

IMMIGRATION NEWS

(Volume 155)

Cheating may land you in jail



November 2009

Dear Students

Welcome to the latest edition of IMMIGRATION NEWS and to the new subscribers. This free service is brought to you by Australian Immigration Law Services. You can subscribe by using the link below or by visiting our web site.

Cheating may land you in jail

IELTS centres around the world are constantly on the look out for people who try and cheat on the IELTS test. We spoke to Elizabeth Kerrison, the Australian Regional Manager of IELTS. IELTS is now owned by Global Education Services IDP Education Pty Ltd.

The attached flyer was forwarded to us by Ms. Kerrison as an example of how IELTS are trying to educate candidates that they are likely to be caught if they try and cheat on their exams. Apparently this is handed out to IELTS candidates.

It amazes me that applicants give DIAC results sheets which have been cleverly altered. You cannot tell by the naked eye but when you exam a high resolution scan at about 1000% it is obvious that a result has been tampered with.

IELTS also has a verification process whereby end users of the results (such as DIAC and universities) can verify the authenticity of the marks obtained. Ms. Kerrison stated ***“To ensure procedural fairness to candidates, our verification process involves a multipoint data check including accessing candidate data from the centre location, with cross checking against both the TRF verification website data and data held in the central database”***.

There are also many security features built into the actual original print of an IELTS test result but understandably IELTS wish to keep that information to themselves.

If you get caught either providing DIAC with an IELTS result where you may have cheated in the exam or if you have provided a false document, you may receive a knock on the door where a police officer will serve you a **Court Attendance Notice** charging you with a criminal offence. The notice will probably say something like this;

Description of the Offence: **Cause to be presented false or forged document**

Time and Date of Offence: **(when you lodged the document to DIAC)**

Place of Offence: **(where you lived at that time)**

Short Particulars:

Mr X being a non-citizen did in connection with his immigration status under the General Skilled Migration Program, cause to be presented, to an officer or a person exercising powers or performing functions under the Migration Act 1958, a document, namely an IELTS result purporting to be from Global Examination Services IDP Education Pty Ltd containing information that is false or misleading in a material particular.

Statutory Provision Describing the Offence: Section 234(1)(a), Migration Act 1958

This offence can carry a maximum penalty of up to 10 years in jail. It is unlikely you would actually go to jail for a first offence but it will still be a criminal record which would probably **stop you from entering Australia again or even if you have permanent residency already granted, it would be enough to have it cancelled.**

Of course the example above applies to any false documentation given to DIAC for your migration application to Australia. We have tried for years for DIAC to start actively explaining to students what can happen if applicants give false documents but to no avail. For years international students have naively listen to corrupt individuals who have helped them organised false documentation to DIAC. **The students often have absolutely no idea of what consequences their actions may bring and so not realise the criminal charge that may await them in the future.**

Has IELTS lost credibility?

Despite my warnings today people are still going to try and cheat the test. One

could be simplistic and just think those who do this are just the criminal elements of society. **In reality though most students have lost respect for this test and this develops a flow on effect to disrespect to the Australian laws which enshrines its monopoly.** Unfortunately it is now very common to have students with 10 or more test results, the results fluctuate often between one section and then in the next test, another section. These students have no longer any respect for the test.

I've previously publicly criticised DIAC for failing to recognise situations which potentially breed corruption. **Keeping IDP Education Pty Ltd with the power to screen all visa applicants for failure or success in their residency application and ensuring they are beyond government scrutiny, is absolute madness.** The company business model lacks transparency and there is certainly enough data out there to demonstrate the tests inaccuracy. Can we really be sure given the enormous amount money involved that staff at the test centres are going to be immune from corrupt practices. The answer is no, they will not be. The article below more than proves my point.

In the past 12 months thousands of IELTS test applicants had their test results withheld for a lengthy period whilst IDP tried to sort out which applicants used leaked tests answers to their advantage. **For those they thought they had results too good to be true they simply refused to provide a result to them. The most concerning aspect of this response was there was no transparency and no accountability.** Many students had no idea why their results were withheld and they were offered no refund for suffering this indignity. In many cases this also had an impact upon lodging their residency applications.

3 British Council employees among 16 arrested over IELTS cheating

New Delhi, Tue, 10 Nov 2009 ANI

New Delhi, Nov 10(ANI):

Police have arrested three British Council employees among 16 people for their alleged involvement in an English language qualifications test racket.

The racket was busted after the British Council co-ordinator in Patiala complained of fake candidates sitting in the International English Language Testing System (IELTS) examinations.

The arrested people also include four 'imposters' who were paid to take the examination on behalf of British visa applicants. They were also arrested.

Police also said that British Council staff and the imposters who took the exams

were part of an organized gang, which may have included officials from training institutes in Haryana. According to reports, the applicants, who wanted to work or study in Britain paid more than Rs. 4-5 lakhs for an imposter do the test on their behalf.

"We have arrested seven people including, three employees of the British Council. In total 16 people have been accused in the case, and these include two from the Karnal-based Cambridge English institute,"

"During interrogation the accused imposters confessed that they had taken the IELTS exams five times earlier. They used to charge Rs 4-5 lakh for appearing in the exams. They have been charged with impersonation, criminal conspiracy and forgery," The Telegraph quoted Ashish Kapoor, an investigating officer, as saying.

Kapoor further said that they are looking into the possibility of involvement of more employees of British Council in this racket.

"The kingpin is a woman who is operating from a Haryana town, where she runs an IELTS coaching institute," he added. (ANI)

Link: [://www.newstrackindia.com/newsdetails/132420](http://www.newstrackindia.com/newsdetails/132420)