor within DIEA's Numerical Migrant Assessment System (NUMAS). Introduced post-Galbally in 1979, NUMAS had been designed to select skilled migrants 'in respect of their economic and settlement prospects in Australia', along with their 'personal capacity to settle successfully'.¹² Replacing the earlier Structured Selection Assessment System, NUMAS numerically rated a range of applicant characteristics — those considered, on the basis of past experience, 'to be important determinants of settlement success'.

Within this process, it was the proclaimed intent of DIEA to be impartial — to apply 'uniform standards through the same procedures used around the world'.¹³ Despite the rhetoric, assessment of skilled migrants was in practice conducted at the discretion of individual overseas post Migration Officers — in relation to English along with a wide range of other factors. While economic attributes such as recognised skills (max. 6 points), pre-arranged employment (max. 5 points) and occupational demand (max. 14 points) could indeed be objectively assessed, Migration Officers were obliged to rate for far more subjective attributes such as 'responsiveness' (including 'mental alertness'), 'initiative, self-reliance and independence', and 'presentation' — the latter designed to ensure that 'appearance, personal hygiene and behaviour are such as to be within the

norms acceptable to the Australian community at large'.¹⁴

Under NUMAS, ESL competence could be awarded a maximum of 10 points — three in relation to economic capacity, two for 'ability to communicate in a proposed occupation', and five for personal and settlement potential, given 'knowledge of English is important to a migrant's access to, and use of, the various services available in Australia'.¹⁵ The maximum total for ESL thus exceeded points awarded for discrete economic attributes such as recognised skills — a potentially justifiable decision, given emerging evidence linking Australian employment outcomes with facility in English.

There remained a basic problem however, related to objectivity. No validated language tests yet existed at overseas posts. ESL assessment necessarily operated on an almost wholly discretionary basis, thus generating variable results between individual Migration Officers.

In 1983, though explicit weighting for English temporarily vanished from the points-tested system, ESL skills continued to be assessed in this fashion. Within the new Migration Selection Program, Migration Officers were required to globally rank applicants' settlement prospects across a five point grid, ranging from 'settlement risk' to 'outstanding'.¹⁶ Emphasis in this global ranking was placed on applicants' perceived ability to make a 'successful transition' to life in Australia — including factors such as whether families appeared to be 'supportive and cohesive', showed evidence of 'tolerance and flexibility', and had the 'capacity to cope with changes in lifestyle, such as... different types of housing'.¹⁷ Impartial assessment of these attributes/values must have posed considerable diffi-

culty for individual Migration Officers, within brief (possibly monolingual) interviews. ESL skills featured either implicitly or explicitly along with a range of other settlement variables — with judgments required to be made not merely on current ability, but on perceived future psycho-social and learning potential.

This covert ESL 'assessment' persisted through the mid 1980s — despite its absence from the criteria listed in official points tests. English language skills would appear again as a discrete (though not compulsory) item, following the substantial re-vamp of Australia's points system which followed the 1988 publication of the Report of the Committee to Advise on Australia's Immigration Policies. The influential CAAIP Report placed prime emphasis on the selection of people with proven competence in English. In the committee's view, this was a matter of both common sense and necessity:

With the growing importance of skills in the Australian economy, command of the national language has become critically important in integrating immigrants into the workforce. Workers must be fluent in English to be able to take part in the lifelong skill acquisition and career development that must accompany the constant structural adjustment to changing technology that international competitiveness demands... It appears that knowledge of English is one of the principal determinants of the speed with which immigrants find rewarding and remunerative jobs. The lack of English is probably one of the most important causes of unemployment.¹⁸

Publication of the CAAIP recommendations was followed by a four year surge in migration. Within this, ESL was theoretically reinstated as a

significant criteria in Independent applicants' points. By April 1989 'proficiency' in English had been awarded a maximum of 15 points, dropping to five points for people 'with only limited English ability'.¹⁹

This initiative failed to lead, however, to the decisive ESL screening advocated by CAAIP. Assessment was not required for Concessional Family applicants. Also, points allotted for English were not critical to the selection of Independents of prime work-force age with recognised tertiary qualifications. Further, a shortage of staff at overseas posts meant principal applicants could take a gamble and award themselves the maximum 15 points, since it was rare for DIEA to demand any verification. In cases where ESL points could make a critical difference to acceptance or rejection, an attempt was theoretically made to test. However, given the lack of accredited tests available, the results could remain highly variable.

The discretionary system used in the past, which had relied on the presence of sufficient Migration Officers to interview and assess, was no longer adequately resourced. Post-CAAIP, a world-wide explosion of migration enquiries coupled with restrictions on overseas staff, had resulted in assessment of prospective skilled migrants largely being carried out on paper. The following data indicate the scale of this problem. In January 1994 there were 114 DIEA officers at Australian overseas posts (supported by local staff). A year earlier, in 1992-93, similar levels of staff had been required to deal with 2,028,000 temporary entry applications, in addition to permanent entry applications from 109,000 people. In this context, DIEA Migration Officers necessarily made pragmatic decisions.

Though principal Independent applicants were meant to be screened, in practice officers decided whom to interview on the basis of applicant documentation — analysis of where a person had studied, the language skills s/he was presumed to have, and a 'guesstimate' of likely problems in relation to English.

This process inevitably saw the migration of many Independents as well as Concessionals with minimal levels of English. According to a (former) Yugoslav engineer, cited in a forthcoming publication,

(In 1990) I saw a lot of people who achieved the maximum score by giving themselves 15 points. There was absolutely no checking!... I must tell you that I have a friend who told me how to pass the examination, if any kind of interview will be performed. He told me that he was informed by his friends of eight or ten standard questions. He learned them by heart, and he learned the answers by heart. Even though he did not know any English at this time, he passed the interview!²⁰

INTRODUCTION OF MANDATORY LANGUAGE TESTING: 1992

By 1990 substantial numbers of skilled NESB migrants with minimal English had thus reached Australia. By 1992 DIEA had become increasingly concerned with the consequences of inadequate testing of English. Many NESB migrants required lengthy English-language training post-arrival, before they could hope to find suitable work. They often spent twelve to eighteen months learning English — commencing job-seeking handicapped by serious career gaps. Increasingly, feedback from both employer and professional groups confirmed advanced ESL competence to be 'absolutely mandatory' within Australian

employment — typically meaning that 'You do not get your foot in the door if you do not clearly speak English'. Though employers might tolerate poor language skills in times of comparative labour demand, this pattern reversed in periods of over-supply, with devastating consequences for incoming professionals. In the view of an engineering employer, questioned concerning the 'employability' of NESB engineers,

When you design something, you've got to understand what's wanted. When you've designed it, you've got to present it. When you're selling something, you've got to get the idea across. Also when you're employed by someone, you've got to fit in as part of a team. So communication skills at all levels — verbal, non-verbal, written, spoken — are critical!²¹

Pressures such as these culminated by July 1992 in the introduction of mandatory English language testing at overseas posts in Occupations Requiring English — a significant and timely reform, as defined at the start of this article. According to DIEA's announcement,

From 1 July 1992 it will be a mandatory requirement that principal applicants in BOTH the Independent and Concessional Family categories whose usual occupation appears on the ORE have VOCATIONAL LEVEL English language proficiency. This mandatory requirement is additional to points assessment. This means that (principal) applicants must reach the pass mark or priority mark AND be vocationally proficient in English to be approved. A failure on either criterion will result in rejection of their application.²²

DIEA has fully resourced this assessment process — allocating \$1.9 million, and commissioning the purpose-designed 'access' test, co-

ordinated through Macquarie University's National Centre for English Language Teaching and Research (NCELTR) in conjunction with a range of other specialist institutions.

The *access* test, already in use at 16 overseas posts, is designed to expand to global coverage by the end of 1996. For the first time, it permits DIEA to screen for vocational levels of English, through meticulously validated and objective means. A range of supplementary measures is being used in the interim — ranging from the Cambridge-accredited International English Language Testing System (IELTS), to the fall-back system of Migration Officer interview where validated options such as IELTS do not yet exist. In this case, detailed guidelines have been issued concerning both grading and testing procedures — outlined in the DIEA Procedures Advice Manual text.²³ The pass level for *access* is five out of a maximum of seven — an appropriate standard for vocational skills in English. That set for IELTS was initially high — at seven (out of a possible nine), exceeding the level required by NESB students for Australian university entrance. This was particularly difficult for certain categories of NESB speakers to achieve (for example, PRC students), despite obvious demonstration of 'vocational' levels of English. The requirement has since been modified to the more reasonable level of six.

In theory, this introduction of mandatory language testing in key skilled categories should alert NESB professionals pre-arrival to the critical importance of English. It should spare the Australian government significant later spending on ESL. It should provide an acceptable means of

discriminating between NESB applicants, in order to cut the size of annual skilled intakes. Most importantly, it should reduce the unemployment and skills wastage typically experienced by incoming NESB.

This latter presumes one thing of course — that language level is indeed the critical issue. There are those who argue 'English' may conveniently mask other more discriminatory factors. Recent skilled migrants have been largely non-European in origin. It is possible employers may be rejecting them for differences such as to work-style, culture, or race.

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