



THE AUSTRALIAN COUNCIL OF TESOL ASSOCIATIONS

<https://tesol.org.au/>

Mr Steve Georganas MP,
Chair of Joint Standing Committee on Migration,
Parliament House.
Canberra.
ACT 2600.

Dear Mr Georganas,

**RE: Reform of the Adult Migrant English Program (AMEP),
including amendments to the *Immigration Education Act 1971* possibly in Parliament's October sitting**

I write on behalf of the Australian Council of TESOL Associations and specifically as co-convenor of ACTA's Consultancy Group that is concerned with the teaching of English to adults. ACTA is the peak Council for State/Territory professional associations of educators concerned with teaching English to speakers of other languages (TESOL) in all educational sectors.

My request is that you meet urgently with ACTA representatives in regard to proposed amendments to the *Immigration Education Act 1971*. This legislation concerns eligibility for the Adult Migrant English Program (AMEP).

We anticipate the amendments will be introduced in the October sitting of Parliament. They are part of the reform of the AMEP, announced in this year's May budget. The overall reform is due to commence on 1 January 2029. Details of the reform that are in the public domain are on the Home Affairs website: <https://www.homeaffairs.gov.au/reports-and-publications/submissions-and-discussion-papers/reform-of-the-adult-migrant-english-program>. This includes a link to a transcript of an online meeting on 25th May that provided information to invited stakeholders, among whom were two ACTA representatives. (Quotes below are from this transcript at: <https://www.homeaffairs.gov.au/reports-and-publications/submissions-and-discussion-papers/reform-of-the-adult-migrant-english-program>).

Although ACTA supports some aspects of the proposed reform, we are deeply concerned about the following.

1. Changes to Eligibility

These are described as allowing a "better focus the program on migrants with the greatest need for structured English tuition."

Because the changes are proposed in the context of budget savings, it seems clear that eligibility will be significantly restricted. There is no information on who will be excluded. To make a budget impact, the numbers will need to be large.

ACTA accepts that changes to eligibility are needed. We have proposals as what these should be. But we are deeply concerned that the restrictions will target the cohorts that most benefit from AMEP tuition.

The nub is what is intended by "structured tuition", about which there is also no information. The current AMEP curriculum and its governing structures are dysfunctional and fail to serve those in highest need of *skilled, professionally informed* tuition, as distinct from the tuition as it is currently structured. Curriculum requirements and the heavy emphasis on assessment, reporting and compliance are flawed, largely due to operating within Registered Training Organisation (RTO) requirements. These requirements have been recognised as unsatisfactory by the regulatory body, the Australian Qualifications Authority (ASQA), which is in process of reforming them. At the end of this letter, I'll provide testimony from the record of recent meeting with teachers that was attended by ACTA representatives about some of the many problems afflicting the AMEP, including its currently "structured tuition".

If the new eligibility requirements exclude those failed by this structured tuition, they will especially target humanitarian entrants with minimal/no previous education, women with young children, others with caring responsibilities, and those suffering from trauma and torture. These are precisely those for whom the AMEP was originally designed with its needs-

based curriculum and flexibility. This unique and previously world-leading Program will largely duplicate other labour market programs.

2. Childcare

Current AMEP contracts include childcare provision. These “will be replaced with assistance to connect clients to the mainstream early childhood education and care system” supported by AMEP providers, who “will assist clients to navigate the childcare system, access childcare subsidies and support them to secure appropriate childcare placements.”

ACTA accepts that the provision of childcare within the AMEP attracts problems and cost inefficiencies. However, embedded childcare is also widely acknowledged as a key driver of women’s participation and success in this Program for reasons we can explain to you.

Unless this measure is intended to restrict migrant families’ access to childcare itself – which it will do in effect – it appears to be a cost-shifting move, not real cost saving. It is well recognised that mainstream childcare places are failing to meet existing demand, particularly in inner city, rural and regional areas. Leaving aside the cost savings that will benefit the Department of Home Affairs’ bottom line, it is hard to see how increasing demand for mainstream places by adding in AMEP client's children will serve anyone's interests.

We understand that some AMEP providers currently manage the payment of external childcare centres from within their contracted funding. We recognise that achieving efficiency in the childcare space is difficult. We believe that careful, in-depth consultation with existing providers, ACTA and other stakeholders could arrive at an improved situation.

3. Refusal to consult

Home Affairs Departmental officials have refused to consult with stakeholders, including ACTA. The stated reasons are “probity” and “the need for cost reductions to be urgently progressed in the 26-27 Budget context and future legislative time frames.”

Since Labor took office in May 2022, the Consultancy Group that I co-convene has had productive meetings with officials in the Migrant English and Language Services Branch of the Department of Home Affairs. Following the May stakeholder meeting, we requested a “listening session” with the incoming Assistant Secretary, Ms Carmen Saunders, the purpose of which, we wrote, “would be simply and solely to provide space for you to hear from this group of committed and experienced AMEP educators about both problems and possible solutions related to changes that may or may not have already been decided.” We undertook that the meeting would be “constructive and utterly committed to furthering the AMEP’s effectiveness” and simply aimed to alert the department to “undesirable, unforeseen consequences [that] seem inevitable but could be prevented.” This request was refused for the same reasons as stated in the transcript just cited.

In other words, the intention is to rush through major restrictions on eligibility, and significantly disrupt – and effectively limit – childcare, excluding input from those most deeply committed to and most involved in delivering the AMEP, and no entertainment of warnings regarding unintended (or even intended) undesirable consequences. These will most significantly impact migrant and refugee women, as the Government’s gender equity assessment (as promised by Minister Gallagher in 2022) will show if it has been undertaken.

Background to these developments

There is a long and complex history behind the current developments, which this letter will not elaborate, much of which is documented in submissions to government on the ACTA website (<https://tesol.org.au/advocacy/#advocacy-3>). This history includes the disastrous 2017 AMEP contract under which the current Program still functions to some degree; the scathing criticism of the Program in the 2024 ANOA report and the subsequent Parliamentary Inquiry, to which I gave evidence (and which report did not address tackle the problems that lay at the root of the Auditor’s criticisms); and the extraordinary termination of the 2024 tendering process. If you are willing to consider our request to meet, we can brief you.

The need for reform

The upshot is that a once high-quality, world-leading Commonwealth program is being brought close to destruction. Despite many setbacks, the AMEP continues to be a vital and hugely successful English language and settlement program that transforms the lives of people coming to Australia – helping them to find their place, and giving them tools

to participate and contribute socially, culturally and economically. In ACTA's many submissions to Governments on both sides, we have consistently called for reform. However, for ACTA that means considered reform, including space for stakeholder views – not another destructive move, as appears to be facing us now.

ACTA is mystified as to why this Government would seek to undermine access to a Program that underpins social cohesion in Australia arguably more than any other – that is, one that is intensively focussed on providing adult migrants with English and orientation to Australian life, including its core values. Poorly targeted measures that restrict access to quality English provision will feed directly into Pauline Hanson's attacks on those who, as she puts it, don't speak English.

In meeting with you, we would seek to:

- provide you with background to support your consideration of the forthcoming amendments to the Act
- propose substantive questions that should be asked in relation to both the amendments and the overall reform
- gain your assistance in persuading the relevant authorities, including the Minister for Multicultural Affairs, Anne Aly, and Home Affairs officials, to listen to our concerns
- persuade you, as Chair of the Standing Committee on Migration, of the need to instigate a genuine, open and considered Inquiry into reform of the AMEP, possibly through that Committee or maybe another appropriate body.

We very much hope that you can respond positively to this request and meet with us as soon as is feasible. I can be contacted by email: helenmoore@tpg.com.au or phone: 0410 708 975.

Yours sincerely,



Helen Moore AM, PhD

Co-convenor

ACTA Adult Consultancy group on Adult ESOL (English for Speakers of other Languages).

cc. Professor Chris Davison, ACTA President

Gillian Edmiston, Co-convenor, ACTA Adult ESOL Consultancy Group

TEACHER TESTIMONY RE THE DYSFUNCTION IN THE AMEP

“Structured tuition”: curriculum, assessment and compliance with RTO requirements

- I have to teach to the test. It's a huge waste of printed resources and the instruments do not actually reflect what the students have learnt and are capable of doing in English.
- I have no issues with delivering recognised qualifications however, the current EAL Curriculum is not fit for purpose. ... It feels like a cobbled together curriculum and to assess 8 units in 400-500 nominal hours means teachers are teaching to assessment. We have had more students fail in this curriculum than any other curriculum due to the poor structure.
- I feel it is actually difficult to teach to what the students need because I am constantly teaching to the assessment requirements. The teaching can get repetitive, because many of the units have the same knowledge evidence and as there are a mix of old and new students, I constantly need to review, so new students know what they need for the assessment.
- Assessments are required to meet ASQA compliance requirements and therefore it has been hugely challenging to assess in authentic, life like and purposeful ways. If we could create engaging, authentic assessment tasks - that we could use to scaffold learning towards, students would be more motivated and engaged in the process. Some of the assessments do do this (however it is very dispiriting because students are required to demonstrate so many knowledge elements in every assessment task, failing if they leave just one element out - this is a VET thing, not an AMEP or EAL framework thing). If the curriculum were framed in recognising this, and specified that learners are required to incorporate knowledge 'such as' or 'for example'... or 'at least four of'... then TAFE quality teams could be less obsessed with students having to include at least two different tenses and a phrasal verb and an adjectival and adverbial clause, and at least one modal verb and an idiom etc etc. None of us write or speak trying to keep in mind that in this task we MUST incorporate every one of these elements. Frankly it is ridiculous - and counterproductive to the task which has to become stilted and formulaic rather than fluent and natural - which is the real aim of the curriculum and assessment tasks.
- Teams of TESOL assessment design experts should design the assessments. A curriculum that better meets language needs of the students is needed. TAFE should do an audit of the skills and abilities existing among educators and utilise those people to help bring up the quality of delivery. TAFE should value the skills and capabilities educators have and pay them accordingly,

so that staff can actually use their skills and abilities to enhance the curriculum, assessments and general TESOL teaching skills of teaching teams.

- The TAFE providers have warped the delivery of the AMEP and sucked the soul out of it to ensure compliance. It would help if more trust was placed in people with TESOL expertise and that starts with recognising quals. And recognising that delivering AMEP is a whole different ballgame to delivering industry training.
- Students need English language but they also need a lot of support and settlement classes. I try and add useful things into the class like community visits and incursions that will benefit the students but then I begin to run out of time for the students to complete their assessments.

Time-wasting compliance

- I have 27 Cert II students (19 - 20 each day). In the conversation and transaction unit, they each have to participate in 2 social conversations and 1 transaction of 3 - 5 minutes each. This is easily managed within the teaching week doing 3-5 each day over 4 - 5 weeks. I am able to listen back to each conversation (recorded) and mark each of the 19 criteria on the observation checklist in about 8 minutes - and let the students know the following day whether they achieved competency or if they left something out, what it was, and plan a retest. However, I am also required to type 'evidence' next to each criteria - either by creating a transcript, correcting it, and copying and pasting into the observation record - or by listening to a little section and typing relevant phrases, words, comments etc next to every criteria. This has to be done - despite my having ticked that the evidence is there, and saving the recording in the student's file - in case it gets audited - to save the auditor from having to listen to the conversation.

Having worked in schools for 20+ years prior to my 8 years in AMEP - I never had to document/justify every assessment decision I made. I was treated as a qualified professional, and selected evidence/examples for the purpose of providing feedback to the student (useful and educationally sound practice). I recently timed myself completing 8 assessment observation records for this speaking task, and averaging the time. 23 minutes per conversation. (plus the time spent in class actually conducting the assessment). That means about 15 minutes, per students of unnecessary paperwork, x 3 conversations x 27 students - for one Unit (oh yes + any retesting)!

Childcare

- If the client is not eligible for free childcare as it is means tested through the government, their partners may not be willing to pay for the childcare. This will isolate the client not being able to learn English and being stuck home with children.

Lack of flexibility

- Many students have health issues and hospital/ doctor appointments that make it very difficult to maintain 80% attendance at times. Students are being removed from class if they have 79.5 % attendance. One student was so worried about losing her place that she reluctantly left her nine year old child alone at home and had to be told that this was illegal.
- The 5 year cap has really affected regional women. Students in regional areas often study once a week as there is not capacity to study more. These students then only get a fraction of what their urban cohort are getting. Women who leave to have a child basically forgo at least 2 years of their five year cap and if they have two in that space, they will not be able to study for free at all.
- Long wait times on waitlists force students to find employment then when there is a place available in a class they often get 24-48 hours notice to change their lives around and make time for study. Then they don't meet the 80% attendance requirement and get withdrawn from their class that they have been waiting for so long for and go back on the waitlist. It's a revolving door.
- I also think that five hours a day of classes are too long for many students who are newly acquiring a language. There needs to be more flexibility with hours of delivery.
- Flexibility and less specific assessments, so that the assessments can be specific to what the cohort need in a contextualised manner. Students need English language but they also need a lot of support and settlement classes. I try and add useful things into the class like community visits and incursions that will benefit the students but then I begin to run out of time for the students to complete their assessments.
- Include one multi-level AMEP day per week per campus that is for excursions/incursions that is purely based on settlement outcomes with no EAL assessments attached to it. These sessions can provide practice and themed stimulus for the language units & more readily achieve settlement outcomes for students to integrate into the Australian culture and way of life.
- ...my Australian Masters in TESOL is not on the list of accepted qualifications. Therefore, my experience and qualifications are not taken into account and I have been told I need to start on step 1 of the 10 step payscale and to stay indefinitely at step 4. I am perfectly qualified and experienced to be an educator in AMEP. I feel that I cannot utilize the skills or capabilities I have to better student outcomes because I am unable to get beyond level 4 of the pay barrier, and yet I feel I have so much to offer.
