Policy, business and ICT: A study of the growth and decline of private vocational training providers in the education/migration industry in Australia.

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Declaration

I certify that except where due acknowledgement has been made, the work is that of the author alone; the work has not been submitted previously, in whole or in part, to qualify for any other academic award; the content of the thesis/project is the result of work which has been carried out since the official commencement date of the approved research program; any editorial work, paid or unpaid, carried out by a third party is acknowledged; and, ethics procedures and guidelines have been followed.

Joel Spencer

11/02/2015
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I dearly thank my wife for her patience, understanding and encouragement. The thesis just would not exist without her support.
Abstract

This thesis investigates the relationship between government policy, business strategy and ICT. It does so through an analysis of the roles these factors played in the growth and decline of private providers of vocational training in the education/migration industry in Australia. The thesis looks at the reasons for the sudden increase in the number of international students in Australia undertaking vocational training as part of a pathway to permanent residence, and also at the reasons for the closure of this pathway. The thesis finds that understanding the relationship between policy, business strategy and ICT as a foundational trilateral relationship rather than as a series of bilateral relationships can provide for a more comprehensive account of the growth and decline of the private providers in the education/migration industry.
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A note on terminology.

Throughout the time period examined in this thesis the Commonwealth government departments responsible for immigration and education changed names a number of times. For the sake of simplicity the department responsible for immigration is referred to as 'DoI', and the department responsible for education is referred to as 'DoE'.

A glossary of acronyms.

AEI: Australian Education International.
ANTA: Australian National Training Authority.
AQTF: Australian Qualifications and Training Framework.
CBT: Competency-based training.
CRICOS: Commonwealth Register of Independent Courses for Overseas Students.
DoE: Department of Education. Note this acronym is used to denote the Department of Education, Science and Training. As the names of departments relating to education and to immigration were changed during the time period under investigation, for brevity it has been decided to denote them DoE and DoI.
DoI: Department of Immigration. Note this acronym is used to denote the department that operated under various names, including Department of Immigration, Multicultural & Indigenous Affairs; the Department of Immigration & Multicultural Affairs; and the Department of Immigration & Citizenship.
ESOS: Education Services for Overseas Students Act, in various forms from 2000 to 2010 as noted in text.
ICT: Information and Communication Technology.
MODL: Migration Occupations in Demand List.
PRISMS: Provider Registration and International Student Management System.
RTO: Registered Training Organisation.
SoL: Skilled Occupations List.
VET: Vocational Education and Training.
Introduction

On the 17th of December 2008, the then Minister for Immigration, Senator Chris Evans tabled a statement in Parliament describing imminent changes to Australia's skilled migration program. The changes would eventually close a pathway to permanent residence through vocational training in Australia. For many of the 175,461 international students then enrolled in vocational courses in Australia, this was the first in a series of changes to regulations that would rapidly and irrevocably affect their lives. For almost a decade the Commonwealth Government had pursued a policy agenda that encouraged international students to become permanent residents upon graduation. This agenda had contributed to the 226.9 per cent increase in international students in the vocational sector between 2002 and 2008. In 2008 enrolments had increased by 46.4 per cent. The opportunity to achieve permanent residence had been of particular importance to growth in the vocational sector in this period.

In pursuing an attempt to ameliorate a supposed skills shortage, successive governments had denoted certain trade occupations as being in demand in Australia. Being trained and then qualified in Australia in trades such as Hairdresser, Cook, or Welfare Worker had come to be perceived to almost guarantee permanent residence for the graduated international student, so long as certain other conditions were met. Colleges that provided courses leading to these qualifications saw enrolments increase dramatically. Other colleges, that provided courses that did not lead to permanent residence struggled. Many existing colleges changed their course offerings in order to cater to this new demand. Many new colleges were opened with the specific aim of providing courses that could lead to permanent residence. In terms of the aim of increasing the number of prospective migrants using this new education and training based pathway, the program worked: in 2001-02 the number of onshore applicants for permanent residence who nominated their occupation as Cook or Hairdresser was 70. In 2004-2005 it was 470 (Birrell, Hawthorne and Richardson 2006, p.15). By 2010 there would be 17,594 valid applications made by people nominating their occupation as Cook or Hairdresser (Ferguson 2010).

By 2008 when the Minister was tabling this first tranche of regulatory changes, tens and then hundreds of thousands of students had made the journey to Australia on the hope of achieving permanent residence through this education and training based pathway. Many had taken on large student loans in order to fund their study, with the expectation that once they had graduated and attained permanent residence they could work in Australia and repay the money. Thousands of family homes, businesses and farms were mortgaged in order that the family be able to send the young adult child to Australia, to start a new life, to succeed in the West. That was all about to stop. The changes, announced just over a week before Christmas, would take effect on the 1st of January. Of course,
many students overseas had already enrolled in courses beginning in 2009, when the new policy trajectory was not so clear, and the money had already been borrowed and the plane tickets booked for courses starting in just four weeks time: so people continued to come to Australia. In 2009 the number of international students in the vocational sector grew by over 30 per cent to a peak of 208,257. However, the new reality was becoming clearer. More regulatory changes were progressively rolled out by government.

The increase in the number of people attempting to access this migration pathway had brought with it problems for government. Not the least was the plain numerical problem that while the Commonwealth would be issuing 61,500 skilled visas in the 2010 budget year, there were already over 147,000 applicants for skilled migration awaiting a decision on their application, the vast majority of whom were graduated international students (Ferguson 2010). Through 2009 and to February 2010 more regulations were implemented, more conditions tightened. As two prominent academics working in the field noted of the February 2010 reforms: 'The party is over. For new VET and university students, the Rudd Government has largely decoupled education from migration selection.' (Birrell and Healy 2010). The number of Indian students enrolled in vocational courses in Australia dropped from over 79,000 in 2009 to 55,000 in 2011. Dozens of colleges built on the provision of courses designed to provide the opportunity for permanent residence collapsed. Thousands of Australians, whose jobs were dependent on international students, were made unemployed. In the course of a decade, through an ongoing program of regulatory change, governments had assisted in building a large industry in providing courses that lead to permanent residence for international students, and then shut it down.

Of course, governments form legislative and regulatory regimes in an attempt to shape or guide the activities of the people living in the space the government controls. In a sense, this is the very activity of government. Legislative and regulatory regimes are designed to encourage or discourage various commercial activities or behaviours. In commencing the project of creating a pathway to permanent residence for international students through onshore training, different governments held ideas about the state of the world, how it could be changed through their intervention, and how that change would benefit Australia.

The Government-Business Relationship

One of the understandings about the world present in the minds of government decision makers was a conception of the role of commercial entities in societies. Governments commonly assume that commercial entities will behave in certain ways according to the various kinds of rules about behaviour and opportunity that governments have the power to design and enforce. This is not,
however, a one-way relationship, for these assumptions are present in the framework understanding of what it is possible to legislate or regulate about. They inform and guide lawmakers and regulators in making and implementing laws and regulations. In some way then, the presumed character of commercial entities, the presumed ways in which they will act once legislation and regulation is formed and implemented, influences both the idea of what can be legislated and regulated, and also the structure of those laws and regulations.

On another level, governments in modern capitalist democracies negotiate their various ways through competing pressures that are brought to bear by a multitude of interests for a multitude of reasons. Democratic governments are messy affairs of tangled motivations existing in an equally messy and tangled matrix of information. Different groups influence government in different ways and to different degrees at different times. One strand of contemporary thought that has influenced government policy-making frameworks over the last fifty years has been described as 'neo-liberalism'.

'Neo-liberalism' refers to a kind of dismantling of the roles of direct management played by government in various spheres of social activity, and the transfer of those roles to corporations or other non-government organisations. This is the politically and theoretically contested space that includes ideas like privatisation and deregulation. In creating the pathway to permanent residence from onshore training, governments embarked on the construction and implementation of various regulatory regimes designed to encourage and reward, or discourage and punish, different kinds of activity by commercial entities in international education.

Much literature has been written on the relationships between government and business within the constructs of neo-liberalism. There is a large arena of political contest about the ways in which this relationship should work, and thus in the various forms legislation and regulation should take in shaping and guiding this relationship. Businesses craft their strategies around the prevailing legislative and regulatory frameworks enforced by government, while governments craft those frameworks around presumptions about how business strategies will be formed.

In the part of the international education industry under investigation, private providers relied heavily on the shape of the regulatory framework for their very existence as businesses. The Commonwealth Government, being responsible for regulatory structures around immigration and the Commonwealth registration of providers of international education, played an integral role in making some business strategies viable, and others not viable. With responsibility for immigration regulation the Commonwealth government exercised a decisive factor of control over the supply of international students and the level and character of available demand among potential international students. State governments, with their responsibility for regulatory regimes around the registration of colleges,
exercised a decisive factor of control around conditions that were required for a college to be registered and thus to operate. The private providers did not exist in some kind of government-less market of free trade. They built (or indeed abandoned) business strategies according to the opportunities present (or being withdrawn) by different levels of government.

This thesis will investigate the role of the business strategies of the private providers of vocational training in the pathway to permanent residence in an attempt to construct new understandings of how this relationship between government and business is conceived, and how it works in Australia. However, it will also do so with the addition of another key factor, that being ICT.

The ICT relationship to Policy and Business Strategy

However a relationship might come to be known to exist, or be brought into being by participants, the existence of a relationship is predicated on the existence of information: the practice of a relationship requires some kind of information exchange. In addition, the idea that a government could form and enforce a legislative program, and the idea that a business could form and execute a strategy, both include the assumption that the entity can employ some method of monitoring and control over groups of people.

Fundamental to monitoring and control is the collection and dissemination of information. This almost invariably includes the deployment of some form of technology, often some kind of information technology. The use of information gathering and processing has itself become a technology for the monitoring and control of populations. It could be argued that the early evolution and adoption of such programs stands in a more or less causal, or at least constitutively representative relationship to the development of nation states themselves (Foucault 1979). More recently, the rapid expansions in integrated technological systems of information gathering and processing, alongside the increased integration of controlling mechanisms these systems represent and help implement, has resulted in a vast information technology infrastructure that permeates much of our everyday life. These technologies have the ongoing potential to reconfigure relationships between people and the roles they play in their co-invented and cooperatively performed categorical domains of government and business.

In the industry being investigated, different technological infrastructures were as omnipresent as in many other social situations, and complex and large information systems were implemented in order to manage and understand the relationships amongst participants. For example, The Provider Registration and International Student Monitoring System (PRISMS) is probably the best known and most interactive of the large technological infrastructures deployed to the industry during the time
period the thesis investigates. Through PRISMS centralised government personnel were able to monitor much information about individual students and colleges, and to aggregate this information in a number of ways. In addition, complementary regulatory regimes meant that participation by colleges and students in the ongoing action of updating the PRISMS network was mandatory. By intricately and functionally linking the ability of a college to enrol students to the college's participation in the ongoing operation of PRISMS, government was correspondingly enabled to sanction providers by cancelling or suspending their registration on PRISMS, thus 'locking' providers out of the technological infrastructure needed to enrol students.

The regulatory integration of some PRISMS functions with regulations around processes of obtaining student visas, further extended the functionality of PRISMS as a tool for monitoring and controlling the various actors involved.

Technology also played an important role in the development and execution of business strategies. Contemporary to the growth and decline of the industry new forms of communication were becoming ubiquitous. Email, internet telephony, instant electronic funds transfer, online portals for agents and the ability to organise the business to create Confirmations of Enrolment very quickly all played a part in providing a possibility for the adoption of certain business strategies by providers. In a wider sense, the development of electronic banking systems and the expansion of innovative credit facilities in source countries, along with better travel and information gathering technologies also underpinned the ability of potential students to marshal the resources needed to get to Australia in ways previously unavailable to some cohorts of people.

There is much work on the ways in which technological advancement influenced business strategy and government policy making, for instance, during the (loosely defined) industrial revolutions of the 17th to 19th centuries. For instance, one might write about how advances in technology created the need for different corporate structures in order to raise large amounts of capital to build railways, and how this influenced different policies by governments interested in being able to protect investments in such large projects. However, there is little work investigating the relationship between policy, business strategy and ICT as a foundational, trilateral relationship in itself.

*The triumvirate in action.*

It is not that the industry under investigation provides any kind of unique example of the relationship between Government Policy, Business Strategy, and ICT. Rather perhaps that it provides a fairly normal example. The industry does however contain its own distinguishable features that might help in elucidating the relationship between the three.
Firstly, the industry was fairly well contained to a set number of supply and demand factors, and the key actors in that relationship are fairly easily identifiable. That is, for example, the policy programs crafted and implemented by governments are easily identifiable as key to making a supply of potential students available, and to unlocking demand in potential students. The creation of the pathway to permanent residence through vocational training allowed the latent demand for permanent residence in Australia an avenue of action to pursue. Only the Commonwealth government had the ability to create that pathway. Also, the actors who sought to craft business strategies to capture the opportunities created are readily identifiable as the private providers who actually did so. While catering for the complexities around different levels of government and different kinds of private providers, it is then quite easy to identify distinct actors in the industry, and to therefore investigate the relationships between them as a site for investigating the relationship between Government Policy, Business Strategy, and ICT.

Secondly, perhaps in contrast to the previous point, the industry was distinctly international in character, which had the effect of in a sense isolating it from the rest of the domestic economy. That is not to say that there were not deep and intricate links between the domestic economy and the international education industry. The students themselves brought money and labour that continues to contribute to the domestic economy. The private providers employed many thousands of Australians. However, at the actual site of the training activity, and in the relationship between the private providers as training providers, and the governments that regulated them, there are fewer complicating economic and political co-dependencies than might be apparent in say, the automotive industry.

Thirdly, the industry did experience a measurable beginning, boom, and bust in a relatively short time period. As of writing it has largely disappered, yet the people who experienced it are still active in various areas of business and government. This means the industry can provide an example of the growth and decline of an industry, yet the period under investigation is manageably short, and the people involved mostly have the experience of being involved throughout the growth and decline. This is not the same as, for example, the modern mining boom, which involves far greater numbers of people over a much longer period of time and would thus invite a much higher level of complexity.

The structure of the thesis.

The research questions were:

- What was the role of Government Policy in the rise and decline of the private vocational providers in the education/migration industry in Australia?
• What was the role of Business Strategy in the rise and decline of the private vocational providers in the education/migration industry in Australia?

• What was the role of ICT in the rise and decline of the private vocational providers in the education/migration industry in Australia?

The structure is designed to examine the idea of relationships between the domains of Policy, Business Strategy and ICT as both a series of bilateral relationships, and ultimately as a trilateral relationship. The following general scheme has been adopted for prosecuting the investigation through the literature review to the findings, analysis and concluding chapters, though in practice the investigation of concrete examples of the relationships means more detail is given in each area along the way.

The literature review looks at the three areas of concern, as well as including a review of academic literature about the industry itself. The literature review looks at key issues within the domains to do with the idea that there is a domain, and to do with the ways in which the domain interacts with the world.

The findings then follows each theme along the lines of understanding the industry as having a beginning, a middle, and an end. There is first a contextual and somewhat historical guide to the industry in the beginning, middle and end, which serves to give the reader an understanding of what the participants are talking about in the next sections. The findings then move to look at Policy at the beginning, then the middle, then the end of the industry. Business Strategy is also looked at in terms of the beginning, middle and end of the industry. However, the character of ICT is looked at more holistically throughout the time periods of the industry.

The analysis then brings the relevant time periods 'over the top' of the concerns in order to look at the possible bilateral relationships. In a sense, instead of seeing the issues through the domains to the time periods, the analysis looks through the time periods to see the domains. Therefore, the analysis is generally divided along the lines of the beginning, middle and end of the industry, with the various possible permutations of relationships examined within this architecture.

Finally, the conclusion looks at the interdependence of the domains also along the time period schema. Therefore, the trilateral relationships are examined at the beginning, middle, and end of the industry. The conclusion also examines some of the issues left out of the previous findings and analysis chapters.
This structure is deployed because the participants saw the story of the industry as having fairly distinct periods, with different issues in play during the beginning, the middle and the end of the industry. Also, the architecture allows for a detailed examination of the relationships through time, thus highlighting the particular interdependence of the factors throughout the life of the industry.
Chapter 1. Literature Review.

This Literature Review is divided along the thematic lines pursued in the research questions. There will therefore be sections on Policy, Business Strategy, and ICT, as well as a section pertaining to academic literature about the industry itself. These areas of thought will be called domains, and the idea that there are domains of thought in the world to do with the areas of Policy, Business Strategy, and ICT will be looked at in the Methodology Chapter.

Academic Literature about the Industry.

The academic literature about the industry is focussed on policy and performs two roles concurrently. On the one hand many academic articles position themselves as an analysis of one or more aspects of the broad area of concern of what this thesis calls the 'industry'. In doing so they tend to seek a position whereby they are analysing their subject area from a perspective 'outside' the subject area itself. On the other hand, the collective concerns and developing themes of articles, and some individual articles themselves, clearly played a role in informing and persuading industry participants, particularly government participants, to take on certain perspectives and act on those perspectives in certain ways. At the same time, some of the key authors of academic literature about the area were themselves, in person, actively sought by governments to participate in the production of reports or other documents that went to promulgating ideas that would form justifications for policy actions, and thus affect the business strategy and ICT architectures of the industry. In addition, other suites of articles are influenced clearly by the framing ideologies projected by governments and media in support of their own policy or political agendas. These academic works therefore occupy two places in this thesis: they are important as perspective-creating academic analyses of the industry being investigated, but they can also be analysed themselves as artefacts of the industry.

The relation between the academic articles and the industry is perhaps in the character of an ongoing, inclusive, and responsive conversation. The areas of concern for the academic articles change over time, along with the changes taking place in the industry. There is a symbiotic relationship here. In order to capture this relationship, without overdoing any causality, nor underplaying any influence, this section will look at the academic articles about the industry chronologically. This should allow an understanding of the general areas of concern of the academic articles while at the same time allowing some space to reflect on the relationship, the active ways in which these two areas, 'academic articles' and 'the industry', are intimately, ideologically and functionally linked.

At the turn of the 21st Century, there was a widely held belief in governments that Australia was suffering from a skills shortage, sometimes described at the time as a 'brain drain'. This belief was at
best only partially supported by evidence. Indeed, one of the seminal works of 2001, *Skilled Labour: Gains and Losses* found that in the five year period leading up to 2000, Australia actually registered a 'brain gain' (Birrell et al 2001, p. 5.). This paper found that while there was a net loss in skilled residents in Australia, this loss was more than offset by arrivals of new settlers and visitors. While the net 'brain gain' was small in proportion to the total skilled workforce in Australia, this paper argued that the idea Australia was suffering from a 'brain drain' was not supported in the available evidence.

There are other matters about this paper, in addition to the actual discursive content, that are of interest. The key data source for this paper was Australian Government records for certain groups of people arriving or departing Australia. While the data has limitations admitted by the author the fact that the data existed at all is quite interesting in two ways; this paper is mentioned first because of its place chronologically in the academic literature, and because it illuminates one of the key interactions that is important to the thesis: the interaction between ICT and Policy. The discursive content of the article goes to questions about the origin of the belief that Australia was suffering from a skills shortage, and therefore occupies a space within the area of policy concerns. Secondly, the presence of such data, and the vast system behind its collection and processing demonstrates the crucial role of ICT in the industry and in the formation of policy about the industry. The system that supported the collection of the data is described by the authors as: 'one of the most comprehensive sets of records of international movers in the world.' (Birrell et al 2001, p. 8). The data collection system was based on cards filled out by people arriving or departing Australia. The systemic collection, collation and analysis of this data illustrates the relationship between ICT and Policy formation, but also that it is not a straightforward causative relationship where one informs or defines the other.

As a player in discourses about policy the paper did not emerge from blank space. It was written because someone wanted it to be written. The paper acknowledges financial support from: 'the Department of Immigration and Multicultural Affairs; the Department of Employment, Workplace Relations and Small Business; the Department of Education, Training and Youth Affairs; the Department of Industry, Science and Resources; The National Office for the Information Economy; and AXISS Australia' (2001, p. 4).

The list of departments involved in commissioning this paper clearly shows its relevance to the thematic area of Policy (in this case around education and migration, demonstrated by the relevant departments being funders). The thematic area of Business is represented by the presence of the 'Department of Employment, Workplace Relations and Small Business', and the 'Department of Industry, Science and Resources'. The thematic area of ICT is represented by the presence of the 'National Office for the Information Economy'. It is easy to see some overlap of interest in these areas between the departments. What it also shows is that the subject area of the paper, the character of
skilled labour movements in and out of Australia and the implications for the skilled workforce in Australia, is of interest to governments and their departments through a 'prism' that thinks the subject area is important to Policy, Business, and ICT. The government, in effect, divides itself along these lines in its various departments, thus illustrating the embeddedness of this kind of world view.

Obviously it would be possible to position this paper within a number of different discourses and trace the history of those discourses. It is difficult to 'see' the paper devoid of the discourses from which it emerges, and it is problematic to ascribe any particular discourse especially to it. Instead, we can use this paper as a signpost for the beginning of academic concern about the issues that became germinal to the part of the international education industry under investigation. While the paper is a government sponsored investigation of an area of concern to government, its authors are/were academics, some of whom were soon to play key roles in the production of academic literature about the industry, as well as (and therefore) key roles in framing understandings about the industry.

There is inherently a kind of lag between the occurrence of events and the production of academic articles about those events. In this case, while the above paper was produced in 2001, the understandings of issues in academic articles at the time about international education and in particular, international education as a migration pathway were framed very differently to the ways they would be later. However, the "seeds" of thought that would emerge distinctly in academic articles about the industry in later years are present in the earlier articles, and should be drawn out a little in order to better understand the origins of the ways in which later issues were thought about. In 2001 there was a focus on the emergence of transnational education as a development from international education. So, some academic work focussed on the varying regulatory approaches of governments to transnational education in the context of the development of global trade. McBurnie and Ziguras (2001) showed an apprehension of the global growth in transnational education, as distinct from international education as a pathway to migration to another country. Transnational education is a different scenario to international education leading to migration. McBurnie and Ziguras adopt from UNESCO and others an understanding of transnational education as 'education in which the learners are located in a country different from the one where the awarding institution is based' (McBurnie and Ziguras 2001, p. 86). The key difference here between the subject area of later academic work and this earlier work is that McBurnie and Ziguras are studying, essentially, the regulations around provision of courses off-shore, to foreign students in their home country. They note that at the time of their writing 'Demand is high and exporters are eager to supply' (McBurnie and Ziguras 2001, p. 86).

The term 'international education' later became widely understood in the public mind as meaning the provision of education to foreigners in our own country. McBurnie and Ziguras show this was not
always thought to be the way the future of international education would be characterised. Instead, McBurnie and Ziguras choose to focus on the offshore provision of education, that is, to foreigners in their home country because 'This is the chief type of transnational education provided in the region, and the form that governments address through regulation' (2001, p. 87). For McBurnie and Ziguras, in 2001 the future of international education looked like it had something more to do with online delivery to students in their own country, and the path of innovation would be in coming up with new ways to do this, and to regulate it effectively, given the increasingly tradeable nature of education services, and the global inclination toward increasing free trade. Yet, international education did also encompass the student travelling to the country of the institution. McBurnie and Ziguras describe the four-fold WTO typology of cross border provision. They note that the first type is: 'Consumption abroad is trade in which the consumer travels abroad to the country where the supplier is located' and also that: 'Historically, the largest proportion of international education has been delivered in this way, by students travelling abroad to live and study in another country for a number of months or years'( 2001, p. 87). For McBurnie and Ziguras government regulation of this area extended a 'marketist' (2001, p. 97) approach as governments encouraged universities to enter international education in order to make money, and lessen their dependence on government funding.

Many academics have examined a change in policy emphasis by Australian governments from a point in time that is generally accepted as being around the 1980s. This is a shift toward a more 'free-market' orientation in policy making. Megarrity (2007), an historian, places this change with the Hawke (1983- 1991) government's 'adoption of neo-liberal ideals' in policy making and implementation (Megarrity 2007, p. 41). According to Megarrity this was done as a 'pragmatic response to declining economic conditions in Australia' (2007, p. 41), but was also a result of the rising influence of neoliberal ideas imported from the UK and the US. The rise in influence of neo-liberalism lead to governments adopting certain attitudes to the regulation and funding of higher education in Australia. In a broad sense, this was the result of the increasing importance placed on the idea that, as Megarrity says: 'The proper role of a neo-liberal government was to facilitate the creation of a free world market and to allow collective human progress and values to work themselves out by individual choice rather than through government intervention' (2007, p. 41).

A series of measures was adopted through Commonwealth and State government policies and regulations, including the implementation of the Higher Education Contribution Scheme, changes in the processes of university funding, the deregulation of certain sectors of education provision, and a reduction in the absolute funding provided by government to universities. This process was a product of, though also productive of, the increased commodification of education services under an ideology that understood education more as a private good, as something that should be paid for by the individual, and by extension, an ideology that thinks of universities as producers of a good that is
consumed by an individual, and an institution that both can and should be made accountable to those individuals as consumers.

The result of this shift in ideology, and crucially the attendant reductions in government funding to universities had, according to the story, a two-fold effect. Firstly, it incentivised universities to seek other ways to increase income. Secondly, it enabled (or forced, depending on the viewpoint) universities to change their organisational capabilities in order to gain this income. The result of this was an increase in the number of programs offered to international students, an increase in the number of international students, an increase in the dependence of universities on the income from these students, and the creation of an industry around international education in higher education in Australia. Megarrity (2007), Marginson (1997, 2000) and Markus et al (2010) all deal with this idea. Writers differ in emphasis according to their precise subject area, and in their characterisation of the effect of these events, sometimes starkly. For instance, Megarrity (2007) is arguing ultimately that the totality of government regulatory activity has increased rather than decreased in international education, while Marginson (1997, 2000, 2010) might be said to be claiming that the strength of government regulatory oversight has decreased, or at the least been refocussed to better serve the interests of certain groups of people over the interests of the community at large.

The general story of the rise of neo-liberalism and the effects it has had on the tertiary sector, and its results in the growth of international education is widely understood. In much literature (and later, in the minds of the interview participants), it provides a background to the production of much other academic work. Central to this story is the idea that neo-liberalism has privatised (perhaps 'businessified') many activities that were previously directly done by government. In only a few cases in the earlier writing is technology understood as a partnering actor in the changes taking place (Ziguras and Rivki 2001; McBurnie and Ziguras 2001); as these articles are writing about the predicted future (from their viewpoint in 2001), they are not able to look at the effects of ICT in retrospect. In parallel, little academic literature directly centralised the role of business strategy, though obviously a role existed by implication.

By 2002 and 2003 a new theme emerged in academic work about immigration that recognised a shift in the way Australia went about organising its migration program. At the same time, academic work about international education continued to note the challenges the future presented in terms of developments in ICT and in possible future policy directions. While these two strands were not yet conceptually joined in the academic literatures in 2002-03, they were present.

S.E. Khoo et al (2003) reported increased academic attention to the paradigmatic change in Australia's migration policy. Specifically the decline in the relative number of permanent settlers coming to
Australia compared to temporary long-term visitors. Khoo et al noted that this trend could be traced from the creation in 1996 of the 457 visa sub-class. This visa enabled people to come to Australia to work for up to four years, with extensions available (Khoo et al 2003, p.27). They traced the framing of the need to invent such a visa to the 1994-1995 Commonwealth Labor Government's Committee of Enquiry Into the Temporary Entry of Business People and Highly Skilled Specialists into Australia, and claimed that this Committee was formed as a response to the perceived increasing internationalisation of the Australian economy and the perceived concerns of business groups that existing means of attaining skilled labour from offshore were too complex. Here was an obvious assumption of the existence (and inter-relation) of business and government. The result of the Committee's work was the government 'fundamentally deregulated the rules governing temporary work visas for skilled business persons and specialists (mainly professional and managerial level workers, though trade level workers are eligible too)' (Birrell 1998, p. 1). The central role of this change in the evolution of Australia's migration system is recognised by other, later works.

As the more recent work by Markus et al (2010) has argued, this change was part of a revolution in Australia's migration system - one where Australia moved away from a predominantly settler, or permanent migration system, to a temporary long-term system. Markus et al noted (as Khoo et al could not at the time their article was written), that the number of grants made in the Business (Long Stay) Visa (subclass 457) increased from zero in the mid nineties (it was only introduced in 1996), 'to around 32,000 in 2001-02 and to 110,000 in 2007-08' (Markus et al 2010, p. 62 - 63). Khoo et al were recognising a trend that would later see the number of temporary long-term visa holders outnumber permanent settlers. Markus et al noted: 'In the years 1983 - 1992, permanent arrivals averaged 88 per cent of net overseas migration, and long-term arrivals 12 per cent; in the years 2002 - 07, the balance was 41 per cent permanent and 59 per cent long-term arrivals' (Markus et al 2010, p. 8 -9).

The common argument held by both the contemporary article of Khoo et al, and the later book by Markus et al was that the need for change was framed by the perception among people who could make change that Australia was operating in a new global economy where there was competition for skilled migrants. Further, these people seemed to believe that aligning Policy with the apparent needs of Business would be an effective way of making an immigration system work.

Academic literature about international education in 2002 and 2003 was concerned particularly with the possible future effects of the globalisation of education on higher education. This concern could be represented as a contest between those who supported free trade in education services as something that provided advantages to both destination and home countries on the one hand, and those who feared this process would undermine public education systems and increase the power of multinational corporations on the other. This contest was clearly in play in Ziguras (2003), where
countries who were likely to benefit from decreased regulation of education services exports, ie. Australia, the US, the UK, were shown to be supportive of liberalisation policies through the General Agreement on Trades and Services (GATS). Ziguras noted that at the time the Australian government had stated an intention to pursue greater liberalisation of trade in educational services (Ziguras 2003 p. 90). In further looking at the Australian regulatory landscape at the time Ziguras notes the 2000-2001 creation of National Protocols for the registration of private or overseas higher education providers (2003, p.96). The very creation of such protocols registered a shift in the way regulation of the sector took place in Australia. It represented an overt attempt by governments to play their part more as an independent adjudicator of rules rather than a selector of players: 'The protocols state that accrediting bodies should employ a transparent process and treat proposals for new public and private universities equally. There are various other requirements for new providers; however these do not seek to limit the number or size of private sector providers.' (2003, p. 97). While noting that the term 'university' remained protected the development of these protocols, and the policy aim of implementing them in a non-discriminatory way whether the applicant provider is private, public, or domestic or overseas-based, did represent a change in the view Australian governments held about their role in regulating the sector. The approach adopted by the National Protocols was not supported by everyone. Ziguras notes resistance from the NTEU (National Tertiary Education Union), from groups concerned about the recent scandal involving a very shady operator 'Greenwich University', and, very importantly, from universities themselves who could conceive a threat to their own market positions (Ziguras 2003, p. 97).

Another strand in academic literature at this time saw globalisation as a major threat to the way of life of people in general, and the globalisation processes in international education as a specific threat to cultures not compatible with Western capitalism. To these writers, such as Rui Yang (2003), the internationalisation of higher education was a process by which western capitalist institutions replicated themselves in their mission to dominate other peoples (2003, p. 284). For this strand of belief the internationalisation of higher education meant that 'the future of the university as a place where society can examine itself critically is at stake' (Yang 2003, p. 284), as universities, being places of 'high' culture, are particularly vulnerable to the effects of globalising capital (Miyoshi, 1998).

This strand of academic thought represented some of the deep anxieties about globalisation that were present and that remained, in different forms, in the period and industry under investigation.

Much academic literature about the internationalisation of education in 2002 and 2003 still assumed that the future of international education involved the off-shore delivery of higher education into foreign countries by multinational providers, private or otherwise. Implicitly this activity would be
delivered and facilitated by new regulatory regimes, by evolving commercial entities, and by advances in ICT.

There was also increasing recognition of the role of the contemporary effects of neo-liberal policies on the commercial and thus the organisational imperatives of universities, and in particular the resulting strategy adopted by universities in attempting to increase the number of international students. Farrell (2003) noted: 'Increased commercialisation of the provision of education services has followed from the budget problems facing many institutions and from the need to meet international demand for their services. Australian universities are becoming increasingly dependent on income from international students as domestic student income is fixed and declining' (Farrell 2003, p. 265). Here Farrell is writing about the international student who comes to Australia to study, rather than the transnational models envisioned in the previous scenarios. He described most barriers to this kind of international education as being domestic in origin (2003, p. 247), and noted how even small changes in regulation could have drastic effects on the number of international students coming to Australia (2003, p. 267).

Farrell also noted the importance of this kind of international education (when the student travels to Australia) as important for the home country in developing economic growth by spreading knowledge, and 'also provides an opportunity for developing country students to move to developed countries, often by staying after graduation or through incentives in the immigration systems of some countries' (2003, p. 271). In a footnote for the end of this sentence Farrell says: 'For example, in 2001 Australia decided to grant permanent residence more readily to students with ICT backgrounds in the business migration program.'

Farrell's is the earliest academic work to address (admittedly tangentially) this issue of a pathway to permanent migration from being a student visa holder in Australia. The work in which Farell's chapter appears (Sidorenko and Findlay 2003) is concerned with the relationships between regulatory regimes and markets. Its general argument is that regulatory regimes need to be organised delicately in order to assist the market in achieving good outcomes for people. It presupposes a differentiation between 'market' and 'state', and though it is not unequivocal in this delineation, it is clear that it believes a delineation does and should exist. The editors say: 'The reasons for regulating include the need to correct market failure arising from market power, information asymmetry and externalities. Market failures that are not addressed result in loss of social welfare' (2003, p. 1). However, the editors urge, there is a danger in governments over-involving themselves in the market: 'Regulators need to understand the consequences of the regimes and regulatory structures that they have erected. The political economy approach to regulation needs to define major interest groups engaged in regulatory rent-seeking, while the public interest approach is aimed at correcting various market failure
situations (2003, p. 3). Furthermore: 'Existing impediments to trade in services have the effect of raising the domestic prices for services. This results in distorted market signals and losses in consumer welfare' (2003, p. 3).

The construction of the idea that 'the market' and 'the state' are two separate things is of obvious interest to this research project through their parallel activities of 'policy' and 'business strategy'. However, Farrell's work indicated also the emergence of a frame of understanding about the industry under investigation in his (and the editor's implicit) presumption that there is an industry in international education that is separate from government policy about that industry, furthermore his chapter appeared in a book that framed the idea of this separation in certain ways. In Chapter 3 Paul Coghlan (2003) argued that while 'Regulation is integral to the equitable and effective operation of society, and its effects are so pervasive' (2003, p. 17) it must also be limited if it is going to deliver benefits to the people:

Relatively 'light-handed' regulation, such as industry agreed codes of practice, are likely to have fairly low economic costs, as they do not change the fundamentals of how industry operates. In contrast, 'heavy-handed' regulation, such as restricting entry to markets, may substantially alter the structure and operation of an industry, and is likely to incur relatively large economic costs. It is an important principle, therefore, that regulation should be the minimum necessary to achieve the stated objectives (2003, p. 21).

Another theme in the Coghlan chapter related to some of the characteristics present in the services sector and his beliefs about the resulting role of regulation in this sector:

As is particularly relevant to the provision of many services, recent rapid developments in electronic commerce and related technological advances add another dimension to the relationships . . . As a general rule therefore, explicit government regulation is likely to be less effective in sectors experiencing rapid rates of technological development or other changes. Paradoxically, the uncertainty associated with such rapid change may result in strident demands for more regulation (2003, p. 22).

Here again was an assumption about the existence of Policy as something from which regulation emanates, about Business as those actors or things in the services sector called upon to obey the regulation, and about ICT as some other kind of thing that operates between Policy and Business, or can affect the character of the relationship between the two. Coghlan had one more exemplary point about a perceived dichotomy between styles of regulatory actions:
A related consideration, which applies right across the regulatory spectrum, is the distinction between prescriptive ('command and control') regulation and performance/outcome-oriented regulation. Performance-based regulation is widely seen as appropriate for building flexibility into regulation and for encouraging innovation. By focusing on the outcomes required rather than the precise means of achieving those outcomes, this approach gives business the opportunity to achieve regulatory objectives in ways that suit their needs and minimise compliance costs (2003, p. 25)

Coghlan has been quoted at length as the quotes are extremely pertinent examples of issues dealt with in this investigation. These issues are presented here in order to show that the academic issues around international education were themselves being framed by other issues about policy, business, and ICT.

In Coghlan we see four key assumptions. They are:
a) that there is a distinction between markets and states, and that this distinction should be made.
b) that to the extent that government regulation of markets must take place, it should be 'light'.
c) that there is a disconnect in capability between a government's ability to make, implement and change regulations on the one hand; and the rapid technological change taking place in service industries on the other;
and
d) that given the above considerations, government regulation should be more focussed on outcomes rather than being prescriptive of activity, and that this outcomes focus is better for business.

Given that Farrell's chapter was positioned within this ideological framework, the larger work of Sidorenko and Findlay, and Coghlan's chapter in it, show that some academic work specific to the industry under investigation was also part of wider concerns about policy, business, and ICT present at the time.

However, this academic literature from the time did not deal fundamentally with of the evolving relationship between these three areas as itself a central and provocative force in the changes taking place. Neither does it make overt mention (other than in Farrell's footnote) of the link being made between international students studying onshore and the attainment of permanent residence, a process that was already in train at this time. However, that was just about to change.

In 2005 overt academic interest in the effects of the introduction of a pathway to permanent residence from tertiary studies appeared. There were three themes in the academic work about this pathway. Firstly, there was work interrogating the reasoning behind the implementation of such a pathway and the change in the Australian government's attitude toward immigration that this change represented. Secondly, there was work examining the effect this pathway had on prospective migrants' experiences
of migration and their ability to move into the workforce. Thirdly, there was work on the efficacy of this pathway in terms of its ability to ameliorate the supposed effects of the apparent skills shortage. The latter two of these themes were often intertwined.

Lesleyanne Hawthorne (2005) described the change in migration regulation emphasis from the election of the Howard government (in 1996) as taking place within a wider set of views about how to build a better society and economy. Chief among these was the idea that immigration programs should be aligned to areas of perceived need for skills in the economy, and that successful migrants would be those who could move most readily (and with as little government assistance as possible) into those areas of need. Perhaps the idea of economy here might as well stand for the sphere of activity that is Business. As data began to make apparent that migrants with lesser ability in the English language were obtaining lesser quality outcomes, the government moved to require better English language abilities in migrants. This was just one of a number of changes made. Hawthorne also noted 'rigorous qualifications screening, incentives for international students to migrate, and abolition of income support in the first two years post-arrival' (Hawthorne 2005, p. 1). This move was characterised as 'a shift from altruism to pragmatism' (2005, p. 17).

The creation of the pathway from international student to migrant was seen as one means by which the Government could achieve a better focussed immigration program. Hawthorne's data indicated a halving of unemployment rates among recently arrived migrants in recent years. Her overall emphasis was on the impact of relative levels of English language ability in recently arrived migrants: 'The impact of poor English skills on NESB [Non-English Speaking Background] professionals can hardly be over-estimated' (2005, p. 9).

Hawthorne saw the encouragement of graduated international students to become migrants through advantageous treatment in the points system as a reflection of the government's paradigmatic shift in considering immigration to be something that should be focussed on ensuring the migrant could move readily into the area of skills need for which they had been chosen. In effect this meant they could become valuable to a business (2005, p. 15-16). Hawthorne noted that her previous work with Birrell (1999) supported the contention that overseas students who graduated from Australian universities onshore had relatively better migration outcomes in terms of moving into their profession quickly. She recognised that upon graduation these prospective migrants tended to be young, with advanced English language skills, relevant local professional training, a high level of acculturation, and a recognised qualification (1999, p. 15). It was in combination that these attributes made it more likely this kind of migrant would succeed more quickly. For this reason, Hawthorne was supportive of the move to encourage graduated overseas students to seek a skilled migration pathway in Australia. She explicitly linked this to the advantage such a program had for universities in attracting prospective
students who would then be prospective migrants, calling it: 'a 'win-win' situation leading to a 30 per cent surge in demand for Australian tertiary courses' (Hawthorne 2005, p. 15 - 16).

This idea that linking permanent skilled migration outcomes to onshore study would provide a benefit to universities in attracting international students was mentioned earlier. It was also implicit in Birrell and Hawthorne (1999), and in government documents. It was understood also as a future possibility, with advantages to both destination and home country in Ziguras (2003).

However, this was the first time in the academic literature that this idea was mentioned as being adopted by government as a response to reasonably held views about the world and the ways in which Australia's immigration program should operate. Subsequently, government would disavow ever having held this idea and would equate it with fraud and 'backdoor migration'. It is clear, however, from Hawthorne's article, that in 2005 at least, the idea that providing a pathway to permanent migration from onshore study was believed by government and at least some academics to be a valid way of shaping Australia's immigration system, while also supporting universities by providing an incentive to prospective students to study in Australia with the possibility of migration upon graduation.

Birrell and Rapson (2005) wrote of the overt attraction of large numbers of students via a permanent residence pathway, such as tertiary courses in Accounting:

The accounting profession is at the centre of changes in the nexus between immigration regulations, the education of overseas students in Australia and subsequent entry into the accounting workforce in Australia. The introduction of immigration selection reforms in mid-1998 which favoured applicants with training in Australia has prompted a very strong response from overseas students with an interest in seeking permanent residence after completing their courses (2005, p. 18).

This report marked the overt emergence of this pathway as something that existed, and that had effects on education and migration in such a way that the relationship might be called a 'nexus'. It also recognised the central importance in considering the efficacy of the program in enabling new migrants to move into the profession for which they had trained.

A problem in this transition was noted in a report by Shah and Burke (2005). This report showed that many migrants experienced an initial period in Australia in an occupation that was not the occupation they nominated in their skilled migration application process. They foresaw the prospect that migrants
could access a permanent residence pathway through the Vocational Education and Training (VET) sector rather than through the Higher Education sector (2005, p. 25).

By 2005 academics recognised a pathway to permanent residence from onshore study in Australia. In addition, it was recognised also that an increasing number of international students were choosing to study courses that would lead along this pathway to permanent residence.

In 2006 an anthropologist, Michiel Baas, went among Indian students in Melbourne to find out what motivated them to study in Australia:

It [his article] shows that their main objective is to obtain a permanent residence visa in Australia, and that they tailor their choice of course and university with this end in mind. As a consequence most have chosen to study at the relatively low cost metropolitan campuses of Australia's regional universities (Baas 2006, p. 9).

Baas undertook his fieldwork in Melbourne from January to December, 2005. As an anthropologist he was less interested in the normative nuances of debates around policies to do with international education and migration. He instead focussed on the student-migrant experience itself. He identified three groups of Indian students. Firstly, there was a group who did not originally plan to want permanent residence, but who came to want it once they were onshore and aware of the possibility. Secondly, there were students who had always wanted to gain permanent residence along the available pathway, but who wanted it instrumentally as part of their general career goals to become whatever they wanted to become. For these students, the opportunity of permanent residence meant an opportunity to pay back their student loans and gain a few years' work experience in their chosen field before perhaps returning home, staying in Australia, or even going to a third country, depending on where their career opportunities took them. In these students' worldview a permanent residence visa for Australia would be an instrument for achieving other goals to do with their career.

Thirdly, there were people 'who came to Australia for PR, and for PR only' (2006, p. 13). This was 'a huge group and one that seems to still be growing rapidly' (2006, p. 13). For these students, the attainment of permanent residence status was the ends to which the other arrangements in their lives, such as the course they chose to study, was the means. For the Indian students Baas interviewed, the opportunity for a pathway to permanent residence in Australia was considered more important than considerations as to the relative quality of Australian universities: 'the most
important reason why they [Indian students] come to Australia is not because they rank Australian universities very highly but much more because they are attracted by the option of applying for PR after graduation' (2006, p. 11). This awareness of the possibility of attaining permanent residence had, for Baas, changed in a sense the characterisation of the person undertaking the pathway:

'For Indian students, this is often the plan from the start [obtaining PR]; even before coming to Australia they will have figured out which courses will provide the easiest way to PR and will base the course they enrol in on this. Although these people are students in name, in practice such behaviour actually makes them migrants . . . the majority of Indian overseas students are actually migrants' (2006, p. 13).

Baas' work indicates the start of a shift in thinking about this pathway. It has gone from being a theoretical possibility in ameliorating supposed skills shortages in Australia (Hawthorne and Birrell 1999), to a practically implementable plan to both ameliorate skills shortages and support Australian universities concurrently (Hawthorne 2005), to a phenomenon in the world, where real people are actually undertaking the pathway (Baas 2006).

In the process, however, certain attitudes have begun to change. In Baas the idea of a 'PR Factory' emerges (2006, p.13), described as a college that had selected the courses it would run with an awareness of the structure of the PR pathway in mind. That colleges were in fact designing their course offerings with this in mind was 'freely admitted' (2006, p.13) by the CEOs and program directors Baas interviewed. It was also acknowledged that decisions to reconfigure course offerings were driven by the market. In an endnote to the article Baas wrote:

A director of programs at an institute in the centre of Melbourne explained that, of the more than 300 Indian students they enrolled, none were interested in the IT course the institute offered. They were simply not interested in these courses as they did not generate enough points [to allow the students to attain PR upon graduation]. All the students were into hospitality and cookery related courses, which feature prominently on the MODL list. The computer lab had thus been dismantled and the institution was not sure if they would continue offering the course (2006, p.24).

If market activity can be seen as an interaction between supply and demand the colleges' course offerings represented supply and the students' wish to attain PR represented demand. At first
glance this was a relatively simple market function to which the colleges were responding reasonably, but decisions of the colleges to structure their courses in order to provide the PR pathway is also here starting to be positioned as some sort of ethically questionable activity. The phrase 'PR Factory' (2006, p. 13) is meant to be derogatory. This was in the body of the article. The demand side, that is, the fact that student demand for PR courses meant that colleges who did not follow the demand would have to close courses (2006, p. 24), was in the end notes. This construction of relative normative merit would continue in the literature. Baas is very clear about the overall effect the demand side of the equation had on the industry: and at least he did give some voice to the colleges, even if it was in an end note.

Baas (2006) also introduced the shifting moral position placed upon the students, particularly by lay observers, an issue explored in depth by Robertson (2008, 2011) and Rodan (2009). Students seeking permanent residence occupied a place both as a victim of unscrupulous 'PR Factory' owners, migration agents, and exploitative employers on the one hand, and as perpetrators themselves: as 'backdoor migrants' (Robertson 2011), seeking to subvert the migration system on the other. Baas (2006) provided an introduction to these issues. It presented some of the moral frames that would soon come to dominate the academic literature about the industry.

In other academic literature at the time the recognition of the pathway from student to migrant was still being understood as part of a worldwide shift in the character of population movements. Marginson (2006) noted that 'all English-speaking countries encourage foreign graduates to migrate' (2006, p. 28). Ziguras and Law (2006) understood this pathway to migration as part of Australia's response to an ageing population; the resulting need to increase productivity positioned international students (who have youth and education) as a favoured group of potential migrants (2006, p. 62). They also acknowledged that the pathway had 'the added benefit of further increasing demand for Australian higher education' (2006, p. 64). In addition, they noted benefits to the wider economy as these students, attracted to Australia through the prospect of PR, spent money and worked. Overall, for Ziguras and Law: 'The prospect of migration is coming to play a major part in attracting prospective international students to Australia over its competitor countries' (2006, p. 64). Ziguras and Law noted that not all people seeking permanent resident status may actually intend to live the rest of their lives in the destination country. Changes to lifeways in a globalised world mean higher mobility between countries. However, the migration pathway through education as a means to concurrently attracting skilled migrants and growing an international education industry is clear:
Australia’s immigration and international education policies have become enmeshed to a degree not (yet?) found elsewhere. The success of this policy alignment, both in recruiting fee-paying international students and in attracting skilled migrants, is likely to be followed by other developed countries, and especially education exporters who are competing with Australia. At a time when international mobility is increasing, the prospect of permanent residence in the host country is an attractive sweetener, even for students who do not intend to settle permanently in the host country, but for whom the option to live and work in the host country at some future time increases their life choices and employment options (Ziguras and Law 2006, p. 73).

The above two articles represented conjoined understandings of the educational PR pathway in Australia. However, between the theory of an understandable and reasonable systemic response to global issues in Ziguras, and the 'on-the-street' anthropological work of Baas, there was a kind of meeting place. In 2006 academic articles began to explore the uncomfortable ramifications of this encounter between the theory and the practice. It was recognition that there was an 'Industry', and that it was problematic.

Birrell (2006) analysed the results of English language tests undertaken by graduated university students as part of the process for obtaining a permanent residence visa. The tests were conducted by DoI, and so separate from the individual university administrative systems. The results showed that a third of the graduated students undertaking the test had failed to reach a level of English language ability commensurate with what they should have achieved in order to enter university in the first place.

The Birrell (2006) paper represented the beginning of a very critical phase in the academic writing about the intersection between migration and education. Where Baas (2006) was plainly aware of the potentially corruptive effects of the link, neither he nor the managers he interviewed in 2005 saw the link as something that was in itself inherently wrong, or substantively corrupt by its very nature. Birrell (2006) provided evidence that suggested the link was itself a systemically corrupting influence on the processes of universities. While it is not focussed on the VET sector per se, it clearly assumed the existence of something discernible as an industry separate from the normal (or expected) activities of universities.

This was followed very quickly by Birrell et al (2007), which did focus on the VET sector. This article traced the sudden increase in the number of students enrolled in trade level courses,
particularly hairdressing and cookery, and indicated that the simple reason for this growth was that the courses offered pathways to migration (2007, p. 30). However, the sudden increase in numbers was problematic for a number of reasons. Chief among these was that it was very unlikely the student would end up actually working in the field for which they were being trained, because the training standards were too low. This was in turn a result of the course structures, the RTOs themselves, and the regulatory environment in which they operated. For example, international students undertaking trade courses for the purposes applying for PR were not required to undertake apprenticeships, as were domestic trainees in order to obtain assessment for an occupation (2007, p. 35 - 36). The RTOs were aware of this and structuring their course offerings to take advantage of it (2007, p. 33). The governments charged with regulating the sector were just not doing so, or were unable to do so within the contemporary compliance regimes (20007, p. 37 - 38). The problems originated, according to the authors, in the combination of a flawed systemic design, the behaviour of private providers in exploiting those flaws, and the relevant government agencies being unwilling or unable to police this behaviour.

This seminal article shifted the discussion away from concentration on the pathway to migration through tertiary education and put the focus on the role private vocational training providers had been able to assume in implementing the pathway:

The vocational-training sector has become an integral part of the migration business. Many non-government training providers have links to migration agents here and overseas (or are themselves migration agents). Their training activities are guided by their knowledge of the immigration settings and are directed to the migration market. The explosion of commencements in ‘services, hospitality and transport’ courses in 2005 and 2006, particularly from India and to a lesser extent from China, is consistent with this set of hypotheses (Birrell et al 2007, p. 33)

This is the industry this project is focussing on in action, there is also something in existence discernible as 'the migration business'.

The reasons given for students choosing a vocational pathway over a tertiary pathway were essentially about time, money and hassle. That is, the vocational course was going to take less time, be cheaper and easier than a tertiary course, and have lower English-language level requirements (2007, p. 36-39). All of these in combination provided a powerful advantage to the private vocational providers in attracting student-migrants to their courses, and a powerful motivation for certain groups of student-migrants to undertake the pathway.
The crucial shift in moral focus taking place at the time is also evident in this article. Whereas previously the creation of a pathway to migration through education was seen as a worthy idea (Birrell and Hawthorne 1999, Hawthorne 2005), the pathway in its vocational form was condemned on two grounds. Firstly, the graduates were unlikely to end up working in the fields for which they had trained, thus negating any benefit to Australia in terms of ameliorating perceived skills shortages. Secondly, the use of the pathway by private vocational providers was wrong. The article does not make any argument for why the use of the pathway by these providers in particular should be immoral theoretically - that it was immoral and that this would be agreed by the audience was just assumed. The article makes claims about the standards of training in private RTOs, but these claims are based on anecdotal evidence, a fact admitted in a later article (Birrell et al 2009, p. 63). Given that the lead author had recently provided large scale empirical evidence (Birrell et al 2006) that the quality in provision in the tertiary sector was being corrupted by universities’ exploitation of the pathway, this attitude to private vocational providers might seem odd. However, this attitude grew over time and came to occupy a central place in the perception of the industry. For now, the Birrell et al (2007) article represented a new turn in thinking about the industry. It turned the focus onto the private vocational providers as chief exploiters of the migration pathway through training, and onto the governments that designed the system. It also framed the pathway as a problem that needed to be solved, rather than an opportunity that should be grasped: 'The well intentioned changes to regulations made by governments have been hijacked by the migration industry' (Birrell et al 2007, p.40).

In 2007, following the two recent Birrell et al (2006, 2007) publications, Baas (2007) added the realisation that many of the Indian students recruited into PR pathway courses were being recruited from areas outside the major metropolitan areas of India, and were therefore more likely to have lower levels of English language ability, be more likely to desire PR outcomes, and be more vulnerable to exploitation. Baas noted the practice of recruiting these migration focussed students was not limited to private vocational providers, but extended to the tertiary sector, particularly to the city based campuses of regional universities, a situation complicated by the privatisation of some of the activities of this kind of university (2007, p. 51 - 52). He also noted that this phenomenon had spread to mainstream universities, albeit with less clarity. Baas also noted the importance of the system by which Indian students obtained loans in order to satisfy the financial requirements of obtaining a student visa. In interviewing college owners Baas (2007, p. 56 - 57) was again aware of the congruent nature of factors affecting colleges in the market, and the complicated moral entwinements involved. He understood the pressure this pathway put on...
colleges, which were in essence forced to drop courses that did not lead to PR as enrolments disappeared, and put on courses that did provide PR pathways if they wanted to have any hope of survival (2007, p. 57). He recognised that while the pursuit of the PR 'market' was common to all providers, whether large universities, regional universities, TAFEs, or smaller private colleges, it was the small private colleges who were characterised as 'dodgy colleges' (2007, p. 56). Baas had some sympathy for them as he outlined the complicated yet undeniable links the pathway to PR had created and in so creating, transformed the private vocational training sector. However, he was also aware of the ways in which the private vocational providers had been able to tap into a market of Indian student-migrants who would not have had the resources, either in terms of money or previous educational credentials, to enter mainstream universities. The Indian-based provision of student loans, and the low-cost model implemented by the private providers had been able to make this pathway to PR available to those less well off people who, perhaps because of their social situation in India, were the more eager to attain PR in Australia. These people, with their lack of financial, English language and cultural communication resources, were particularly vulnerable to exploitation.

Another issue, discussed by Jackling (2007), was the ways in which international students seeking a pathway to PR through tertiary studies, in this case accounting, gained entry to such courses. Often these students entered their main course through an enabling diploma, often undertaken at a private provider with an articulation agreement with the relevant university. Jackling’s study found that 68 per cent of international students entering the second year of accounting studies at a Victorian university had utilised the pathway through a private provider. Only 20 per cent of the students entering the second year had studied the first year at a university, and only 11 per cent had studied at a government TAFE for the first year. Furthermore, 84.2 per cent of the respondent students expressed an intention to seek permanent residence at the completion of their studies. Overall, 70.6 per cent of students thought the opportunity for PR was somewhat or very important to their decision to study accounting. Only 10 per cent described PR as not at all important (Jackling 2007, p. 34 -35). Jackling’s article continued to frame the purpose of the pathway in terms of ameliorating the perceived skills shortage of accountants in Australia (2007, p. 39). Jackling was not problematising the pathway to PR in the same way as others, but was aware of some of the emerging issues to do with pathways into tertiary providers from private vocational providers.

This model of a one-year vocational diploma articulating into the second year of a tertiary course was a common business strategy before and during the period under investigation, and was an
example of the interconnections created in the industry as business strategies sought to integrate, and take advantage of policy settings. It was also an example of the complicated ways in which the 'public' and 'private' spheres of commercial activity interacted, as well as the relationship between policy and business strategy. The administrative processes that enabled this transfer activity were achieved through specifically designed technological infrastructures.

In 2007 Megarry (2007), a historian, described the history of Australian Government regulation of international education. Megarry argued that while consecutive governments since the 1980s had adopted 'neoliberal market forces' (2007, p. 39) rhetoric in talking about their aims to create an international education market, the actual trajectory of policy had been toward greater regulation of the industry. Megarry posited that this was the result of fears held by successive governments about the possible results of a free market in international education. He suggested there had been three distinct phases in government regulatory regimes in international education, and in a sense each had been enacted in an environment of deep, though changing, anxieties about immigration and/or the reputation of Australia in the world.

During the first phase, from 1970 to 1983, regulatory trajectories were driven by a need to prevent unwanted migration of students while concurrently gaining the 'diplomatic' (2007, p. 50) benefits of overseas students. In the second phase, from 1983 to 1990, governments wanted to create a relatively unregulated industry to the benefit of the Australian economy. In the third phase from 1990 on (presumably to 2007), the Australian government reacted to problems created by a relatively less regulated market by becoming increasingly interventionist in order to protect Australia's reputation as an education provider and in order to control migration. Megarry also described the now familiar story (2007, p. 49) that the government's intentions in increasing the number of international students in Australian universities had the effect of drawing attention away from the overall decrease in funding providing to universities to educate domestic students.

Coming to an end: Academic Literature toward the end of the industry.

Surprisingly little was published during 2008 and 2009, the height of what would later be called 'the perfect storm' by a number of interview participants. However, the proportion of work focussing on the student increased. The idea that Australia's migration system was connected to the international student industry was now clearly established. Tsukomoto (2009) provided an overview of this linkage from 2005, pointing out that the shift in students from Accounting and
IT courses into Cookery and Hairdressing courses was a direct result of changes to the immigration regulations that encouraged such movement (2009, p. 54 - 56). He believed the program linking onshore training by international students to migration outcomes to fill skills shortages was working, and foresaw that it would continue:

The interconnection between Australia's international education industry and its skilled migration programs is expected to continue owing to the change recently introduced in migration policies by the Australian government. The newly elected Labour Government led by Kevin Rudd . . . has decided to increase the total intake of migrants in 2008-2009 to 190,300 . . . the biggest annual growth in migration since the launching of the scheme. . . The existing international education system in Australia has been working well in providing skilled labour needed by the industries in which such workers are in demand and also in easing labour shortage problems in general (2009, p. 56 - 57).

Tsukomoto described some emerging problems, but these were more to do with the capacity of colleges to fulfil the level of demand, and the difficulties faced by student-migrants with lower levels of English ability. These problems related to the design of the system, not to the industry itself.

Rick Brown (2008) also discussed the design of Australia's immigration system with an eye to the systemic problems. He noted (2008, p. 56) that the supposed monetary value of the international education sector linked to migration outcomes provided 'a financial incentive not to enquire too closely into what these students actually do and whether they really come to study or acquire a particular skill or whether a student visa provides a backdoor way of migrating to Australia' (2008, p. 56).

The idea of student-migrant as victim of a poorly designed system and the unscrupulous people who would take advantage of them also continued at this time, though not everyone agreed on the extent of this trope, nor its validity. Birrell and Perry (2009) noted the tectonic shift of the late 2008 policy changes that had the effect of shutting off the pathway to permanent migration from vocational education (2009, p. 78), and calculated that around 40,000 recently graduated student applicants for general skilled migration already in Australia would be facing a future that was 'at best, uncertain'(2009, p. 74). They blamed such a sorry outcome on the series of government policies that lead to and supported the creation of the pathway (in its vocational training form), and recognised that people would suffer as a result of the changes.
Birrell, Healy and Kinnaird (2009) also revisited their subject area of cooks and hairdressers (Birrell et al 2007) to show that employment outcomes for student-migrants on the pathway from vocational education were much poorer than for other trainees. While Birrell had previously conducted much research into the employment outcomes of international students on the pathway to permanent residence, this 2009 work perhaps evinced a more sympathetic attitude to the students themselves, and recognised their plight as an issue worthy of concern in itself, rather than measuring the employment outcomes of student-migrants as an instrumental measure of the effectiveness (or otherwise) of the policy.

Nyland et al (2009), looked at the working habits and experiences of international students, and positioned the students as victims of institutions who mislead them about the prospects of finding work, and about life in Australia in general. They saw international students as a large and growing part of the Australian workforce, who were absent in the debates about working conditions in general, and ignored as a specific sub-set of vulnerable workers. This lead to a systemic exploitation by employers of international students, as part of a wider collection of intersections that corralled international students into vulnerability and exploitation.

Paul Rodan (2009) noted the change in the characterisations of international students from ‘rich kids sent to Australia by parents who had probably made their fortunes through corrupt practices or worse’(2009, p. 29) to one where the students were seen as vulnerable, as being treated as ‘cash cows’ by institutions more willing to take their money than provide a quality education in return. Rodan also revealed the moral ambiguities in such a simplistic picture:

In the final analysis, international students are supposed to come to Australia to study, not to work. Where some, with help from unethical figures in the industry’s shadows, effectively circumvent the prescribed financial resources requirements, it can be argued that they put themselves at greater risk in a number of ways. . . Is a migration-driven student who seeks to secure bogus documentation and evade course requirements a ‘victim’? (2009, p. 30)

For Rodan, generalisations about the character of international students were probably just silly, whether one characterised them as all victims or all perpetrators.
The lack of any critical focus on students is consistent with a student as victim perspective, in the long tradition of sentimental identification with the ‘other’. This may suit a certain ideological predisposition, but falls short of acknowledging the complexities in the current debate. It is simply not possible to generalise about international students’ motivations, financial resources, commitment and study behaviours (2009, p. 30).

Rodan was aware of the effect the then recent attacks on international students was having on the increasing use of ‘emotive’ language, particularly in the media, and concerned that such emotive language falsely distilled the international education arena into one populated by ‘goodies’ and ‘baddies’ (2009, p. 29). The realisation of complexities in Rodan's work began to provide, or perhaps defend, a more nuanced approach to creating understandings of the industry and the people in it.

Robertson (2009) shifted the focus somewhat with her concentration on the Indian student as a person negotiating a variety of institutional structures towards a sometimes shifting goal. Robertson's work differed with its focus on the point of view of the student-migrant as a variously active agent in the world. While Baas (2006) had certainly previously drawn understandings of the challenges facing Indian student-migrants on their variously constructed motivations toward permanent residence, the subjects in Baas were still, to an extent, subjects of the anthropologist as international students, and what is meant to surprise or be discovered in Baas' work is the extent to which these international students have come to see themselves, and to be seen by others, as migrants.

Robertson's work, however, began with an understanding of the people as student-migrants, and then examined the different ways in which these new ‘transnational subjects’ (Roberston 2009, p.103) negotiate their way through the structures of the State that variously controlled them. Robertson understood these individuals and their situations not just as international students, but as variously socially located individuals affected by a multiplicity of intrinsic and extrinsic motivational factors, as well as restrictive factors that others attempt to impose upon them. Her acceptance of the validity of the student-migrants as humans with valid motivations to exercise their individuality; and that this understandable human endeavour leads them to different ways of negotiating through the gatekeeping state structures imposed upon them, is perhaps the closest the academic literature ever came to a deeply sympathetic apprehension of the people travelling along this pathway to permanent residence.
Hawthorne (2010) called the process of creating a pathway to migration through onshore study by international students 'two-step' migration. She described the story of a policy trajectory that went awry in extending the opportunity for accessing this pathway to the vocational sector, and to onshore trained trade qualifications. The servicing of this pathway by private providers in the vocational sector was now easily disparaged. She claimed she had heard some of these providers described as “wily entrepreneurial players existing solely to funnel international students into skilled migration.” (2010, p. 41). The implication being, of course, that there was something morally wrong with providing the requisite steps along the pathway to migration set up and encouraged by successive governments. She wrote: 'There was a growing concern that “widespread rackets among private trade colleges were…undermin[ing] Australia’s education, immigration and employment systems.”’ (2010, p. 42).

In Hawthorne's (2010) work we see the solidification of the trope that the private colleges involved in the provision of trade training to student migrants along the pathway to migration were acting unethically. Further, that the systemic changes that created this pathway from education were a perversion of both the role of education and training in Australia on the one hand, and of the migration system on the other. However, the policy changes might not have lead deliberately to these perverse outcomes: 'Australia’s introduction of two-step migration for international students had unintentionally coincided with the development of perverse educational incentives' (2010, p.42).

The academic articles written in 2009 and 2010 were being published in a climate of intense media interest in the industry, and the presence of a widespread media construction of issues can not be ignored in understanding the academic literature present at the time. The construction in the media mimicked, though in much sensationalised form, the tropes that had been building in academic literature. The media perhaps also played a role in forming ideas in academia as to what should be written about and investigated, though this relationship is not provable. Nearly every academic article written at the time mentioned the then recent media coverage, and to different extents discussed it. The media frames can be grouped into two connected concerns. One might be loosely described as 'The Attacks on Indian Students!!!', and the other as 'Dodgy Colleges!!!'. These issues and their representation/construction in the media will be dealt with later, but their representational cousins can be found in most academic literature, albeit written in a different style, and for somewhat different (though importantly overlapping) audiences. This shows the academic literature of the time did not exist in a social vacuum and was written with knowledge of the ongoing media interest in the industry.

Nyland et al (2010) were clearly influenced by the issues around student safety evinced by the media interest in the industry. Their point was that governments were unwilling to address, or even admit the issue of student safety for international students until forced to by actors outside the industry,
including the media. They argued that until the intervention of these actors, the general approach of the industry and government to the issue of student safety was one of ‘avoidance and denial’, even in the face of emerging advice from various professionals that it needed to be addressed (2010, p. 95). The cause of this avoidance and denial was ascribed to a supposedly mistaken belief among governments and industry that the link between migration and training would secure an ongoing inflow of international students. When the Commonwealth Government moved in 2008 and 2009 to reduce immigration and curtail this pathway, the issue of international student safety became important to the various industry stakeholders (2010, p. 96), and gained wider space in the media. This was an interesting reversal of the commonly viewed causal chain that perceived the two tropes of 'attacks on Indian students' and 'dodgy colleges' as causing the need to tighten regulations and remove the pathway: a causal chain often propagated by some interview participants and by government.

Birrell and Healy (2010), focussed firmly on the policy changes made in February of that year, and the way in which those reforms finally closed the pathway to permanent residence from vocational training. They concluded that 'The party is over. . . Government has largely decoupled education from migration selection' (2010, p. 77). They also, however, provided a history of the program that linked education to migration. For Birrell and Healy the creation of the pathway by government 'seemed justified at the time' (2010, p. 66), but governments did not:

. . . anticipate the alacrity with which Australia's universities, and, after 2005, private sector Vocational Education and Training (VET) providers would set up courses designed to attract international students looking for the cheapest and easiest ways to obtain qualifications in occupations that could lead to permanent residence (2010, p. 66).

That much is part of the commonly asserted understanding of events. However, Birrell and Healy also told a story where the DoI had became progressively more aware of the problems attendant to the sudden and massive increase in people who intended to apply for permanent residence, but faced various political pressures in attempting to implement changes to regulations that would prevent or curtail unsustainable growth (2010, p. 68). These pressures were applied by other governmental actors and by business groups, and became apparent in the 'Coalition Government's concerns about the health of the overseas student industry'(2010, p. 68). After the economic crisis of 2008, and as a result of a growing awareness across government of the problem of a rapidly increasing number of people who would shortly apply for permanent residence, the government began to act (2010, p. 69 - p.71).

This story placed governmental awareness of a problem earlier than other commentators, and also hinted at a core problem that had yet to be fully grasped by academic work: the simple numerical problem of there being far more applicants for permanent residence with valid applications onshore as
a result of the program than government was willing to grant visas. That this article, the first to mention this problem, was published in 2010, shows that the awareness outside government circles came much later than did the changes themselves. If the changes were indeed a result of a governmental awareness of this problem, that awareness would have had to have been in the minds of people in government who had the ability to influence policy changes before those changes were implemented. Still, while Birrell and Healy (2010) displayed a wise understanding of the internal political machinations of governments, there was no interrogation of the relationships between the performance of government policy, business strategy and ICT.

*Academic Literature after the time period of the case study.*

The subsequent academic literature was an integral part to how the rise and fall of the industry came to be understood. In 2011 a number of articles were published dealing with the recent events as they were then framed. The trajectory of concerns could be seen to be turning to a more humanist apprehension of the international student-migrant. Hence, the focus of some academic work shifted to the student-migrant as a person whose value as a being should attract our moral concern because of their humanity rather than according to the instrumental value they may or may not be able to bring to Australia's international education industry, migration program, or international reputation.

That so much literature focussed on Indian students in Australia was particularly illustrative of the relationship between the presence of stories in the media and the political arena, and the production of academic work. There was not much work in 2011 on Chinese students, who still represented the largest single nationality cohort of international students in Australia. In contrast, there was work on the different concerns of the Indian student cohort, who had been very prominent in the media and political arenas.

Singh (2011) looked at the experiences of Indian international students in Melbourne and their own views of their experiences and aims in being in Australia. He wrote clearly and deliberately against the backdrop of the attacks on Indian students and addressed the experiences of violence among his subjects. This article saw its subjects as student-migrants, but also understood them as transnational people, for whom the attainment of permanent residence in Australia was not inherently the end point of some quest, but rather itself an instrument toward the greater goal of transnational belonging within variously constructed social norms such as economic security. For Singh (2011) the members of the Indian diaspora in Australia and on a pathway to permanent residence represented not just a simple case of people wanting to be migrants who therefore attempted to access a pathway toward migration. Instead, the presence of these Indian people was qualitatively different to previous migratory nationality groups because of the instrumentality of the aim of permanent residence. The students
were 'transnational humans', who were not going to be merely the victims of policy changes, once they ceased to be seen by governments as 'designer migrants' (2011, p. 688). Instead, these people could wield power as a group who were valuable, and in search of a 'designer settlement country' (2011, p. 688) in order to prosper as an individual and a family. When it came to the individual level however, in terms of being able to implement personal plans, Singh argued that the majority of individuals were still subject to the whims of political change, however keen and complicated their forms of resistance or negotiation.

Robertson (2011) continued her work disassembling apparently conceived notions of categories of people. She traced the creation of the two-fold conception of student-migrants as victim or opportunist (2011, p. 16). She concluded that the migration program linking permanent residence to onshore study had failed for a number of by now commonly understood reasons. However, her focus continued to be on the lived experiences of the student-migrants. Her work was not so much about attempts to define which of these categories these people should rightly be considered to be occupying, but rather on the ways in which the people involved themselves negotiated their way through the state structures that variously, in a sense, imposed this categorisation upon them. She described the neo-liberal framings of student-migrants as valuable because of their economic value to the state, or as not valuable because of the threat they pose to the state. In doing so, she did not shy away from the ways in which the student-migrants themselves sometimes participated in perpetuating this dichotomous conception of worth in pursuing their own aims. However these student-migrants went about being themselves, the shift in focus apparent in Robertson's work was that she was conceiving as the student-migrant as a human first, and the ways in which they were apprehended by the state and the wider community as something that is different from their own being, and ways of understanding that being. In this way the humanity of these people was somewhat re-affirmed.

Caluya et al (2011) continued this newer shift toward attempting to apprehend the student-migrant as a human first, and the various definitions of them performed by states as something imposed upon them that they must negotiate. Caluya et al find the student migrant caught ’caught between an instrumentalist approach to higher education as a commodity (promoted by governments, university administrations and agents) and the academic presumption that students should take their education ‘seriously’” (2011, p. 98). The constantly changing regulations around migration were a key cause of anxiety for the subjects of their study. Here again, the shift in apprehending the importance of the student-migrant was distinctly humanist in that they saw the student-migrant as someone who deserved our concern about their anxiety not merely because of the threat any actions on their behalf in reaction to this anxiety might pose to the instrumental good of protecting Australia's international education industry, but because the student-migrant should engage our moral concern as a person of worth in themselves.
There is an evolution in academic writing about international education over the decade that this thesis investigates. However, none of the literature examines the relationships between policy, business strategy and ICT as a foundational trilateral relationship in itself. The overwhelming preponderance or work centralises the role of policy, and sees business strategies (and often, students) as only reactive agents.

*Literature about policy.*

The area of policy research and analysis is wide, and crosses a number of theoretical terrains. Most commonly, theories of policy are concerned broadly with discerning what policy is, how it comes to be formed, and how it is enacted. In terms of what policy actually is, Vidovich (2001) points to a neat series of historical changes in the idea of a definition of policy that mirrors the shifting emphasis in policy analysis, and itself mirrors a shifting conception of a definition of policy. For Vidovich (2001) this begins with Kogan in the 1970s with the idea that policies are 'statements of prescriptive intent' and 'the authoritative allocation of values' (Kogan 1975, p.55).

Then, for the 1980's, Vidovich brings the example of Ham and Hill, and their claim that policy analysis should aim to 'interpret the causes and consequences of government action, in particular the processes of policy formulation' (Ham and Hill 1984, p.11). The 1990s exemplar is Stephen Ball, who begins to concentrate on policy as something that people and groups participate in by their actions, as well as a piece of text: 'both text and action, words and deeds, it is what is enacted as well as what is intended' (Ball 1994, p.10).

One can see through time a shift in the focus of policy analysis, from an emphasis on a definition that understands policy as a central and guiding entity, provoking or demanding action in others, to one that is more decentralised, and that includes the actions undertaken by people in performing the policy. In Australia, much theoretical work has been produced on the second of these broad conceptions; that is, whose opinions and what processes go into the formulation and execution of policy. This includes concerns such as how the problems that policy is designed to address are discovered or created, and how these problems come to be ordered in a policy agenda (Bessant, Watts, Dalton and Smyth 2006). The policy agenda is construed as a series of statements of intent to action made by governments or political parties to the public, or to the executive arms of government.

There are a number of discursive constructions related to policy creation and implementation, and in the area of education policy particularly a prominent debate has evolved around the idea of 'State-centred' and 'policy cycle' approaches to understanding how policy is formulated and implemented.
On the one side, 'State-centred' approaches are exemplified by writers like Roger Dale (1989), whose assessment of the formulation of education policy, while critical of the State's role in the furtherance of the aims of capitalism, maintains that the main focus of policy analysis needs to be directed at the State as the prime generator of policy.

In the 'policy cycle' corner (and again I emphasise the very constructed notion of this dialectic), is the example of Stephen Ball (1993) and others. The policy cycle theorising emphasises the importance of conceiving of policy as texts that are disseminated and interpreted and implemented in a variety of ways by a variety of actors. This approach obviously owes much to Foucaultian notions of governmentality as decentralised though pervasive power relations and constructions.

In Australia, examples of a 'State-centred' approach to the analysis of policy (particularly as it relates to education) can be seen in the work of Simon Marginson (1997), who, while entirely critical of the infection of the State by neo-liberal ideology, necessarily gives centrality to the State as prime progenitor of education policy, even if that state has arguably to Marginson been captured by the interests of an elite, which has used neo-liberalism as a tool of conquest and exploitation.

Indeed, there is a wide and pervasive historiographic construction of events in the governing practices of Australia and the wider world that promotes a story that there has been a historical shift in the politico-economic impetus of the state over the last half century from Keynesian to neo-liberal ideologies. This view necessarily cedes the state a central role in policy-making, even as much of the criticism revolves around the argument that the ideas underpinning the role of the state have been captured by a set of actors (often 'neo-conservatives') who have shifted the focus of the state away from those aims the state is perceived to have held prior to 1975 but after 1942.

Underpinning this story is a set of beliefs about what the State should do, and this obviously requires attention to what form the State should take, and how the State should be conceived. This can be seen as a historical movement paralleled by the shift from 'modernism' to 'postmodernism' (Vidovich 2001), or as a result of a shift in the focus of policy analysis from policy formation to policy implementation (with a firm eye toward the 'cyclical' manner in which implementation informs further formation). This was also driven by and resulted in an evolution in the conception of the State, and especially through the 1990's the changing perception of policy formation and implementation (and thereby what exactly policy analysis should be), resulted in numerous calls to re-evaluate the idea of the State (Lingard 1993; Raab 1994).

More recently, the network oriented understanding of the state and (thus) of policy formation has come to the fore, perhaps in parallel with the rise of post-structuralist ideas about meaning, ideas
which in turn provide for a perspective of the state and policy formation as more decentralised and 'networked'. While still aware of the central importance of the state in the formulation and implementation of policy (the state after all still has the most guns), many contemporary theorists are able to straddle the constructed binary of 'state-centric' v 'cyclical/networked' by maintaining that while networked/cyclical approaches to understanding policy formulation processes is particularly useful, it is still the case that the State exists as a centralised administrative and promulgating entity. So, while writers like Bacchi (1999) can eminently display the disparate forces that go into even the construction of the idea that there is a problem that should be addressed by a policy, there is not necessarily any contradiction, theoretically, between holding a network/cyclical view of the formulation of policy while at the same time holding a fairly centric view of the State as implementer of policy. At the same time, it needs to be acknowledged, with Bessant, Watts, Dalton and Smyth (2006), that recognition of the complex and contested processes that go into the formulation of policies, and policy agendas, is fundamental to understanding policy-making processes.

There is also an important emphasis in Bessant, Watts, Dalton and Smyth (2006) that bridges this proposed divide: 'While it is important to acknowledge and come to terms with organisational and 'structural' complexity, it can lead towards an abstracted preoccupation with 'structures' at the expense of a fundamental idea, namely that social policy is not made by 'structures' but by ordinary people' (2006, p. 203).

This is not to disregard the social construction of those human actors themselves, or the social construction of their wants or 'needs', but rather it points to an understanding of policy formation that emphasises the human while in no way marginalising the bare fact of the State. The State is just an idea, but it is a very powerful and pervasive idea that has very real and pervasive effects on the people who live within and around its supposed worldview.

Another way of talking about and understanding the idea of 'structure' in the State other than that proposed in the State centric v. cyclic binary is found in the work of Norbert Elias (1998), and particularly in his analogy of a dance (which is also mentioned in Bessant, Watts, Dalton and Smyth, 2006). Elias says:

One can certainly speak of a dance in general, but no one will imagine a dance as a structure outside the individual, or as a mere abstraction. The same dance figuration can certainly be danced by different people, but without a plurality of reciprocally oriented and dependent individuals, there is no dance. Like every other specific social configuration, a dance figuration is relatively independent of the individuals forming it here and now, but not of individuals as such (1998, p. 131).
This approach does not prevent us from talking about the rules of the dance as a distinct set of instructions, nor as a coherent body of instructions, nor even, perhaps, as a set of instructions for going about making a set of instructions for a dance. Or by reverse analogy, nor does it hinder us from considering the rules and instructions that people perform when 'doing' The State as an actual existent entity. However, it does keep central to our understanding that this State, and the policies that flow into and through it, consists of a multiplicity of performers and actors with a diverse aims and motivations.

This view goes some way to negating the need for a binary construction between State-centric and cyclical/networked apprehensions of the State and the way policy is formed and enacted. It is of course also entirely possible that those very actors, or dancers, believe while undertaking their performance that the dance is in some way a static entity. There is no requirement that the people actually involved in the formulation of policy all understand or hold some set of beliefs that could be described either as state-centric, cyclical, or neither, or something else. It is likely that very few people going about their daily lives, have any conception whatsoever of the arguments and understandings outlined above. It is perhaps most likely that most people, even those directly involved in policy formation, do not spend much time analysing their activity at this meta-level of conception. Indeed, it is highly unlikely that any of the human subjects of the thesis have anything like as comprehensive a conception of theoretical discourses about policy as those writers mentioned above. This may be important in coming to understand what Policy is in the minds and actions of people actually practicing what they believe it to be.

Academic thinkers about policy have in common their assumption of a field that contains a thing called policy, and the implicit delineation of that field to exclude other things-in-the-world that are definitively not policy. One might ascribe the construction of the dialectic 'State centric v networked' to the problem inherent in attempting to avoid such delineations. That is, the reason a State centric view is often not regarded sufficient (quite apart from its structuralist assumptions) is that it does not contain scope for all the actors who have some impact on the activity of policy. It does not contain all the things-in-the-world that could or should be considered part of the space of policy. On the other hand, if one comes to allow that the character of a domain should contain all the actors who have impact in that area, the question becomes one of extent. Latour is relevant to tracing the ways in which things should or should not (or can or can not) be considered part of an area of thought, and how things become understood as being part of, or connected to, another thing; and thus how a thing comes into being. Descriptions of what his work means differ radically between authors, through time, and even in the statements of Latour himself. Without wanting to oversimplify or distort the general gist of Latour's earlier work, for Latour, the extant things are relations, and objects come into our understanding (if not, according to later Latour (2011), actual being) through our understanding of
these relations (our understanding itself being a kind of relation). Latour is used rarely in writing about policy, and so the impact of his work on the process of domain creation in this area, particularly in Australia, has been minimal. Instead the literature on policy, as it stands, deals with questions about what is policy and how does it work as if there is something that can be identified as policy, or as policy-working, that is separately identifiable to other arenas of thought, like Business Strategy, or ICT.

This project investigates the roles of policy, business strategy and ICT so as to reflect on the possibility that perhaps events in the world could be better understood by examining the relationship between the factors, rather than by attempting to understand events through the constructed prism of any one factor. Policy was certainly present in the events under investigation. However, constructing a picture of the world that might include something differentially describable and analysable as 'Policy', as opposed to 'Business Strategy', or 'ICT', would probably give a less rich understanding of the industry than what could be obtained from conceiving of the relationship between the factors as a foundational relationship in itself.

*Business Strategy Literature*

Little academic investigation of the role or effects of the private sector (and hence of business strategy) has been dedicated specifically to the education/migration industry in Australia. While much work considered in the section about academic literature carries implicit assumptions about the role and character of business strategies in the industry, very little investigated directly that role as the subject matter for investigation. Baas (2007) perhaps came closest in at least conveying some sympathetic understanding of the business strategy decisions facing the executives he interviewed. While not explicitly setting out to examine the issue, Baas showed that the set of possible strategic decisions available to those executives in planning the future of their companies was severely restricted (and definitively guided) by the market in which the executives found themselves. The market forces were themselves the direct result of government regulations about migration. The courses that did not lead to permanent residence were simply evaporating as students demanded courses that did lead to permanent residence. The executives did not have many options. Their choice (they believed) was between providing courses that led to permanent residence or ceasing business, which was not really a choice at all.

This market environment had been created by regulatory changes made by the Commonwealth Government, and so we can see here at a simple level the very close relationship between government policy and business strategy in action. This was not itself the focus of Baas' work. However, his was
the only work that broached the topic in a way other than the much more common attitude: that private sector involvement in designing business strategies to take advantage of the Commonwealth designed pathway to permanent residence was somehow morally wrong.

This view could be an extension or reflection of the previously mentioned common story about the rise of neo-liberalism and its effects on education, a topic that is discussed much more widely. Marginson (1997) draws a very convincing picture about the rise of market-based ideologies in the design and administration of education systems in Australia, in every sector. Internationally, there has been controversy in the very idea of allowing a market in international education. The creation of such a market was seen as a threat to various pre-existing factors to do with national sovereignty and the role of the state in furthering people's welfare. In simple terms, it was seen as an encroachment by business into the realm of responsibilities that should rightly be held by government (Larsen and Vincent-Lancrin 2003).

There was a fear that the emergence of markets (and therefore businesses) in international education would: 'jeopardise the quality, accessibility and equity of higher education and restrict the right of national authorities to regulate and publicly subsidise their higher education systems' (Larsen and Vincent-Lancrin 2003).

These debates were themselves reflective of wider issues around the role of the private sector in society in general, particularly with the advent of a field of study and concern around 'globalisation'. In this wider area there was much work on the rise of market-based ideologies in the design and administration of Western capitalist democracies. It is in this realm that the role of business strategy in shaping the courses of our societies arises. So while there is less work on the direct relationship between business strategy and government policy in the sense of how the former directly affects the latter, much work has been done on how the ideologies inherent in the domain of concerns about the private sector come to be realised in the act of framing regulatory architectures, an act primarily undertaken by governments, at least in the very literal sense of enacting legislation and gathering and forming government departments to implement policy plans.

From the above emerge two general areas that impact on the thesis as a whole. The first issue reviewed is the source of the idea that there is such a thing as business strategy, or even a distinct sphere of activity that can be characterised as commercial, as opposed to public, or governmental,. Secondly there is an examination of the supposedly changing relationship between business and government in a globalising world.
The idea that there is such a thing as business.

The general area of business studies includes studies about the origins of itself, and can through this activity seem to imply the existence of its subject matter through history. Bernstein (2008) traced the beginnings of commerce even to the shadowy borders of pre-history, to the trade in flints across Europe as far back as 6000 BC (2008, p. 23). He mounted the argument that the history of trade and commerce is probably the prime cause of all social development, and therefore of history as we know it. It is probably brave to assume that almost pre-historic people conceived of their activity as commerce in anything like the way the modern person might. However, his story of trade across the world for thousands of years also threw critical light on some claims that the development of globalised trade networks into something called globalisation is a recent phenomenon. It was also a clear example of domain creation in action.

Gleeson-White (2011) traced the rise of modern commerce to the Venetian merchants of the early Renaissance and the evolution of double entry bookkeeping. However, she also followed the almost anthropologically foundational approach of understanding the rise of writing itself, sometime around 7,000 BC in Mesopotamia (2011, p. 12), as being a result of the need to keep accounts and therefore centralising commerce in the story of the rise of human civilization.

In both these accounts there is no evidence that the people who lived in the distant past had a view of their world that included separably describable domains of ideas around business, or government. Gleeson-White (2011, p. 14) does note the famous Hammurabi Code from around 1790 BC, which includes a number of rules for the behaviour of merchants (including the requirement to give what would now be called a receipt). The existence of such a code could point to the existence of groups in society who saw their roles as definably different, and differently oriented around the activity of trade. That is, there was obviously someone who believed they had the role of writing rules that other people had the role of obeying. Yet this does not imply in any sense the existence of a vast and separate domain of worldview describable by those people as different to other areas, and as something to do with business.

Carruthers (1996) traced the beginnings of modern business to the late 17th and early 18th Century in England. He described the rise of markets involving tradeable securities, the rise of parliament and parliament's powers over the ability of the realm to raise debt, and the deployment of these powers for political ends. Carruthers' is a complex and convincing story about the interrelation of political and economic interests. For Carruthers, politics and markets in what he calls the English Financial
Revolution are not separately understandable if we are to have an account of history that is comprehensive and meaningful.

Mokyr (2009) looked at the central role of what is commonly called the Industrial Revolution, particularly as the idea pertains to events in England, Scotland and Wales between 1700 and 1850. He claims that this period in time is seriously misnamed, and that changes in technology, politics, and in particular the rise of Enlightenment thinking drove changes in society. While the changes might have been most easily manifest in the industrially transformed living environment of the inhabitants, for Mokyr it was simply wrong to assume it was the industrial slice of this picture that was the cause of these changes, rather than the result of other changes to do with politics, technology, and thinking. Mokyr perhaps came closest to an understanding of changes in the world coming about not as the result of the interplay of discretely identifiable 'factors', ('industry', 'technology', 'politics'), but in the intricately formed relationships themselves.

In the relatively recent work around globalisation there is some acceptance of the idea that some of the characteristics of globalisation are not new, but that perhaps the term 'globalisation' is a new word for an old and ongoing phenomenon. Sen (2002), noted that globalisation as a transfer of ideas and technologies is neither new, nor something that necessarily takes place from West to East (2002, p. 17). Instead, he noted there have been many instances of information transfer from East to West, and questioned whether it is useful to measure or judge the effects of globalisation according to measures regarding the wealth of various peoples in the world. Instead, it should be judged according to the fairness of the distribution of goods (2002, p. 19.)

However, for most writers in the field, the existence of something describable as 'business', that is something that is separate from 'policy' is not problematic, and globalisation is one of the sites where the discourse about the character of this division is prominent.

The idea that there is such a thing as a market.

Parallel to the idea that there are businesses is the idea that there is a place (whether physically present or not) where these businesses transact. While the long history of such an idea is present in the writers just mentioned regarding the idea that there is a business, there has been considerable work on the more recent evolution of the idea of the market and its role in the broader conception of society. Hollingsworth and Boyer (1997: p. 1 - 2) note a shift in general thinking through the 1980's when the apparent failure of Keynesian economics, the Swedish social democratic model and the Eastern block countries lead some to believe that 'free market economics' was the best vehicle to increase wealth and
happiness generally. This 'free market economics' is construed as a series of policy settings and
organising principles present in a capitalist society that govern behaviours associated with
promulgating the roles of government or privately owned organisations in society. At the core of the
need for having such an organising principle is the characteristic of capitalism that: 'All capitalist
economies involve a matrix of interdependent exchange relationships, or transactions that occur
among individual actors and organisations, either individually or collectively, in order to develop,
produce, and distribute goods and services.' (Hollingsworth & Boyer, 1997, p. 6)

How these exchange relationships should be performed, and the manner and extent of
government (or other power structures) intervention in this activity is the contested space about the
role of 'the market'. The ideological belief that governments should have very little role in this activity
is sometimes termed 'neo-liberalism'.

**Neo-liberalism and the notion of markets**

The rise of neo-liberal ideology is generally associated with the decline of the post-war idea of a
welfare state. Susan George (1999) claims that from the end of the Second World War the ideas of
neo-liberalism grew among a 'small, unpopular sect with virtually no influence' into the dominant
ideology of Western capitalism. She posits the rise of Thatcherism (from 1979) as the time when neo-
liberal ideas of the primacy of private actors in a market based on the idea of 'competition' came to the
fore. More recently, as Larner notes:

>The term 'neo-liberalism' denotes new forms of political-economic governance premised on
the extension of market relationships. . . the term has usurped labels referring to specific
political projects (Thatcherism, Reaganomics, Rogernomics), and is more widely used than its
counterparts including, for example, economic rationalism, monetarism, neo-conservatism,
managerialism and contractualism (Larner, W. 2000, p5.)

However, whatever the name used, the general term 'neo-liberalism' is understood in distinction to its
predecessors (including Keynesianism):

>Whereas under Keynesian welfarism the state provision of goods and services to a national
population was understood as a means of ensuring social well-being, neo-liberalism is
associated with the preference for a minimalist state. Markets are understood to be a better
way of organizing economic activity because they are associated with competition, economic
efficiency and choice. (Larner, 2000, p.5)

Australian governments have been enthusiastic adherents of neo-liberalism to various extents. In the
education sector, the influence of the rise of neo-liberalism, and thus the creation of markets in
education has been well documented. Marginson (1997) describes a history of the marketisation of
education in Australia. It should be remembered though, that this creation of markets in education in Australia is the direct result of state intervention in the sector. As Megarrity (2007) shows, the creation of an international education market in Australia is a product of evolving state intervention in the design of regulations that permit and shape the market in international education. It is not, for Megarrity (2007) (and neither for Marginson) that the state has completely vacated the 'education space', but that the character of government intervention has changed such that the entities able to participate in and influence the course of that education 'space' has increasingly involved privately owned companies.


The theme of the effects of globalisation on the state is widespread, but varied. For Ohmae (1995) the rise of globalised capitalism represented the end of the modern state as an autonomous entity, made almost redundant by its subservience to the unholy grail of economic growth. Of nation states he says:

...these long-established, politically defined units have much less to contribute - and much less freedom to make contributions. The painful irony is that, driven by a concern to boost overall economic well-being, their effort to assert traditional forms of economic sovereignty over the peoples and regions lying within their borders are now having precisely the opposite effect. Reflexive twinges of sovereignty make the desired economic success impossible, because the global economy punishes twinging countries by diverting investment and information elsewhere (1995, p. 215).

At the same time, however, he posited that the governments that do remain within the acceptable model of globalisation's trajectory themselves become trapped by the reflexive logic of market economics:

The uncomfortable truth is that, in terms of the global economy, nation states have become little more than bit actors. They may originally have been, in their mercantilist phase, independent, powerfully efficient engines of wealth creation. More recently, however, as the downward-ratcheting logic of electoral politics has placed a death grip on their economies, they have become - first and foremost - remarkably inefficient engines of wealth distribution. Elected political leaders gain and keep power by giving voters what they want, and what they want rarely entails a substantial decrease in the benefits, services, or subsidies handed out by the state (1995, p. 214-215)
For Ohmae, the logic of the rise of the global market meant the disintegration of the traditional nation state, and the rise of economically linked 'region states' (1995, p. 218) whose power was derived from their successful synergistic relationship with the global economy. Of course, the words used here such as 'traditional', 'more recently' are entirely subjective. It could be argued easily, as it would be by some of the authors mentioned above, that nation states do not pre-date global capitalism at all, that nation states are the late interlopers in a much longer history of trade. The position of the State is vexed in modern thinking about globalisation, and sometimes the effects of globalisation (and, implicitly, privatisation) in higher education are framed almost as a symbolic lance to the guts of the traditional nation state.

Yang (2003) certainly saw the effects of globalisation on higher education as a potential threat, particularly to developing countries. He did understand however the complex interactions between governments and private sector entities that underpinned the process of globalisation (2003, p. 275). For Yang it was not simply the case that governments had vacated some kind of space and it had been filled by private sector activity, but that there was some kind of cooperation between governments (particularly Western ones) and the private sectors that had co-opted the policy trajectories of those states. This in turn, could lead to an actually more activist State:

. . . rather than globalisation bringing about the “end of the state”, it has encouraged a spectrum of adjustment strategies and, in certain respects, a more activist state. Accordingly, the responsibilities and power of national governments are not necessarily diminished by globalisation but on the contrary are being reconstituted and restructured in response to the growing complexity of processes of governance in a more interconnected world (2003, p. 275).

For Yang, this increased activism did not represent increased autonomy on behalf of the state. Rather, the shift of education into the interests of economics, and thus into the influence of the private sector represented a crucial aspect of the domination of the West through the export of capitalism (2003, p. 273). In Yang's understanding, globalisation was a kind subservience of governments to the aims of the market, and when this function was applied in higher education, the threats were particularly potent to the ways-of-being of the dominated, non-Western peoples (2003, p. 284). Yang's broad point about the counter-intuitive phenomena of globalisation and an increase in commercial activities leading to more rather than less regulation has its parallel in relation to international education in Australia in the work of Megarrity (2007).

MacEwan (1999) noted that the increasing role of the private sector in the provision of social goods leads inexorably to problems, but that an alternative of fully state based provision would result in
necessarily better outcomes is probably mistaken: 'While the problems of orthodox economic liberalism have become increasingly apparent, it is also evident that older orthodoxies that placed the state in a dominating economic role are not viable.' (1999, p. 3). MacEwan does not elucidate, however, a specific period of time where the nation state ruled supreme over a supine 'market'. Yet he did believe the rise of market-oriented policy development lead inevitably to a lessening of the ability for communities to exercise 'democratic' control over the shape of the economic systems they inhabited:

This rise of market-oriented policy is a major obstacle to democratic economic development. By reducing explicit social regulation of private economic activity and 'leaving things to the market', neo-liberalism prevents the implementation of programmes that would allow people to exercise political control over their economic affairs, involve people in solving their own economic problems, and serve the material needs of the great majority (1999, p. 5).

There is in this an assumption that 'economic development' could be 'democratic' at all. There is also the assumption that 'leaving things to the market', or 'neo-liberalism' equates to an emasculation of people's ability to politically control their economies, with 'politically' presumably meaning democracy. The rub is that the presumed 'neo-liberal' position of decreasing government regulation of commercial affairs often is often positioned on the very terrain MacEwan is saying it dissolves. That is, the idea that reducing government regulation is itself a tool for increasing the ability of people to exercise control over their own economic systems.

Micklethwait and Wooldridge (2000) claimed an opposite trajectory to that of Yang (2003) and MacEwan (1999). For Micklethwait and Wooldridge the process of globalisation and the urge for economic liberalism is aligned to an urge for a kind of freedom. They believe it is not the promoters of freedom who seek to curtail the development of globalisation, but rather the undemocratic regimes of dictators or semi-dictators, wardens of the idea of the supremacy of the State. The characterisation of globalisation that we see in Yang (2003), that it is a kind of imperialistic invasion of capitalism from West to the 'developing world' is instead for Micklethwait and Wooldridge a kind of march of liberation against the undemocratic regimes of regions outside the West. They noted that it is often the promoters of more dictatorial regimes who argue that their people do not want the cultural arrangements (economic or political) of the West:

Yet the yearning for freedom is no more peculiar to the West than the yearning for prosperity. Other parts of the world have been quieter on the subject not because their peoples are wedded to collectivism but because their rulers have been less fussy about the methods they have used to hold onto power. Singaporeans bitterly resent the fact that their government
gives them a superb education but then proceeds to treat them like children. The students who were brutally crushed at Tiananmen Square constructed replicas of the Statue of Liberty (2003, p. 14)

In this picture the State is not protector of the welfare of the people against rapacious capitalists, but a means by which one group of people go about gathering disproportionate resources to themselves at the expense of others. It is a kind of reverse of assumptions held by Yang and others about the role of the State, 'versus' the role of the market capitalists. In both views, however, there is a delineation between the idea of the State (and Policy), and the idea of Business.

Yet the realisation of an imbalance of powers in favour of the market capitalists brought about by globalisation is widespread. Grant (1997) notes:

The development of economic globalization has not been counterbalanced by the development of appropriate mechanisms of governance. The 1980s have seen an accelerating process of economic globalization, but a relatively limited development of political structures that can regulate this process.... International firms create the need for improved international governance, but they do not and cannot provide it (1997, p. 319).

While Grant warned against the 'increasingly prevalent hype' (1997, p. 321) about globalization causing an almost complete breakdown of national boundaries and sending the traditional nation state into irrelevance, he did countenance that the power of the private sector had increased, and defines economic globalisation as 'a process in which transactions across the borders of nation states increase in importance relative to those within nation states; and whereby national boundaries cease to be a significant impediment to the movement of goods and services' (1997, p. 320).

Whether this kind of activity is new, and what its effects are on nations as entities is debatable. Hirst and Thompson (1997) questioned whether the picture of globalisation as the recent transformation of the economies of the world into a world economy and the freer movement of capital and culture around the world that change putatively entails is either empirically true, or to the extent that it can be maintained to be true, whether it is in fact new. For Hirst and Thompson there does exist an interdependence between regions or nations in economic matters. This interdependence does create challenges for the lawmaking bodies in those regionally located polities (1997, p. 339), but there is not enough reason to believe that those polities are themselves significantly weakened by the need to meet those challenges:
The worldwide economy . . . is one in which processes that are determined at the level of national economies still dominate and international phenomena are outcomes that emerge from the distinct and different performance of the national economies. The worldwide economy is an aggregate of nationally located functions. Thus while there are in such an economy a wide and increasing range of economic interactions (financial markets and trade in manufactured goods, for example), these tend to function as opportunities or constraints for nationally located economic actors and their public regulators (1997, p. 339 - 340).

While policy makers need to be aware of the international economic interdependence of the different polities over which they attempt to rule, they do still rule over those polities:

The mechanisms of national economic regulation have changed but governmental policies to sustain national economic performance retain much of their relevance, even if their nature, level, and function have changed . . . Technical macroeconomic management is less effective, but the role of government as a facilitator and orchestrator of private economic actors remains strong (1997, p. 350).

This idea that it is the role of one actor, 'government', to be a facilitator and orchestrator of the separate actor 'business' will be seen to be quite pervasive in the minds of the interviewees.

Regarding the idea that globalisation was a new phenomenon, Hirst and Thompson cited data showing that international financial penetration of some major Western nations was greater between 1904 and 1914 than between 1982 and 1986. They argued that: 'Thus it is important to remember that the international economy was hardly less integrated between 1870 and 1914 than it is today' (1997 p. 345).

For Hirst and Thompson then, this characterisation of globalisation as a kind of world domination of private sector organisations that are unaccountable to national governments was simply wrong on two counts. Firstly, the economy of the world was no more interdependent than it had ever been, at least since the 1870s. Secondly, nation states retained their ultimate ability to sanction and guide commercial behaviour within their geographical borders, and, through international agreement, between international borders (Hirst and Thompson 1997, p. 359).

In a sense, this dichotomy of a historical struggle between market and state, emerging from the battlefield discourses around globalisation, can be seen as invention, with perhaps little to support a valid claim to its existence either historically, or now.
Gray (1998) was another to interrogate the idea of globalisation, or international capitalism being somehow laissez faire and modern. He claimed it was the mid 19th Century in England that saw the first push to separate the operation of the market as a single free entity from its previous embeddedness in social markets that were subject to 'many kinds of regulation and restraint'.

In the past, economic life had been constrained by the need to maintain social cohesion. It was conducted in social markets - markets that were embedded in society and subject to many kinds of regulation and restraint. The goal of the experiment that was attempted in mid-Victorian England was to demolish these social markets, and replace them by deregulated markets that operated independently of social needs. The rupture in England's economic life produced by the creation of the free market has been called the Great Transformation (1998, p. 22).

For Gray, this separation did not represent a retreat by government from some free space where the market can be at liberty to produce its various social goods. It instead represented a reconfiguration of the regulatory architecture adopted by government. For Gray there never was an actual separation of market and state in the glory days of laissez faire capitalism:

Free market governments model their policies on the era of laissez-faire - the mid-nineteenth century period in which government claimed that it did not intervene in economic life. In reality a laissez-faire economy - that is to say, an economy in which markets are deregulated and put beyond the possibility of political or social control - cannot be reinvented. Even in its heyday it was a misnomer. It was created by state coercion, and depended at every point in its workings on the power of government. By the First World War the free market had ceased to exist in its most extreme form because it did not meet human needs - including the need for personal freedom (1998, p. 25).

Gray also claimed that while there might be a claim that the project of globalisation seeks to universalise a particular form of capitalist democracy, in practice the long term internationalisation of commercial activities has resulted in various forms of capitalism in different parts of the world (p.22).

Lechner and Boli (2004), pointed to the many scholars who would see sixteenth century Europe as the original source of globalization. Or other scholars, who ‘point to the late nineteenth century as a period of intense globalization, when millions migrated, trade greatly expanded, and new norms and organizations came to govern international conduct. At the beginning of the twentieth century, such scholars would stress, the movement of people, goods, and finance across national borders was at least as free and significant as it is today’ (1998, p. 2).
These writers question a world view, however nuanced, that Government and Business are two separate, perhaps competing things. Hollingsworth and Boyer (1997) claimed: 'The old but pervasive dichotomy between states and markets has to be discarded, to be replaced by a broader array of institutional arrangements, which mix in varying degree the pursuit of individual self-interest and social obligation, relations among equals, and power symmetries' (1997, p. 53).

For Hollingsworth and Boyer the story of political and economic thinking since the 1980s has seen the development of somewhat contradictory trajectories. On the one hand there has been a shift toward 'free market' thinking in reaction to the perceived failure of Keynesian economics, the Swedish social democratic model and the Eastern bloc countries. However, in plotting a course through this paradox, Hollingsworth and Boyer claim, can be done by understanding the relationships that constitute markets and governments as varying institutional arrangements, that will vary according to the different situations faced by the peoples who constitute them at different times (p. 49). It is not, however, as simple are merely mixing pre-determined entities in the requisite way, for the entities ('coordinating mechanisms') themselves have something to do with forming the world views of the people who make them:

. . . various coordinating mechanisms provide actors with vocabularies and logics for pursuing their goals, for defining what is valued, and for shaping the norms and rules by which they are to abide . . . In short, in contrast to the logic of neo-classical paradigm, we argue that economic coordinating mechanisms place severe constraints on the definition of needs, preferences, and choices of economic actors. Whereas the neoclassical paradigm assumes that individuals are sovereign, we argue that individual action is influenced by the hold that institutions have on individual decision making (1997, p. 3).

This more nuanced view underlines the idea that in coming to engage with an environment, an entity, whether that entity be a person, an institution or some other kind of agent, is both informed by the environment they are coming into contact with, and themselves participating in the construction of that environment in two ways. Firstly, in their interpretation of the environment, and secondly in their reflexive interpretation of their place in adapting to and changing the environment. As Sabel (1997) claims: 'In the sense that agents adapt reflexively to their environment (or, in more sophisticated variants of the argument, reshape their environment in the very act of adapting to it), they are integrated into, not distinct from, their competitive context' (1997, p. 156). This agrees with Hollingsworth and Boyers' earlier claim that: 'markets and other coordinating mechanisms are shaped by and are shapers of social systems of production' (1997, p.1).
For Hollingsworth and Boyer (1997) this social system includes:

...the industrial relations system; the system of training of workers and managers; the internal structure of corporate firms; the structured relationships among firms in the same industry on the one hand, and on the other firms' relationships with their suppliers and customers; the financial markets of a society; the conceptions of fairness and justice held by capital and labor; the structure of the state and its policies; and a society's idiosyncratic customs and traditions as well as norms, moral principles, rules, laws, and recipes for action (1997, p. 1).

For Hollingsworth and Boyer it is not that these institutions other than the market are being necessarily eroded by the growing power of some entity entitled 'The Market'. Rather, the relationships between these entities are being constantly reconfigured. Nor is it that these entities attain or evince static power relations in engaging with each other. Hollingsworth and Boyer note (1997, p. 471) that, for instance, different individuals in a company may seek different relationships with different governments at different levels: they may seek less regulations in some areas, and at the same time more regulation in others. In addition, individual members of a company may seek freer capital movements and uphold free market ideals while other members of the company seek protection from localised governments. However, in the end, they note (1997, p. 474) that one of the key beliefs held by most members of society is in the rightful power of the nation state to make rules to govern markets within their realm (as well as to do things like raise taxes and provide welfare services), and also that these rules are laws that should be obeyed.

For governments, which are by definition less able to operate across national borders (in peace time), globalisation has nevertheless meant a reformation of their own understandings of what it is they can and should be responsible for, and what they can or should do in negotiating their forms of control. In particular, and in practice, for Parker (1997) this has meant a retreat by government: 'Globalization has thus moved influence from the hands of national political leaders and concentrated it in the business domain, weakening the ability of policy-makers to control key economic processes... Accordingly there are growing expectations for business to adopt roles previously played by government entities' (1997, p. 493).

For Parker government organizations that prosecute the policy aims of governments have themselves become transformed in terms of their structure, but retain their formal political power: 'while some writers proclaim that bureaucracy in its various forms is, or ought to be, dead, there is evidence to show that principles of bureaucracy may have as much currency today as ever. But in a new form:
coexisting alongside newer organizational forms, some of which are distinctly counter-bureaucratic’ (1997, p. 486).

Globalisation and the Organisation.

Not just governments, or nation states, have been seen as needing to change their structures in dealing with this new world. There has also been work on the impact of this internationalisation, or globalisation, on commercial organisational entities, whether a company or a business of some kind. Much of this work has described the various forms of de-structuring, or re-configuring, of different power relations within privately owned organisations. Especially in the 1990s there was a particular focus on the supposed relative increase in the importance of the ability of organisations to harness or capture factors in their commercial environment that might hitherto have been considered external to the organisation itself. Hence the increasing emphasis on the importance of things like 'networks' (Powell 1990, Alter and Hage 1993), or on the virtual disintegration of previously solid power relations into different forms of integrations such as Byrne's (1993) virtual corporation 'which exists only as a transient collection of 'superhighway' linkages between ephemeral entities that donate their core competencies to a temporary collaboration' (Clegg et al 2003, p. 9).

The tendency toward understanding this fluidity between what might previously have been considered internal or external influences on an organisation was a fairly common theme in the academic literature at the turn of the 21st Century, with particular emphasis on the importance of factors traditionally considered external: The newly found fluidity in the external appearance of organizations rests on the assumption that the inter-organizational relations into which an organization enters may be a more important source of capacity and capability than internal features such as 'size' or 'technology' (Clegg et al 2003, p. 6).

Like the previously mentioned interrogations of ideas about globalisation being something that is new and involves the disintegration of previously existing power relations, this view of how to study and describe organisations can itself be interrogated along the lines of whether organisations are in fact becoming less stringently structural. Perhaps they have never been as stringently structural as those who assume they are becoming less so might imagine. These are not contradictory concerns. It is quite possible to argue that when someone claims organisations are now less structured then they used to be, that in fact they have never been as strongly structured as imagined and so are not necessarily becoming less so now. Consider, for example, the level of 'structure' that could possibly be ascribed to the groups of people who were required to cooperate to work the Mesopotamian copper/grain trade along the Euphrates before 3,000 BC (Bernstein 2008, p. 26), or among the nascent share traders of London coffee houses before 1720. There is, however, general agreement that there is some kind of
relationship between the shape of polities and the shape of businesses. At the very least, we understand that the legal definition of a company is sourced from, obviously, law; and that the making of law is largely the prerogative of the government or some ruling elite. However, even this assumed autonomy of government is not universally agreed upon.

Parker (1997) emphasises the link between increasing internationalisation of business activities and the affect this has had on cultures, ideologies, and thus ideas about political governance. 'In the search for new products and markets, business enterprises spread not only consumer goods but ideas concerning wealth creation; ideals concerning how people should live and work; ideologies concerning political and business governance. . . Global business is not, then, just about business: it has cultural, legal, political and social effects as much as economic ones' (1997, p. 484).

In claiming this Parker also claims that Business is not those other things upon which it has an effect, but he is claiming a very close, almost co-formative relationship between business, and those other 'cultural, legal, political and social effects'. Indeed, for Parker the link between the design and implementation of business strategies and the creation of understandings about political frameworks is definitive. Business organisations prosecute globalising strategies at the same time as they are themselves transformed, as well as transforming the political, commercial, social, cultural and technological environment in which they operate:

Political and economic events of global scope also have cultural, political, technological and human implications; organizations and nations are linked to one another, new interdependencies of many kinds are also created. Organizations are not simply affected by globalization: the combined activities of all kinds of organizations stimulate, facilitate, sustain, and extend globalization (1997, p. 484).

Parker also adheres to the understood difference between business activities that take place across borders but in some way originate and terminate within national borders: 'international business activity'; and globalised business, which is something that exists in a global context, and takes its understanding from a 'less bordered picture of the world' (1997, p.488, p.491).

The more recent version of the dissolution of the importance of the national border, both as a legal as well as an ideological idea, has important implications then for the business organisations transformed by (and also transformative of) the global operating context. In coming to understand these newly forming entities, Parker claims a more complex and intricate understanding is needed of what is happening at the (now less defined) borders of those organisations, an understanding that appreciates the interconnectedness of the organisation and the environment, including the governing policy
environment, in which it is both operating and affecting change: 'As the complexity of sustaining a global strategy becomes more difficult, the need for a more sophisticated examination of the link between structure, strategy, systems and processes within an environment becomes apparent' (1997, p. 488)

This could be seen as an argument about the disassembling of commonly held beliefs about what actually is a business. In some ways, these ideas about the disintegration of boundaries in organisations (including businesses), can be seen as an extension of Structural Contingency Theory (Donaldson 1997), and thus not something so very new at all. Structural Contingency Theory, it can be argued, is as much an observation of the ways in which organisations are formed and change over time, as it is a prescription for the design of a successful organisation. For Donaldson (1997, p. 55) the hierarchical system is better for simple decisions because it is intrinsically faster in terms of bringing a decision to an action in simple environments. In more complex environments less hierarchical systems may do better because of their ability to process larger amounts of more complex, or nuanced, information and be more innovative in more complex environments. An organisation that is too much in the form of either hierarchy or less hierarchy according to the needs imposed upon it via its operating environment will fail, or at least do less well. Sometimes an organisation will do better as a solid hierarchy. Sometimes it will do better with a less centralised control system, so long as there is strong formalization of roles (1997, p.59). This theory might seem to allow for constant change, but can just as easily be seen as deterministic in the sense that it posits a direct cause for change in the environment in which the organisation operates (1997, p. 66). Either way, as government policy plays an important role in the environment in which the business operates, it would be incumbent on a business seeking to fit its environment to design its aims and structure around these policies.

How can this organisational shape be crafted at all? Donaldson mentions Chandler (1962), who has argued that a key determinant of the structure of an organisation is the strategy adopted by an organisation (1962, p. 61). One could then see a business as being the ramification of a business strategy. Of course, there is a threat of descending into a confusing rhetoric here, for surely the process of designing systems for creating strategies is itself part of the shape of an organisation. When we use terms like 'structure', 'organisation', 'shape' or 'strategy', we are to some extent describing the one thing. What is an organisation without structure? What is a structure without shape? The act of having a strategy presupposes some organisation to which that strategy might be applied. So when Chandler is arguing that an organisation must have a 'fit' between their strategy and their structure, a little definitional lee-way must be given. Structural Contingency Theory proposes a mission of actions whereby managers actively ascertain the ways in which their organization does or does not 'fit' within their operating environment. This presupposes the organisation (whether a business or a government department) is separately distinct from its environment, which is itself constructed of other
organisations. Structural Contingency Theory has been criticised on a number of grounds: on its not taking proper account of ideas and values as causes, on the lack of room for human choice or inclination, on its not paying enough attention to the human actors who make up an organisation. The very validity of talking about an organisation as something separately understandable from the humans that think and act it into being has been questioned. These are all valid criticism made available by the positivist character of the structural contingency world view (Donaldson 1997, p.61 - 64).

However, just because an idea like structural contingency theory (in its many forms) may be philosophically and sociologically questionable (1997, p. 63) does not mean that it, or some impressionistic bastard child of it, is not actually present in the minds of the humans that do indeed go about thinking and acting the organisation into being. It is not theoretically inconsistent to claim that, while an idea might be disorderly, it might still have actionable power by the virtue of its empirical existence in the minds of people. Donaldson is open to the theoretical problems of structural contingency theory itself, while maintaining that in practice it can provide a valuable and useful approach to describing, with a fairly high level of knowledge, the problems organisations face and how they might (or should) go about dealing with those problems (1997, p. 64 - 67). It is an example of how in the literature, while the borders between organisations might be becoming increasingly to be recognised as fuzzy, the entities still exist as separate entities.

The industry under investigation by this thesis operated in an intrinsically globalized context. The activity of providing a pathway for migrants through education, and harnessing new organisational shapes and technologies for organising this activity, while doing so in a complex series of regulatory and competitive environments spread across the world, makes the industry a very suitable case study to use in looking at the ways in which business strategy, government policy and ICT relate in the world.

Information and Communications Technology Literature

The literature regarding ICT as it pertains to this project revolves around three areas. They are the discourses around what is technology, the linked discourses around socio-technical systems or the social construction of technology, and the literature around technology and organisational systems, both governmental and commercial.

Practitioners in the philosophy of technology generally date the genesis of their subject area as a discrete domain of thought to Heidegger's The Question Concerning Technology which was
developed out of a series of lectures he gave in 1949 (Dusak 2006). For Heidegger the central concern is not to do with technology as a plain artefact, but with how we relate to technology, and more importantly perhaps, how that 'we' is experienced or performed through technology. Technology is not to be conceived of as the bits and pieces of physical stuff that perhaps inhabit, or bring physical content to technology, but rather as the 'essence' of technology. This essence is that technology is both a means to an end and a human activity (Heidegger 1997, p. 4). This seminal work prefigures much of the discourses about technology in all three senses mentioned above as being dealt with in this section. There is the idea that 'technology' necessarily does not refer to the physical artefacts of its existence alone, but relies in some way on human interaction to gain meaning, which is central to the discourses in the philosophy of technology about what is technology. There is the idea of a lived relationship between humans and the artefacts in bringing society into being, which is central to discourses around socio-technical systems or the social construction of technology. Lastly, there is the idea that technology can be a means to an end, performed through human activity, which is prominent in thinking about technology and organisational systems, both governmental and commercial.

In the industry under investigation technology was ubiquitous. Large ICT systems were deployed by government and businesses in order to control, monitor and operate the industry, as well as sanction or promote different behaviours. It was in some manner central to events, and deeply embedded in the relationship between business strategy and government policy.

**What is technology?**

This idea of technology being definitively something that extends human capabilities is still widely held today (Lawson, 2010). However, the performance of domain creation in ICT sometimes involves the construction of historical worldviews in which the phenomena of technology becomes a central, if not the central, progenitor of the human condition. Lee (2009) constructs a view of not just the genesis but the whole continuing history of the western world and its philosophy as a kind of ongoing interrogation of the life and thought-ways of humans, and that given humans are definitively beings co-constructed with technology, this interrogation (which is for Lee itself intrinsically part of being human and the trajectory of Western philosophy) is elementally about technology. Lee considers the beginning of what it is to be human to be the same as the beginning of 'Homo Faber', that being human simply is to be engaged with technology.

For Lee, the invention of a split between the human and the technical, which she considers began with ancient Greek philosophy meant technology was for a long time understood as an 'extension' of previously existing human capabilities, and definitively not a constructive factor of human society per se, but rather a product of (that is, it is produced by, rather than productive of) human evolution. For
Lee, the history of Western Philosophy is the history of the philosophy of technology, because the very nature of homo sapiens is actually that of 'homo faber', that is, that what it is that makes us human is our ability to transform nature into technologies.

*Homo faber* and its associated concept of artefact . .[is] . . just as fundamental as the Cartesian notion of the cogito, to an understanding of *Homo sapiens*. Humankind, since its inception, used tools and materials both to ensure its survival as well as to express freedom/self realization. The essence of *Homo faber* is to control and manipulate nature to serve human ends - in this crucial sense, the instrumentalization of nature is built into the concept (Lee 2009, p. 13).

Further, that since Aristotle first thought of the world as something containing artefacts and humans, the trajectory of Western philosophy's effort has actually been an attempt to come to grips with this relationship, which can, in Lee's view, be reconciled by an understanding of the human as homo faber (2009, 13 - 39). Lee's ideas provide another example of the tendency in domains to write histories of the world through the prisms of their own concerns.

Dusak (2006) also adopts an anthropological approach and describes the paradigm that there has been a long debate over whether human nature can best be understood in terms of language or tool-use. The question is often about whether 'Technology drove encephalization' (2006, p. 117) or vice versa. Dusak says the archaeological evidence is still inconclusive. He also claims many theories about the uses of technology (he cites Marxism), still hold the idea that there is some kind of human nature that is separate from the technological sphere of life (2006, p. 112 - 135). There is also here a parallel with the heroic historiography of Lee (2009) when Dusak suggests this split between the value of the head and the hand started with the ancient Greeks love for pure, theoretical thinking.

Dusak also notes the important circularity, or self justifying nature of some anthropological enquiries into the questions of humanity and technology. That is, that the use of tools has itself often been used as the definition of what is human in the fossil record (2006, p. 117 - 118). On the other hand there is a long history emphasising the language ability of humans as the crucial 'difference' between human and non-human (2006, p. 123 -124).

The point of all this is that where 'technology', and 'human' become co-definitional in an historical (though really almost a 'pre-historical') sense is contentious. Of course the very act of seeking the answer to the question of the ontological 'border' between human and technology in the remnants of the human's deep past is itself to make an inherent claim about what it is that goes toward making a truth claim about the relationship. These thinkers seem to contend that if it were possible to
empirically settle the debate about language versus tool as some kind of essence of early human development, then by extension (actually by entailment in a strictly epistemic sense) we could make claims about the nature of humans. This also obviously pre-supposes that there is such a thing as a 'nature' for a human to have.

Another writer who embeds the idea of the relationship between humans and technology within the idea of the human, and supports this argument through appeal to distant history is Kline (2003). Kline (2003, p. 210 - 213) agrees that questions about the character of technology are highly contested in discourses close to today: 'In the late 20th Century there is only one thing most people agree about concerning technology - it is important' (2003, p. 210).

Kline makes the claim that technology is not just hardware but also use, and adopts the term 'sociotechnical systems of use' to mean how different individual bits of physical technology are put together by humans into a system to 'extend human capacities'. He uses the examples of how different musical instruments are made but humans put them together to make orchestras. Or how the car is embedded in and supports the roads and petrol stations that put together with other elements become a system of transport. He defines 'sociotechnical systems of use' as: 'a system using combinations of hardware and people (and usually other elements) to accomplish tasks that humans cannot perform unaided by such systems - to extend human capacities' (Kline 2003, p. 211)

He adds this to the three other commonly associated meanings of technology he describes as a. hardware, b. technological systems of manufacture, and c. the skills of using technology themselves.

Then he claims that this 'sociotechnical systems of use' as a practice is very old for humans:

The pattern of creating hardware in special sociotechnical systems of manufacture and diffusing the hardware into other sociotechnical systems of use in order to extend our human capacities is not a product of the "high-tech age". On the contrary the pattern was adopted by our evolutionary ancestors two species before we became homo sapiens, roughly two million years ago according to the best current evidence of paleoanthropology. We humans have been making our living on earth by use of this pattern for so long a time, that it has materially affected our evolutionary path' (2003, p. 212).

These thinkers have two things in common. Firstly, they wish to meld the ideas of technology and human into one sort of idea, or conversely, claim that the separation of these two things into two ideas is incorrect. Secondly, they rely on the notion that if one were able to prove that this were the case in
the distant past, to the distance even that is only uncovered by paleoanthropology, then this would lend verifying force to their argument.

There is however, also a widely held belief that there has been a qualitative change in technology from tools that are a basic extension of the human form used to acquit some fairly obvious and generally physical aim - for example, the hammer; to a more complex variety of technologies that involve more complex materials, and less physically oriented aims - for example, the internet. This theme runs through the history of thinking about technology in various guises. From Caporael (1986) to Lee (2009) there has been a steadily repeated effort to delineate or deny this difference (though for different reasons and with different aims).

For Strijbos (2006) the idea that technologies are artefacts used in extending human capabilities is 'naïve' because 'it does not enable us to grasp fully the phenomenon of technology in the modern world' (2006, p. 107). Strijbos, however, does not lay claim to a justification in the distant past, essentially because he does not seem to feel the need to do so.

Instead, Strijbos accepts the more modern concept of technology as exemplified by Franklin (1999) that is, that technology 'is not the sum of artefacts, of the wheels and the gears, of the rails and electronic transmitters. Technology is a system. It entails far more than its individual material components. Technology involves organization, procedures, symbols, new words, equations, and, most of all, a mindset' (1999, p. 12).

For Strijbos this systems character of technology is a modern phenomenon. He uses the analogy of someone who drives a car is not just using one piece of technology, but participating in a wider system of technology: 'Technology is not a gadget or apparatus that stands separate from us as an external object, it is not a tool in our hands but it is the environment or 'the house' in which we all dwell today. Technology determines the public space of our existence. If we utilize technology by driving our car to work, for example, we participate in one of the systems within which modern society happens. And the same holds for a computer, a television, a pill, and out kitchen equipment.'(Strijbos 2006, p. 108). He also draws on Sachs (1999) work claiming that: 'Someone who flicks a switch is not using a tool. They are plugging into a combine of running systems. Between the use of simple techniques and the use of modern equipment lies the reorganization of a whole society' (1999, p. 14).

For Strijbos the systems character of modern technology differentiates it from the technology of the past. The idea of the simple human to artefact relationship is not entirely redundant in the modern
world, and completely jettisoning it would be wrong, but it alone is insufficient for describing modern technology because it lacks an account of the systemic character of modern technology (2006, p. 116).

*Socio-technical systems and the social construction of technology*

The idea of socio-technical systems has already been noted particularly in relation to Kline (2003). However, while the previous discussion focussed on the character of the human-technology relationship in itself, there is also work that extends from here regarding technology and society per se. In essence they are dealing with questions about whether society shapes technology or vice versa, or whether or not that is a sensible question to explore in the first place.

Kline and Pinch (1999) frame the understanding of the relationship between society and technology into what they call the Social Construction of Technology (SCOT). This has become both a theory in itself and a contested area of discourse. For Kline and Pinch (1999) SCOT involves an 'interpretive flexibility' which separates SCOT from more constructivist ideas of technology by understanding the artefacts of technology as co-existent with social groups. They see their theory as going beyond understanding technology as something that is embedded in human affairs, but as something that exists with human affairs. However, they are mainly attuned to a kind of methodology for understanding societies and the various elements that can be brought into consideration in describing them. They do not go so far as to co-locate the human and the technological. Instead they adopt the technological as a factor in the contestation of different powers between different groups of humans in a society, and in particular see the relative abilities of different groups to socially construct interpretations of the artefacts that make up technologies as a field for contesting power. They also acknowledge that these groups will be transformed by technology while transforming technology: 'We agree that it is important to show not only how social groups shape technology, but also how the identities of social groups are reconstituted in the process.' (Kline and Pinch, 1999, p. 113 -115). Their call is for the social researcher not to assume a 'bedrock of a technical realm that sets the meaning of an artifact for all spaces, times, and communities' (1999, p. 113 -115).

Kaplan (2009) argues for the use of a narrative theory in understanding technology. He sees the previous trajectory of ideas in the discourse he also characterises as 'the Social Construction of Technology' as misplaced in their assumptions about how to critically examine or explore the 'issue' of technology (2009, p. 84 - 85).

Kaplan is critical of the idea that there might be one kind of truth by which technology can be understood. However, this does not demean or render impossible the critical exploration of
technology and society, even if the idea of the separateness of the two is itself a contextualisation that is open to interrogation:

[T]he impossibility of absolute truth does not diminish the importance of narrating technology. On the contrary, the practical consequence of how things are narrated, even if partial and incomplete, is enormously significant: how stories about technical artefacts are told, which aspects of things are assigned significance, in what setting things are placed, which perspectives and interests represented, to whom and to what responsibility is attributed, and to whom stories about things are told determine how we think about technology and what will be taken as the truth about it (Kaplan, 2009, p. 89-90).

Kaplan comes close to an understanding of the human-as-technological-agent, noting: 'Everywhere we find humans we find relations to technologies; everywhere we find technologies we find relations to humans. Our involvements, in the Heideggerian sense, are bound up with technical artefacts and, consequently, so are the stories we tell about ourselves' (2009, p. 90).

At the same time Kline wishes to deny some kind of 'natural' value to this relationship: 'Far from being a natural, universal or technical affair, technology is a human, contextual and social affair. Technologies are socially constructed realities with meanings and functions intelligible in relation to human contexts, not ahistorical notions of scientific reason and technical efficiency' (2009, p. 91).

On perhaps the other side of the socio-technical debate are thinkers like Feenberg and Hannay (1995), who contend that social power relations precede the implementation of large technological systems, and that those technologies are often used by groups of people in power as a means of controlling the actions of other groups of people who are not as powerful: 'Technology is one of the major sources of public power in modern societies. So far as decisions affecting our daily life are concerned, political democracy is largely overshadowed by the enormous power yielded by the masters of technical systems: corporate and military leaders, and professional associations of groups such as physicians and engineers' (1995, p. 3).

For Feenberg and Hannay, technologies are deployed by these groups in support of cultural hegemonies:

Technologies are selected by these interests from among many possible configurations. Guiding the selection process are social codes established by the cultural and political struggles that define the horizon under which the technology will fall. Once introduced, technology offers a material validation of the cultural horizon to which it has been performed.
I call this the "bias" of technology: apparently neutral, functional rationality is enlisted in support of a hegemony. The more technology society employs, the more significant is this support (1995, p. 12).

Taylor (2011) argues the need to understand technological change as a prime cause of international political conflict and change, and that this understanding has hitherto been lacking:

. . . current research tends to take a piecemeal approach, focusing on individual technologies or particular periods of technological crisis, development, or modernization. In general theoretical discussions, technology has been relegated to that long list of “and also” independent variables regularly used to flesh out causal explanations of political outcomes. But if we are to understand the political consequences of, and the political obstacles to, technological change, then scholars need a more comprehensive framework. We need to move technological change to the center of political analysis and theorizing (2011, Abstract).

For Taylor, 'case study after case study' (2011, p. 1) show that technological change can and does have major disruptive effects on a society or societies, but there is as yet no overarching understanding of the role of technology in social change. Taylor is not a technological determinist though: 'I do not argue that technological politics are omnipresent, nor posit a thesis of technological determinism. New technology generates politics, but it does not determine outcomes' (2011, p. 2).

Taylor does however claim that there are general rules through which we can understand how and when technological change has deep social effects. Specifically, technological change is likely to have more dramatic political effects when it 'creates or alters public goods problems, changes market structures, creates externalities, produces imperfect information, or redistributes economic wealth or political power. Put more simply, when new technology causes market failures then society tends to demand political solutions. And when new technology redistributes wealth or power, then the losers will tend to resort to politics to defend the status-quo' (2011, p. 29).

Both Kaplan (2009), and Kline and Pinch (1999) above remain closely bound (though struggling) to the idea that there is one thing called human and another thing called technology, and that making true statements about the thing described by the word 'society' resides in folding and re-folding these two ideas. For Taylor (2011) and Feenberg and Hannay (1995) this is not seen as the primary problem of understanding technology and society. Instead, the relationship between technology and society is the locus of discourse, and understandable through various means of analysis around power relationships. This is different to Latour (1995), for whom the methodological separation of subject physical objects (for example, a door) from the human subjects leads to error because it is a false picture of the world.
that divides these things, and that anyway, the 'thing' that is to be studied is the relations between them, rather than the individual characteristics of the subjects themselves, which are, in the end, the sum total of these relationships anyway. There must be a gigantic proviso here because Latour changes his views throughout his writing. But in the famous 1995 work about a cartoon strip about two men, a door, and a cat, he wrote: "Wanting to simplify these groupings by extracting the human actors, simplifying human essence, and placing humans face to face with things equally reduced and isolated is a barbaric form of torture which, I hope, will no longer be paraded under the beautiful name of humanism' (Latour 1995, p. 280).

This idea that there are two realms present in the world, the human and the technological has been interrogated above. Some, including Lee (2009), would argue that thinking about this division is at the core of the history of human thought and of being human. This is not to deny the actual existence of such a division though. Harman has spent much time criticizing and explicating the work of Latour. He understands one of the main contributions of Latour's work to be in breaking the idea of the division:

There are not two mutually isolated zones called 'world' and 'human' that need to be bridged by some sort of magical leap. Instead, there are only actants, and in most cases it is impossible to identify the precise sphere ('nature, or 'culture?') to which any given actant belongs. The division of the world into two zones is a pointless fiction, since we have never managed to purify the world. We have never been modern. We are unable to separate the natural and cultural realms - not because they are hopelessly intertwined, but because the dualism of nature and culture is groundless in the first place (Harman 2009, p. 57 - 58).

Strum and Latour (1999, p. 116- 125) describe two ways of viewing society, the ostensive and the performative, and align ethnomethodology with the performative view. 'According to the performative view, society is constructed through many efforts to define it; it is something achieved in practice by all actors, including scientists who themselves strive to define what society is' (1999, p. 117)

Many, including MacKenzie, D. and Wajcman, J., the editors of the work from which the above quote comes, have noted that the theory emerging from Latour's work, commonly referred to as actor-network theory, fundamentally questions social theory by centralising questions of technology. Previous forms of social theory, 'cannot . . . answer the fundamental questions of social theory - What is society? How is social order possible? - because satisfactory answers to them, in the case of human society, inevitably involve reference to technology.' (MacKenzie and Wajcman 1999, p. 24). The inference here being that more general social theories have not addressed technology in the same way previously.
Technology and organisational systems, both governmental and commercial.

The ways in which governments might assist or hinder the pursuit of technological change in the cause of the advancement of the polities they variously oversee is itself the subject of contention. It is not always the case that when governments believe they are pursuing policy agendas in support of technological change, that they actually are supporting that change. Kushida (2011) shows how Japan was a leader in ICT but failed to globalise their first mover advantage, whereas companies like Apple and Google have globalised successfully. This was essentially because the rest of the world did not have the infrastructure or the technological-knowledge acceptance that various Japanese government policies had inculcated in Japan. Kushida notes though that this was not a simple case of the government directing and the society following. Kushida's general conclusion is that policy settings must encourage global linkages and be aware of trying to solve the dilemma apparent between opening up too much and losing the advantage of domestic incubations, as opposed to being too closed and getting too far ahead and becoming a leader without followers, or of getting so far ahead that the rest of the world can't connect to you and this causes the Galapagos effect. Crucially though, for Kushida, when this did occur in Japan it was not the result of one actor controlling all the other actors. Instead it was almost a cooperative effort to fail, obviously unwittingly, though certainly concertedly.

As Yeung (2011) argues, the deployment of ICT systems as a designing force for regulation often entails potential or actual abrogation of a subject's moral agency. This in turn has the potential to, in certain circumstances, erode basic liberal human rights. At the same time, the complexity required to design, build, enforce and maintain such systems often means it remains likely they will not achieve the aims they were originally set.

Technologies are used by governments in a variety of ways. Often these are to do with monitoring, measuring, and creating notifications for further action by designated government actors. Technological 'architectures', generally describe a more complex system design whereby technologies are deployed into a system (that they are also obviously creating), and the channels and blocks built into that system that guide or force certain paths of action by the users. They can be used to enforce compliance along the set of actions the government wishes its subjects to undertake. These kinds of systems are often designed and implemented along with the implementation of regulatory frameworks, and the industry under investigation was replete with such structures. As Yeung (2011) writes: '[technological] instruments are employed at the standard-setting stage of the regulatory cycle, consisting of technical measures intended to influence actions by shaping, structuring or reconfiguring the practical conditions or preconditions for action.' PRISMS is an example in the industry under investigation of this category of use of technological systems.
The government-sanctioned requirement that PRISMS be used for a plethora of functions in operating the industry had significant effects on the course of events in the industry, and, in a practical sense, on the daily activities of large numbers of people who physically operated the system. Implementing new technological infrastructures often entails changing the work-ways of the people who are to interact with the new system the infrastructure channels (Klischewski 2011).

Moving practically from design to implementation, Jafee (2001) notes the idea that technology within an organisation can be delineated into core and peripheral, where the core technologies might be the machines in the factory that do the heavy lifting of production work, and the peripheral might be the computer and the printer in the manager's office (Jafee 2001, p. 185). Jafee claims the adoption of new technological systems in a business organisation can lead to organisational changes, and that these can be described in four parts. Technology can bring increased relative value to a product, improve efficiencies, increase available information processing power and innovation, and lead to better integration of functionally different though interdependent parts (Jafee 2001, p. 195).

Jafee claims that in combination the effect of new ICTs on society and the businesses that operate in it has created a change in organisational behaviours that can be characterised as 'postmodern' (Jafee 2001, p. 285 - 286). However, these changes are not themselves representative of a change in the relation between people and technologies. For Jafee, the human motivation remains central: 'these technologies enhance and facilitate the shift toward alternative, flexible, non-bureaucratic, organizational forms. They do not determine these changes... the realization of an "emerging organizational paradigm" employing these practices is contingent on the beliefs and ideas of engineers and managers (the design principles) and the implementation strategies employed (the design implementation)...This confirms the importance of the social organization in shaping the impact of technology' (2001, p. 196).

For Jafee, for all the impact technologies can and do have on a business organisation, the tensions inherent in those organisations remain, and are a result of the shape of the society in which they operate (2001, p. 290).

This section has given an outline of some of the main discourse areas to do with technology today. These involved questions around what is technology, around the relationship between technology and society, and around the use of technology by governments and organisations. While some of the authors above dealt with issues of definition, especially around the relationships of society/technology, and human/technology, there has been little work interrogating the specific area of the relationship between policy, business strategy and ICT as a tripartite relationship.
In the education/migration industry existence of the PRISMS represented a large and highly connected ICT system that attempted to control and monitor the international students and providers. It became an important factor in rendering business strategies applicable. In addition, the availability of new technologies, from banking, to the internet, to cheaper air travel, all contributed to the viability of business strategies designed to implement the pathway to permanent residence. Yet the role of ICT in a tripartite relationship with business strategy and policy has not been examined to the same extent as the issues discussed above.

**Summary and Research Questions**

The literature review has provided an overview of the academic literature pertaining to the industry, as well as looking at some current theoretical issues in the fields of policy, business, and ICT. The academic literature paints an historical picture of the currents of thought about the industry over the life of its creation, boom and eventual demise. Throughout this time, the academic literature about the industry concentrated largely on policy issues: the reasons for policy formation, and its successes and failures. However, while there is overt concentration on policy issues, the works carry implicit assumptions about business strategy. That is, there is a preponderance of work going toward the idea that businesses were set up to ‘exploit’ the ‘loopholes’ in government regulation, and thus deserve some of the blame for the sudden increase in the number of student-migrants. Only Baas (2006) addresses (and briefly) the quandary business executives were put in by government policy with any implied sympathy. However, putting aside for the moment the normative claims of the majority of writers about the relative blameworthiness of businesses, their writing does suggest that business strategy played some role in the rise and decline of the industry. It is unlikely that any of the reviewed writers would suggest that either policy or business strategy alone were solely responsible for the rise and decline of the industry. There is some kind of relationship here between policy and business strategy.

The writing in the policy area concentrates, understandably on questions of what exactly policy is, and how it is formed and implemented. The writing in the area of business does look at the ways in which the relationship between governments and business is changing in the globalised world, but it concentrates less on the actual relationship between the policy and business strategy.

There was no academic literature about the role of ICT in the industry. Also, the theoretical literature on ICT concentrated on similar issues to the literature to do with policy. That is, most of the ICT literature deals with questions of what ICT is, but also with how it goes to constructing the world.
around us, and questions about the relationship between ICT and Society. Here again, however, there is no work directly interrogating the relationship between ICT and policy, or between ICT and business strategy.

However, this writer suspects the relationship between policy, business strategy and ICT was of key importance in understanding the rise and decline of the industry. So, the research questions are:

- What was the role of Government Policy in the rise and decline of the private vocational providers in the education/migration industry in Australia?

- What was the role of Business Strategy in the rise and decline of the private vocational providers in the education/migration industry in Australia?

- What was the role of ICT in the rise and decline of the private vocational providers in the education/migration industry in Australia?

These questions were posed not necessarily to uncover three discrete factors contributing to the rise and decline of the industry, but rather to investigate the relationship between the three in the rise and decline of the industry. This will hopefully go to illustrate the deep connectedness between these three areas in our society, a connectedness that has not hitherto been comprehensively explored as thing in itself. While there is literature looking at each area in turn, and looking at the relationship between Government and Business, there is little literature addressing the triumvirate relationship between Government Policy, business strategy, and ICT. By looking at the roles these played in the industry, it is hoped that new knowledge about this relationship can be generated, at least in regard to the industry under investigation. Whether that knowledge is then transferrable to other industries would be the subject of further investigation.
Chapter 2. Methodology

*Theoretical concerns regarding and underpinning the aims of the project.*

The methodology adopted by a researcher should in some logical way connect the empirical data collected with the research questions and any conclusions that might be drawn in the project (Yin 2003, p. 20). Concurrently in cases where the researcher does not know beforehand the key variables to measure, or in cases when the topic is new, then a research approach that might be loosely defined as qualitative will probably suit (Creswell 2009, p. 18). However, the combination of methods employed in this research project cannot be described easily as 'qualitative' or 'quantitative'. The key reason for this can be found in the way the thesis is investigating the nature or character of a series of things, namely, Business Strategy, Government Policy, and ICT and the ways they interact within another thing: 'the Industry'.

In drawing conclusions about how these things interact, the thesis inevitably needs to address the ontology of these things. Therefore, because the thesis does not want to presage or prefigure the ontological character of the subjects of its investigation, it can not adopt a methodological approach based on any one obvious criteria: hence it will not make claims as to the epistemological values pertaining to methodological criteria such as those commonly described as quantitative or qualitative. However, as the adoption of an extreme position in this regard might result in having nothing useful to say at all, the thesis will need to deploy some assumptions in order to proceed. These will, however, be ontological in nature, not epistemic, which is a strange kind of position that will be dealt with now.

In investigating the relationship between ideas that the thesis has itself raised as being investigatable it ipso facto adopts an accepting position toward the existence (in some manner) of those very ideas. There are things in the world that are ideas that may be habitually grouped into areas like Business Strategy, Policy, and ICT. Further, there is in existence a series or group of ideas about events that may be summed up or characterised as the industry upon which the project focuses. It is inevitable that in investigating the relationship between these ideas the character of the existence of these ideas, as evinced in their being present in the world and in some relationship with each other will need to be examined. The industry then becomes the example being used to investigate the relationships between ideas like Business Strategy, Policy and ICT. Therefore, the adoption of any one structured characteristic of rules for deciding the idea of 'what exists in the world' is likely to be problematic, as the thesis is interrogating that very idea, and the adoption of any one schema raises the risk of pre-figuring the outcome of the exercise. However, in claiming an ineligibility to adopt a stringent ontological position, the thesis is obviously adopting one that makes this very claim.
Do the domains of Policy, Business Strategy and ICT actually exist?

It is fairly straightforward and obvious that there are ideas in the world to do with Policy, Business Strategy, and ICT. But a domain of thought is more than just the existence of any instance of an idea about one or other of these things. The words themselves 'Policy', 'Business Strategy', 'ICT' are used in the academic domain sense to point in some way to (or emerge in some way from) a collection of works and ways of thinking that are often gathered together in some place or time. The library is organised into these themes. One may do a degree in 'Policy' that is assumed to not be, nor to contain, the same flavour of knowledge as involved in a degree in 'ICT'. These areas or themes of thoughts and ideas then, are in some way organised. Ideas about computers and the internet might be organised in building 35, by people in the Faculty of Information Technology, for the teaching of people doing a degree in Information Technology, and they may have a special library (or certainly a section of a central library) devoted to the bits of knowledge they are imparting, or the criteria for assessing which bits of knowledge in the world are bound into their particular activity, described as ICT or, in other cases, Policy, or Business Strategy.

Outside of universities, much of the world is divided along similar lines. While not always neatly into Policy, Business Strategy and ICT, the core of such divisions is easily apparent. Government ministries are divided according to domains. There is a Minister for Small Business, a Minister for Communications. Government departments are divided as if they represent separately understandable domains: The Department of Innovation, The Department of Immigration, The Department of Education.

Much public discourse is fretted with these domains. Our newspapers are often divided into a section on Technology, a different section on Business, and yet a different section maybe on 'Federal Politics'. At the core of our political discourses lie contests about the relative importance of these domains: whether the government should tax 'Business' less or invest more in 'Technology'. Even at a personal level this division permeates our daily lives, people ask if a young person wants to be 'in' IT, or 'in' Business.

At yet another level, numbers of books are written about how the history of the world has been driven by one or other domain: how IT has changed the world; or how Trade shaped the world. These go to constructing worldviews about the history of society based on the power of one domain or another. People come to hold very strong views about the relative importance of 'Government', or 'Business', or 'Technology' both in the history of the world, and in the world's future, as if they were different, separate things as well as constructed domains of thought.
That there are areas of theoretical conception along the lines of this division into Policy, Business Strategy and ICT is then clear. Throughout the literature review we shall see that it is not only possible for a researcher to go about dividing academic works into areas to do with Policy, Business Strategy, and ICT, but that in practice these divisions already exist in the academic literature.

For the purposes of this project, the reason for the existence of these domains is not really relevant, but the existence of them is crucial. It is theoretically possible that other societies have constructed very different systems for understanding and explaining the world into being. There is no necessity to Western thought's tendency to divide (or create) the world of ideas into semi-organised, separately understandable domains of Policy, Business Strategy and ICT (and obviously the writer is not claiming these are the only domain divisions in western thought). However, in both a theoretical and practical sense, it is clear that there is a tendency in Western thought to create domains, and that there are very persistent and prevalent domains of thought relating to Policy, Business Strategy, and ICT.

In accepting the existence in the world of these ideas the thesis is only accepting their existence as ideas that are commonly practiced by people, and which may have their existence as ideas evidenced by various emanations from people. For the purposes of this project those emanations systemically recorded are primarily documents and recorded words in interviews. It is entirely possible though for a whole cacophony of human actions and products to be brought into the scope of evidence material for the existence of ideas. To ignore all of these emanations of human activity in investigating the existence of the idea 'Business', and focus merely on the written documents and opinions of the people involved in recorded interviews alone might seem a less than comprehensive manner in which to go about investigating the character of existence of the idea 'Business', and its contribution to the idea of 'the industry'. However, that is what this project is going to do. In a practical sense, the converse possibility, that is, summing up and analysing every possible emanation from humans that could evidence the character of the existence of the idea 'Business' would be impossible at this stage. It is accepted that there are limitations inherent in choosing documents and the opinions of people in recorded interviews as indicative sources of evidence for the character of an idea.

**Did 'the Industry' exist?**

It could be argued that the events being gathered and described in this thesis as 'the industry' are more properly seen as a subset of the larger industry to do with international education. This would be a fine and understandable position to adopt. However, it does not have any practical effect on the investigation. The term 'the industry' in this investigation is understood to mean the events surrounding the rise and decline of private vocational providers in providing vocational courses that lead to permanent residence. It could be counter-argued that this activity was qualitatively different to
other parts of the international education to the extent that a separate designator of 'industry' does in fact apply. However, this also would not have any practical effect on the investigation. For the purposes of the investigation, the term is used as a shorthand for the events under investigation. It was an understanding present to the interviewees, and so, in a similar way to the investigation's acceptance of the apparent idea that there are domains in existence to do with Policy, Business and ICT because the terms exist in the world and are used by practitioners to denote the existence of the domains, the investigation also accepts that as the interviewees assumed the existence of the industry it can be used as an understandable term. It is accepted that the interviewees almost certainly used the term for a shorthand sign for thematically grouping a number of events, and that others might query the theoretical efficacy of this grouping, however, the interviewees did use the term and so in a sense bring the idea into being. At a basic and practical level, it will be much easier for this writer (as it was for the interviewees) to adopt the nomenclature of 'the industry' than to be continually re-interpreting or re-evaluating which of the events under investigation should or should not be theoretically construed as part of this grouping 'the industry' or not. Therefore, so long as an event had something to do with the rise and decline of the private providers in the provision of vocational courses leading to permanent residence, and the interviewees were likely to accept this as true, the event will be considered part of the group of events that will be called 'the Industry'.

The available information.

There are two broad categories of information: documents and people. There are two considerations to deal with in choosing these two sources. Firstly, they are available to the researcher. Secondly, it is accepted that in selecting these kinds of sources the view is being adopted that something can be known about something else by examining documents and recording interviews with people who believe they have some knowledge about the area being investigated. Also, that using these data sources can be useful in generating new knowledge about the topic of investigation. It is accepting that, while there is something in the world to do with, for example, ICT, it is not available to this thesis to be able to describe the totality of that thing based upon the totality of the data theoretically available. However, it is possible to say enough about it to create new knowledge using the data available.

The interview subjects

The interviews were limited to the views about the roles of Government Policy, Business Strategy and ICT in the Industry of certain categories of people. Many people can have views about immigration policy in Australia, and those views can contribute in their own way to the totality of what something like immigration policy means in Australia. However, there is probably a difference in the pieces of
knowledge one might ascertain from different groups of people depending on their relationships to each other in terms of things like power, influence, purpose and knowledge of technical detail. The intended audience for the research is people who have positions in society that allow (or require) them to make decisions that affect the lives of other people through business or government policy decisions. The thesis agrees with Creswell (2009) that the intended audience of research can be validly considered in adopting strategies for methodology in undertaking research.

Therefore, interviews were conducted with people who have (or have held) positions in society that allow (or require) them to make decisions that affect the lives of other people through business or government policy decisions. Interviews were also conducted with people who have detailed academic knowledge about the industry, and whose knowledge could be said to have contributed to the ideas and opinions of people who make decisions that affect the lives of other people.

It is acceptable that this leaves the thesis open to the claim that it has elucidated aspects of the relevant ideas only as they relate to the worldviews of a particular group of individuals. It is almost certain that a similar investigation carried out among people from completely different backgrounds and with completely different roles in society would result in different views about the character of the ideas of Policy, Business Strategy and ICT. However, it is possible that such an investigation would not be studying the same thing. The thing that is the idea 'Business Strategy' might have very different characteristics in the mind of a twelve year old immigrant fruit picker to the characteristics in the mind of the owner of a large private college. The differences might be the subject of some other investigation, but this investigation is about the characteristics as they existed in the minds of people such as the owner of the college, or the person tasked with regulating that owner's activities, or the Senator tasked with drafting laws about the regulator, or the academic writing learned reports about the industry for a Senate committee. These people's ideas might differ or coalesce around some characteristics, but it is their ideas that this thesis is investigating, and so there is a key element of purposive sampling present in the project.

Most of the interviewees were known to each other either personally, professionally, or through reputation. If not directly known to each other it would certainly be possible to link all the interviewees through only one degree of separation (not counting the researcher). It is perhaps in the character of 'groups' that there be some kind of associative relationship between the members. In this instance, being within (or around) a group of decision makers in a certain industry that grew quite quickly from a small number of people to a very large number of people it is perhaps likely (if not inevitable) that the people involved in the industry as it grew would develop some kind of relation with the other decision makers present when the industry was smaller. The fact that the interviews were undertaken toward the period of decline of the industry meant the people available to be interviewed about the industry were all people who had spent considerable time actually in, or in
some way closely related to the industry. In addition, these were the kinds of people the researcher was seeking out anyway.

The interview subjects' connectedness has a theoretical and methodological impact in that to some extent they 'share' cultural and political power (however unevenly) through their loose group of associates. It could then be assumed that they may share some understanding of the meanings of the ideas Policy, Business Strategy, and ICT, and that this understanding is buttressed by the shared power frameworks that create and inform and reinforce the power relations that constitute the very existence of this association. Conversely, it could be claimed that the active discursive practice of creating the meanings associates with ideas like Government Policy or Business Strategy between members of this group acts as a creative force in delineating relations of power and influence. It is open to others to assume or not assume this. This thesis is not attempting to analyse the processes of meaning creation among groups as either a structuralist or post-structuralist endeavour. It is investigating how these ideas are present and understood and used for the specific group from which it is drawing evidence. It does not pretend that this will therefore create some new knowledge about a rule for understanding how all ontologies are created among all groups. It is only examining the ideas of Policy, Business Strategy, and ICT, for this one, loosely associated group. However, while it is hoped that coming to an understanding of this may provide new perspectives on the relationship between policy, business strategy and ICT in this specific instance, other researchers may wish to extend the investigation into other areas, with other ideas, and other groups.

There were twenty-five interviewees. The interviewees were not simply separable into 'Government people', 'Business people' and 'Academics'. This was because many people had varied careers across these areas. This table below shows the number of interviewees in each area as they were at the time of interview, but also the numbers of people who had previous experience in other areas. The table is a general guide. It has been created by first assigning an interviewee to an area, and then also assigning them to a different area for the past when they have had experience in that area. This is why the total number of entries is greater than 25. This table was not created through any detailed examination of the interviewees' resumes, but rather through experiences as either mentioned by the participant or else patently obvious from publicly available information.

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<tr>
<th>Area</th>
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<th>Past Government</th>
<th>Past Private Provider</th>
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The absence of student-migrants in the interview group.

There has been work on the experience of student / migrants in the industry. Baas (2006, 2007), Robertson (2008, 2009, 2011), Tran and Nyland (2011, 2013) and others all investigated various aspects of the experience of these people in the rise and decline of the industry. However, this investigation did not interview any student / migrants. The reason for this is three-fold. Firstly, as just mentioned, considerable work has been done on the experience of student-migrants during the course of the industry’s existence. This work has concentrated on the student-migrants' motivations and experiences as subjects of policy changes (Baas 2006, 2007), the ways in which they negotiate their subjectivity (Robertson 2009, 2011) and their experiences and motivations as trainees (Tran and Nyland, 2011, 2013). Secondly, the thesis is investigating events as understood by the senior decision makers in the industry as a case study about the relationship between Policy, Business and ICT. The student/ migrants certainly had impacts on each of these as customers, or actors, or victims. The impact they had could be the subject of further investigation. However, it is likely that their experiences differ substantially from some of the shared experiences of the senior decision-makers in government and business, and the thesis is investigating the understandings of these senior decision makers as people who had the role to make decisions that clearly affected the lives of other people. The thesis aims specifically to examine these people's views as a set of people, distinct to the set of people who were the student-migrants. This leads to the third reason for not interviewing student/migrants. This is that while the decisions of the student/migrants individually might have drastic effects on the lives of those around them, in a decisive sense the student/migrants were individually the subjects of the decisions of others. En masse, of course, the student/migrants were an essential and creative force for the industry, however, coming to some statements about what 'they' thought about the relationship between Policy, Business and ICT would be extremely difficult in that the number required to be interviewed would be beyond the scope of this investigation's resources. On the other hand, the number of senior decision makers in government and business was quite small, and accessible.

Therefore, for both theoretical and practical reasons, student/migrants were not interviewed as part of the project.
Interview Design. Implementation and Analysis

Interview Design.

The first interview plan was to conduct a fairly free flowing interview, framed with a series of questions designed to elicit responses in relation to the three thematic areas of Business Strategy, Government Policy and ICT, and their relationships to each other as the interviewee believed could be made apparent through their own experiences in, and opinions about, the events in the case study under investigation. The questions were simple and straightforward:

- What was the role of Business Strategy in the rise and decline of the education/migration industry in Australia?
- What was the role of Government Policy in the rise and decline of the education/migration industry in Australia?
- What was the role of ICT in the rise and decline of the education/migration industry in Australia?

These questions were put to the interviewees in the context of a re-telling of their experiences in the industry and in the time period under investigation. The interview would begin with a question about when the interviewee thought the industry 'began'. For example: 'So, when do you think this whole education/migration industry thing began?' This would lead to the basic questions being asked in relation to the interviewee-nominated beginning of the industry. There was also an inevitable expansion upon the basic questions as interviewees usually interpreted questions like: 'What was the role of Government Policy in the beginning of the industry?', as actually being something like 'Why did the government put policies in place that lead to the creation of the industry?'. The interviews would then progress chronologically, weaving in the basic questions about the roles of Business Strategy, Government Policy, and ICT whenever the interviewee seemed to be touching on them in their re-telling of their understanding of the history of the industry.

The chronology was elicited in three broad sections. The first, leading directly from the question about when the industry began, dealt with what was happening in the industry at the start of the time period the interviewee had nominated as the beginning of the industry. Once the interviewee appeared to grow bored with that part of the story the next section would be introduced. Often though, the interviewee would naturally move onto the next section as their re-telling moved forward in time. The second section asked questions about the 'boom' time. These were questions like: 'Can you tell me
about what was happening when the industry was booming? Again, if the interviewee raised issues that might broadly be considered to be about Government Policy, Business Strategy, or ICT, these would be prodded as they arose and the basic questions would be asked. Thirdly, the same approach would be taken about the end of the industry, with a question like: 'Can you tell me about what happened, and why it was happening, as the industry began to shrink?' These inevitably lead to questions such as: 'Why do you think the government decided to implement policies to close the industry down?', or 'How do you think the Business Strategies of the providers contributed to the closing down of the industry?'

One shift in interview strategy occurred early on. It became very apparent in compiling the early interview transcripts that directly asking the interviewees the basic questions about the roles of Business Strategy, Government policy, and ICT seemed to result in a heightened risk that the interviewee might seek to describe something they probably suspected the researcher might want to hear. Or, on the other hand, the interviewee seemed to mentally dip into their memory and decide that, one or other of the factors being investigated had nothing to do with the rise and decline of the industry. This occurred even though it was patently obvious to the interviewer, and easily made obvious to the interviewee, that with further reflection the factor could be considered present in some way.

For example, toward the conclusion of one interview, the interviewee claimed that they did not think ICT played any important role in the industry at all, and still didn't. At this point a ping was heard, the interviewee looked at his computer, swore heartily, and asked if the interviewer had any experience dealing with the absolutely inadequate database technologies deployed by the large scale education provider for which the interviewee worked. The interviewee claimed it was almost impossible to work with the database technology. This incident brought a moment of reflection to the interviewee, who then reconsidered his position about the role of ICT in the case study industry.

Incidents such as these raised a number of concerns. Firstly, it seemed readily apparent that in asking the basic questions directly, any number of events that might have occurred in the interviewee's daily life could drastically skew the answers given. Secondly, that putting the basic questions directly had the effect not of provoking reflection and contemplation on behalf of the interviewee, but instead sometimes of shutting down reflection and provoking quicker, blander, and crucially, less reflective responses.

Thirdly, there was a tendency to historicise the industry and the themes. This almost inevitable situation arose as people 'recounted' their experiences in the industry and post-justified their own role in the industry.
Not all of these concerns represented threats. For instance, regarding the third, it is virtually impossible to ask a question of someone about 'what happened when?' without that person then telling a 'story' in a vaguely chronological fashion where the purpose is often to frame a story about the past that goes toward becoming premises for some kind of conclusion. That conclusion being, again almost inevitably, some kind of lesson, or message, about what the person learnt, or how the person was proven right, or unjustly ignored, or had some kind of victory or unjust defeat. Therefore, 'narratives' were common. Whatever the empirical strengths or weaknesses of this phenomena, it was always going to be present.

The potential problems of the first two concerns were lessened by adopting a different interview strategy. This essentially meant focussing questions more directly on the interviewees' own experience of specific events in the past and seeking details about those events. This had the effect of hopefully bringing the interviewee to more closely addressing the issues at hand, and doing so a little freer of the daily issues they were facing. Most of the interviewees were busy people with many other concerns in their day, and thus it was not easy to get their focus away from the next pressing appointment to concentrate on the rather esoteric activity or participating in a research project. By allowing them some time to concentrate on the details of past experienced interviewees did seem to come more 'into the moment' as they began to (maybe) more enjoy recounting their experiences.

This also had the effect of making the basic questions seem less confronting to the interviewees. It appeared hard for the interviewees to be suddenly confronted with a question like: 'What was the role of Government Policy in the rise and decline of the education/migration industry in Australia?,' or 'Can you tell me about what happened, and why it was happening, as the industry began to shrink?'. Most of the interviewees were coming out of one meeting and about to go into another meeting about some or other pressing issue, and just were not able to suddenly shift their minds and start offering seriously reflective answers to such questions. However, by changing the approach and asking more specific questions about their own experiences early in the interview, the interviewees did seem more able to focus and then more able to offer more reflective answers later in the interview. In essence, the interviewees were allowed more time and space to settle into their reflections. It is impossible to retrospectively prove that this approach definitely proved more fruitful: maybe subsequent participants would have been more reflective anyway, or maybe there was some contributing change in the manner of the interviewer that put later interviewees more at ease. For whatever reason though, the interviewees seemed to begin offering more reflective answers to questions, and be more willing to proffer considered views about the roles of Business Strategy, Policy and ICT in the rise and decline of the industry.
Interview implementation

The interviewees were identified in three ways. Some interviewees were personally known to the researcher, and known to hold positions of power or influence through the researcher's own experience in the industry. The researcher spent a number of years as a manager in private providers in the industry. Other interviewees were identified through publicly available information that indicated they were, either currently or previously, in positions of power or influence. Other interviewees were referred to the researcher by previous interviewees. This represents a combination of methods to do with accessing professional networks, and snowballing.

Once identified and found agreeable, the participants were interviewed either at their place of work, or in a room in RMIT, or in a place of convenience such as a café, or in a few cases over the phone. The length of interview varied from over one hour to a little over half an hour. The average length of interview being about 50 minutes. The first interview was conducted on the 18th of January 2012 and the last on the 30th of August, 2012.

Once an interview was transcribed a copy was sent to the interviewee, giving them an opportunity to review the transcription, make changes, or add anything they thought might be relevant to their answers in terms of addressing the overall concerns of the interview. Interviewees were asked to return the amended transcripts to the researcher, along with permission (if granted) to quote directly from the transcript in the thesis if the writer so desired.

Of somewhat tangential interest a number of interviewees declined permission for the writer to quote directly from the transcripts, even though the Participation Information and Consent Form stated clearly they would not be identified and their identities would be kept confidential, and they were all reminded of this at interview. Most of the interviewees who worked as public servants at the time granted permission for direct quotes from their interviews to be used, with the exception of one serving politician.

Methodologies for analysis of interview transcripts

Two methodologies for the analysis of interview transcripts were posited, and they essentially revolved around whether or not to divide the transcripts into groups according to the current professional position held by the interviewee. At first this seemed a fairly straightforward metric to use. That is, divide them into people in business, people in government, and people in academia. Analysis could then be undertaken about the similarities and differences of ideas within and between
groups, and then some kind of story told about how they differ from or are similar to each other. The points at which they differ or resemble would become the mining site for uncovering the 'meaning' of how the various factors contributed to the rise and decline of the industry. It was not to prove so straightforward.

In the end this methodology would be adopted, though not for the reason first suspected. The impetus to adopt this methodology ended up being derived from the tendency of interviewees to self-identify with these groups, and their stronger tendency to identify others as belonging to one or other of the groups loosely understood as business, or government, or less commonly, academia. However, in getting to that position a key assumption first needed to be rejected. That is, the assumption that people who the researcher might identify as belonging to one or other of the groups would hold similar views about the contributions of policy, business and ICT, and that these views would be containable to, or valuably identified with, one or other of the groups. This turned out not to be the case, bar two exceptions, and neither of these were ascribable to a single group. It became clear fairly early that it was simply not the case that, for example, all government regulators held similar beliefs about the role of business strategy. Nor was it the case that all business people held similar views about the contribution of business strategy. Indeed, it was the case that some business owners held ideas about the contribution of business strategy that were closer to some of the government people's views, than were some government people's views close to other government people's views. Matters like this gave the researcher reason to question the idea of categorising people in the first place.

However, there were two major exceptions. Firstly, everyone agreed on the key importance of policy in the creation of the industry, and virtually everyone had a similar understanding of that role. As will be seen in the findings and analysis, the role of policy was seen as central to the whole construction of the industry, and the ways in which interviewees re-told the history of the industry centralised policy. It was therefore possible to ascribe a common belief among members of a group about the role of policy: it was just that the commonality was also common among other groups. This questions the needs for groupings in obvious ways, but it still exists as a phenomena and does not necessarily negate the usefulness of groupings.

Secondly, the interviewees almost universally held the belief that there were groups in society along the lines of business people, government people, and academics; and that the people in these groups would hold similar views even when, in fact, they didn't (except for these two exceptions). Interviewees would often use these groups as shorthand for sets of ideas. Statements like 'The governments thought . . .' or 'The academics were saying. . .', or 'The college owners thought . . .' were common, but most commonly proffered by people who did not self-identify as being a member of the group to which they referred. College owners were not likely to proffer: 'all college owners
thought', because to college owners, the multiplicity of beliefs held by college owners was probably too large to allow validity to a claim about 'all' college owners. However, people from government or academia had very clear (though nuanced) views about a group called 'college owners', even though in this specific instance they further sub-divided that group in ways that will be discussed in the findings.

So while it was originally thought that categorisation of interviewees into business, government, or academic would be useful because of the assumed content of the beliefs these people would hold about the roles of the various factors in the industry, it actually became necessary not because of the specific contents (which differed in individuals) but because of the self-identifying, and other-self-identifying of the interviewees themselves into those groups. The content of each group's ideas greatly differed internally about the subject matter, except in the sense that each group believed that the other two groups existed and would differ, even when they didn't.

This process of self selection could not be ignored, and was crucial to the worldviews of the people being interviewed, and so it was accepted that the categorisation (even with its false assumptions about the likely content of other groups' beliefs) could be playing a significant role in the creation of meanings for the ideas of the contributions of Policy, Business Strategy and ICT. It was therefore accepted at a basic level as a tool for sorting beliefs, and accepted as a characterisation of the construction of the world in the beliefs of the participants. It was not accepted though, as an a priori constructive tool for understanding the meaning of the ideas being investigated, rather as a characteristic of the ways the interviewees saw the world, and therefore as a phenomena that could not be ignored.

This categorisation was useful, and plainly existed in the minds of interviewees. However, in reading through the transcripts again it became clear that even though the participants viewed the world at a superficial level to be dividable into groups they would assume would hold certain kinds of beliefs, it was not actually very useful in terms of coming to understand what the phenomena being studied were as phenomena, nor as the phenomena of a relationship.

The division of the transcripts into groups according to how the participants viewed the world to be divided served as a method to build another method. That method was to draw out of the interviews what were the more commonly held beliefs about the roles of the three areas of concern and examine them in the findings chapters. Commonalities between members of perceived groups are noted in the findings when they occur, but the plain fact of a high level of difference between members of any group means that it was not going to be useful to the actual purpose of the thesis to explicate findings according to the ideas of each group as if the ideas were attachable to a group, because in many cases they weren't.
Instead, the findings describe the key common beliefs among all participants about the roles of policy, business strategy, and ICT in the rise and decline of the industry along the lines of those beliefs themselves as they were presented by the participants.

*The documents: The sourcing and sorting of documentation.*

The documents examined included academic articles, newspaper articles, books, government reports, government media releases, hansards, college-produced advertising and administrative material, transcripts of speeches, web sites, and of course the transcripts of the participants’ interviews. In effect, anything the researcher could find that could be related to the industry and to the ideas of Policy, Business Strategy and ICT within the time available to undertake the project.

The intention was to sort these documents into the thematic areas of concern. However there were two issues with this approach. Firstly, to do with which area a document might best fit into, and secondly, to do with the role of academic articles as either artefacts of the industry, or as critiques about the industry.

In regards to the first concern, for example, The National Office for the Information Economy (NOIE) produced a report in 2003 about various government initiatives to use ICT to transform the way government implemented policy and regulation. One of these initiatives was the introduction of electronic confirmations of enrolment and PRISMS. This is clearly an ICT issue for the industry, but it is also an issue about ICT and policy. In addition, as the document was produced in 2003, well before (or just about) the time nominated by most participants as the 'beginning' of the industry, it is somewhat of a historical document in that it goes to buttress an understanding of the beginnings of the industry without itself necessarily being an artefact from the beginning of the industry.

In regards to the second concern, there were key academic articles that were mentioned by interviewees as being of great importance in informing and guiding policy makers in their deliberations about which policies to pursue. In addition, the authors of some of these key academic articles were personally involved in advisory panels and report committees that were directly mentioned by senior government interview participants as being important in guiding and informing government decision making. Further, as some of these authors clearly played a role in contributing to decision making in government, some of them became interview subjects. Should a document (academic article) that government-based interviewees themselves claimed had a significant effect on their decision making, and that was written and promoted by people who participated in the decision making process, and who were also therefore interview subjects, be considered an artefact of the
industry? Or should it be considered some kind of separate critique of government policy from an independent academia?

This simple delineation between artefact and academic article would therefore seem odd in some cases. Neither of these examples can be wholly considered 'inside' or 'outside' of the group of documents that can be considered artefacts of the industry. At the same time, the issue of which document is addressing which concern remained in play. There is one additional complication regarding documents that were produced by government, and were about the industry, but provided a kind of 'outside' perspective. For instance, Koleth (2010) is a government produced document that lists and summarises the policy trajectory across the story of government policies linking migration with onshore training. It does so through a chronological examination and summation of Ministerial Press releases. In doing this Koleth (2010) provides a kind of historical perspective to the industry, perhaps as if written from an 'outside' perspective, yet it is clearly a government produced document about the industry, for use by government officials, and so is also an artefact of policy about the industry.

Of course, these issues were not always intransigent. Many documents fit fairly easily into the relevant areas of concern. However, a significant number did not. The method adopted to overcome these issues was to sort the documents according to Policy, Business Strategy, and ICT where the case was fairly obvious. A further delineation was made to collect documents pertaining to the history of the industry. This collection was further divided into academic articles about the industry, and government sourced documents about the history of the industry. There was also a section within the history section for documents pertaining to the history of the AQTF. The government produced documents included AEI data, DoI produced documents, Parliamentary documents such as hansards, PRISMS information, government commissioned reports, and ministerial press releases. These were further sorted by year of production.

The academic articles were collated by year of publication. In addition, the academic articles identified by participants as being important for government decision making in policy formation were also collected in the policy section. This merging of academic articles only occurred in between the policy section and the history section. The effect of this is that in some cases academic articles are also considered artefacts of the industry where this is relevant, while all government produced documents are considered artefacts of the industry. As there were no academic articles directly addressing ICT in the industry and at the same time being involved in government policy about the industry, there was no need to merge between these sections.
Instead, the sections to do with ICT and business strategy each contained two sections, one to do with academic articles about the area, and one to contain artefacts from the industry regarding the relevant section. The total number of documents collected was approximately 455. The majority of these were to do with government policy, the history of the industry, and government produced documents.

Analysis of documents and shaping the project

The sorting mentioned above represented an attempt to organise the documents generally according to the thematic areas of concern, with some accommodation for complications arising. Once the documents were shoved into the relevant section and sorted chronologically within sections it became possible to examine them in a way that began to reveal the historical trends occurring in the industry. While the bulk of the documents were examined prior to interviews being undertaken, a number of documents were produced during and after the interviewing period, and some documents were sourced after being mentioned by interviewees as relevant. The documents were examined for traits pertaining to the thematic areas of the project. Notes taken throughout this examination were then further divided into the thematic areas of concern and then examined as a totality.

As data from the interviews and the documents began to emerge it became plain that chronology was a key part of the way the interviewees viewed the industry, and the way in which the documents were produced, and to what they referred. It was clear that the interviewees and many of the documents described the rise and decline of the industry as having three distinct periods. They were the beginning of the industry, the middle years when the industry 'boomed' into a 'perfect storm', and then the closing down of the industry. As all the interview participants thought of the story of the industry in this way, and as most of the documents also evinced this kind of narrative, it was decided to consider the findings in similar categories. The findings are then organised into the thematic areas, and then within those into the beginnings, the middle parts, and then end of the industry. This was practical in regards to the concerns around policy and business strategy, though not so in regards to ICT because of a lack of comprehensive data from the interviewees.

The importance of re-telling in creating meaningful understandings about the industry, and the contributions of policy, business strategy and ICT to the industry becomes a key concern in the process of meaning creation. The existence of this kind of re-telling is acknowledged in the structuring of findings, from which an analysis can be formed.

Another matter that became important through the collection and sorting process was to do with understanding the industry as an event in itself. While the project is focused on the roles of policy, business strategy and ICT, it is only focussing on these as they ramify in the industry. However, in
constructing and accepting the idea that there even was an industry, a lot of data and knowledge is being asserted implicitly. That is, while there is lots of information coming out of the interviews and documents, the information is all about something else: the industry. Without an implicit understanding of that industry it would be very difficult to understand what it is that the data is providing information about. The character of the interviews meant that a lot of implicit knowledge was accepted as being present between the researcher and the interviewees. The reason for this is the researcher's own experience in the industry, which is discussed below. However, while the acceptance of implicit knowledge may have been somewhat advantageous in the interview process, and to perhaps a lesser extent in the collection of documents, it also meant that much of the content of the interviews held assumptions about the existence of the industry that are not necessarily implicit in the minds of people who were not similarly involved in the industry.

In essence, in order to make findings about the roles of policy, business strategy and ICT, it was also necessary to make clear that these rely on implicit findings to do with the industry itself. Therefore, the tripartite division of things being investigated would need to be extended to a fourth subject: the industry. However, this does not mean that 'the industry' in this case would consist of an encyclopaedically comprehensive explication of everything to do with the pathway to permanent residence through onshore training. Rather, it means an explication of some of the implicit knowledge that operated during the interview process, and the collation of documents. In addition, it is not as if this explication could be like describing something easily and readily apparent in the world. The implicit knowledge involves knowing of the existence of disputes about matters, of arguments and contests to do with how the industry could or should be described. However, while participants certainly would hold disputing views about issues present in the industry, there was fairly consistent implicit agreement about what it was that people were disputing. It was clear an explication of this was necessary, and that the uncovering of these disputes was indeed a finding within the data collection process. Therefore, the findings section would need to begin a section about the industry, to provide a contextual guide to what the participants were talking about.

A note on the researcher's own experiences

The researcher was deeply involved in the industry throughout the time period being examined. As a Director of Studies, then Campus Manager, then National Operations Manager, the researcher had a lot of personal experience upon which to draw. It is undeniable that many of the interview subjects were aware of the interviewer's experience in the industry and this presented benefits and problems.

A major benefit was the ability to approach and be granted interviews with key people with very little difficulty. Another benefit was the pre-existing understanding among interview participants of
implicit knowledge held by the interviewer. The policy and regulatory frameworks operating in the industry at the time were quite complex and intricately co-dependent. Interviewees who knew the researcher previously did not need to embark on laborious explications of this complexity as would have been necessary with an interviewer who had little or no pre-existing knowledge of the industry. This perhaps afforded the interviewees the ability to reflect on the issues at hand without needing to stop and untangle the complexities, as they would have needed to do for a lay person.

A major problem was anticipated in the assumed potential for interviewees to tailor their responses to what they thought the interviewer might want to hear. However, this did not occur to anywhere near the extent it was feared. The fact that the interviewer was no longer involved in the industry at the time of the interviews, and that interviewees who had previously known the interviewer were aware of this, seemed to have more than just an ameliorating effect on the danger of the interviewees tailoring their responses. No longer being involved in the industry, the interviewer had no position of influence or power in relation to the interviewees, and so, the motive for interviewees to tailor their responses was, in practice, absent.

Instead, most of the interviewees previously known by the researcher seemed more than willing to speak their beliefs frankly, even almost keen to unburden themselves of the experiences they had just been through. It should be remembered that, at a human level, much of what occurred in the industry during the time period caused very serious anxiety to many of the interviewees, and some of the interviewees even mentioned that the ability to sit and talk about what they had just been through felt good to them on a personal level. In combination, the two factors of the interviewer having good pre-existing knowledge of the industry, but also having no more to do with the industry provided two advantages. On the one hand the shared pre-existing knowledge meant the interviewees could move quickly to speak of issues rather than explain complex regulatory details. On the other hand, the fact that the interviewer was no longer involved in the industry, yet had been known to many of the interviewees, seemed to provide the interviewees with a confidence that their opinions, and to an extent, their 'feelings', could find some sympathy in the interviewer.

Summation

The aim was to create new knowledge about the relationship between government policy, business strategy and ICT in the education/migration industry in Australia. There was an implicit assumption that this might hint at the character of the relationship between these three entities in society in general, however it is unrealistic to suppose the character of the relationship in one specific example would necessarily translate to a more general claim. If it is at all possible to do so, that would be a project for future research.
In examining the relationship between the factors in the industry it was necessary to examine the ontological character of the factors themselves. The need to do this meant the adoption of any one set methodological criteria would be problematic as it would threaten to prefigure the character of the existence of the factors: something that could not rightly be done when the character of the factors and their relationship with each other is itself the subject of the investigation. Instead, a position regarding meaning was adopted: that being, that the interviewees were co-creating meanings in their interactions with others. An acceptance of this position means that interviews with the participants would in essence be an uncovering of the meanings they were creating. The participants were asked questions about the roles of government policy, business strategy and ICT in the rise and decline of the industry. An analysis of the interviewees’ responses would therefore provide a description of the meaning of the factors and their relationship to each other.

The data collected was in the form of interviews and documents. The interview procedure was adapted during the investigation in an attempt to mine as much data as possible from the interviewees. The documentary data collection lead to complications about what should be considered an academic article about the industry, and what should be considered an artefact of the industry. This was resolved by treating some academic articles as both artefact and critique.

The existence of a large amount of implicit knowledge in the interviews (and to some extent in the process of collecting documents) meant that an explication of the idea of 'the industry' would also be necessary if the data collected about the industry was to be understandable.

The initial collation of data suggested that the data sources themselves contained a strong predilection toward understanding the industry in chronological terms. This realisation influenced the further collection and structuring of data, which then influenced the structure of the findings. This structure would then feed into the analysis of findings.

The project, then, is collecting, presenting and analysing data in accordance with its stance toward what would constitute a meaningful piece of new knowledge. In combination, the documents and the interviews can be analysed to present a meaningful picture of the relationship between government policy, business strategy and ICT in the industry.
Chapter 3. Findings

Findings about The Industry. A contextual guide to what the participants thought about the industry that also provides framing for their responses to the key interview questions about the roles of policy, business strategy, and ICT.

The history of the education/migration industry is contested. Each individual account of the events occurring within the thematic construct of the idea of ‘the industry’ differs at some level. Differences occur for a number of reasons, probably as many reasons as there are differences. The kind of role a person played in the industry, their relationships with other people inside (and outside) the industry, their own understanding of themselves, the things they did before and after the time of the events under investigation - all these factors, and probably uncountably more, provide potential framing devices for individuals when recounting ‘what happened’.

Everyone can agree that something did happen. In order to provide a context to the participant's views and the issues explored, it will be useful to provide these findings of the generally agreed principles and events that describe ‘the industry’ and ‘what happened’. Even in this outline, not everything would be agreed upon by all participants. Instead, this section acts as a starting point from which the different competing accounts might flow. It includes an account of some of the events and issues widely recognised by many of the interviewees to have been important in the rise and decline of the industry, as well as an account of the regulatory frameworks as they were at the commencement, during, and at the end of the time period being investigated. This would be generally acceptable as a plausible account of some matters in the industry by most of the participants. At the very least, this account is provided in order to give some idea of what it is that the participants are talking about when they talk about ‘the industry’. This account is also restricted to the matters pertaining to the interests of the thesis as a whole. It does not pretend to be comprehensive in describing causes or results, but will provide for the other sections of the findings to follow with an understandable context. Without this explication, which in a sense uncovers much of the implicit knowledge held by the researcher and the interviewees, it would be difficult to situate the other findings within the context of the industry.

This section in three parts. First, it will deal with the beginnings of the industry. This will involve providing a picture of the regulatory architecture present in Australia in the general areas of immigration, vocational education, and international education; along with the key issues within each area as generally understood by interview participants. Secondly, it will provide a picture of the growth and decline of the industry in numerical terms. Thirdly, it will provide an account of the regulatory changes made toward the end of the time period under investigation. The focus on regulation and policy is justified by the concentration the interviewees put on these. This is not to
necessarily endorse the emphasis put on policy, but as policy and regulation filled so much of the content and emphasis of the interviewees ideas, it is essential that the emphasis be explored.

It will also be necessary to explain some of the beliefs about causality held by the participants in order to explain the choices made in selecting the parts of the regulatory architecture with which this chapter deals. In doing so, it also provides a framework of findings from an analysis of the documents collected relating to the industry.

Beginnings: The start of the idea that there is an industry.

The rise of neo-liberal approaches to government policy settings has been discussed [p. 51]. A key ideological underpinning of the neo-liberal approach is the belief that markets are an efficient mechanism (maybe the most efficient mechanism) for organising the transaction of goods and services among the members of society. Megarrity (2007) noted the overt promotion of a 'free market' in international education was used by Commonwealth governments, particularly at the beginnings of the international education industry. For Megarrity (2007) the rhetoric of 'free market' or neo-liberal ideology was not in practice wholly matched by a corresponding lessening of regulation, but rather an increase in regulation. This is not necessarily in contradiction with the ideology of neo-liberalism in that the creation of markets does require the intervention of governments (through regulation) to dictate and control such matters as who may trade, when, and under what conditions. However, as the findings will show, the belief that a 'free market' in international education was a good thing, and a noble endeavour was held by many of the participants, and is evident in the documents emanating from government, particularly at the beginning of the industry.

In practice, the ideological underpinning of neo-liberalism, in the form of a belief about the efficacy of 'free markets' shaped both the international education and vocational training areas during the time period under investigation. Some of the ways in which this shaping took place were so deeply embedded in the industry that they were not always readily identifiable sites for disputation. For example, the idea that there should be private providers of vocational training at all was not really something considered contestable by the participants. Likewise, the idea that international students should be able to attain government endorsed qualifications through training at private providers was not raised as an issue. However, the extension of the ability to issue government endorsed and developed qualifications to private providers has been problematised in the past (Marginson 1997). As will be discussed, this ability was key to the success of the private providers. However, the idea that private providers should have that ability at all was basically an accepted fact of life for the participants. Different participants held divergent views about what could have or should have been
done regarding the effective regulation of private providers, though none asserted a belief that there should perhaps just be no private providers.

In this way, the ideologies underpinning neo-liberalism were pervasively present both in the overt regulations that governed the industry, and at a deeper level in the minds of the people who participated in the creation and operation of the industry. To see how this ideology was present in the minds of government policy makers at the beginning of the industry, the Koleth (2010) paper will be most useful.

The Koleth (2010) paper is a government produced document that provides a detailed chronological account of the policy changes made during the life of the industry. It is not an academic article, and it does not seek to make any argument about the industry. It is instead merely a list of summations of ministerial press releases.

The paper 'provides a chronology that draws on ministerial press statements to trace changes in Australia's immigration policies in relation to overseas students between 1997 and 2010' (Koleth 2010, p. 1). There is an assumption here that 'policy' can be described through Ministerial Press Releases, which is itself an interesting assumption to make. The paper also begins by offering a brief analysis of: 'the way in which the landscape of immigration policy in relation to overseas students has developed since 1997' (Koleth 2010, p.1). Koleth chooses 1997 because this 'appears to be the point at which the Howard Government commenced making announcements about overseas students as an immigration issue'(Koleth 2010, p.1). While the paper is not an analytical account of 'the industry', it is framed by certain understandings that mean it gives an account of the industry anyway. The framework conception operating within the paper is that: 'Policy changes in this period were pivotal in facilitating the rapid growth of overseas student education in Australia by forging links between the overseas student program and permanent skilled migration' (Koleth 2010, p.1).

This framework conception, combined with the fact that the paper was ever compiled in the first place, holds some implicit presumptions. Firstly, that there was a lot of economic activity around international education. Secondly, that for a period of time migration outcomes for students were linked to international education. Thirdly, that Ministers, or the people working in minister's offices, created and disseminated press statements and other documents at different times that pertained to different aspects of international education and migration, and they did so in such a way that one may group the documents chronologically, study them, and ascertain an evolution in policy to do with overseas students and migration: The evolution of immigration policy over the past 13 years fostered the development of a complex nexus between the overseas student program and the skilled migration program' (Koleth 2010, p. 4.).
The paper's earliest chronological account begins in 1998 with a media release from Dr. Kemp (then Minister for Employment, Education, Training and Youth Affairs), describing a new marketing initiative to attract more international students to Australia. This press release does not however mention any proposed link to possible migration outcomes, and instead focuses on the dollar value of international education. It offers an increase in revenue from 1997 to 1998 of $3.22 billion to $3.41 billion, and an increase over the same period in the number of students from 151,464 to 152,200. The release also predicts that by 2001 the industry will be generating revenue of $4.49 billion and there will be 180,000 international students in Australia. This release implies the existence of something identifiable and quantifiable, and names it 'the export of Australia’s education and training industry'. However the press release does not overtly mention any link, or aim to link international education with permanent skilled migration.

The Koleth paper then notes that in August 1998 the Commonwealth Government announced that from July 1st, 1999, applicants for permanent residence visas would be able to attain an additional 5 points on their assessment when they had obtained a 'diploma, trade certificate or degree from an Australian educational institution'(Koleth 2010, p. 7). This decision was framed by ideas about Australia being in a global competition for skilled migrants, and implies that the possibility of graduated international students being a good source of these migrants was already in the minds of the people who could make policy decisions of this kind in government. That it was actually in their minds has been widely supported (Markuss, Jupp and McDonald 2009, Hawthorne 2005, Birrell, Hawthorne and Richardson 2006). As Koleth describes it:

'This change enhanced the ability of eligible former overseas students to migrate to Australia on a permanent basis and was seen as increasing Australia’s global competitiveness in attracting more overseas students and skilled migrants.'(Koleth 2010, p.7).

The appeal of such a scheme was that it would seem to benefit both the burgeoning international education industry, and Australia's ability to attract migrants in a global competition for skills at the same time. The importance of supporting the former may also been seen to rest somewhat on the financial benefit brought to universities through international students, a benefit which can be further extended to the government by way of decreasing the need to increase funding to universities. This picture of government motivation has often been proposed, and continues to hold widespread support. This is, however, a motivation not overtly recorded by government issued documentation during the early part of the industry. However, it is perhaps useful to bear in mind in understanding the ways the supposed benefits of this program of government action coalesced, and at least had the potential to be so appealing. The belief that governments held such a belief was also common among the interview participants.
In terms of the ability to attract migrants in a global competition for skills, and the idea of appealing to graduated international students in this regard, the first mention of linking graduated overseas students to migration opportunities as a policy outcome around this time occurs in a speech by Philip Ruddock, then Minister for Immigration and Multicultural Affairs in 2000, when, in referring to changes made from the 1st of July, 1999, he said:

The Government has also effected a critical shift in the way in which greater numbers of successful overseas students are able to migrate to Australia after completing their studies. This gives Australia a significant advantage over competing countries in terms of our ability to attract more overseas students and more skilled migrants. (Ruddock 2000a).

Implicit in the aim of attracting more skilled migrants to Australia at the time was the idea among policy and other government workers in the late 1990s that Australia was suffering from a skills shortage that should be alleviated, and that government policy could and should contribute to this alleviation (DEST 2002; Koleth 2010, p 2.). Though there is some debate about the veracity of claims regarding the extent of the shortage (Mitchell and Quirk 2005), the perception in government that the skills shortage did exist was strong (Birrell, Hawthorne and Richardson 2006, p.10). This belief underpinned and motivated the changes to regulations designed to create a new pathway for international students studying in Australia into permanent skilled migration (Ruddock 2000a). One of the key evidences for the likely success of adopting such a program was the 1998 Longitudinal Study in Migrant Outcomes.

The migration arena.

In order to put this link between international students studying onshore and permanent skilled migration into place, the Commonwealth made a series of regulatory changes in the area of migration. The framework system to which these changes were made might be summarised as 'the points system'. This is a system whereby applicants for different visa categories are assessed against a schema reflecting certain characteristics or attributes the Commonwealth implicitly holds to be measurable, and worthy in potential Australian citizens. Applicants were assessed against a number of criteria and awarded a number of points corresponding to each criteria, the aim for the applicant being to achieve a certain number of points in order to be granted the desired visa. The criteria can be changed by the Commonwealth in an effort to manage the 'types' of people who might ultimately be granted the visa type for which they are applying. The Commonwealth can do any one or a number of the following:

1. Change the criteria assessed.
2. Change the ways the criteria are assessed in terms of evidentiary requirements.
3. Change the number of points awarded against different criteria.
4. Change the 'pass mark', that is, the total number required in order to be granted the desired visa.
5. Change the 'threshold' requirements, that is, the basic requirements the applicant must evidence before their application can be assessed against the criteria.
6. Introduce, repeal or change complimentary or concurrent systemic requirements. For example, processes for producing evidence of qualifications, or proof of age, or work experience, or level of ability in the English language.
7. Remove the points system.

Thus, should the Commonwealth decide to admit more ex-international students to permanent residence status, it can introduce criteria, or modify existing criteria in a way that relatively benefits ex-international students when their applications are assessed against the criteria.

There were three key changes to migration regulations that occurred at the beginning of the time period under investigation that can be, and are, readily interpreted by participants and supporting documentation as being designed to provide more international students for the international education industry and at the same time assist in alleviating the perceived skills shortage in Australia at the time.

The first is the already mentioned July 1999 change that provided for additional points to be awarded to applicants who had obtained their diploma, trade certificate or degree from an Australian institution in Australia. This began to advantage international students in applying for permanent residence status. However, in 1999 it was not sufficient for the generation of the growth in private vocational providers because the advantage was not great enough to provide an incentive to choose a vocational pathway to permanent residence over some other pathway.

The second change was the July 1999 introduction of the Migration Occupations in Demand List (MODL), which allocated additional points for people applying for permanent residence who could successfully prove that they held qualifications in, or were of, certain occupations. While all applicants were required to nominate an occupation on the Skilled Occupations List (SoL), nominating an occupation on MODL provided the applicant with more points than nominating an occupation that was only on the SOL.

Neither this second change, nor the two changes in combination were sufficient to be considered immediate causes of the growth in private vocational courses. Firstly, of the 17 occupations on the MODL in July 1999, none of them were viably trainable at scale by private vocational providers, and
the points system was designed so that having an occupation on the MODL was seriously advantageous to an applicant. While successful application was still possible with an occupation only on SOL, the introduction of the MODL immediately impacted on the pathways chosen by prospective migrants (Ruddock 2000b). However, in 2000, the MODL was modified to include some occupations that were at least conceivably trainable at scale for private providers, including Chef and Pastrycook. Later, the increase in the overall pass mark in April 2005 from 115 to 120 points had the effect of further entrenching the importance for the applicant of nominating an occupation on MODL, and lifted the proportion of applicants for permanent residency who nominated an occupation on MODL from 9 per cent to 42 per cent within a year (Koleth 2010, p. 10).

The third important change at this time was the 2001 change that allowed some graduated international students to apply for permanent residency onshore, without first having to return to their home country. This initially applied only to certain, mostly IT programming, occupations. Also the onshore applicant did not need to show work experience in their nominated occupation, while offshore applicants did, though this exemption would not remain in place for very long (Birrell and Rapson 2005, p. i; Koleth 2010, p. 8). From July 2003 international students applying onshore needed to complete at least two years of study onshore in order to access this exemption (previously the requirement had been one year onshore study). These three changes in concert did provide encouragement to the growth of migration linked education in the tertiary sector, particularly among the profession of accountancy and within some IT programming occupations (Christopher and Hayes 2006; Birrell and Rapson 2005).

But while these three changes were not, individually or in concert, sufficient to provide the impetus to the growth in private vocational providers immediately after their implementation, they did create the conceptual and political frameworks that would shortly allow further changes that contributed to the rapid increase in student numbers into private vocational colleges. In summary, these political and conceptual frameworks were:

1. That Australia was suffering from a skills shortage in a global and competitive environment for skills.
2. That international students were a viable source of people with skills that could be used to ameliorate the skills shortage Australia was facing.
3. That an immigration system based on the points system, in combination with the MODL and the ability for students to apply onshore for permanent residence, was an economically and politically responsible and effective way to join the supply of international students with Australia's demand for skills that were in short supply.
Between 1999 and 2008 the number of occupations on MODL grew from 17 to 106, with the introduction of 142 occupations and the removal of 43, 21 of which were IT related occupations removed in one go in April, 2002.

Cookery, Hospitality and a number of trades were added from May 2005 as part of a deliberate aim to increase the number of trade qualified people accessing the general skilled migration program by making 'Australia's skilled migration arrangements more competitive' (Vanstone 2005).

The key difference here is that some of the occupations, most prominently perhaps Cook, Hairdresser and Welfare Worker could be trained by private vocational providers at a scale that was potentially profitable. There were further complications for the student intending to apply for permanent residence in meeting the criteria of the points test, including obtaining enough valid work experience. There were also complications for colleges who would seek to cater to the students' demand for courses that lead to permanent residence, including for example endorsement from the relevant assessing authority in the case of Welfare Worker. But these (and other) complications were surmountable.

It is in the combination of the provision of more points for onshore study, the addition of trade occupations to MODL that were trainable by private vocational providers, and the ability for applicants to apply onshore immediately upon graduation that this area of contribution to the growth of the industry can be found. But that is only a perspective built upon migration regulation, which, while it is clearly relevant and central to the story, is not in any sense comprehensive, or even sufficient in describing the early stages of the growth of the industry.

Another key aspect is the design of the vocational training system in Australia that allowed the private colleges to exist in the first place, and also allowed the colleges to deliver their courses in a way that took advantage of the opportunities provided by the changes in migration regulations. Of course the intricate interdependence of this industry can already be glimpsed in this, for as much as the private colleges were able to design courses to capture the opportunity, so too was the Commonwealth able to design an immigration system that took advantage of the shape of the education and training systems then in place.

*The Vocational Training arena.*

Australia's education system is broadly divided into four tiers. They are called higher education, vocational education, secondary education and primary education. The vocational education sector is often referred to as VET, meaning Vocational Education and Training. The VET sector is meant to
provide training in trades, and in other areas not normally associated with trades but at a level considered below or overlapping somewhat with the degree level courses provided by the tertiary sector. So while the trade ‘Bricklayer’ would be pretty obviously associated with the VET sector and not with the tertiary sector, the VET sector also provides a number of courses in areas like Business, Accounting or even Welfare. The VET sector would not normally be expected to provide courses like Philosophy, or Latin, or Law, as these would be more generally considered at home in the higher education sector, with some exceptions.

There are differences between the VET and higher education systems of delivery in Australia. One is that VET is mostly delivered through Competency Based Training (CBT). Competency Based Training is described by the Victorian Government as:

an approach to vocational education and training that places emphasis on what a person can do in the workplace as a result of completing a program of training. Competency based training programs are comprised of competency standards set by industry that each student is assessed against to ensure all the outcomes required have been achieved. Progression through a competency based training program is determined by the student demonstrating that they have met the competency standards through the training program and related work, not by time spent in training. (Department of Human Services 2010).

It should be noted that CBT is not of necessity limited to VET, and that CBT based approaches can and are used in training models for courses that do not lie necessarily within the broad scope of VET (Guthrie 2009, p. 9). CBT was introduced in Australia from the 1980s ‘as part of wider economic policy measures to improve the skill levels of the Australian workforce, enable Australian industry to be more competitive in global markets and establish new career structures for the Australian workforce.’ (NCVER 2000).

In the 1990s a number of reports into the VET sector identified problems arising from the entangled state of the sector at the time. In response to this in 1992 the States, Territories and the Commonwealth agreed to the establishment of the Australian National Training Authority (ANTA), which commenced operation in 1994. This body developed the Australian Quality Training Framework (AQTF), which was aimed at providing a consistent framework for vocational training across the States and Territories. While States retained the registration role for providers, the AQTF was positioned as a framework that regulatory bodies and providers could both look to and use in providing courses and in ensuring the organisations delivering courses were doing so in a way that cohered with organisations across Australia in terms of things like level of difficulty, and in particular, which competencies were to be trained at which level, and in which area. The responsibilities and
functions of ANTA were transferred to the DoE in 2005, and the AQTF was reprised in 2006 and adopted in a new form in 2007. The AQTF was further amended and new Essential Conditions and Standards were implemented from July 2010.

The detailed history of this sector is quite complex, but in coming to understand the general historical context of the industry there are two important factors that need to be understood here about how the VET system operated at key times during the life of the industry.

Firstly, when a registered training organisation (RTO) sought to provide a course to students, the content of that course in terms of the competencies that must be taught during the course were already designed, and available. This was the necessary result of the creation of common competencies within a CBT philosophy of standardisation that could operate across the States. Indeed, RTOs were required to deliver (and in their guise as RTOs could only deliver) courses that were already accredited, as a course, by ANTA. Colleges could in theory provide other courses, not accredited via ANTA, but only courses accredited through ANTA and delivered by a registered training organisation (RTO) could be considered fully bona fide vocational qualifications, and it was this class of qualification that would be recognised by the Commonwealth as part of the application for permanent residency on this vocational training pathway.

The courses themselves are held within Training Packages, which are conglomerations of courses within an industrial area. So, for instance, a college that decided it wanted to provide its students the course that lead to them becoming qualified as a Welfare Worker, would need to provide the course Diploma of Community Welfare Work. The rules about what competencies (collected in ‘units’) must be delivered for this course, unit sequencing, and other matters required for the course to be delivered in compliance with AQTF requirements could all be found in the Community Services Training Package. This training package, along with all the others, was available online, via the National Training Information Service (NTIS), later transformed into Training.gov.au.

This standardisation and systematisation of course structuring had the effect of delivering to the RTO, free, the skeleton of a course. What remained for the RTO was to procure assessment tools, trainers, and a space in which to do the actual training. There were additional complications around satisfying the requirements of the government-designated bodies charged with assessing whether or not an applicant for permanent resident is actually of the occupation they have nominated (termed ‘assessing authorities’), but the role of assessing authorities can be safely left aside at this point.

The implementation of standardisation and systematisation of competencies within courses within training packages; and the free dissemination of this information had a number of results. One was
that it released what might have previously been considered information for the exclusive use of government owned and run colleges of vocational education to the private sector. It could be argued that this is, in effect, outsourcing the delivery of vocational qualifications. Various other regulatory and legislative programs through the 1990s and 2000s, have had the effect of increasing the presence of private sector provision in VET in Australia. What is important here is that this standardised and open system meant it was comparatively easy for privately owned RTOs to gain access to information about the structure of courses. At the same time it was a regulatory requirement that privately owned RTOs provided courses within the structures provided by government. The effect of being able to obtain this information for any course meant that complexities attendant to changing course delivery from, say, Business courses to Welfare courses or Hairdressing courses were minimised. That is, because much of the course itself was already available, the RTO executives needed only to become expert at the delivery of courses - the provision of assessment tools, trainers and space; rather than expert in the content or contextual matters of any given individual course.

The second important matter is the compliance requirements imposed by the AQTF 2007. There were a number of changes implemented by AQTF 2007, but of key importance was the change in focus, or emphasis in the way compliance with requirements was to be implemented by RTOs and monitored by regulatory authorities. The AQTF 2007 Standards for State and Territory Registering Bodies was the document used to centralise and then disseminate standards and protocols to the various registering bodies, to ensure consistency across the different jurisdictions. It describes its own 'Key Features' as its intention to be 'Outcomes focussed', 'Nationally consistent', 'Streamlined' and 'Transparent'. The two important features here are 'Outcomes focussed', and 'Streamlined'. By 'Outcomes focussed' the document claims to mean:

'AQTF 2007 focuses on the quality of services and outcomes being achieved for clients rather than the inputs used to get there. This means that registered training organisations have more flexibility in demonstrating how their individual approaches provide quality training outcomes for their clients.'(AQTF 2007, p.1).

By 'Streamlined', the document claims it means:

'The standards for registered training organisations have been simplified and streamlined to focus on outcomes. AQTF 2007 places the focus of quality assurance squarely on training and assessment, client services and management systems.'(2007, p. 1)

This shift to focussing on 'outcomes' was presumably expected to be reflected in the evidentiary requirements imposed upon RTOs in order for them to show compliance with certain 'Standards'. There were three standards, they were:

Standard 1: The Registered Training Organisation provides quality training and assessment across all of its operations.

Standard 2: The Registered Training Organisation adheres to principles of access and equity
and maximises outcomes for its clients.

Standard 3: Management systems are responsive to the needs of clients, staff and stakeholders, and the environment in which the Registered Training Organisation operates.

Under each of these standards, the documents list ‘Elements’, which are statements about activities an RTO would be undertaking were it compliant with the Standards. There are five under Standard 1, six under Standard 2, and three under Standard 3.

An important element in terms of compliance with these standards was that the first element under each Standard was to do with the creation and operation of a continuous improvement program. They were:

Under Standard 1:
1.1 The RTO collects, analyses and acts on relevant data for continuous improvement of training and assessment.

Under Standard 2:
2.1 The RTO continuously improves client services by collecting, analysing and acting on relevant data.

Under Standard 3:
3.1 The RTO uses a systematic and continuous improvement approach to the management of operations.

The crucial ramification of this change was that RTOs could now be assessed as compliant, not according to whether or not the RTO is compliant with some technical course requirement as held within a training package (though this could still be argued with some serious effort and technical expertise), but according to whether or not the RTO was operating a continuous improvement program. By its very nature a continuous improvement program seeks things to improve, and so activities or processes that might be considered far less than ideal in terms of operational compliance may be co-opted into the continuous improvement program and thus rendered operatively compliant.

It is a belief by some interview participants that this shift to outcomes focussed monitoring of compliance and its concomitant emphasis on continuous improvement programs as the main evidence for compliance changed the character of compliance regimes and of RTOs themselves, though some participants would disagree as to the relative level of impact of these changes compared to other factors.

However, it would be generally agreed by most interview participants that these two factors in combination constitute an important part of the context in which the story of ‘the industry’ takes place. Many other factors might be mentioned within the area of VET as contributing factors, and different
weight or emphasis might be given to different factors. Also, different aspects of these two factors could be drawn out in different ways, or given differing emphasis, or different accounts about their own beginnings: but most participants would agree that these two factor were present, and in some sense causative, within the larger story of the industry.

The International Education arena.

An extremely loose rule of thumb that explains governmental structure regarding the industry in Australia is to say that the States are responsible for education and the Commonwealth is responsible for immigration. In practice, both levels of government have some involvement in both areas of activity. But it is a true reflection in the sense that DoI is a Commonwealth department, while the registering bodies for private vocational providers, at the commencement of the time period under investigation, were all State-based entities. One of the prime causes of complexity in the regulatory frameworks the industry operated mostly within, was that International Education has to do both with Immigration, and thus attracted Commonwealth jurisdiction, and with Education, and thus attracted State jurisdiction.

One piece of Commonwealth legislation of particular importance to international education is the Education Services for Overseas Students Act (ESOS Act 2000 and subs.). This is the main Act through which the Commonwealth asserted its power in the area of international education. The ESOS Act is largely an enabling Act, and serves as a good example of the complexities involved in enacting law across jurisdictions where the roles of those jurisdictions are legislatively and constitutionally distinct. The ESOS Act enables the relevant Minister to create by legislative instrument an enforceable set of rules called The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students (the National Code)(ESOS part 4, section 33, (1)), the purpose of which is:

> to provide nationally consistent standards for the registration and conduct of registered providers and the conduct of persons who deliver educational services on behalf of registered providers.(ESOS Part 4, 34)

The ESOS Act also sets out conditions for consultation that the Minister must undertake in creating the National Code, including the requirement that the Minister consult States and industry representatives, and that the Minister ensures 'as far as practicable' that the national code be in force at all times (ESOS Part 4, 33 and 36). The ESOS Act also sets out what kinds of standards and procedures the National Code must contain (ESOS part 4, 38).
The reason the ESOS Act went down this road of enabling another piece of regulation is found in the way the responsibility for registering providers of education to overseas students crossed the boundaries of responsibility of both State and Commonwealth governments. The States themselves were responsible for the regulation of education providers within their boundaries, while the Commonwealth government, through its powers regarding immigration, was responsible for regulating the activities around the 'foreign-ness' of the student. It should be noted, however, that in this particular instance the Commonwealth government's extended power over education was not ceded from State to Commonwealth. The International Education sector has always come within the purview of Commonwealth policy, as the fact that the students are foreign has always brought their regulation under the Commonwealth. In fact, from 1990 the Commonwealth made the states and territories responsible for the registration of providers of education to overseas students. The original ESOS Act of 1991 implemented this change so that while providers had to be registered federally, that registration was made reliant upon the relevant state or territory assessing an application and assenting to registration (Megarrity 2007).

In order that there be consistency in regulation across Australia, i.e. between States, while maintaining the independence of the States over matters to do with education; it was deemed necessary that each State individually adopt and enforce its own regulatory standards, but that these standards be the same in each State. The legal and political reality was and is such that the Commonwealth Parliament can not simply pass legislation and expect it to be enacted by the States in areas of governing where the States believe they have a primary or significant responsibility. They have to talk to each other, be nice. Through such a cooperative effort the initial National Code was created and then adopted by each State and the responsibility for the enforcement of the National Code (for the purposes of State registration) delegated to the relevant authority in each State. While the Commonwealth is empowered to investigate breaches of the National Code, Part 4 Section 43 of the ESOS Act requires the Commonwealth to inform the relevant State registering authority before doing so (in cases where the registering authority is not the source of information) unless the Commonwealth believes the breach requires urgent intervention.

To round this regulatory circle, as stated above, the ESOS Act also made it a condition of being registered federally that a provider be registered at a State level. To finally close the regulatory circle, it was a condition that anyone wishing to enrol overseas students be registered federally on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS). But there is one further complexity in that the Commonwealth Government itself contained departments that were separately responsible for Education and for Immigration.
In order to acquit its responsibilities regarding the management of the immigration side of the international student sector the Commonwealth Government created a network called the Provider Registration and International Students Management System (PRISMS). PRISMS is operated by DoE, but is the main interface for information between providers and DoI. It is compulsory for a provider seeking to enrol overseas students studying on student visas to use this system. An education provider can not use PRISMS unless they are registered on CRICOS. The provider could not be registered on CRICOS unless the State in which they were operating gave consent that they be registered. This consent was only granted if the relevant State found the provider compliant with the nationally agreed standards. The creation and implementation of the technological infrastructure that is the CRICOS and PRISMS is a good example of the power of technology in framing and controlling administrative processes. Participation in the process is compulsory for those who wish to enrol overseas students, not just in terms of sanctionable law, but in terms of the actual administration of the enrolling of a student. PRISMS is an example of an ICT system acting both as an enabler and dis-enabler on behalf of government in regulating business activities, and demonstrates the centrality of ICT to the industry.

Throughout the period under investigation there were important changes to this part of the regulatory landscape. As the arena in which the Commonwealth Government has the most immediate ability to change rules, this area of regulation was particularly important at that level.

*The middle years: 'The Perfect Storm'*

The previous section dealt with the regulatory architecture relating to the industry at the beginning and into the middle of the time period of the industry. This section will provide some numbers to show that during the time period under investigation there actually was activity in the industry, and that the activity was substantial. It is not the intention to make causal connections here, only to show the extent to which the industry grew, and the suddenness with which it declined. It is also noted that the act of collation of the data below as carried out by government is itself indicative of a relationship between policy, business strategy and ICT in the industry.

Australian Education International (AEI) is a Commonwealth Government body that collects and distributes information about the numbers of international students studying in Australia, among other things. It is widely accepted as a benchmarking data source. From 2002 the data used for generating information about the numbers of international students onshore was derived from PRISMS. Like many series of data, a lot can be said about what the data does or does not capture, and about what conclusions may or may not be drawn from the data. However, for providing a general understanding of the movement in international student numbers over the period of time under investigation, the AEI data is useful.
Information derived from the AEI pivot table for international student enrolments and commencements from January 2002 to December 2011 gives the following information.

<table>
<thead>
<tr>
<th>Sector</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Higher Education</td>
<td>124,696</td>
<td>146,158</td>
<td>164,031</td>
<td>177,881</td>
<td>185,460</td>
<td>192,177</td>
<td>202,154</td>
<td>225,719</td>
<td>242,186</td>
<td>242,351</td>
</tr>
<tr>
<td>VET</td>
<td>44,802</td>
<td>45,992</td>
<td>45,562</td>
<td>50,984</td>
<td>67,164</td>
<td>102,380</td>
<td>154,451</td>
<td>208,257</td>
<td>205,371</td>
<td>171,237</td>
</tr>
<tr>
<td>Schools</td>
<td>23,227</td>
<td>26,947</td>
<td>27,313</td>
<td>25,097</td>
<td>24,880</td>
<td>26,788</td>
<td>28,304</td>
<td>27,365</td>
<td>24,152</td>
<td>20,868</td>
</tr>
<tr>
<td>ELICOS</td>
<td>57,454</td>
<td>62,104</td>
<td>61,740</td>
<td>64,555</td>
<td>76,898</td>
<td>102,254</td>
<td>127,638</td>
<td>113,687</td>
<td>95,104</td>
<td></td>
</tr>
<tr>
<td>Other (Non-Award Courses, Enabling Courses)</td>
<td>23,935</td>
<td>25,950</td>
<td>25,956</td>
<td>26,262</td>
<td>26,442</td>
<td>27,286</td>
<td>29,756</td>
<td>51,403</td>
<td>11,068</td>
<td>27,865</td>
</tr>
<tr>
<td>Grand Total</td>
<td>274,114</td>
<td>307,151</td>
<td>324,602</td>
<td>344,779</td>
<td>380,444</td>
<td>450,865</td>
<td>542,313</td>
<td>630,700</td>
<td>616,464</td>
<td>557,425</td>
</tr>
</tbody>
</table>


It is interesting to here recall Dr. Kemp's 1998 previously mentioned prediction that there would be 180,000 international students in Australia by 2001.

This thesis is primarily concerned with the VET sector, but will use the Higher Education sector as a comparison set in this section. The above table is included to give a sense of the size of the international student sector as a whole. If we look more closely just at the data to do with the VET and Higher Education sectors we can generate this indicative chart:

![Graph showing comparison between Higher Education and VET enrolments from 2002 to 2011.]
Clearly there has been activity in the numbers collected and collated by AEI. For the VET sector the cumulative increase in student numbers between 2002 and 2005 was 13.7 per cent. Between 2005 and 2009 the cumulative increase was over 400 per cent. Between 2009 and 2011 there was a 17.7 per cent decrease in the number of students enrolled.

If we use the same pivot table as the source and sort by nationality to India, the country of origin of a preponderance of VET students, we can make the following indicative chart:

<table>
<thead>
<tr>
<th>Sector</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Higher Education</td>
<td>9079</td>
<td>12433</td>
<td>17993</td>
<td>22530</td>
<td>25497</td>
<td>27076</td>
<td>28404</td>
<td>28020</td>
<td>21937</td>
<td>15507</td>
</tr>
<tr>
<td>VET</td>
<td>1995</td>
<td>1246</td>
<td>1352</td>
<td>3389</td>
<td>9752</td>
<td>25986</td>
<td>51199</td>
<td>78405</td>
<td>75035</td>
<td>55558</td>
</tr>
</tbody>
</table>

In this chart above the cumulative increase in student numbers from India between 2002 and 2005 in the VET sector was almost 170 per cent, while the cumulative increase between 2005 and 2009 was 2,313 per cent. Between 2009 and 2011 there was a 29.1 per cent decrease.

These chart numbers are based on YTD figures compiled for December of the relevant year, and so do not show the change in number within any given year. But they indicate that in terms of number increase the key years were between 2005-2006, and 2008-2009. They also show a decrease in numbers by the time YTD figures for December, 2010 were compiled, and a more significant decrease in numbers by December, 2011.

The industry is only reflected in these numbers. The numbers are only indicators that some form of activity was taking place. One aspect of the interconnectedness of various causalities is reflected in the understanding that the very formation of AEI, and the subsequent compilation of these numbers,
and the way that compilation drew upon PRISMS as a data source; are themselves indicators of the existence of the industry, and the ways in which the industry was organised into being involving areas thought of as policy, business, and ICT. The numbers as compiled by AEI are not designed as a pure research tool only. They are overtly designed to be used in marketing plans by organisations, private vocational providers included, and sold as such to organisations. The complex co-dependencies involved in the very design and creation of these numbers is itself an example of the deep connectedness between policy, business strategy, and ICT.

The numbers also show that the key years for the time period under investigation in terms of when the students were actually present in Australia definitively involve 2005 to 2011. It might be noted that these years are a little later than the years mentioned in the previous section. But the gap in time between the development of the initial regulatory structures and the reporting of numbers like those in the above charts is not surprising in the sense that a lot of activity took place in order for the advantages of those regulatory structures to be deployed by private vocational providers. The student numbers above reflect, in a sense, the culmination of a lot of activity for some, while only the beginning of a lot of activity for others.

The numbers also indicate a decrease in student numbers from 2009-2010. A multitude of factors contributed to the decline in numbers, and the relative weight given to those factors may provide fertile ground for future researchers. This thesis is focussing on three contributing factors: government policy, the business strategy of private vocational providers, and the ICT systems present at the time. In drawing the picture of the industry under investigation, some other causes will be mentioned, particularly in the context of their effects on the different factors that are the actual focus of the thesis. But for this chapter the next group of items to consider is the regulatory changes that occurred contemporaneously with the arresting of the growth in student numbers, and the commencement of the decline in student numbers.

Endings

The Labour government in 2007 saw an increase in the permanent skilled migration program in 2008. The additional 31,000 places made available (to a new total of 133,500) represented a 30 per cent increase in the skilled migration program on the 2007-2008 program as originally planned by the previous Liberal government, and was clearly and overtly aimed at alleviating a skills shortage: 'The Rudd Government has moved to ease pressure on employers struggling with the skills shortage by adding an additional 31 000 skilled migrants to the 2008-09 Migration Program' (Evans 2008a). In addition, from April 2008, international students were granted automatic work rights (up to 20 hours per week), in an effort to assist international students, and employers: 'Making it easier for
international students to work while they study will also assist industries currently suffering serious labour shortages.’ (Evans 2008b).

Things were about to change.

On the 17th of December, 2008 the Minister for Immigration and Citizenship released a statement announcing the first of a number of changes to the permanent skilled migration system that would drastically change the regulatory landscape in which the industry operated.

Firstly, the 17th December 2008 announcement flagged an intention to change immigration to a 'demand driven' system, whereby employer sponsorship played a much greater role than a 'supply driven' system, whereby applicants themselves nominate occupations and the process of selection sorted for occupations thought to be generally in demand in Australia, rather than specifically in demand by an employer.

Secondly, the announcement framed the need for this change in two ways. Firstly, that the recent changes in economic outlook would reduce Australia's need for skilled migration in the future, and in particular, that the system would need to be better targeted to delivering skilled migrants to the specific needs of individual employers. Secondly, that the current system was delivering a situation where too many applicants were applying under too few occupations. The Minister noted that in the previous three years, five of the occupations on MODL had accounted for over half of the visas granted to a primary applicant. Further, that while international education was important, the system that was, essentially, delivering these applicants with these occupations was providing 'perverse incentives to students to study a small number of vocational courses, when they may have had no intention of actually working in those occupations' (Evans 2008b).

With the above two issues in mind, the statement delivered two series of changes in order to achieve what the government believed would be the start of a number of changes put in place in order to better achieve a more 'demand' driven immigration system, and at the same time dismantle the 'perverse incentives' and thus lower the number of applicants applying for a small number of occupations through the vocational training pathway.

The first change was to encourage the use of employer nominated visas. This was to be hopefully acquitted by, in a sense, discouraging the use of the vocational, unsponsored pathway. This was implemented by the second change, which was itself in two parts: First, the introduction of an 'order of preference' in the processing of skilled visa applications. This meant applicants via an employer sponsored visa would be processed in preference to other applicants. Secondly, the introduction of a
new Critical Skills List (CSL). This was initially in addition to the MODL, but it was implied that the MODL itself would soon be reviewed: it was abolished in February 2010. None of the occupations that were credentialed by qualifications trained by private vocational providers in the industry were on the CSL. Applicants for skilled migration who nominated an occupation on the CSL would be preferenced below applicants with either an employer or State Government sponsor. Graduated international students who nominated occupations on MODL could still be considered for skilled migration, but they would be preferenced below both employer and State sponsored applicants, and applicants with an occupation on the CSL. The statement implies very strongly that graduated international students in this situation should look at gaining employer sponsorship or an occupation on the CSL. Graduated international student applicants who could or would not do either of these were 'told they might have to wait years before their application was processed' (Birrell and Healy 2010).

These changes were aimed at shifting the immigration system away from one where applicants self-nominate an occupation the government believes to be generally in demand, to one where individual employers were, in a very practical way, collectively responsible for nominating individuals directly, thus providing, almost ipso facto, for a system whereby people with skills that were specifically in demand were specifically sponsored and became part of the general skilled migration intake. At the same time, these changes were clearly aimed at dismantling the older system, which, it was believed, was providing too many applicants in too few areas of perceived skill shortage, these applicants being overwhelmingly the graduates of onshore vocational training courses. In order to acquit this aim, it would be necessary to break the pathway from vocational training to onshore skilled migration, which was now to be characterised as 'perverse'.

At the time of the announcement there were 154,451 international students in Australia studying in vocational courses, the vast majority of them studying in courses that had previously been considered a viable pathway to permanent migration. The announcement, made on the 17th of December 2008, said the changes would take effect from the 1st of January, 2009.

This statement left a lot of specific issues unclear to a lot of people, but it certainly made clear the general policy direction the Commonwealth Government was intent on following.

During 2009 a number of other changes were announced which were designed to put further effect to the government's plan, from August these included:

'a) upgrading the interview program to build a strong evidence base around fraud
b) removing or restricting eVisa access for some agents where there is evidence of fraud or inactivity
c) restricting access to eVisa for some segments of the caseload if analysis demonstrates restricted access would allow for better control of fraud.’ (Evans 2009)

These measures were, by their nature, focussed primarily on off-shore activity, and specifically at 'India, Mauritius, Nepal, Brazil, Zimbabwe and Pakistan' (Evans 2009). These activities saw an increase in the number of student applications being withdrawn, and an increase in the number denied. Enrolments in VET course began to decrease, and by November 2009 twelve providers had closed, directly affecting 'about 4,700' students (Evans 2009).

Throughout 2008 and particularly 2009 a number of issues began impacting on the perception of the industry as a whole. The very idea of an international student had became problematised as they occupied different caricatures at different times to different people. They could be seen as victims, being exploited by unscrupulous providers, as 'cash cows' for the industry, or they could be seen as perpetrators, as people trying, in some way dishonestly, to access a 'back-door' to migration (Roberson 2011). At the same time, a number of violent incidents in Australia involving Indian students as victims prompted 'intense diplomatic efforts to salvage Australia's reputation as a destination for international students' (Koleth 2010, p. 12).

In 2009 and 2010 the announcing and implementation of measures aimed at closing the pathway through vocational education to permanent residence continued. In January 2010 the amount of money a prospective student was required to prove they had access to was increased, and in February 2010 a new tranche of changes were announced. Once again, these reforms were framed within the understanding that the immigration system should be ‘demand’ driven:

The Government is reforming the permanent skilled migration program to ensure it is more responsive to the needs of industry and employers and better addresses the nation’s future skill needs. The reforms will deliver a demand rather than a supply driven skilled migration program that meets the needs of the economy in sectors and regions where there are shortages of highly skilled workers, such as healthcare, engineering and mining (Evans 2010a).

The changes included allowing the Minister to set a maximum number of visas that could be granted under any specific occupation, and the announcement of a review of the points test. Of particular importance to the private vocational providers was the revocation of the MODL and the announcement of the development of a 'new and more targeted' SOL, and the phasing out of the CSL. When the new SOL was released in May, 2010 (for implementation from 1st July, 2010) it still contained 181 occupations, but removed all of the occupations (such as hairdresser and cook) that had previously been so important to the growth of the private providers. Some transitional arrangements
had been put in place in February for students who were already in Australia hoping to achieve permanent residence, but they would not be achieving permanent residence through the vocational education pathway. According to the Minister, this new SOL was: 'designed to deliver highly skilled migrants and crackdown on people seeking permanent residency through low-value education courses'. It was 'a critical reform in the Government’s overhaul of the skilled migration program and closes the door on those seeking to manipulate the migration system . . . Australia’s migration program cannot be determined by the courses studied by international students'. (Evans 2010b).

As one article put it in regards to the effects of the February changes on the vocational pathway to permanent residence: 'The party is over.' (Birrell and Healy 2010)

At the same time a number of changes were being made to the regulatory framework for international education and the VET sector across Australia. These changes may not necessarily be understood as the direct result of the events just described, and at any case, drawing clear lines of causality is fraught, but there were some changes that certainly inform the kinds of things the interview participants spoke about, and so are useful in this section in terms of coming to understand them.

In essence they involved the centralisation of accreditation and compliance monitoring processes, along with changes to the requirements for accreditation. This was not a simple task, and involved coordination between all States and Territories and the Commonwealth. It involved the creation of new bodies, including the Australian Skills Quality Authority (ASQA), and the aim of the eventual delegation of authority for registration of RTOs to ASQA by the States, a process that is still in motion as this thesis is being written. Some of this area of reform post-dates the time period under investigation, but is mentioned here as it was in the environment in which the interviewees operated at the time of interview.

An amended ESOS Act was enacted in 2010 to strengthen requirements on providers. In 2010 a new AQTF was implemented that was different to the 2007 version in a number of key areas. Firstly, it introduced a 'fit and proper' test for the RTO’s 'senior officers and directors or substantial shareholders who are in a position to influence the management of the organisation', and required the RTO to demonstrate how its management decisions were informed by the experiences of the RTOs trainers and assessors. Secondly, it described certain duties the RTO had in interacting with the relevant registering body, including that the RTO ‘co-operates’ with the registering body, that it provided 'accurate and timely data relevant to measures of its performance’, that it co-operated 'in the retention, archiving, retrieval and transfer of records consistent with its registering body’s requirements’, and that it provided ‘a statement demonstrating its financial viability and/or its annual financial statements and/or a business plan on request of the registering body’. Thirdly, it introduced
new auditable matters regarding financial management, including that the RTO ‘must be able to demonstrate to its registering body, on request, that it is financially viable at all times during the period of its registration’. It must be noted that these matters are drawn from only three of nine conditions (AQTF 2010 Essential Standards for Continuing Registration). The AQTF 2010 continued with three standards as mentioned earlier, but provided, through the conditions, a very different set of opportunities for relevant authorities in monitoring and imposing compliance with regulation.

Also at this time the Commonwealth required all providers registered on CRICOS be re-registered by the relevant State authorities, but only once the relevant authority was satisfied the provider was financially sound, of good standing, and that the provider's primary purpose was training. This action was understood by providers as largely a political manoeuvre on behalf of the Commonwealth in an effort to portray itself as being pro-active and serious about regulatory compliance. The Commonwealth was able to demand this re-registration process, which was essentially a way of forcing the State's to undertake a large compliance project, because of its control of the ICT systems controlling the ability of providers to enrol students, most importantly, PRISMS.

By July 2010, the regulatory landscape in which private vocational providers operated had changed dramatically. These findings are not meant to be comprehensive but provide a starting point for an understanding of the context of the interviewee's views about the contributions of government policy, the business strategy of the private providers, and the ICT systems in place in the industry throughout the time period under investigation. It has concentrated on the regulatory landscape because that landscape was something known about and shared and discussed by all the interview participants. However much their own interpretations of causality vary, they all spoke in terms of regulation and policy, as if regulation and policy were the common content that all could discuss and all could agree was important. The regulatory history also represents a level of complexity that should be understood in order that the matters dealt with be more keenly appreciated in terms of their interdependence. At the very least, this section will hopefully have brought the reader to some understanding of the contexts within which the participants thought about the industry, so that the things the participants talk about will be more understandable. It has brought some understanding of what was in their minds when I pressed record.
Policy Findings: The role of Government Policy in the rise and decline of the education/migration industry in Australia.

The participants’ views.

All the participants spoke a lot about policy and regulation. In interviews this area not only took up by far the most time, but also fretted and framed discussion about the other areas of concern. It was as if the very stuff of thinking about the industry was somehow inextricably linked to talking and thinking about policy and regulation. For some interviewees this was entirely understandable. Interviewees who were senior public servants, for instance, could be expected to talk in depth about policy and regulation because that is supposedly what fills their days, what frames their way of looking at the world. However this centralising of policy and regulation occurred with all participants, from all backgrounds. It is entirely clear that policy and regulation was not only an important contributor to the rise and decline of the industry, but that the language of policy, the act of talking about policy and regulation, was a kind of common space of discourse for the participants. Everyone had a view, and that view was comprehensive, and discussable with a high level of detailed knowledge.

There were, however, significant differences in views about how and why various policies and regulatory frameworks were formed and then put in place. These differences revolve around a few identifiable disputes that uncover views about what policy is and about how it exists in the world.

This section will look at the main site of disputes and concurrence regarding policy at the beginning, the middle, and the end of the industry. It will also look at other issues raised by participants regarding policy, in particular in regard to State governments, and also the role of the media.

The beginnings of the industry: Why did the Commonwealth Government set this up? The issue of intentionality in Policy making.

Documents pertaining to the beginning of the industry have already been dealt with, so this section will deal primarily with the participants' views.

It was universally accepted that policy settings of the Commonwealth Government were of high importance in creating the regulatory frameworks that lead to the increase in the number of students in vocational courses who intended...
pursuing a pathway to permanent residence. There was a high level of dispute among participants about the level of intentionality that could be ascribed to the Commonwealth government in terms of wanting to increase the number of students. This disputation can be seen in a hierarchy of beliefs about the level to which Commonwealth policy settings were misguided, at which point they were misguided, or if they were misguided at all. This is complicated by the changing messages put out by government itself over time, and by the plain habit of retrospective justification (and the re-writing of 'history') by government.

The commonalities and disputes among the participants split like branches from a universally held belief, and further, these splits occur when different participants believe the discourse changed as a result of deceit, ignorance or mismanagement on behalf of the Commonwealth government.

The universally held belief is that the Commonwealth government put policies in place that lead to an increase in the number of students, and that when the Commonwealth government did this it also promoted the idea that the reason for these policy settings was two-fold. Firstly, that Australia was suffering from a skills shortage these changes would help alleviate. Secondly, by encouraging more enrolments, these changes would be beneficial to Australia's international education industry. Although the belief the government promoted these beliefs was universal, a number of versions about the government's beliefs were apparent. There were four general agglomerations of beliefs about the idea that the Commonwealth set up the industry because of a belief it would alleviate a skills shortage and boost the international education industry.

Firstly, some participants believed the government honestly held this belief at the start of the time period. Secondly, some participants believed that while the government did honestly believe the regulatory changes would deliver these benefits, the government was misguided in this belief because it was being mislead by vested interests. Thirdly, some participants believed that while the government portrayed the alleviation of a skills shortage as the most important reason for undertaking the policy changes, the boost to international education was actually the more important in the government's view as it was perceived it would bring direct financial benefit to the country and also relieve government of some level of financial commitment to universities and/or TAFEs. Lastly, some participants
thought the Commonwealth government never actually believed the changes to policy would achieve either aim, but instead pursued the policy changes to serve some other end. Of course there were nuances among participants about these beliefs.

In all cases these beliefs centralise the role of Commonwealth government policy in the beginning of the industry. At the same time, none of the participants believed the government just invented the policy settings free of influence from non-governmental actors. Even those who held the first belief, that the government honestly believed the policy program would achieve both outcomes, also believed policy makers were being informed by government and non-government participants who thought these beliefs were worth holding and promoting.

At the beginning of the industry, the creation of the relevant policy settings, however and for whatever reasons those policy settings were formed, was seen by all the participants as a kind of originating event. While the policy settings were not seen by the participants as entirely and comprehensively causal of all other events, they were definitely seen as the key necessary pre-condition for virtually all other events in the industry. While different participants understood the reasons for the creation of these policies as motivated by different factors, or as being socially and politically understandable as part of a historical account that pre-dated the actual implementation of the policy frameworks, all the participants agreed that government policy settings were a key factor in understanding the creation of the industry.

A note about the participants' beliefs about the term 'government', and about power and policy formation.

A common imprecision in talking about the role of policy in the rise and decline of the industry is found in the understanding of the word 'government'. All of the participants who were likely to have knowledge of government policy formation understood the difficulty with this word. Often they proffered questions such as 'Who do you mean by government?', or comments like: 'Government is not one thing.' There was a common understanding among those likely to have knowledge about policy formation that 'The Government' is a problematic entity to describe. At a basic level, there is the distinction between legislative and executive branches of government. A very common story among participants likely to know about policy formation was to do with conflict between departments in the executive branch of government, specifically, between DoI and DoE. According to many participants, these conflicts were played out through attempts by members of departments in the executive branch to influence the course of policy formation in the legislative branch of government.
Therefore, for the participants likely to have knowledge about policy formation, the idea that there was such a thing as a 'government', which could 'hold' a belief, and that this could be considered a unitary thing from which something else called 'policy' could emanate, was problematic. For these participants it was, however, possible for various actors or even departments or groups of actors to hold beliefs. It was, according to these participants, just unlikely, and in this case empirically false, to believe that all participating actors in policy formation held the same beliefs at the same time.

Also, when assigning power to a belief, in terms of which actor's (or actors') beliefs held real potential to result in decisions that in turn resulted in actual policy and then laws and regulations, all participants who were likely to know and have experience in actual policy formation saw the beliefs of a Minister, Prime Minister, or very senior members of the legislative arm of government and their small cohorts of advisors as having the most power. These people were in turn understood to be most influenced by concerns one might characterise as 'political'. That is, while there was a commonly held belief about conflicts between executive government departments, and the influence these disputants attempted to bring to bear upon legislative government decision making, all the participants who were likely to have actual experience in policy formation believed the key decision makers (Ministers, Prime Ministers, close political advisors) were far more likely to be influenced by their perceptions of electoral or Party/Cabinet opinion (potential or current) than the opinions of key department representatives. This belief was held to be true throughout the rise and decline of the industry, however, for many participants likely to know, the role of the executive departments in informing government increased toward the middle and end parts of the time period under investigation.

The middle parts of the industry: Why isn't anyone doing anything about this?

The participants' views.

This time period was characterised by the participants in various, though similar ways. Participants used words such as 'boom time', or 'the boom'. There was also a particular meme used by participants across all backgrounds of 'the perfect storm' when referring to the time period of mid 2008 to the end of 2009. Understandings of the role of policy during this time vary, but the idea that policy was central to the events remained universal among participants.
The dispute about policy at this time in the industry revolved around two issues. Firstly, how to explain a perceived lack of action on behalf of government that had supposedly lead to ‘the perfect storm’, and secondly who was to what extent to blame for this storm.

In relation to the first issue, a number of beliefs were present. Firstly there was the belief that government policies were failing, but the Commonwealth government, or better, people of power within the Commonwealth government did not know about it because internal government communication systems were failing. This was most commonly specified as the communication link between DoI and DoE, and more specifically, between the information being generated by the PRISMS network, and the people who might have been able to take actions upon that information.

Secondly, there was a belief that policies were failing, and that some participants in policy formation at the Commonwealth level knew this was the case, but key decision makers were not informed of this. There were three beliefs about possible reasons for key decision makers not being informed. Firstly, key decision makers were not informed because they were disinclined to seek information, busy on other things, or just not managing to perform their roles effectively. In short, key decision makers were not conscientious in performing their duties. Secondly, key decisions makers were not informed because internal communication systems were failing. In other words, key decision makers were performing their roles effectively, but systemic issues meant important information was not getting to them. Thirdly, key decision makers were not informed because information was withheld from them for internal government political reasons. That is, executive government departments were politicking among themselves.

The third belief about policy at this time was that policies were failing, and the Commonwealth government knew it, but did not care, or did not find it politically viable to act.

The final version of beliefs about this time was that government policies were actually working quite well, and that only later, for a variety of reasons, did the
Commonwealth government disavow their previous commitment to the policy structures that lead to the growth of the industry.

In all the beliefs above, the role of policy is seen as central to the events in the industry during the 'boom' times of 2007 to 2009. However, it is also evident by the idea that there was something going on of which the government was either aware, somewhat aware, or even not aware; that there are influences at play here other than policy. The assumption is that something is happening to which policy should respond. That something is not itself policy, though participants universally believe policy was central to the creation of the industry, and central to understanding the industry during this time period, it is equally evident that participants believe some factors that were not policy were having an effect on the industry.

This is where different ideas of conflict became framed, and differently framed by different participants. This was the second main dispute about policy at this time in the industry and it revolved around who was to blame for what was going on during the 'perfect storm'. Even though the participants were talking about things that were not, overtly, 'policy', that is, they were talking largely about non-state actors and about ethics, the discussion was still framed in terms of policy.

The two streams of belief were, firstly, that certain non-government actors took advantage of the policy frameworks to their own ends, and that these ends were morally wrong. Secondly, that certain non-government actors took advantage of the policy frameworks to their own ends, and that these ends were morally right. It is notable that discussions about policy turned into discussions about what was or was not morally right. This could be an issue for further investigation. It was not something this writer set out to explore per se, but it certainly entered the room while talking about policy and stayed stubbornly there. It was seldom as overt as an interviewee saying something like 'this was morally wrong', but it was always apparent that the issue of moral culpability was strongly associated with the understanding of what policy is, because the discussion was about what people did about and around policy. Sometimes though, it was overt. One participant proffered a strongly held belief that organised crime was heavily involved in the private college area (though provided no evidence). Other participants would use phrases like 'disgraceful behaviour'. When participants have used words like these this writer has felt it safe to assume that the participants felt something morally wrong was occurring.

For the first belief (that it was morally wrong), the non-state actors were seen as either those associated with the private sector (private colleges and migration agents) or as international students seeking a 'back door' to migration, or as both of these groups in collusion.
Subject, in response to question about if not putting on PR courses would have affected the business: Yeah, well (we'd be) out of business and also, the government is trying to do something, they're introducing policies that are particularly tailored to colleges. . . and if you don't support that, if you're not prepared to. . . And later, when they started saying that if you're doing that you're dodgy, or 'No there's no nexus between'. But that's the whole point of the government policy. They actually put a nexus between education and migration. They actually said, if anyone has that course on, and you finish that course, legitimately, you've got PR. I mean, how much more of a nexus do you need?

Interviewer: So why do think this difference came about then?

Subject: Because they were shit scared when 400,000 kids came over. And then they started trying to blame someone for that.

The second belief (that it was morally right), was more nuanced. Firstly, there was the idea that it was the government's intention, as evidenced by the effects of the policy frameworks, that these non-government actors should take advantage of the policy frameworks. Secondly, that these non-government actors included people associated with private colleges, and prospective student-migrants, but also people in semi-government institutions such as universities and TAFEs. In addition, people who held this general view that taking advantage out of the regulatory framework was morally right, were also likely to hold views about how the idea that it was morally wrong came about, and was incorrect. This was generally that the idea that it was morally wrong was a post-facto justification made by 'others' who were motivated by a number of factors. These factors were, firstly, a growing awareness among the 'others' that semi-government institutions such as universities or TAFEs were not recruiting as many students as private providers, which caused jealousy and relative financial disadvantage. Secondly, either in addition or in parallel, a growing awareness by the Commonwealth government that it was incapable of processing, monitoring, or controlling the large numbers of prospective migrants entering the country, and a deep need on behalf of the Commonwealth government to ensure that blame for this situation was apportioned to actors other than the government.

These streams of beliefs overlap in some senses. It was particularly possible for some participants to believe both that it was morally wrong for non-state actors to take advantage (maybe 'exploit') the regulations (maybe 'loopholes'), but that also the government was really attempting to shift blame for the mess government created to non-government actors. It was also possible to believe that it was morally wrong and also that it was causing a relative downturn in the numbers of international students going to universities and government TAFEs, and this in itself was evidence of a morally wrong action. The combinations are various but not limitless, as it was impossible for any participant to believe that taking advantage of the regulatory environment was simultaneously morally wrong and right.

It can probably be guessed how in combination these set of beliefs emanating from the idea that it was morally right are going to lead to a further belief about the coalescence of political interests into forces acting against private providers in the later parts of the industry. However, in an historical
sense at this point in the industry, for participants holding these beliefs, that coalescence has not yet occurred. The extent to which these beliefs themselves also represent a post-facto justification is not identifiable.

The documents relating to the middle time period.

In the middle part of the time period under investigation the documents begin to do two things. Firstly, there is a group of documents that begin to coalesce around the idea that there is something wrong with the policy settings that is causing a number of issues around populations, and these documents focus on the mechanics of the policy settings. Secondly, there is a group documents examining issues that are believed to be caused by the policy settings. It is common for documents of either bent to reference both concerns, but usually a document is focussed on one or the other concern.

One document identified by participants as highly important in terms of informing or influencing policy in the middle time period is the Birrell, Healy and Kinnaird article *Cooks Galore and Hairdresser's Aplenty* (2007). A high number of participants mentioned this article directly as having an affect on policy formation. This article is therefore considered an artefact of the industry, as well an article for the literature review. Participants from government and from the private sector both mentioned this article as being influential. Participants were also somewhat likely to mention the gist of another Birrell article (Birrell 2006), though not mention the article by name. For participants the two key messages out of these articles were that, in the case of the former, the migration policy settings were providing distorted enticements to students to undertake training in areas where the government thought there was a skills shortage when, firstly, there was no skills shortage, and/or secondly, the students were not going to go into the trade areas anyway. In the case of the latter article, the message was perceived as an implication that universities were lowering their admission standards to attract overseas students. Clearly, while the latter was seen as true it was perceived that government thought this was a relatively trivial concern when compared to the 'problem' inherent in the former.

It is not possible to fully apprehend how much of this assignment of importance is actually post facto, but participants certainly mentioned that the article was important during the middle parts of the industry. No other academic article was mentioned by any participant (even those who had academic backgrounds) as having any significant impact on policy. Regardless, the number of academic articles produced during this time increased, as can be seen in the Literature Review.

It is during this middle time of the industry that a number of government reports start emerging. One of the key earlier reports is the *Evaluation of the General Skilled Migration Categories* (Birrell et al
2006). This report does not address the concerns of Birrell, Healy and Kinnaird (2007), but does look at issues that exist in Birrell (2006). Instead it is the Review of Australian Higher Education (Bradley et al 2008), usually termed ‘The Bradley Review’, that addresses the education/migration nexus more directly. This report was commissioned on 13th March, 2008 by the then Deputy Prime Minister and Minister for Education, Julia Gillard. This report does not deal with International Education as an export industry until page 89. The report recognises and promotes the idea of international students as a source of skilled labour (2008, p. 99), and still frames the whole programme of international education as being of two benefits, that is, in terms of generating export income and providing skilled labour: ‘While undergraduate education of international students is an important export industry, it has additional benefits for Australia. It has the potential to make a significant contribution to Australia’s skilled migration effort in areas of labour market shortage’ (2008, p. 12).

The Bradley Review was focussed on tertiary education, and so examines the VET sector through this prism. It did not, then, set out to examine the issues directly relevant to this thesis, and so can not be criticised for not doing so. However, it is indicative of the speed at which policy and views about policy changed, when one considers the Bradley Review, published in December, 2008, does not address issues that are already present in Birrell (2007), and that would soon come to dominate discussion and policy making in the next year. By February 2010 a new review into international education (Baird, 2010), would recognise the migration/education nexus in VET as a serious problem and recommend that it be effectively removed. By 2011 the latest review (Knight, 2011) was openly castigating the existence of ‘unscrupulous operator[s] with no interest in education . . . running a private "college" as a migration scam.’ (2011, p.90).

The shift in opinion present in these reports mirror the shift in framing devices used by government, particularly in ministerial press releases, in promoting changes to policy that would shortly close the industry.

**The decline of the industry.**

**The participants’ views.**

All the participants believed that Commonwealth government policy was central to the decline of the industry. The differences lay in perceptions about the causes for the development of the policies that lead to the decline of the industry. Some participants saw the policy changes as reactive to the sudden...
emergence of poor quality VET providers who had aligned their business models and courses to the recruitment of students on migration pathways. In this view, the poor quality of the providers threatened the reputation of Australia as a provider of high quality education and training, and the Commonwealth government had to act to protect that reputation by removing the low quality providers from the industry. This simplistic view was not held entirely by any single participant as a whole and closed belief. Every participant who held this view generally also held beliefs that provided nuance to this general belief.

In another exemplar of a set of beliefs, some participants believed the policy changes were the result of the government realising it had made a number of policy setting mistakes that had resulted in a large and (in the government's view) unsustainable increase in the number of students in Australia who were probably going to apply for permanent residence when they graduated. The unsustainable nature of this increase meant the government had to act quickly to change the policy settings, and was quite happy to destroy the industry to fix the problem of there being too many prospective migrants on this pathway in Australia. In addition, the government was happily willing to use the idea of the existence of low quality VET providers, and their perceived threat to the reputation of Australia as a provider of high quality education and training, as a 'smokescreen', or as something to take the blame, to focus attention on something other than the government, and the large error the government had made in formulating and implementing the policies that lead to the growth of the industry in the first place. The appearance in the media of stories about violence perpetrated against international students, and particularly the significant coverage given to violence perpetrated against Indian students, was seen likewise not as an actual cause for the closing of the industry, but rather as problem in itself for the government. If the government could close the industry for the reasons mentioned above, while appearing to be acting in a manner of concern for protecting Australia's reputation as a provider of high quality international education, and protecting the safety of Indian students, all the better.

The above two positions can be fairly described as two streams of beliefs, with participants holding somewhat overlapping sets of beliefs across them. They echo the participants' beliefs about the role of policy in the middle, or 'perfect storm' time, though when discussing this end time there was less emphasis on whose actions could be considered morally right or wrong. It was quite possible for participants to hold both streams of beliefs, and combinations of beliefs around them. Some participants believed the reason for the change in policy trajectory toward closing the pathway was the result of the government becoming aware of a combination of both the implied factors. That is, the government became simultaneously aware the policy settings were resulting in unsustainable numbers of students entering the country with an intention to migrate, and the sudden emergence of low quality private providers, and the appearance of stories in the media about violence against Indian students.
There is no necessary conflict in believing this to be true. However, a number of these participants also believed that while the government was promoting the idea that its decisions were a reaction to the sudden emergence of low quality providers, the government was actually more concerned about the unsustainable numbers of students entering the country with an expectation of migration. This belief was likely to shift the beliefs participants had about the moral framework within which the government was operating and promoting the righteousness of its policy changes.

For participants who believed the government was using the emergence of low quality providers as a diversionary moral justification for closing the industry, when the government was actually more concerned about the number of students about to apply for permanent residence, the government’s moral stance was compromised. The basis of this was a belief by the participants that governments should act in accordance with the moral aims the government publicly states are supposedly promoting the actions the government is taking. For these participants, when the government justified its decisions to close the pathways to migration on the basis that the emergence of low quality providers was threatening the reputation of Australian education and training overseas, the government was at best adopting and promoting a position it knew to be of lesser importance than the problem of unsustainable numbers of student-migrant hopefuls in the country. At worst the government was fabricating a problem in order to shift political blame away from the government for inventing the policy settings that lead to the problem in the first place. This view echoes one held about the time of the ‘perfect storm’, but is somewhat different in that more time was spent examining the moral righteousness of the government in this end part of the industry, while more time was spent examining the moral standing of the non-state actors when discussing the middle, ‘perfect storm’ time.

Of course, these beliefs about the ‘government’ being able to assume any moral stance at all assumes the existence of something describable as ‘the government’ that can hold and promote views. This idea was, as previously outlined, problematic to most of the participants with experience in policy formation. However, the existence of the shorthand phrase ‘the government’ is clearly used by participants even though they also understand the problematic character of the phrase. Participants particularly familiar with this problem were less likely to use the phrase ‘the government’, and more likely to describe the participants in the quandaries above more specifically, ie. ‘The Minister’, or ‘The Department’, or ‘Cabinet’. While these terms in turn can be problematic in similar ways to the term ‘the
I think the motivation, my understanding of that change of policy that allowed for on-shore migration as distinct from having to go off-shore, was a genuine motivation that was trying to acknowledge that these were excellent candidates for Australian citizenship, but it got abused. And, you know, in conversations that I’ve had with current Federal government Ministerial advisers it’s been made very clear that nobody, neither the Rudd government, nor the Howard government, predicted that there’d be 350,000 students who’d qualify for on-shore migration. And that created a log-jam, when if you look at Australia’s average annual immigration intake is around 110,000 including the refugee program a year, so therefore, and of that about 60,000 were usually either skilled migration student sort of um cohort, um, so therefore, already we had seven years worth of skilled migration on shore, waiting, biding their time, who theoretically ticked all the boxes to qualify for migration, so you know, no country, unless they have a massive change of policy, no country can probably have seven years worth of potential migrants.

Subject: I think the motivation, my understanding of that change of policy that allowed for on-shore migration as distinct from having to go off-shore, was a genuine motivation that was trying to acknowledge that these were excellent candidates for Australian citizenship, but it got abused. And, you know, in conversations that I’ve had with current Federal government Ministerial advisers it’s been made very clear that nobody, neither the Rudd government, nor the Howard government, predicted that there’d be 350,000 students who’d qualify for on-shore migration. And that created a log-jam, when if you look at Australia’s average annual immigration intake is around 110,000 including the refugee program a year, so therefore, and of that about 60,000 were usually either skilled migration student sort of um cohort, um, so therefore, already we had seven years worth of skilled migration on shore, waiting, biding their time, who theoretically ticked all the boxes to qualify for migration, so you know, no country, unless they have a massive change of policy, no country can probably have seven years worth of potential migrants.

An illustrative crux upon which this disagreement about the motives for policy change rested is the issue of college closures. For proponents of the idea that the government was motivated to act by the emergence of low quality providers, the closure of colleges was a symptom of the existence of low quality providers. These participants believed that as colleges started to close the reputation of Australia was being threatened and so the government decided to act. For proponents of the idea that the government was actually concerned about the number of potential student migrants in the country rather than the existence of low quality providers, the closure of colleges was a result of the government’s decision to close the pathway to migration, not a cause of that decision.

Again it was possible for participants to hold both views simultaneously. That is, to believe that the emergence of low quality providers (as evidenced by college closures), and the sudden and unsustainable growth in the number of potential student migrants, were both causes of the government’s decision to close the pathway. For these participants the existence of college closures before and after the implementation of key reforms is evidence in support of their belief.

While participants held a variety of beliefs around these disputes they all believed that Commonwealth government policy was central to the decline of the industry.

Participants views on the role of State Governments, and State Government Policy.

While Commonwealth government policy was the most talked about, many of the participants also talked about State government policies. This is unsurprising given the role of State Government authorities as (at the time) regulatory bodies responsible for the monitoring and policing of compliance among providers.
State Government policies did not figure in the participants' accounts of the start of the industry. The context in which State Government policies came into the views of the participants was only through the role of State based regulating authorities, and it was much more likely to be discussed in relation to the middle and end times of the industry. Only a very few participants spoke of State Government policies around international education or vocational education except for in the context of the actions and (assumed) beliefs of the relevant authorities delegated with the responsibility of monitoring and enforcing compliance.

The discourse apparent among the participants pertaining to State level regulators involved disputation over the level to which the relevant authority could be considered 'to blame' for the events under investigation. This was combined with reflection about the comparative levels of blame between regulators in different States. The 'blame' was largely about the level to which the relevant State based regulator was seen as either incompetent, or stymied in good intentions by lack of resources. On another level, some participants felt State governments were happy to have the economic benefit brought by a large number of international students.

Another view held by very few (2) participants was that one State regulator was none of these but had in fact done an excellent job at acquitting its responsibilities. Apart from these two, all the participants held beliefs about the relevant State authorities that included one or more of the above.

As State based delegated authorities were one of the main interfaces between government and the providers, it is fitting that the participants (of both government and private provider background) saw the role of the State based regulators as important, and a big part of the daily operation of policy and regulation in the industry. However, the participants did not consider the State based regulators as the originating source of policies that affected the industry at the start of the industry.

In moving from the middle of the time period to the decline of the industry, the role of the State based regulators becomes more prominent in the participants' beliefs. They are seen as instruments of Commonwealth government policy change, being implemented through the State authorities, rather than as implementers of State Government generated policy. Even though, strictly legally and constitutionally this is not the case as the authorities were delegated their powers through the relevant State government. However, participants nominated two elements of Commonwealth policy change that were impacting on the industry, and particularly the relevant State authorities at the same time during the decline of the industry. These were the Commonwealth requirement that all providers registered on CRICOS go through a re-registration process, and the creation of ASQA and TEQSA to remove (or better, to relocate) the relevant powers of the State based authorities into one cross-jurisdictional body. Both of these occurred late in the time period under investigation. In practice the
former was dealt with in a variety of ways unimportant to the practical efficacy of the State regulators, and the latter did not call for any greater use of resources at a State level at all. So it is difficult to draw a logical inference between the belief of the participants that these were impacting on the State regulators’ operational capability per se, and the discourse of whether the State authorities were incompetent or well intentioned but under-resourced.

However, there were two additional factors that were considered among participants when engaging in the discourse about the State regulators that are relevant: Firstly, there was an assumption among many of the participants that one of the reasons low quality providers were able to enter the industry and stay in the industry for so long was that the relevant State regulators were not adequately acquitting their roles as monitors and enforcing compliance with regulations. There are three further inferred assumptions here: that had the regulators enforced compliance there would have been fewer low quality providers; that the regulators had powers to effectively enforce compliance or remove a provider from the industry, and that the regulators were effectively empowered to carry these activities out. Each of these assumptions were contested by participants who were likely to possess higher levels of knowledge about the relevant State regulators.

The other factor is the level to which the relevant State authority possessed the knowledge, resources, or political will to be able to regulate the industry in the way the participant believed it should have been regulated. Of course, the participants varied in their beliefs about how the industry should have been regulated. It was a strongly held belief among participants from a private provider background that the State regulators mounted an attempt to de-register many private providers in the latter part of the industry, and that the State regulators performed this attempt in a way that was overly zealous, that sought to circumvent the letter of the regulatory instruments, that was politically motivated, and carried out in an unjust manner, with little or no regard to procedural fairness. However, it was the view of a number of participants from academic, government backgrounds, and private provider backgrounds that the State authorities were not zealous enough in their policing of the industry. Both these viewpoints lend a participant to potentially considering the State regulator as lacking in knowledge and resources, and to being influenced by political considerations. Also, most participants believed an additional force being applied to the relevant regulators was the political pressure of their overlords to stop the industry appearing in the newspapers so often.

Regardless of the character of beliefs about the role or level or kind of ‘blame’ that may or may not be apportioned to State based regulators, the very existence of this part of the discourse shows that the idea of government policy in terms of enforcing regulatory compliance is central to the participants’ conceptions of the story of the industry.
In all of the above beliefs there is no sense that policy creation and implementation after the beginning of the industry was much other than a reactive political manoeuvring. This is not at all meant to denigrate the idea of political manoeuvring, merely to notice that nowhere did anyone consider that policy was the result of some sort of well thought out plan that was formulated on good evidence and then implemented for unambiguous reasons related to some view of the public good. One may wonder then what it was that drove policy change in the direction it went in the middle to later parts of the industry. It is highly likely some people in government became aware of the simple numerical problem of there being too many potential migrants in the country, but this might seem a simple matter of changing the migration rules and reducing that number. Why all the brouhaha about 'dodgy colleges', about 'backdoor migrants'? The obvious thing is overkill. I mean, it was ridiculous, onerous and it didn't actually do what it was supposed to do, ie. weed out the [non-compliant colleges]. And what [DELETED NAME] kept saying was ok what they actually wanted to do was change the nature of the industry so that it wasn't profitable for the dodgies to carry on. It was a weeding out by reverse. Instead of going in and auditing them, because they realised that just like [DELETED COLLEGE NAMES], all they did was cross over. So they're just making the whole framework not profitable any more. And the people are not coming, so once they're not coming.

Interviewer: They're not profitable.

Subject: Right, there's no point . . . : they [were] targeting so strongly private colleges, they want[ed] to get the private colleges out of the picture.

The participants were, by the selection bias built into this thesis, likely to have access to more information about the industry than the general public, and certainly portrayed a more technical and comprehensive knowledge of the industry than would likely be held by people who do not have any experience dealing with, or in the industry. Many participants believed that at this time period there was a wide divide between what was 'actually' happening, and what was being reported in the media, and thus what the participants assumed people with little knowledge of the industry would believe was happening. It is certainly clear that the issues raised by the participants, and the beliefs held by participants about the influences on government policy formation were distinctly different to the preponderance of mainstream media coverage regarding which issues needed to be addressed.

The participants were all keenly aware of the concentrated media coverage of the industry during this time. The existence of this coverage was seen as an important factor in the story of the industry. However, nearly all the participants believed the ways in which the mainstream media framed the story of the industry was a false representation of the industry and the issues driving policy change by government. Participants were also able to believe, however, that the mainstream media coverage had a dramatic effect on the ways in which policy implementation was framed and promoted to the public. This is not regarded as a conflict of belief by the participants. Rather, most participants believed the
media concentration, while promoting false understandings of the issues prevalent in the industry, also and at the same time, exerted force on the government to make policy changes, and also and at the same time, provided the government with a framing device for promoting the idea that the changes the government was implementing were addressing the issues raised by the mainstream media.

As mentioned previously, many participants who were likely to know about policy formation in the industry also believed that the key decision makers involved in policy formation were influenced by political considerations, and that political considerations means electoral or parliamentary or cabinet advantage. For these participants it is quite possible to hold a belief that government policy could be formulated for one set of reasons to do with the practical remedy of unforeseen outcomes to previous policy that just needed to be fixed (ie., that the policy settings were resulting in too many prospective migrants in the country, or that DoI could not effectively manage the case load) and at the same time that government policy could be promoted as being put in place to address different (though somewhat overlapping) issues being presented through the media to the populace, and thus holding the potential to have a political impact. In either case, the role, or perhaps the shape of the media coverage was seen by most participants as very influential in the selling of the policy trajectory, as well as making the need to address the underlying issues perhaps more pressing in light of media coverage about other issues.

There was significant coverage of violence toward Indian students, and although this issue received great prominence in the mainstream media from 2008 onwards, participants did not consider it a prime motivating factor in the role of Government policy in the rise and decline of the industry. While all the participants were aware of the media coverage of violent crimes toward Indian students, the existence of these crimes, and the media coverage of the crimes, were considered separately to the role of government policy. Some participants believed that the furore created by the crimes both in Australia and overseas had some potential in the minds of key decision makers to hurt bilateral relations between India and Australia. However, none of the participants believed the violence had any separately justifiable major contributory causal impact on the decline of the industry. For the participants, the government was motivated to change the policy settings and shrink the industry by factors other than the violence toward Indian students: factors that would have been influential regardless of the existence of violence toward Indian students. The regulatory
changes that brought an end to the industry would still needed to have been implemented were there no violence, nor media coverage of violence, against Indian students. This is not to say that the issue of violence against international students was of no concern to governments. It undoubtedly was, but it was not something that the absence of would have prevented the need for change, and it can not therefore be seen as a prime cause, or major contributory factor, to the need for the changes.

Documents pertaining to the end of the industry.

One of the last reports commissioned and presented about the industry was The Strategic Review of the Student Visa Program 2011, commonly known as the Knight Review (Knight 2011). This review was commissioned in January 2011 and presented in June 2011. It was high in the minds of many of the participants. The Knight Review received some attention in the mass media, and its understanding of the then recent events is clearly in line with the messages given out by government about why the recent policy changes were made. Central to this was the idea the migration program was being distorted by the link to vocational training, and the rise of 'dodgy colleges'.

Another report produced in 2011 (and released one month before the Knight Review) was the Australian National Audit Office's performance audit on DOI for the management of student visas. The ANAO commenced this audit in May 2009. This received virtually no media attention, but most of the participants who were likely to be engaged with government, or more deeply involved in decision making processes were thoroughly aware of the report. This report shows an awareness of the government's framing of the need to make changes to the policy settings as being about protecting Australia's reputation as a provider of high quality training and education, and the need to close a pathway to migration that might be being misused by potential migrants and distorting the migration program. However, it frames the causes for these factors in a very different way.

On page 16 at point 14 the report notes:

Commenting on these policy changes [the changes beginning to close the pathway to migration], the then Minister for Immigration and Citizenship described the growth in the VET sector as unsustainable and stated that ‘students is a classic example of where governments lost control of the program’3. He also noted that the practice of overseas students seeking permanent residence through low quality education courses damaged the integrity of both the migration program and the education industry.4
The footnote for 3, is Senator the Hon Chris Evans, Minister for Immigration and Citizenship, evidence to Senate Estimates Committee (Additional Estimates), *Hansard*, Canberra, 9 February 2010, p. 29, p 66.

The footnote for 4 is a media release: Senator the Hon Chris Evans, (Minister for Immigration and Citizenship), 2010, *Australia continues to welcome international students*, media release, Parliament House, Canberra, 8 September.

The Hansard entry for footnote 3 relates to answers given by the Minister to questions about the student visa program. On page 66 Senator Evans says:

> I think the students is a classic example of where governments lost control of the program. The numbers were ballooning. That was affecting the net overseas migration program and, because it was an uncapped program, it got out of control. . . One of the reasons, which I addressed yesterday, was that it was being driven by the permanent migration option. I am just saying that the reality of migration to Australia now is that in 2006-07 there were 148,000 permanent visas issued but there were 500,000 temporary visas issued.

The media release mentioned as footnote 4, which was released the day before the Senator appeared in the Senate Estimates Committee puts the emphasis for the cause of the problems much more on the idea of student migrants behaving fraudulently:

> Labor inherited a student program which failed to adequately detect fraudulent applications and lacked the necessary safeguards to ensure student visa holders were genuine and had sufficient financial support. This was one of the factors which led to the unsustainable explosion in student numbers.

The media release also claims the new regulations were put in place to address the existence of 'low quality' courses (which infers providers): 'The changes also remove incentives for international students to seek permanent residence through low quality education courses, a practice that damaged the integrity of both the migration program and the education industry.'

Finally, the release also claims the causes of the then recent reduction in the number of international students is not attributed to government policy change alone:

> There are several factors which have impacted on the recent decline in numbers of student visa applications including the stronger Australian dollar, the ongoing impact of the global
While the message is similar in content, the emphasis of the media release seems to be less concentrated on the systemic issues of the government's ability to manage the migration program, and more on the framing of the problem in terms of misguided motivations on behalf of students and, by implication, the institutions providing the pathway to permanent residence. The reasons given for policy changes in the media release are different to the reasons given by the Minister to the Senate Estimates Committee one day later.

In a DoI response to the ANAO report, the DoI officer's opening statement before the Joint Committee of Public Accounts and Audit Report on the Report into the Management of Student Visas (12 October, 2011, 12pm - 1pm) said:

It became apparent that many international students were not coming to Australia with a genuine intention to study and then return home. Policy and legislative settings contributed to a situation where the primary purpose of some students in deciding to study in Australia was to gain permanent residence under the skilled migration program. The availability of this pathway led to a massive increase in the number of international students enrolling in the Vocational Education and Training (VET) sector in particular. This was not an example of an education sector growing sustainably and with integrity – it was an illustration of unsustainable directions and practices. The rapid acceleration of student visa grants to students with no intention of returning home after studying put a massive strain on the credibility of the international education sector and led to considerable pressure on the Department and the integrity of the Student visa program and the broader migration program in general.

In documents that were less likely to be examined by media workers, the emphasis for the problems caused by the policy setting is on the unsustainable increase in the number of potential student migrants in the country, and the inability of DOI to monitor or control this influx of people. This in turn was seen as having the potential to lead to a threat to Australia's reputation as a high quality provider of international education, and as a threat to the integrity of the migration program. The prime cause of this is government policy.

In documents in the mass media the emphasis for problems is on the exploitation by students of 'loopholes' in migration policy, the need to remove 'dodgy' colleges, and the government mishandling of policy that had lead to these events, which in turn threatened the reputation of Australia as a provider of high quality education and training to international students.
The emphasis are clearly different, but in both cases there is the belief that government policy was central to the story of the rise and decline of the industry. It is also clear that just what that policy was, and why it was being implemented was portrayed differently to different assumed audiences. However, it is not that there is necessarily one thing being 'sold' in two different ways. It is crucial to understand that when people talk about policy they almost always include in their description some explanation as to why the policy is being put in place. That reason, or that story, becomes part of the thing 'policy'. It never occurred that a Ministerial Press Release was released absent of any explanation as to why the actions described in the release were being undertaken. That explanation forms part of the wider thing that is policy. In this instance, it could be seen that government officers were not promoting one policy in two different ways, they were promoting two policies.

**Business Strategy Findings: The role of Business Strategy in the rise and decline of the education/migration industry in Australia.**

*The beginnings of the industry.*

Discerning the participants' views on the contributions of government policy to the rise and decline of the industry was relatively straightforward when compared to the role of business strategy and the role of ICT. When participants told the story of the industry they most often spoke about policy. The history of the industry was largely understood, and created, through a recounting of policy changes and their effects on the industry, along with speculation or claims about the motivations and abilities of various actors in influencing, or reacting to, policy changes. However, the practice of discoursing about policy by participants also revealed a number of assumptions about the roles of business strategy and ICT.

When the participants spoke about things like the way government policy encouraged the growth in the number of hairdressing courses being provided they were also talking about business strategy. It is possible to infer beliefs about business strategy among the participants by their assumptions about the effects of policy.

However, some participants did address business strategy

Subject: 'There were two parts. The way the regulations were made they dictated what we could and couldn't provide. OK that was one thing, and the other one was of course trying to match that with what the interests of the individuals were. If they were keen on a particular skill, whether it be community services, or cooking, or hairdressing, there was always this assumed connection between the two. . . .What ended up happening was that you had people coming because they wanted their migration status improved and they really didn't care what they did in that period of time. . . .So the business strategies we put in place were governed by those two areas. The agents, the customers; and the opportunities that were given to us by the skills lists, and by MODL.'
directly. There are therefore two sources for the participants' views on the contributions of business strategy to the rise and decline of the industry: the things the participants said when directly addressing the questions about the contributions of business strategy, and the things the participants said when addressing other questions, but that infer the existence of business strategy in their answers.

The participants' beliefs can be broadly divided into those that were sympathetic to businesses and those who were not sympathetic to businesses. This division is symptomatic of the character of the discourses about the industry. When confronted with a question about the role of business strategy, or of businesses in the creation of the industry, the participants almost unilaterally conceived these kinds of questions as ones that were aimed at eliciting a response that was either sympathetic to businesses, or that apportioned moral approbrium upon certain groups of businesses, and the people operating them. Here again, as in policy, we see the tendency of participants to make ethical statements.

The participants' beliefs about the appropriateness of the adoption by businesses of strategies that meant the provision of courses that could lead trainees to permanent residence was divided into two broad streams, somewhat parallel to concerns about policy.

Firstly, there was the belief that businesses implemented strategies to exploit loopholes in the law that allowed students to apply for permanent residence, and in doing so exploited the students (or colluded with the students) and threatened the reputation of Australia as a provider of high quality education and training. Also, that this was morally wrong.

Secondly, there was the belief that businesses designed and implemented strategies in accordance with the regulatory structures present in the industry, and were encouraged by these structures to provide courses that lead to permanent residence. The existence of the regulatory structures that encouraged businesses to provide courses that lead to permanent residence implied that this activity was being encouraged by government, most often assumedly for the purposes of relieving Australia's supposed skills shortage. Also, that pursuing this strategy was morally right.

These two beliefs contain a number of assumptions about the role of businesses and business strategy in society, and about the ways in which business strategy and government policy do, or should, or should not, interact. While there are various opinions about how this relationship should be characterised and acted upon, the very existence of these beliefs finds that the role of business strategy in the story of the industry was important, even if it's relative prominence (when compared to policy, for example) may be disputed, or may not be as literally clear in the words of the participants.
While the participants' beliefs can be divided into the above two broad streams, a number of other beliefs were held by participants pursuant to the two streams. One common variation extending from this discourse was around whether or not the business owners could or should be 'blamed' for the implementation of business strategies aimed at providing courses that might lead to permanent residence. This is not the same as claiming that the decision to implement such a strategy is or is not morally 'wrong'. This extension was characterised by two subsets of beliefs, one about the predicament of businesses in the regulatory and market environment, and the other about the character of individual businesses, regardless of the implementation of the strategy to provide courses leading to permanent residence.

Regarding the first subset, some participants were able to believe that while businesses did implement strategies that exploited loopholes in the law and exploited students, which was morally wrong, they could not be blamed for the implementation of such strategies, because the regulatory structures (in combination with other market forces) were such that this strategic course of action was perhaps the only viable course of action left to them in attempting to keep their business in operation. This view obviously holds an implicit moral position that it is right, or at least understandable, for a decision maker in a business to make decisions that keep the business in operation, or prevent it from ceasing operation, even when those decision might compromise some other moral concern.

Regarding the second subset, even for participants who held a strong belief that characterised the business activity as 'exploiting loopholes', it was quite common to exclude some businesses from moral approbrium on the grounds that the business owners of certain particular businesses were themselves, in instances known to the participant, operating honestly and with integrity, while others were not. This subset of course did not prevent participants who held it from believing other business owners were acting morally wrong in pursuing the same kind of strategy.

The general subset of beliefs for a division between which business owners were or were not acting morally wrong in the opinion of these participants who held this second subset of belief involved two further factors. Firstly, that either the participant knew the owner personally and they were not (or in a very few cases were) acting morally wrong. Secondly, (and concurrently), there was a division of moral culpability according to whether or not the business pre-existed the regulatory changes that created the pathway to permanent residence through training. In this division participants believed...
that businesses in existence prior to the regulatory changes, who then adopted strategies that meant providing courses that lead to permanent residence, were not subject to the same level of moral blame because they were, in a sense, forced to adopt the strategy in order to survive as other market and regulatory factors meant the failure to adopt such a strategy would lead to the end of the business. This belief obviously correlates with the first subset above. On the other hand, business that did not pre-exist the regulatory changes, but instead deliberately entered the industry with the aim of setting up as a provider in order to exploit the pathway to permanent residence were subject to moral approbrium.

These kinds of nuanced beliefs were held by participants from differing backgrounds. It is not the case that participants from a business background all believed the business strategies adopted to pursue courses leading to permanent residence were entirely morally correct while people from government backgrounds all believed this strategy was exploitative and morally wrong.

At the beginning of the time period under investigation there were obviously only pre-existing businesses. For most participants then, there is less moral approbrium to apportion to any business present prior to, and into the beginning of the industry.

There was one variation in this case. This was the common belief that one of the reasons the government embarked on a course of action to create this pathway to permanent residence was that the resulting increase in the number of international students would support the international education industry. The extent to which this can be described as an effect of business strategy on the industry was not evaluated by the participants. However, there was a commonly held belief that in putting the pathway in place the government was intending to help the international education industry, and the participants in the international education industry include businesses, as well as universities and other government providers. There is here an assumption that the desire for successful business strategies on behalf of these providers was in the minds of policy makers, in some manner, while forming the policy structures that lead to the creation of the pathway.

Some participants who were likely to have knowledge of policy formation did proffer the belief that lobby groups associated with the international education industry, both the privately owned businesses

Subject on having an international education program in universities:
It's smart business from a university's point of view and it's smart business from the government's point of view. It helps the government shift some cost to the individual, in this case they happen to be international students, in the same way that HECS-help, or FEE-HELP helps shift some of the funding burden to the individual. So that's smart policy from the government's point of view to not be, or have their institutions be completely reliant on government, and it's smart policy from the institution's point of view from a risk management point of view. I mean what business should have all its eggs in one basket and only be having income from government sources?
as well as the government providers, were active in promoting the creation of the pathway as a way to increase the number of international students in Australia and thus improve their own organisations’ commercial positions. However, none of these participants offered the opinion that those efforts by lobby groups could be causally linked to the intention on behalf of a business or group of businesses to adopt a strategy that included the creation of named courses that lead to permanent residence. In this way, the promotion of the pathway by lobby groups can not be seen as a direct symptom of the effects of business strategy on the industry if business strategy is understood as the plans made within a business for actions taken by that business alone. However, the idea that a lobby group should be formed and funded and then lobby for changes to regulations that would advance the cause of the group can be seen as a business strategy. There is no evidence, beyond brief speculation, from the participants that there was ever any concerted effort that was successful as well as causally tied to business strategy, for lobby groups to pursue the particular pathway that the government later created to permanent residence.

However, the existence of statements in government media releases about the intention of the creation of the pathway also creating support for the international education industry (and the known assumption that that industry includes private businesses) is evidence of the existence of a belief about business strategy in the minds of people forming or promoting policy. The very formation of the policy and the regulatory framework that supported it, assumes that there are entities in the industry that will act in certain ways according to the settings present in the regulatory framework. Though the extent (or even existence) of intentionality on behalf of government is a disputed area, especially in the middle and later time periods of the industry, at the beginnings of the industry (and regardless of later recounts of motivating factors) the design of a set of regulatory frameworks that assumes businesses (or other providers) will act in certain ways according to the structure of the framework (and whether or not they do actually act in those ways) also assumes that those businesses or other providers have, or will form, strategies to take advantage of the regulatory structures. That’s the point of making regulations: they are meant to encourage or censure or prevent certain actions by certain actors. A regulatory framework that provides opportunity to businesses, and that is supported by words from the makers of the framework promoting the opportunities afforded to business by the regulatory framework, can perhaps be assumed to have in mind the activities of the businesses for which it is providing

Subject: **Well over history, if you look at any business, the market, the providers will always change in the market to what’s the flavour of the month and what people want. If something’s the flavour of the month it will attract people to be an entrant in the market, and when it’s not, people will fall out of the market, and you could mirror that to any industry in any country, it’s the fundamentals of business. You go where the market is. And you try not to go bust.**

Subject: **The Howard Government, where Phil Ruddock, as immigration minister agreed to the concept of onshore migration. I think that he was lobbied principally by the public institutions, but there was a spin off there for certain private institutions who were quite effective in lobbying. I understand people like [Name Deleted] and so on, were able to put some sort of lobbying effort in place.**
In some cases participants were certain that government policy makers intended for businesses to take advantage of the new policy structures, though the level to which this intention had been built into the policy structures at their formation was not known with any high level of certainty by the participants. Stories proffered by participants in support of the contention that government intended businesses to take advantage of the policy structures were mostly in the form of vignettes about informal meetings at conferences, or presentations by government at conferences or at trade fairs. For example, DOI officials giving a presentation about the link between skilled migration and onshore training at an international education conference, and giving the presentation in such a way as to leave the participant observers to think the government was encouraging providers to pursue strategies that served this pathway to permanent residence. Another participant felt very strongly that in forming the policy structures, and in meetings the participant had with government officials, the perception the participant received was that the government actively wanted the participant to change the participants' business strategy to pursue the pathway, and that this was intended by the officials to be part of a cooperative effort between government and business in helping alleviate Australia's skills shortage. Another participant noted that colleges promoting this pathway at trade fairs overseas were actively supported by Australian government officials in the foreign country. Although a number of participants from the private sector told stories like this, no participant was able to point to any official government document supporting the contention that government actively desired businesses to adopt such strategies, except in the sense that government linking onshore training to permanent residence created a very strong inference in the minds of the business decision makers that this was something the government was deliberately setting out to do, and wanted business to be active in pursuing. Also, repeated government statements about the pathway as a good thing in contributing to the export of education as an industry was felt by participants to indicate general government support for the industry, and for the adoption by businesses of strategies to pursue this market.

The clearest contribution of business strategy to the beginning of the industry came out of discussions about the practical matters of achieving the opportunity presented by the policy changes. It is a long way from policy words on paper to a trainee arriving in Australia. Indeed, the policy or regulatory
words on paper do not at all provide causality to later events without the actions of people. The investigation asked participants who were likely to know about the business strategies of private providers questions about how they came to know of the pathway, and how they went about deciding to put a business strategy in place to take advantage of it, and then about how they actually did it, in a practical sense. This goes toward uncovering the practical ways in which business strategy contributed to the growth of the industry. In order to understand the findings that came out of this issue we need first to introduce another important factor in the commercial environment in which the businesses operated.

**The College and agent relationship**

In the actual recruitment of trainees, apart from the trainee there are two key non-government parties: the college, and the agent. The agent represents the college overseas, and recruits students in exchange for a commission— a percentage of the tuition fees the student might eventually pay the college. Agents can be large companies, conglomerations of associates, small groups of partners, or even individuals. The agent can be onshore in Australia, or offshore in the source country. The relationship between the agent and college is important and complex, as are any human relationships in a business project. One key aspect of the relationship is educative. Colleges and agents educate each other about trends in markets, about changes in regulations in different parts of the world, about changes in commission practices, about practices in various visa processing centres, about anything and everything that either party thinks they can gain advantage from the other party knowing.

Agents and colleges react to the information they exchange. Agents by definition represent more than one college. A person representing only one college is considered to be a representative, not an agent. On the other hand, colleges use the services of more than one agent. This creates a commercial tension in the relationship between agent and college. The agent tries to get the best deal in terms of the highest remuneration from colleges, and may play the colleges off against each other. On the other hand, the colleges can withdraw their permission for an agent to represent them, which affects the ability of the agent to recruit trainees wanting the courses the college provides. The difference between the number of intending students (represented by agents) for certain courses, compared to the number of colleges providing those courses, is the fulcrum upon which the supply and demand contest operates at this level. In theory, if there are fewer students than colleges have places for a course, the agent (as supplier) is in a relatively strong position as colleges compete for the students to fill the places. If there are fewer college places
available than there are students who wish to undertake the course, then the colleges are in a (theoretically) relatively stronger position as agents compete to place their students.

Many agents acted for students both as someone who could find them a college and as someone who could help them with migration, though often at least two individual agents were involved as for practical reasons it was more effective for the migration agent service to be onshore, while it was more effective (except in some cases, and in particular later in the time period under investigation) for the education agent service to be located offshore. As international education has acted as a pathway to permanent residence since before the beginnings of the industry under investigation, this professional nexus among some agents also existed before the policy changes that heralded the beginnings of the industry.

However, disruption to this market relationship did occur and took many forms. When the government set out to link the attainment of certain qualifications to the ability for a student to attain permanent residence, this would increase the demand among students who wished to gain permanent residence for those courses that lead to those qualifications. It is not however the case that the number of people overseas who decide to take practical, available steps to gain permanent residence in Australia is a simple static number. An increase in the likelihood of attaining permanent residence through a pathway that is increasingly attainable will increase the overall number of people for whom it is possible, and desirable, to follow that pathway to permanent residence. If they know about it. If there are actually courses available. If they can get the money together to pay for the pathway. To make the pathway actually work on the ground required agents and colleges to work together: the agents to secure places in the relevant courses, and the colleges to secure enough enrolments to make the investment in the creation of the course worthwhile. Whether or not to do this, and how to do it, is a question of business strategy.

The existence of the agent and college relationship was a given for the participants, and a key element in understanding the set of possible decisions available for constructing business strategies.

In any new business project there is risk involved, and the trading of that risk is a very human affair because it involves trust and speculation. A college will not want to invest in expensive new infrastructure, or in any kind of cost, including opportunity cost, unless it feels comfortable that the agents will recruit students into the courses. An agent does not want to spend money or time or reputation selling a course to a student if there is high risk the college is going to shut down before the
agent has been paid commission, or if the government is likely to refuse visas for the course, or if the college is going to act in some way that affects the agent’s reputation and therefore the likelihood of future students using the agent’s services. At the beginning of a business project at least some of the threats are unquantifiable or even unknown. That is, in a practical sense, the stuff of risk itself. One side or the other has to reach out across that unknown and convince the other side that the level of risk is not greater than the opportunity for profit.

The adoption of the business strategy to actually provide the pathway at the beginning of the industry originated somewhere in the college/agent relationship, as one or the other or both became aware of the changes to government policy that made the pathway possible. Those policies would not have been more than words on paper were it not for the decisions of people in the industry to implement business strategies that sought to capture the opportunity provided by the policies. The decision makers themselves were informed by, or had their interest piqued by, information exchanged in the daily performance of this agent/college relationship, and by exchanges of information with government officials in both formal and informal environments.

**The middle parts of the industry**

For the participants there is a division between the character of the industry in the early parts of its existence and the character of the industry in the middle parts of the time under investigation. The difference in the commercial environment (as the participants understand it to be) is to do with the growing scale of the industry in terms of the number of students and colleges and the character of the people entering the industry; and the ways in which the regulations and policies were affecting issues of supply and demand (and thus business strategy) in the VET sector as a whole.

Subject: They still had to go through the front end process of becoming RTOs in the first place, and obviously they were able to get through that process without, though, in practice meeting some of the fundamental requirements. And . . . it's easy enough to put a lot of stuff down on paper and say this is what you're doing and this is how you uphold standards, and this is how you're delivering your programs, then this is how you'll have a view to student services, but it's a whole other thing to actually do that. So, I would probably say that it was a fundamental flaw in the regulatory approach.

The growing scale of the industry in terms of the number of students and colleges, and the character of the people entering the industry.

Participants believed that in the time leading up to and including the 'perfect storm' a large number of new private colleges entered the market, and that the sole business strategy of these colleges was to pursue (or 'exploit') the availability of the pathway to permanent residence. Participants who were likely to know thought there were three main causes for the widespread adoption
of this business strategy. The obvious first one is that the pathway was in existence.

Secondly, participants believed that barriers to entry to the market were relatively low. The perceived causes for this will be dealt with shortly, but the implications of this were contested. Some participants believed that a lower barrier to entry meant people with little experience or interest in the provision of quality training were able to enter the market, where their intention was then to assist students in exploiting training as a ‘back door’ to migration. The low barrier to entry effectively meant adopting a business strategy and achieving its outcome was relatively cheap, and therefore carried less risk. Some of the regulatory and operational matters that lead to this low barrier to entry will be dealt with shortly.

Consequently, other participants believed the low barrier to entry meant some professionals in the training industry, who might have been senior executives in other training providers, or school principals, or other experienced wage earners were able to set up their own colleges as the cost of doing so decreased in comparison to the perceived potential reward. In parallel, many participants believed lighter regulatory approaches to initial registration as an RTO, and thus lower costs, continued to operate at this time.

However, once set up, these owners were faced with the commercial reality that the only courses that would attract students were those related to permanent residence. These people, who were not overly wealthy and who perhaps had their houses mortgaged to invest in the business, were then forced to either put on courses leading to PR, or close.

In either case, the increasing number of students coming to Australia with the intention of pursuing this pathway to permanent residence increased the number of potential customers to colleges, thus making a business strategy to pursue this market more potentially viable. At the same time, there was an increase in the number of colleges.

Thirdly, the increasing number of students on-shore increased the opportunity for new colleges to recruit students on-shore, at a (supposedly) significantly lower cost in money and time than recruiting students off-shore, in their home countries. This became
possible when a regulation allowing students to leave their first college after six months came into effect. Students were then able to transfer to another college, should they wish. This created a new onshore market in students, which contributed to the perception of a lower barrier to entry. This was because potential new entrants would not require the larger amount of money needed to spend on off-shore marketing, nor on renting space. Also, the considerable capital investment required in facilities would not need to sit idle for a long time, as would be the case if the main market were off-shore and time was lost in recruiting off-shore and waiting as the students made their way to Australia. This cost was also ameliorated in different ways discussed shortly. New onshore agents appeared to service this on-shore market, and new colleges were able to tap into it. The cost however, was in higher levels of commission being paid to agents, an increase that could outweigh the benefits of an available onshore market. Participants had a tendency to consider onshore agents dealing in this market of onshore transfers as more morally culpable in creating instability in the industry than agents operating offshore.

The participants believed these three factors in combination lead to the creation of the possibility of an increase in the number of smaller private colleges catering to the pathway to permanent residence. However, in order for this possibility to be turned into a reality, a further condition was present, and that was about the shape and role of government regulations in affecting both supply and demand in the VET sector as a whole, and thus the shape of business strategies designed to capture opportunities in the sector.

The ways in which regulations and policies were affecting issues of supply and demand in the VET sector as a whole.

One can think of supply and demand in VET in two ways. On the one hand there is the demand from colleges for the supply of students into their courses. On the other hand there is the demand from students for the supply of courses that meet their needs or wants. This particular industry also operated with a third factor, that is that the creation of a pathway to permanent residence stimulated, or uncovered, or allowed, the growth of a factor of supply to the demand from people overseas for permanent residence in Australia. There is a large amount of demand in the world for the limited amount of supply of permanent residence visas in Australia. The unlocking of this demand through the VET pathway by government policy sits at the core of the events under investigation. However, the demand side of this relationship is fairly well understood and accepted: all the participants assumed that people would, given the chance, want to come to Australia to attain permanent residence. No relevant government policy drastically affects this level of this kind of inherent demand, except in the sense of making the possibility that demand might be supplied available to larger or smaller groups of people. That is, making the possibility of attaining permanent residence
available to more, or less, people. Government policies and regulations directly, however, affect the level of supply. That is, the number of people who want to come to Australia (or would want to, if given the chance) is almost certainly very high, and not affected by government policy, excepting in the case of the existence of supply prompting the notion of demand in the minds of potential migrants. On the other hand, the conditions that prospective migrants need to meet, or the tasks they need to undertake, in order to satisfy that demand and become a permanent resident is in this instance in the general purview of the government.

In the middle parts of the industry leading up to the 'perfect storm' the participants saw the relationship between the business imperatives inherent in the supply and demand relationship, and the government regulatory actions pursuant to this in two ways. Firstly, that government departments were unable to effectively regulate the industry because of the number of new college entrants into the market and the large number of students arriving onshore (thanks to the unlocking of demand). Concurrent with this is the implication that the inability of governments to manage the sector made it easier for new entrants to come into the market by lowering the regulatory burdens associated with initial registration and thus lowering another barrier to entry. Secondly, that colleges were unable to viably provide courses (implement business strategies) that were not linked to permanent residence.

Participants believed governments were unable to effectively regulate the industry because they lacked market intelligence, regulatory power, and enough human resources to acquit their roles. In addition, at the Commonwealth level, participants believed a dispute was in play between DoI and DoE over whether or not there was a problem with such growth at all. On the one hand DoE was very supportive of growth, while on the other DoI was becoming more and more concerned about the number of potential migrants arriving in Australia compared to the number of permanent residence visas the department intended to issue in the coming years.

At the State level participants believed the relevant regulators lacked market intelligence. As the visas issued to students were
issued by DoI, there was no direct intelligence coming into the State regulators about the sudden increase in the number of students arriving. Put simply, it was seen as DoI's role to issue visas (thus generating present demand by increasing the supply of visas), while it was the State regulator's role to police the colleges (thus controlling supply). However, as DoI was generating far more visas than the state regulators were aware of, and as there was little really practical cooperation between the two levels of government, the state regulators were not aware of an impending problem. DoI generated visas without close regard to any level of available or controlled or regulated supply as might be deemed appropriate by a State regulator. Once the State regulators became aware of the impending problem through their normal work, they found it hard to impart the seriousness of the problem back to the DoI.

An imbalance also occurred because DoI was issuing student visas, and not ipso facto visas to permanent residence. This meant DoI operated with the formal impression that the visas it was issuing for students into VET courses would be used by the student and then the student would return home, when in practice and in fact the students had an intention to stay in Australia and apply for permanent residence. The assumption that student visa holders would return home instead of attempting to stay and attain a permanent residence visa meant that DoI was not formally seeking to restrict the number of student visas it was issuing according to the number of permanent residence visas it intended to issue in the future because it did not consider the two programs to be linked, when in fact they were.

*Business strategy filling the regulatory gap.*

However, even with the sole consideration of student visas there was, strictly, a set level of supply. This is because colleges were registered to a certain level of 'capacity', meaning the number of students a college was registered to be able to be training at any one time. However, the State regulators responsible for policing that a college did not exceed capacity were not seamlessly integrated with the DoI systems that were issuing student visas. DoI could and did issue more visas for students to attend a college than the number of students the college's registered capacity said the college could train at any one time. This was because colleges themselves issued Confirmation of Enrolment letters through PRISMS that would initiate the formal student visa assessment processes of DoI, and colleges were not prevented from issuing more
Confirmation of Enrolment notices than they had places for students according to their registered capacity. There are sound business reasons for issuing more places in a course than are actually available. Just as hotels often sell more nights’ accommodation than they actually have available, or as airlines sell more seats than they are actually travelling, colleges will sell more spaces than their registered capacity assuming that some students will fail to arrive. Maybe their visa will not be issued, or they change their mind.

There can also be a relatively long period of time between the college issuing a Confirmation of Enrolment and the actual arrival of the student, leaving some time for the college to gauge demand for a course, and then build capacity to meet that demand. This is obviously a better situation for the business strategy than the counter scenario of building capacity and then hoping there will be demand, which would require more expenditure earlier and thus increased risk. It was thus in the interests of the business' strategy to recruit as many students as possible earlier and build capacity later. The inability of government regulators to police this strategy, and the obvious advantages of the strategy to the business, meant the strategy could proceed. The availability of this regulatory architecture, and the demand forces unleashed by the policy frameworks, meant that businesses could build their strategies around the systems and gain advantage. Participants believed that, in situations like that arising regarding the issuance of Confirmation of Enrolment letters and registered capacity, the relevant government departments charged with policing the sector had neither the market intelligence, regulatory power, nor human resource capability to acquit their role.

In much of the above the intrinsic link between business strategy and government policy should be clear. In thinking about which business strategy to adopt, the structure of the regulations was extremely important in both a macro sense to do with knowing the government intended to have a pathway to permanent residence through onshore training, but also in a micro sense in terms of knowing how to structure the business’ operations so as to reduce risk and maximise opportunity.

*Damned if you don't.*

Many participants believed that the construction of the policy framework that created the pathway to permanent residence grew demand for these courses so drastically that colleges could not viably provide courses that did not lead to permanent residence. This accords with Baas (2006, 2007), the only academic to raise this issue in the literature, and it was a prominent issue among participants with a background in colleges. This problem became particularly acute once students were able to transfer between colleges onshore, but had been developing for some time before then.

Prior to the advent of the pathway to permanent residence through trade level qualifications, many private colleges operated computing or business courses to diploma or advanced diploma levels. The
strategy of providing these courses revolved around providing pathway courses into universities. So, for instance, a student might study a one year diploma of business at a private college and then enter into the second year of a business degree at a university. This strategy actually relied somewhat on the idea of permanent residence also, as in the years immediately prior to the industry under investigation, many students were following this pathway in order to enter university courses that would eventually lead to qualifications in accounting, or in IT, that were themselves pathways to permanent residence. The difference being, of course, that this pathway went through a university, and took a considerably longer time to achieve, at more financial cost to the students. The issue of universities graduating large numbers of accountants who were international students received some attention in the academic literature (Birrell 2007), and also some media controversy when CQU students protested over exam procedures. However, the numbers of students involved was much lower than in the years under investigation in this thesis.

Colleges pursuing this business strategy of diplomas into university were suddenly faced with two threats to their supply. Offshore agents began telling colleges that students were preferring courses that lead to permanent residence through trade level qualifications, and, when it became possible, onshore students began transferring away from business and IT courses and into colleges that provided trade level qualifications. An additional impetus for student transfer was the removal of some IT professions from MODL, which immediately enticed students on that pathway to permanent residence to switch to a different course. Another contributing factor to college business strategy decisions was that at the same time as relative student demand grew both on and off shore, commission rates demanded by agents began to rise. This might seem counterintuitive as a lower number of colleges providing courses in greater demand from a larger number of students would suggest a lowering of commission rates as agents sought to place their many students into fewer colleges. However, this was not the case. Agents able to place students in trade courses and gain 20 or 30 per cent commission were unlikely to encourage students into business courses that offered 15 per cent commission, and were unlikely to lead to permanent residence unless through a longer and harder tertiary pathway. Also, by the middle parts of the industry the number of colleges providing trade level qualifications leading to permanent residence was growing, thus increasing relative supply.

In addition, the character of the college ownership, as discussed above, was perceived to be changing. Participants felt that smaller colleges, opening either to exploit the pathway, or being forced by market forces into providing the courses, were more likely to become dependent on a few agents, who would promise to deliver a fairly large number of students (thus holding out the promise of instant business viability) but who would in turn expect a higher rate of commission.
In making decisions about college business strategy executives were dealing with a fairly clear market environment. Government policies were pushing students into trade level qualifications that lead to permanent residence and away from any other courses. Executives at colleges that had been in existence for some time faced the choice of either changing their course offerings, or watching student numbers dwindle to a point where the college was no longer financially viable.

Executives at relatively newer colleges, whether the college had been originally conceived as one to provide trade courses to international students or not, would have been unable to mount any real or compelling argument to owners or shareholders about not providing trade level courses that lead to permanent residence to international students, except to exit the market for international students and re-focus on the domestic market.

The participants who were likely to know believed that the government policy frameworks changed the supply and demand dynamic in those parts of the VET sector reliant on international students. Business strategy had to adapt or die.

*The Ponzi Scheme: business strategy eats itself.*

Participants with both government and private sector backgrounds believed colleges’ pursuit of the business strategy to provide trade level qualifications in this regulatory environment lead in some cases to a strategy which some participants characterised as a Ponzi Scheme.

When students enrolled in a course they generally paid an amount of tuition fees up front, and the college would issue a Confirmation of Enrolment upon receiving these fees. Most trade level courses had a duration of roughly two years, and the amount required up front might be about equivalent to six months. There was an expectation that the student would pay fees for the remainder of the course once they were in Australia (and a further implicit assumption that the students would get the money to pay these fees by working in Australia). While the situation described by the participants was not actually a Ponzi scheme, the general character of their belief about the situation was close to one, and had two variants.
In the first variant the college would be caught in a situation where it would use the first payment, less agents’ commission to pay for capital expenditure in setting up the course and providing the first parts of the course. However, if the money available was not enough to actually cover the first six months, of the course this could lead to an inevitable situation where the colleges were not going to have enough money to provide the entirety of the course to the student, to ‘study out’ the student. The college would then need to recruit more students in order to gain access to another lot of fees meant for the next batch of students’ first six months, but use some of those fees to study out previous batches of students. If the college continued this practice the situation would deteriorate as each new batch of students' money went to service more and more study out time for existing students, thus increasing the amount of study out for present students the college was having to cover using new student fees. This was clearly unsustainable.

The second variant occurred when recruited students either left the college after six months, or ceased paying fees. Even colleges not caught in the previous variant could find themselves in liquidity problems as a result of this second variant, and for colleges caught in both it could be disastrous. Participants identified the failure of students to pay fees as being of deep concern to the industry and noted a particular spike in this activity as students became more aware that their pathway to permanent residence was being closed by government policy. As colleges were prevented by regulation from expelling a student for non-payment of fees, and the process for expelling a student for any kind of misbehaviour took a long time, colleges could find themselves forced to continue training students who were not paying fees, and who would then, at the very last moment, transfer to a new college. Again, this problem could be camouflaged to some extent so long as new students were being recruited and their fees became available and at least some of the existing students continued to pay fees; but the continuation of this problem inevitably lead to shortfall in available funds, and would eventually threaten the viability of the college.

_Fight or flight: business strategy at the end of the industry._

By late 2009 and early 2010 it was becoming clear the government was intent on closing the pathway to permanent residence. Participants also believed the government had become intent on ‘cleaning’, or ‘closing’ the industry, and by this they meant closing colleges. Many participants from the private
sector believed the government had a pressing agenda to close down colleges using all regulatory means at their disposal, and even meant to bend those means in order to close colleges if they could. Participants from a government background agreed that they had a purpose to rid the industry of 'dodgy' providers, and that they could request and receive support in regulatory change or more strict and thorough implementation of regulatory powers should they seek them. In combination, participants agreed that by late 2009 and early 2010 the Commonwealth government had decided to close the pathway, and was seeking to promote and support the State based regulatory authorities in removing 'dodgy' providers from the industry.

At a basic level, businesses and their owners had to decide whether to fight or flee. They could fight to stay in business in international education and face decisions about changing the courses offered, shrinking the size of the business, and re-orienting toward different markets. At the same time they would need to weather the storm of newly energised and resourced State regulators who they believed were on the hunt for colleges to close down through forensic auditing processes.

On the other hand they could flee. This could mean moving entirely out of the international sector and perhaps into domestic training. This would still entail facing down the auditors, and completely changing the business's orientation. Or, they could flee by getting out of the business entirely. This might mean selling the business, or just giving up and hoping something could be salvaged from the inevitable wreckage that would follow.

The strategy adopted depended on a number of factors, including the financial shape of the business, the reputation of the business, the size of the business, the assumed potential attitude of auditors and regulators, the existing or legacy course mix, and the proclivities of the business owners. By 2012, the two largest private providers in Victoria had been sold to investors, and many smaller colleges had been closed through winding up. It was not possible to ascertain an accurate number of the colleges that had closed, but participants agreed it had been a significant number, with estimates varying from the high dozens to the low hundreds. In most cases, because the industry was itself aware of the intentions of government to close a number of colleges the industry was able to manage this process in such a way that students of closing colleges were able to be transferred to other colleges. This for a time created the perception of the possibility for a new business strategy in taking on displaced students, however, this idea was seen as highly risky. None of this of course did anything to alleviate the Commonwealth government's immediate problem of there being too many international students intending to apply for permanent residence in the country, and the Commonwealth government was able to make additional changes to migration regulation to lessen this number. But these changes fall outside the scope of this investigation. The practical effect of the changes was, however, to send a
very large number of students out of the VET system and into the tertiary system, where the hope of eventually attaining permanent residence remained, however tenuous.

By the middle of 2011 the industry was essentially finished. All the participants agreed that by this time the pathway to permanent residence through VET courses was completely closed. Some believed viable pathways, and future business strategies, might be reconstructed through tertiary providers, but this was overtly framed as speculation, not as fact. There was no more role for business strategy in the industry because the industry ceased to exist.

**ICT Findings: The role of ICT in the rise and decline of the education/migration industry in Australia.**

Information and Communication Technologies permeated the industry, and no participants overtly recognised this as important without being prompted to think about it. When the subject of the contribution of ICT was initially raised with participants the majority response was of silence while the participants seemed to search their minds for some way of relating ICT to the industry at all.

On further prompting and questioning many participants gave some credence to the idea that ICT was important, while others continued to struggle to construct an answer. The problem was in the segmentation of the idea of an area of concern such as ICT, not in the ability to discuss the items that might go into the area. For example, all participants who had knowledge of PRISMS (and this was almost all of the participants) were able to talk at length about the system, and its central role in the operation of the industry. All participants who had knowledge of the points system that structured the migration system were able to talk at length on the validity or otherwise of the assumptions that underlay the points system and its creation. However, most of these participants did not then (unless prompted) segment the phenomena of, say, the PRISMS system, into a category of things one might call ICT. This occurred even though PRISMS is clearly a technological phenomena in that it is a designed information and communication system operating on computers, and even though PRISMS and its strengths and weaknesses clearly lay at the centre of many of the issues the participants raised, and almost all the participants recognised this.

Thus, making findings about the role of ICT in the industry differs from the areas of Policy and Business Strategy in that the participants were not easily able to identify an area 'ICT' as a discrete interrogatable area of concern. However, the participants were in practice interrogating the role of ICT in the industry as they spoke about different things in the world that were important to the industry and were, in fact, things that can be described as ICT.
A number of participants who at first thought ICT was not very important would, upon guided examination of phenomena, agreed that communication technologies in particular did help increase the speed at which the recruitment, enrolment and commencement process operated. This increase in speed is crucial in understanding the failures in the broader system of the industry. The impact of increasing speed on the relationship between government and business will be made clear in examining PRISMS shortly, but first we will examine the ICT developments that created the inputs for the system generally.

ICT in the recruitment, enrolment, commencement process.

Before students are actually sitting in a classroom being trained a number of activities need to be completed. One can envision these activities as two converging sets. On the one hand there is the set of activities taking place that is bringing the student from overseas and into the classroom. On the other hand there is the set of activities that brings the classroom and resources and trainers together in the one place. The ways in which these activities are ordered and achieved might be called a process. In both cases the speed at which the activities can be completed is considerably increased through the use of ICT. The governing systems, that is, the rules that delineate which activities need to be satisfied when and by whom and in which way, might be considered to constitute a series of requirements, or hurdles, that need to be overcome in order to bring student and trainer together in the one place at the one time. These requirements are largely set by two factors. Firstly, the existing physical world which necessitates overcoming the space between the prospective student in an overseas location and the physical location of the training arena in Australia. Secondly, the framework of requirements as set down by government in its role of regulating the processes required to actually enrol a trainee and move them through the various physical and regulatory gateways between their home overseas and the place in which training takes place in Australia. Creating and enforcing this set of requirements is the prerogative of government in its role of regulator of the industry. The use of ICT made the satisfaction of those requirements a much faster process than the designers of the governing systems assumed possible.

The set of activities bringing the student to the classroom include recruitment, enrolment and commencement. Recruitment and enrolment require the college to communicate with the offshore agent. This communication is not just information about the course, but about all the many details to do with an individual student and their particular circumstances.

During the recruitment phase the college and the agent communicate about course content and dates, duration, prices, and anything else the college and the agent might assume a prospective student might wish to know. In this industry this also included likely pathways from the course to permanent
residence status, living costs in Australia, accommodation options, and likelihood of gaining work. The speed at which this information can be exchanged is drastically increased through the use of email and/or internet based telephony where it is available. Where in earlier times letters or faxes would wend their various and sometimes uncertain ways from Mumbai or Beijing to Melbourne or Adelaide, the existence of a fast and reliable form of communication channel meant this kind of information could be exchanged almost instantly, rather than in weeks.

The point at which the recruitment phase ends and the enrolment phase begins might be arbitrary and would differ in the minds of different participants. However the beginning of the enrolment phase could be considered to be the point at which the information being gathered shifts from generalised information about a course to specific information about a student. The agent would gather information about the student, including past school or college results, proof of age, and ability in the English language. These pieces of information went toward enrolling the student in the college, and also toward gaining a student visa to study in Australia. The speed at which this information could be collected and presented was greatly increased by the use of email, by the use of PRISMS, and by the creation of the agents' portal by DoI. The whole practical aim and impact of PRISMS and the agents portal was to increase the ease and speed at which the enrolment process could take place, while at the same time allowing the government to (supposedly) centralise data about who was enrolling in which courses from where. This was meant to increase government knowledge and efficiency in managing the visa program and the international education sector as a whole.

The enrolment process can be delineated thus: Application, Letter of Offer, Money transfer, Confirmation of Enrolment, Pre-Visa Approval, Visa Confirmation. This process would vary in detail, order and requirement according to the country from which the student is applying and the course for which they are applying. That is, different requirements and evidentiary requirements were in force for different countries and for different kinds of course. For example, a Chinese student applying to a VET course would have different English language and proof of money requirements to a Japanese student applying to study English. The vast complications arising from these differences will not be addressed here, and so what follows will not be comprehensive. In any case though, the general process remained generally the same. Each of the steps was made significantly faster through ICT.

The Application means the student completing the college's enrolment form. Throughout the period under investigation it was a requirement that this form be actually filled out and signed by the prospective student, so the forms were not put entirely online. Still, whereas previously the application form might be mailed to an agent, filled in by a student and then mailed or faxed back to the college, during the period under investigation the application form would often be signed by the student, scanned and emailed back to the college, along with the other evidentiary requirements.
collected by the agent. This form of communication was far faster and more reliable than mail or fax. This was supported by the increasing use of email in the country of origin, which helped the agents collect and collate the documents needed to satisfy the evidentiary requirements.

Once the application had been made the college would issue a Letter of Offer. In some countries this letter would go toward the student making an application for a student visa, though again the differing specifics of visa processes are not the central focus here. The production of Letters of Offer was made much faster by the use of email.

After the student had a letter of offer the student would need to pay the college money in order to receive a Confirmation of Enrolment. The actual payment of money to the college was made faster by two developments. Firstly, the ability of students (or their agents) to make direct deposits into the college bank account, rather than through receipted bank drafts or other means, made the transfer of money much faster. Secondly, the ability of the student in their home country to have access to bank accounts that they could transfer money out of increased the speed at which they could get the money in order to send it to the college. This might seem obvious, but in some areas in markets like India and China, the existence of large and reliable banking systems with easily transferrable funds is a relatively new phenomena, and one that greatly increased the speed at which the money could be gathered and forwarded.

Regarding India in particular many participants noted the growth of innovative funding models for students intending to study overseas. As students were required to show possession of enough money to live on while they were in Australia, a number of schemes came into being to assist the student to do just that. This included the ability of the students’ parents to find a bank to give them a loan, backed by the collateral of the family farm or home or business. Participants also believed that some banks or other institutions or individuals in the home country were willing to loan money to a student directly for the purpose of providing evidence of money for attaining a visa, and then withdraw the loan upon the student’s successful application for a student visa, this service of course attracted a fee. In other cases, participants suspect third parties would loan money to a student for the same purpose, either expecting immediate repayment upon successful application for a student visa, or offering longer term loans that the student could pay off while working in Australia. All of this activity requires relatively sophisticated ICT systems in a relatively sophisticated banking and finance system, that is available to generally middle class people. This kind of system, and the trust in this kind of system, did not come into existence in some areas of India until relatively recently, and came into existence alongside the developments in ICT that made it possible in the first place.
The end result of these ICT developments was that money could be in the bank of the college faster, and thus with more lead time before the beginning of a course. This changed the risk profiles facing the colleges. It decreased the risk of over capitalisation early in the life of a course, but in the end it also increased risk if the college relied too heavily on the money first received and thus threatened future liquidity, particularly if the money first received was sourced through some form of innovative financial arrangement that relied on the future earnings of the students to pay future fees.

The Pre-visa approval and Visa approval phases differed according to country and type of course. However, during the time period under investigation the DoI implemented a number of ICT programs designed to increase the speed at which these processes could take place. The agent portal allowed agents to essentially handle the pre-approval phase themselves and receive pre-approval very quickly. Access to the agent portal was granted to a number of agents, and then withdrawn from many agents later in the time period under investigation as DoI became concerned about integrity issues with the whole process.

A very many other procedural changes were made by DoI onshore and offshore during the time period under investigation, but these mentioned above serve as crucial examples of the use of ICT in improving processes, where the term 'improve' means speeding up.

One might also extend the investigation of the impact of ICT into the issue of globalisation, covered before in the literature review. The increase in technological connectivity concurrent with whatever one understands the term globalisation to mean also increases the ability of information to move more quickly around the world. In some cases, such as in the industry under investigation, this also resulted in an increased ability for people to move around the world more quickly via more available flights, faster visa processing times, and, perhaps, the wide dissemination of Western cultural practices that makes the very will to travel internationally available to people who previously perhaps would not have endeavoured to do so because the opportunity was not available and, in a sense, not practically thinkable.

The other set of activities that need to be acquitted to put students and trainers and resources together are to do with Australia-based preparations. This means the sourcing and resourcing of training sites, relevant qualified trainers, administrative staff, and the ICT systems required by government in order for a college to actually enrol and train students. Throughout the period of time under investigation it was a requirement for all colleges wishing to enrol and train international students to be registered on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS). A college needed to be registered on CRICOS in order to access PRISMS, and a college needed to access PRISMS in order to issue Confirmation of Enrolments and to enrol international students. In practice
both registrations would happen almost simultaneously, indeed they were considered by government as two parts of essentially the same system. A college obviously needed the technology and the staff trained in that technology in order to be plugged into the system. In this way ICT underpinned all of the processes needed (or required by government) for a college to enrol international students, and acted as a practical emanation of policy implementation.

The Provider Registration and International Student Management System

PRISMS was created along with the CRICOS register in 2000 and 2001. From March 2001 colleges could only enrol international students (or, strictly speaking, people who intended to come to Australia on a student visa) through PRISMS. The creation of electronic Confirmation of Enrolments (eCOEs), which could be issued quickly and from the same centralised source, meant government could potentially keep track of who was enrolling in which courses from where. PRISMS was also designed to allow colleges to notify DoE of any changes to the students’ course, or if the student breached any visa conditions. In essence it meant DoI and DoE would have the supposed capacity to centrally understand and attempt to control what was going on in the international education sector, while at the same time streamline enrolment processes and thus assist colleges and support the international education industry (NOIE 2003). The wider political frameworks that justified the implementation of such a system in the first place were the (by now very familiar) concerns about visa fraud and course quality. These lead to new legislation (the ESOS Act, 2000) that imposed a number of requirements upon colleges. PRISMS was meant to support the implementation and monitoring of these new requirements. The creation was also very much about streamlining governmental processes for assessing and processing applications for student visas.

The previous system had relied too heavily on paper based applications and involved double keying of information as it moved between students, colleges and government departments. The system was also meant to be a bridge between the DoI and DoE, whose overlapping responsibilities in the area of international education had the potential to be problematic (NOIE 2003).

Participants agreed PRISMS played a central role in the industry, and in creating the conditions that lead to the industry perhaps becoming out of control in terms of the number of students enrolling in the middle to later parts of the industry. The participants felt that while the system did speed up the process of enrolment there were several areas in which the system, even when it was working in the way in which it was intended to work, failed in terms of its supposed ability to assist governments in effectively monitoring and controlling the industry. Participants believed (with some qualifications) that this was not per se a problem with the actual ICT system, so much as a problem with governments' practical inability to react to the information the system was generating. As the system
was not just generating information, but other people were acting on the information being generated, the operation of the system had several real world outcomes that were, according to many participants, not managed effectively by government. Put very simply, PRISMS allowed colleges to enrol students at a much faster rate than government was able to effectively monitor and control.

*The NCN problem: An example of the centrality of ICT and its capacity to efficiently make other systems inefficient.*

A key event in understanding the reasons for government closing the industry that also demonstrates this disconnect between ICT capability and government capability is to do with the issuing, monitoring and actioning of non-compliance notices (NCNs). A NCN was issued when a student visa holder breached one or more of the conditions attached to the student visa. These included matters like attending a minimum percentage of classes, keeping the college informed of the address of the student, and making satisfactory course progress. Up until March 2012, when a college notified the government, through PRISMS, of a variation to a student's course that involved a breach of a student visa of, for example conditions 8 ('unsatisfactory attendance'), or 10 ('unsatisfactory course progress'), the student visa was often automatically cancelled by DoI 28 days after a NCN was issued and the student was then, in theory, in the country illegally. Though there were a number of events that could result in the issuing of a non-compliance notice, not all of them would result in automatic cancellation of a student visa.

The problem was that with the increase in the number of students in the country, there was an inevitable increase in the number of NCNs being issued. The number of NCNs issued doubled between 2006 and 2010 so that by the end of 2010 DoI had around 287,000 outstanding NCNs. These were NCNs that had not been followed up for action by DoI officers. In the first three months of 2011 over 30,000 NCNs were being created each month. While many of these were not for events that might result in automatic visa cancellation, the raw number of those that could was still very high. In the first three months of 2011, 35 per cent of student course variations would result in NCNs that were considered high risk by DoI (Knight 2011 p. 93 - 95). That still represents approximately 31,500 instances of a student breaching their student visa conditions in such a way as would lead to automatic cancellation of their student visa, in just a single three month period. If this percentage were extended across the total of outstanding NCNs (and it must be noted this may not have been the actual proportion) the total would have been approximately 100,450. That's 100,450 students in the country who had breached their student visa conditions in such a way as to have their visa automatically cancelled, and who would theoretically be in the country illegally. DoI simply did not have the human resources available to check such a large number of notices, let alone actually deal with the clients those notices were about.
However, in a further twist to this almost surreal administrative nightmare, the Federal Court made a number of adverse findings against the whole automatic cancellation regime. As a result of these findings the entire system was found to be valid for only a five month period between May 2001 and December 2009. Only decisions made in this short period were upheld, and all others were overturned (Knight 2011, p. 95; Australian National Audit Office (ANAO 2011). This, despite the very considerable resources DoI had assigned to the high risk case load.

At the core of the NCN system was PRISMS, through which all student course variations were recorded and, in relevant cases, from which all automatic visa cancellations were actioned. This puts ICT in the centre of the problems faced by government in regulating the industry. In essence, colleges were able to enrol students faster than government was able to manage that enrolment process, and, in following the regulations as set by governments, colleges were then issuing course variations (resulting in NCNs) at a much faster rate than governments were able to effectively manage.

When this problem with the numbers of students in the country is then extended to the previously mentioned number of people with an intention to apply for permanent residence (most of whom were graduating international students), the problem begins to take on a herculean dimension. In a sense, one may argue that the 'system', that is, the ICT infrastructure that made such a rapid growth possible, was working just fine. It was efficiently recording and could collate the data it was designed to record and collate. The people tasked in the colleges with interacting with the system to enter the data were obviously doing so. However, the government organisational structures built around the system that were meant to use the system to control or regulate the industry were not coping with the data, and the 'real world' events that data recorded. This was a common opinion among the participants, both government and non-government. It is also an opinion that can be inferred from the Knight Review and the report by the ANAO.

*Overall findings regarding the contribution of ICT*

The above shows the centrality of ICT to the industry both in wider terms to do with global issues of ICT developments that made the recruitment and enrolment of students faster, and in the 'nuts and bolts' kind of ICT that went into PRISMS and the NCN problem.

The participants did not speak as easily about ICT as about business strategy and policy except when prompted, or when pushed to further consider concrete examples. For instance, participants might at first evince an attitude that considered ICT unimportant, but then talk about the high importance of PRISMS in understanding what happened in the industry. The ability for students to get loans in order
to show enough money to satisfy visa conditions was independently mentioned by many participants, but was not overtly raised or recognised within a discussion about ICT as a discrete area of concern. Nevertheless, these issues are clearly to do with ICT.

The participants’ inability to speak about the influence of ICT as a discrete area of concern with the same ease as they were able to conceptualise and speak of policy or business strategy does not lessen the impact ICT had on the industry. Perhaps the ubiquitous character of ICT makes it in a sense less see-able to the participants. Also, none of the participants were particularly focussed on ICT as a discrete area of concern in their daily lives. It is entirely understandable that participants who work every day with policy, or with business strategy, would come to conceive of these matters as at least semi-coherent factors that can be easily thought and spoken about. Technology, though deeply embedded in the lives of the participants in practice, was not treated by them as a daily matter of concern, as something that needed to hold their concentration and required their consideration as an area in itself.

However, while the participants may not have reflexively conceived of ICT as a separate sphere of thought, their words and deeds certainly showed the centrality of ICT to their experiences in the industry. This is not only a result of the work roles of the interviewees, who were all engaged in policy or business strategy creation, but also a result of the ways in which the thinking in their work roles was organised. For example, the daily work lives of the participants certainly included set times and places where they would meet with others to discuss policy or business strategy issues. People go into rooms and, essentially, 'do' policy or business strategy. This brings policy or business strategy into being in a way that is different, for the participants, to ICT. None of the participants would be likely to be going into a room to 'do' ICT in the same way as they might policy or business strategy work.

Yet ICT is everywhere in their work environments and threaded through their words as they speak of other issues. Assertions about PRISMS, CRICOS, the points system, or assessment levels for countries are replete with dependencies on ICT. In particular, the industry-specific nomenclature used by participants is heavily influenced by ICT. All industries have their own jargon, their own way of speeding up communication by using common terms that interlocutors can assume are implicitly understood by each other. As mentioned previously, the researcher's own experience in the industry meant that interviewees could confidently use this jargon because they knew the interviewer held the implicit knowledge needed to translate it. In order to illustrate the embeddedness of ICT in their daily work lives and in their conceptions of the industry, an example of jargon will now be explained. Here is a sentence that would be understandable to the participants: 'Because eCoEs out of PRISMS for a
destination course were issued to AL3 applicants at AL2 level if the course was HE, feeder VET dips could be assessed as 572s when they should have been 573s.'

The speaker of this sentence is making an argument about the criteria for entry into a course. As is plainly obvious the sentence makes absolutely no sense unless the person to whom it is being communicated holds implicit knowledge about the jargon. That jargon is highly dependent on ICT. The 'eCoEs' are electronic confirmations of enrolment, which are generated by the college out of PRISMS. The 'AL3' and 'AL2' refer to assessment levels that describe criteria which needed to be met by applicants for a course. The manner in which assessment levels were set was deeply dependent upon ICT infrastructures that measured and recorded levels of visa breaching among different nationalities in different courses. The '572' and '573' refer to visa subclasses that aligned with the sector in which the applicant wished to study. The creation, monitoring and control of visa subclasses was again highly dependent on the ICT infrastructures that measured and reported activity on these visas.

Much of the language of the interviewees is phrased in this kind of jargon. It goes to show the embeddedness of ICT in their daily lives.
Chapter 4. Analysis

The research questions were posed in order to uncover the character of the relationship between government policy, business strategy, and ICT in the industry under investigation. Throughout, the project has been similarly aligned in explicating the participants views, and examining the documents, along the lines of the areas of concern. This mirrors the division of the key research questions into those areas. Also, influenced by the character of the data, and the tendency among participants to historicise their experience, the project has often further divided into concerns regarding the beginning, the middle, and the end of the industry. This section will look at the relationships between the three areas of concern, as present in the industry, as evidenced by the findings. Again, the historicising and story-telling nature of the data means that a division into the beginning, middle, and end of the industry will be suitable for most of these relationships.

There are three relationships to consider, they are:

1. policy ⇔ business strategy
2. policy ⇔ ICT
3. ICT ⇔ business strategy

The ‘⇔’ symbol is used to make clear that the idea 'relationship' assumes some level of co-direction. It will be necessary to engage, for example, with the idea of the effect of policy on business strategy, but also on the effect of business strategy on policy. This is not to suggest a limitation to bilateral relationships, and the trilateral character of the relationships will be dealt with in the conclusion. The structure of the analysis is designed to bring us toward the understanding of the trilateral character of the relationship through a preliminary understanding of a series of binary relationships. For example, while ICT is presented in the analysis in a series of binary relationships, it will eventually be seen that a better characterisation is that of a trilateral relationship. ICT was central to the existence of policy both as something that made possible the idea that a design of monitoring and control settings could be made, and as something that was used in an attempt to implement monitoring and control settings. In implementing these ICT systems successive governments shaped a regulatory environment within (and around) which business strategies were formed. In turn, businesses used ICT systems to interact with that (largely ICT-driven) regulatory environment. Further, the various knowledges and/or assumptions held by policy makers about the character of business strategies in taking advantage of the regulatory settings became an input for the design of further policy settings, again largely driven by ICT. A key example of this relationship in play in the industry under investigation is to do with PRISMS network, which will be analysed in detail.
Once these relations have been examined, this section will analyse some of the effects this division of domains had on the industry in practice. Lastly, this section will address the tendency among participants to make moral judgements, to create narratives, and to make assumptions about the opinions of other people.

The beginning of the industry.

The policy \(\Leftrightarrow\) business strategy relationship at the beginning of the industry: the effect of policy on business strategy.

The rise of neo-liberalist ideologies from the mid-1980s brought to prominence the idea that governments should, wherever possible, provide policy architectures that encouraged private sector activity in areas where the private sector could be considered or supposed more efficient at acquitting the aims of the government in providing for the general public good. This framework ideology is what made possible the idea that there could be private sector provision of vocational training, and by extension, private sector provision of vocational training to international students. While private sector provision of vocational training has a history that pre-dates the rise of this ideology in Australia, the time period investigated certainly post-dates the rise of neo-liberalist ideology.

On a macro level the existence of such an ideology makes possible the existence of a large private sector in international education. The set of possible decisions for business executives is framed and formed by the character of the legal construct in which they operate. That construct encourages or prohibits actions, and so makes the realisation of some decisions possible, and some impossible. Business strategies only make sense if they are possible to execute, and so the set of possibilities made available by government strongly influence the set of possible actions available to business executives in forming and executing strategy. Therefore, the very thought that governments should have provided regulatory architectures that allowed or encouraged businesses to implement strategies around the provision of vocation training to international students is a pre-condition for the existence of the industry in the first place. At a fundamental level government policy (in its broadest sense) brought the industry into being. To the extent that government policy did not actually bring into being the physical reality of the industry, that is, the government did not directly enrol students or do the training, government policy at least brought into being the regulatory construct whereby private sector activity was both made possible, and strongly encouraged.

This occurred in two arenas, one to do with migration, and one to do with vocational training.
In the migration arena, the creation of an architecture that gave more points toward attaining permanent residence to potential migrants who had completed onshore training without having to return home unlocked latent demand for such a pathway to permanent residence among potential migrants. In the vocational training arena, the regulatory framework that allowed this pathway to be serviced by private sector providers unlocked a level of supply to cater for this demand among potential migrants.

At the beginning of the industry there was no overt coupling of this architecture with an assumed proclivity on behalf of government to use it for the express purpose of growing the level of private sector provision of vocational training to international students. Instead, the creation of the policy and regulatory architecture was framed as an attempt to alleviate a perceived skills shortage in Australia and at the same time provide support for the growth of international education as an industry broadly, which would, it was assumed, lead to increased export revenue for the nation. However, the effect of the policy changes was to make possible and encourage business strategies among private providers of vocational training that took advantage of the increased demand, and the more easily available supply.

Importantly, the effect of the policy changes was not just positive in the sense of increasing demand for one pathway to permanent residence. The changes also had the negative effect of decreasing demand for courses that did not lead to permanent residence. This occurred not just in relative terms, but in real terms. The twist in this effect is that the existence of a pathway to permanent residence through onshore training actually pre-dates the existence of the industry. Student-migrants who previously sought permanent residence through tertiary courses such as post-graduate qualifications in accounting, or IT, now had available a new pathway through vocational training. So, as well as unlocking new sources of demand from off-shore for the new pathway through vocational training, the policy changes had the additional effect of making this pathway relatively attractive compared to other education-based pathways to permanent residence. This had a compounding effect on the business strategies available to executives, as not only were new opportunities becoming available from newly enabled potential student-migrants, but the demand for pre-existing courses that may or may not have lead eventually to permanent residence was diverted to the easier vocational pathway.

The set of possible decisions for executives was thus limited. While on the one hand government policies were promoting the vocational training pathway through trade courses, they were also drastically reducing demand for courses that did not follow this pathway. Assuming the decision to close the business is not one of the set of possibilities available for consideration, executives were
faced with a rapidly dwindling set of possible strategies for growing the business. While some businesses re-oriented away from international education altogether, those that wished (or needed) to stay in international education came to see that a strategy to pursue the provision of this vocational pathway was very likely the only strategy available that would provide prosperity, or prevent the business from losing large numbers of students and becoming unviable. In this way, the policy settings that made the pathway to permanent residence through vocational training possible, also had a very strong effect on the business strategies of the private providers.

The policy $\Rightarrow$ business strategy relationship at the beginning of the industry: the effect of business strategy on policy.

Just as business executives were faced with a set of possibilities, so were government decision makers. The set of possibilities available is framed by assumptions about the role and purpose of governments, as well as the capabilities available to be used in furthering a policy program. These are ideological and practical concerns. It is unlikely that among the set of possibilities considered by government in alleviating the skills shortage and supporting international education at the time was the idea of nationalising the international education industry. This would have been outside the set of ideological possibilities, and beyond the scope of politically practical possibilities. However, firmly within the scope of possibilities was the idea of creating a policy and regulatory framework that encouraged the private sector to become active in training potential student-migrants and thus assisting in supplying the nation with skilled migrants. Implicit in this belief are some assumptions about the role of businesses in society, and the ways in which business strategies are formed and executed. It is assumed that if a policy and regulatory framework is put in place that will advantage businesses in adopting a strategy to pursue some course of action, then businesses will adopt such strategies. It is also assumed that it is the role of government to construct these policy and regulatory architectures that encourage or discourage various business activities, and therefore strongly guide the set of possible strategies available to businesses. Thus it is assumed it is the role of businesses in society to construct strategies that maximise their gain within the regulatory framework to the furtherance of government aims.
This is not, however, meant to imply that governments set a loose conjunction of regulatory lines that outlined a space within which business could operate 'freely'. Though ideology might point in that direction, in the education/migration industry this was not necessarily the case. Governments implemented extremely intricate regulations that governed the internal workings of businesses. The ESOS Act (2000) and the Natcode prescribed in detail matters the businesses had to address and the manner in which they had to be addressed in order for the business to be registered on CRICOS and thus have access to the international student market. These included matters around how to record student attendance and course progress, the complaints and appeals process that must be in place, and the information that had to be gathered from students. The AQTF 2007 included requirements about continuous improvement cycles. Later, AQTF 2010 even included requirements for businesses to present financial information to regulators. Many regulations about course provision and accreditation applied only to private providers, whereas universities and TAFEs were far freer from such intricate regulation.

Nevertheless, the forensic detail of regulatory requirements on the operations of private providers does not negate from the idea that governments had business strategy in mind when forming regulatory frameworks. The assumption that private providers would adopt business strategies to take advantage of the regulatory environment can be seen as underpinning the idea of the need for extremely stringent compliance regimes. The existence of policies creating the pathway to permanence residence through vocational training, when considered in parallel with the construction of regulatory regimes about how the private providers who were to put this pathway into effect should operate, both go toward uncovering assumptions held by government about business strategy. In this way, beliefs about how a business would form and execute business strategy fundamentally informed the policy structures governments put in place in creating the pathway to permanent residence through vocational training at the beginning of the industry.

The policy $\Leftrightarrow$ ICT relationship at the beginning of the industry: the effect of policy on ICT.

There has been a well documented shift in Australian government policies around migration. This shift has seen an increase in the number of temporary residents in Australia, both in real numbers and as a proportion of the community in general (Markus et al 2010). The presence in Australia of many more temporary residents, combined with an increasing political need to be seen to be managing Australia's immigration program with a forensic level of detail, required the deployment of comprehensive data collection and management systems. At the same time, the capability of ICT systems to form more open systems with multiple input sources had a general effect across government of stimulating a willingness to exploit the newly available technologies in furthering the government's various aims. Hence the creation of the National Office for the Information Economy.
The 2003 report issued by this body does not only mention e-CoEs, but has reports on projects from across government, including to do with the ATO and Centrelink. However, two of its projects are to do with immigration. This illustrates both the general motivation to use ICT across government, but also the parallel perception that it was particularly needed in matters to do with immigration (temporary or permanent).

Policy affected ICT on two levels at the start of the industry. Firstly, policy and regulation around international education as a whole created an ICT infrastructure that melded between government and businesses in putting into effect the regulatory architecture of the industry. Secondly, the shape of government policy and regulation required private providers to adopt certain kinds of ICT infrastructures themselves.

In the first case, the PRISMS network pre-dates the existence of the industry. Set up after the introduction of ESOS Act (2000), the PRISMS network linked all providers with the government departments responsible for monitoring and controlling the international student cohort. The requirement for providers to be registered on CRICOS to gain access to PRISMS in order for the government to be able to monitor international students' compliance with their visa conditions brought into being a vast ICT infrastructure with which all providers were required to interface. The creation and integration of e-CoEs from 2003 further extended the co-dependence of private providers and government in gathering, collating and monitoring information about international students. PRISMS also enabled government to monitor the activities of private providers in terms of the number of students they were enrolling into which courses. Best of all, by concentrating the ability to enrol students exclusively in PRISMS, and at the same time having the ability to cancel a provider's ability to enrol through PRISMS, the government had, in theory, a very strong tool in enforcing compliance with the regulations.

The second effect of policy on ICT was in the requirement that businesses adopt these kinds of ICT infrastructures in the first place. At the beginning of the industry, no business was able to enrol international students without doing so through PRISMS. The operation of PRISMS required the business to have the technical infrastructure in place to do so. In addition, AQTF requirements around record keeping and tracking of results could only be realistically acquitted via technology. It is simply assumed that in order to operate in compliance with AQTF requirements a provider would need to have in place a technological infrastructure with the capability to do so, and to report on that compliance.
In some parallel with the effect of business strategy on policy, the effect of ICT on policy begins with the idea of what is possible. On the one hand it is fair to say that the broad government policy shift in immigration toward an increase number and proportion of temporary residents, including students, required the deployment of ICT infrastructures to monitor and (attempt to) control this cohort of people. This is perhaps what sets officials on the path toward thinking up something like e-CoEs. However, on the other hand the very idea of utilising a multi-user network of control and sanction such as the PRISMS network relies on the existence of the underlying technology that can make it possible.

At the beginning of the industry the ICT infrastructure that PRISMS represents was already in place, as were many of the multiple systems required to monitor and control the many pre-requisite activities around international education. These include matters like registration of providers at a State level, registration on CRICOS, the assessment procedures for student visa applicants, and recording systems for student arrival in Australia.

There were also systems in place to do with vocational training provision, such as NTIS (now training.gov.au), which enabled the policy of allowing free dissemination of course structure requirements to RTOs, as well as being a tool for government management of providers’ scopes and registration. While it would be theoretically possible to set up and grow an international education industry in vocational training without these infrastructures present, in the case of the industry in Australia the infrastructures were in fact present, and it is difficult to imagine a government embarking on the project of creating the pathway to permanent residence through vocational training without having some form of ICT infrastructure to monitor and control it. Whether governments were right to feel confidence in the ability of the systems to monitor and control is doubtful in this case, but that is a mistake that can only become apparent if the reliance on such a presence is there in the first place.

It is also doubtful whether any government decision maker conscientiously and comprehensively analysed the existing systems for their capability to manage the potential case load. In any case, if anyone did it is also clear that the level of growth in the industry was probably not foreseen by decision makers at the start of the industry. However, the pre-existing technological infrastructure certainly made possible the ability to design such a comprehensive system as that brought into being through PRISMS and its supporting systems. These systems were integral at the beginning of the industry as government required businesses to implement systems that engaged with the regulatory systems in very strict ways.
The ICT ∋ business strategy relationship at the beginning of the industry: the effect of ICT on business strategy.

There are two areas that reveal the effect of ICT on business strategy at the beginning of the industry. Firstly, in the arena of the providers’ need to adopt business strategies to be compliant with government regulations through ICT systems. Secondly, in the availability of ICT for designing and executing possible business strategies.

As noted, it was a requirement that businesses engage with government created ICT infrastructures. These infrastructures do not sit idle, they require certain codified interactions to take place. For instance, the PRISMS network has a vast array of instructions for how and when a provider’s representative must input and amend information on the network. This is somewhat implicit in the idea of implementing a technological infrastructure; that is, it must be used, and that compulsion requires the design and implementation of work systems within the business organisation. Someone had to be assigned to update PRISMS.

Also, technological infrastructures have systemic workflows built in that presume (and require) certain actions be undertaken in a certain order. In this instance, the PRISMS network and its associated systems required a business to adopt the workflow mentioned in the ICT Findings section. That is, the procedure for enrolling a student went like this:

1. The student applies.
2. A Letter of Offer is issued.
3. The student pays.
4. A Confirmation of Enrolment is issued.
5. The student arrives and commences training.

Parallel to this procedure the student would need to obtain a student visa, something that mostly required the possession of a Confirmation of Enrolment, and involved complimentary systems within DoI. A provider had to have the ability to put this procedure into effect, and to do so through PRISMS. In this way the existence of the ICT infrastructure (as a tool of government) dictated elements of business strategy regarding the internal organisation of the provider. In addition, AQTF requirements regarding the ability to gather and store information required a business invest in technological resources that could do so.
The second effect of ICT on business strategy at the start of the industry was in the area of off-shore business development, the design and execution of business strategy, and the integration of these strategies with the government required ICT infrastructure for enrolling students.

The speed at which business functions can be acquitted has an effect on the possible business strategies available. In the industry under investigation this revolved around a number of key activities. These can be divided into off-shore and on-shore activities, that involve ways in which the provider can recruit a student off-shore and bring together resources on-shore and then put the student and the resources together in the one place so that training can occur.

The off-shore activities include the education of agents as conduits to potential students, communication of enrolment information and activities between the agent, the potential student and the provider, and the transfer of money from the student to the provider. Each of these was effected by ICT capabilities evolving at the beginning of the industry. The widespread use of email meant that agents could be constantly educated and updated about course information, and about details regarding the regulations pertaining to how courses could lead to permanent residence. Also, the gathering and sharing of information about enrolment through email meant the time required to actually gather, complete, and audit the required information was significantly less than when information travelled by post or fax. Crucially, the ability of potential students to amass the money required to enrol in the course and prove financial viability for the purpose of attaining a student visa required the existence, in source countries, of technological and financial infrastructures that allowed the potential student to do so. The effect of this increase in speed of the enrolment process and the ability for the student to gather and send money in advance of course commencement meant that providers were able to adopt business strategies that took advantage of this. In relation to off-shore activities these had the effect of lessening the cost of off-shore marketing campaigns, and gave the businesses a lead time in understanding how many students were intending to enrol in which courses. This had effects in on-shore matters.

The ability to accept money instantly and in advance of course commencement meant providers were able to use the time saved and the money gained to prepare facilities the course. Previously, a provider would need to invest significant amounts of money in course infrastructure before knowing the likelihood of demand for the course. This represents a higher level of risk. Instead, with money in the bank and a number of enrolment contracts in hand, the provider could then go ahead and prepare facilities the course with a much lower level of risk. The ICT infrastructures available meant providers could adopt a business strategy of gauging demand and then building supply. This was never an entirely neat affair, as providers were required to build some level of capacity before going to market in order to gain registration. However, a provider with a suite of courses that lead to PR
already on scope could certainly adopt a business strategy that shifted supply according to demand at a much lower cost and with much lesser risk when they had advance knowledge of demand, and money in hand to organise supply.

*The ICT ⇔ business strategy relationship at the beginning of the industry: the effect of business strategy on ICT.*

The effect of business strategy on ICT can be seen in two arenas. Firstly, there are the assumptions present about business strategy in the design and implementation of the ICT infrastructures, both government and non-government. Secondly, there is the effect of business strategy on ICT in finding ways for a business to deal with the twin aims of maintaining compliance with government requirements while also seeking advantage in the market.

In the first arena, the creation of the ICT infrastructures present can be seen as a ramification of assumptions about the desires of business strategy in the first place. Obviously government requirements assume providers want to enrol students, and so the procedure of enrolment follows this desire. An application was made, a letter of offer provided, money exchanged, and a confirmation of enrolment provided to the student. This process of offer-exchange-confirmation holds implicit assumptions about the way business activity takes place. Also, it advantages both government and business if a potential student pays fees before they arrive in-country, as the payment of money was seen as a kind of guarantee that the student would actually undertake the course, rather than apply for a student visa and then on arrival do things other than be a student, which is not something either government or business desired.

Also, the construction of compliance regimes in vocational training, while certainly imposing some matters upon business strategy, also emanate from an understanding of business strategy. The requirements in AQTF 2007 around continuous improvement cycles and record keeping do impose the need for such strategies upon businesses, but also assume to an extent that businesses would maintain these kinds of processes if they were serious about implementing viable business strategies in their operations. Of course, the assumption that businesses would do so relies on the idea that businesses have or can implement ICT capabilities that operate these systems.

The providers’ own concern to both maintain compliance (and thus registration to operate) and take advantage of the market uncovered through the regulatory architecture meant designing and adopting ICT systems that could achieve these ends. At the beginning of the industry there was the ICT infrastructure required by government, and the present possibilities inherent in ICT for gaining
business advantage. However, these two factors, as well as being present needed to be organised in some way in order to actually capture the possible advantage. As ever, the implementation of a plan changes the character of the environment into which the plan is put to effect. The adoption of a business strategy to take advantage of the new environment meant that the businesses would need to put into effect changes to their own ICT infrastructures, and the work practices that operated them.

However, the evidence from the interviews indicates that businesses did not address this issue in a kind of coordinated plan. The business strategy to pursue the market made available by the pathway to permanent residence was an actually constructed business strategy on behalf of providers. There is no evidence to support the contention that the participants then made actual supporting strategies around ICT as a means to achieving the overriding business strategy. However, the overriding strategy of pursuing the new market involved necessary ICT deployments to do so. The character of the interviewees meant that they were not themselves directly involved in designing ICT systems, and did not readily recognise ICT as a discrete area of concern in the same way as business strategy or policy. However, participants did recognise that the deployment of ICT systems like email and direct money transfer were of advantage to the business in capturing the opportunities present in the pathway. However, the decisions to do such things as buy the actual computers, create the email accounts, and hire the IT staff to design and operate the systems were within the purview of some of the interviewees. These decisions came collectively to change the shape and character of the ICT systems in the business. In this way, business strategy affected the ICT systems deployed by the businesses at the beginning of the industry.

The middle time period: The perfect storm.

The policy \( \Rightarrow \) business strategy relationship in the middle period of the industry: the effect of policy on business strategy.

During the middle time of the industry, commonly referred to by participants as 'the perfect storm', policy and regulation affected business strategy both by what it did, and what it failed to do. Having created the regulatory architecture that made the pathway through vocational training possible, governments (and their governing systems) now needed to ensure the industry could be monitored and controlled. In order to do so, resources and knowledge would need to be applied to governing systems to actually operate them. In the view of the majority of participants, during the middle parts of the industry, relevant government departments were not resourced in a manner adequate to cope with the sudden and drastic increase in the number of students.
onshore and the number of new providers entering the industry to cater to the new market. There is strong evidence to support this contention.

The sudden increase in the number of students is evidenced by the AEI data. Between 2005 and 2009 there had been a 400 per cent increase in the number of VET students studying onshore, with the total number reaching 208,257. Within this cohort, the number of students from India (a source country of particular importance to the industry) had risen from 3,389 in 2005 to 78,405 in 2009. Just over 27,000 students from India arrived in the year 2008 - 2009. Just under 106,000 students from all countries had arrived to study in the VET sector between 2007 and 2009. It is not possible to divide this data between students at private providers and those at government owned institutions. However, a significant proportion of them were attending private providers.

An important piece of evidence regarding at least one part of the government's inability to cope with this increase is the non-compliance notices that had not been actioned by DoI. As noted previously, according to the Knight Review, by 2010 there were around 287,000 outstanding non-compliance notices. By 2011 around 30,000 non-compliance notices were being issued per month. The gross number of outstanding notices in 2010 clearly shows DoI had been incapable of acquitting its role up to 2010. The large number of new notices being created monthly in 2011 implies that this incapacity was not going to be remedied without serious intervention.

The huge increase in the number of students arriving, and the subsequent inability of government departments to manage the 'case load' is evidence of policy's affect on business strategy in two complementary ways. Firstly, the actual presence of the students and their growing numbers points to the success of policy in stimulating the private providers to pursue a business strategy that incorporated the provision of courses that lead to permanent residence. Secondly, the inability of the government to monitor and control the growing industry represents an inaction of supporting policy that allowed (if not overtly encouraged) the implementation of business strategies that took advantage of this inaction. The example used to illustrate this will be around the issue of capacity. This was briefly considered in an earlier section; it is discussed here to highlight the co-dependence of these factors.

There was government policy, enforced through regulation, to assess and accredit private providers to be able to train a certain number of students. This number was referred to as the provider's capacity. The participants agreed that the general intent of implementing such a system was the very reasonable contention that providers should only train the number of students they had the resources to be able to train while maintaining a quality of training compatible with the requirements set out in the AQTF.
The government was, everybody was making a lot of money out of this, you know, Austrade was saying the education industry had now overtaken wheat and wool as our biggest export earner, and I think that they thought that they could just manage it. And, these students, you know, if they didn't get in they could just go home again, or even better, they could do another course, that perhaps made them even more highly educated and productive. I don't know what they were thinking. It just seems to me that these were people who had never been outside of Canberra I think, and this looked good on a spreadsheet, but in the real world it was a mess.

The first gap was that while it was accepted there should be a limit on the number of students actually being trained in the college by the provider, this number did not necessarily correlate with the number of students the provider would enrol off-shore. It was understood that some students would apply for admission but not be granted a visa, some students would change their mind and decide not to come to Australia, for any number of reasons a student may fill out an application form but not actually arrive to do the training. With this in mind providers would quite reasonably enrol overseas more students than they had capacity for on-shore. This is not a controversial business strategy, hotels commonly sell more rooms than they have, airlines commonly sell more seats than they are 'flying'. However, this kind of strategy does have the potential to backfire on the business when sometimes more people show up wanting the product than the business can supply.

The second gap complemented the first. There was a period of time between when a potential student enrolled in a course, and the student arrived on-shore at the college ready to commence training. In the period before the industry began, this delay could be quite long and posed both a problem and a solution for business strategy. The problem was in capital expenditure. So, for example, if a provider had the aim of enrolling, say, one thousand students in a hairdressing course, and intended therefore to apply for a capacity of one thousand students, significant money would need to be spent equipping the college to provide that course to that number of students. Regulation was quite specific about what 'capacity' meant, and included such matters as having at least 2m2 per student in training facilities, and regulation around how many students could use a piece of equipment at any one time. Once a registered capacity of one thousand had been achieved the provider would then have to leave that space unused while going through the marketing and enrolment process. This could be very expensive, and thus entail great risk: if subsequent market conditions meant that only one hundred students enrolled and arrived the provider would be at significant risk.

However, knowing that government policy and regulation allowed for the provider to enrol more students off-shore than the number on the provider's registered capacity, a better business strategy emerged. Instead of applying for a registered capacity of one thousand hairdressing students, the provider could register for a capacity of, say, one hundred. This would entail significantly less capital expenditure, and lessen the cost incurred while the equipment and space was unused during the
marketing and enrolment phase. Then, if the provider found itself actually enrolling, say, one thousand students off-shore, the time between enrolment and arrival could be used to build the extra capacity needed to cope with the larger number of students arriving. On the other hand, if only fifty students enrolled, then much less would have been lost. This business strategy significantly lowered the risk for the private providers, and could only exist because of government policy and regulation around how a provider’s capacity was assessed against the number of students the provider was enrolling off-shore.

Essentially, the government’s policy of allowing providers to enrol as many students as they wanted and then build capacity for the course later, gave the providers an ability and incentive to pursue this business strategy. It must be noted, however, that this is not an example of active policy, but rather of inaction, and this is the blind spot alluded to earlier. There is no document that clearly states the government actually wished providers to enrol more students off-shore than they had capacity for on-shore. It is just that practice allowed it to happen. So that, in practice, the policy and regulatory decision not to take action against this business strategy allowed it to be implemented. For government-based interviewees the question of capacity was more about application than about black-letter regulation. It was true that there was a requirement for a provider not to exceed its registered capacity. However, allowing providers to enrol more students than they had capacity for was an established practice: it was accepted that enrolling students is not the same as actually having the students present in the college. If a provider did indeed go over the registered capacity with students ‘on-the-ground’, this would be a breach of the provider’s conditions of registration and would be sanctionable by the registering authority. However, in investigating and proving whether a provider had breached their capacity, the registering authorities would reasonably pay attention to whether the provider actually had physical capacity at the time of training. Providers, aware of this, could ensure that by the time the students arrived they did have actual capacity to train those students and have their registered capacity lifted at that time. One other concern driving inaction was the potential political impact that could accrue upon the regulator if they were thought to be overly heavy handed in enforcing ‘black-letter’ regulation and impeding the growth of an industry other sections of government thought was providing great benefit and serving the government’s higher policy aims about alleviating a skills shortage and providing support for international education.

Another way in which government policy influenced business strategy was the decision to create the agents’ portal. The portal allowed some agents to acquit the pre-visa approval procedures themselves, effectively outsourcing some government activity to the agents. It is somewhat similar to the government’s allowing providers to generate e-CoEs out of PRISMS themselves, without having to get a government official to generate the document. The agent’s portal significantly increased the speed at which colleges could enrol students and students could gain a visa. This had the double effect
of speeding up the ability of colleges to take more money, but also further distributing the ability for providers to enrol more students than they had capacity for in Australia.

As the industry moved into its middle years, government policy influenced business strategy in very practical ways. This can be seen in the positive action of continuing to support the pathway and allowing providers to enrol more students off-shore than their registered capacity implied they could train on-shore. However, there is also support in the passive sense of the government not deciding to enforce capacity requirements in such a way as to render the business strategy that took advantage of this environment ineffective.

The policy $\Rightarrow$ business strategy relationship in the middle period of the industry: the effect of business strategy on policy.

As noted previously business strategy can be understood both as something that is done within businesses and also something that exists as an implication in the minds of people who assume businesses will adopt strategies that advantage the business. For policy makers in the neo-liberal age, the ability to make policy that includes assumptions about strategies businesses will adopt in dealing with those policies is a tool that can be used to guide and control business activity in the furtherance of government aims. In the middle period of the industry government was still supportive of the idea of creating a pathway to permanent residence through vocational training. However, at the end of the industry government implemented a set of policies that closed this pathway. At some point some decision makers must have become aware that the government's position regarding this pathway needed to reverse. It is likely that this occurred during the middle period of the industry, and took effect later. In this 'perfect storm' period it was the government participants who, according to them, found themselves in the unenviable position of knowing that something was going wrong, but being unable to do much about it.

The participants who found themselves in this position tended to believe that the government was reluctant to react to what they perceived as an impending crisis because the government was influenced by other factors perceived to be more important. Those other factors were the large amount of money the industry was providing to the economy through the presence of students onshore, and the mistaken belief that the students would soon be entering occupations where Australia was suffering a skills shortage. Both of these beliefs are founded on assumptions about the success of the business strategies of the providers. Even many non-government based interviewees believed the
government was unwilling to take action to reverse the program during the middle period of the industry because the government wished to be supportive generally of the businesses within the industry.

In this way the business strategy of the providers, which had proved so successful in bringing so many student-migrants to Australia in such a short time, influenced government decision makers to see mostly the positive impacts of the program in terms of the amount of money being generated and the potential to alleviate the supposed skills shortage. With this positive view before them, government decision makers were favourable to policies that supported the industry.

On another level, business strategy affected policy in its regulatory implementation. As seen above, the regulatory practices around assessing and (not) controlling a provider's potential breach of capacity, allowed the existence of business strategies that took advantage of this 'light' approach to regulation. Such an approach assumes business strategy, and business activity, should not be subject to 'black-letter' implementation of regulation. A number of participants noted that during the middle period of the industry a general inclination existed in government to approach regulation in this way.

Further, the AQTF 2007 essential standards and conditions are supportive implicitly of this kind of philosophical approach to the regulation of business activity. The shift in focus from prescriptive regulation to a concentration on 'outcomes' is central to AQTF 2007. As noted previously, it describes its own 'Key Features' as its intention to be 'Outcomes focussed', 'Nationally consistent', 'Streamlined' and 'Transparent'. These are the kinds of factors often called for by businesses in seeking more certainty in regulation and flexibility in the kinds of business strategies they are able to adopt. AQTF 2007 was designed to deliver these kinds of capabilities to business strategies:

AQTF 2007 focuses on the quality of services and outcomes being achieved for clients rather than the inputs used to get there. This means that registered training organisations have more flexibility in demonstrating how their individual approaches provide quality training outcomes for their clients. (AQTF 2007, p. 1).

In the middle period of the industry, then, business strategy had an impact on policy at two levels, but probably because of the same factor. The common factor was the neo-liberal framing of the idea that governments should provide wide choice for businesses in pursuing strategies, and adopt, whenever possible, a 'light' approach to regulation. This belief had effects at a national level in that the obvious success of the industry in bringing large numbers of student-migrants onshore could be seen as evidence that the policy of linking permanent residence to onshore training to alleviate the skills shortage and provide support to the international education sector was working. On a regulatory level,
this belief in 'light' regulation in support of freeing business strategy was effected on a formal level through changes to AQTF 2007, and on an almost informal level in the practice of not rigorously enforcing some compliance requirements, those around capacity being particularly relevant.

The policy \(\Rightarrow\) ICT relationship in the middle period of the industry.

Many of the matters mentioned in the last two sections revolve around ICT. The policies and regulations in place during the middle period of the industry were put into effect largely through ICT systems. These systems were designed to cope with international education as it was before the boom in terms of the number of students and providers in onshore vocational training. The increase in number was not just problematic in terms of case load. The increase did make small problems much bigger, but it also brought new kinds of problems. The policies that put this program in place and supported its growth had serious impacts on the ICT systems that were built to cater for the world as it was before the program existed.

However, this is not meant to imply the ICT systems were not 'working'. Most of the time they were working exactly as they were designed. The impact of their having to deal with the boom in student numbers was that the systems seemed like they were not working. Rather, it is through the failure of the system holistically that we can see the effect of policy on ICT.

The problem with non-compliance notices is a clear example of this phenomena. Regulations required providers to notify government, through PRISMS, of variations in information about a student. Some of these variations could result in a process leading to the automatic cancellation of a student's visa, with the result that the student would then be in Australia illegally. The variations might be that the student had left the college, or had not achieved satisfactory course progress, or had failed to attend the course. It is important to note that these variations were not themselves automatic; people had to enter this information onto PRISMS. Larger providers therefore had to employ teams of people whose sole job was entering and amending information on PRISMS. Once these variations were entered PRISMS could automatically generate a notification that a potential non-compliance had occurred.

The details of this process, and the resulting hundreds of thousands of outstanding non-compliance notices have been mentioned earlier. The regulations requiring the production of non-compliance notices, when combined with the policies that lead to the boom in the industry, caused a severe breakdown in the ability of government departments to perform the functions required by regulation. The DoI simply did not have the resources or capability to address all the non-compliance notices, even while providers were dutifully hiring teams of people to diligently record variations that generated them, as the providers were required to do by regulation. In this way the effect of policy
and regulations in bringing a sudden increase in students to Australia resulted in the ICT systems creating far more work than the people in the Departments were able to perform, which was the opposite result to the intentions inherent in implementing the ICT systems, and so a failure.

This was not unique to DoI. As some participants noted the sudden increase in the number of people applying for permanent residence also had a deleterious impact on Trades Recognition Australia (TRA). This was the body tasked with assessing an applicant's claim to be sufficiently qualified and experienced so as to be considered a part of the occupation they had nominated in their application for permanent residence. TRA decided if the applicant had reached a sufficient level of skill and experience to be considered, for example, a hairdresser. TRA was also involved in setting the criteria by which such matters could be decided. TRA suffered under a sudden avalanche of applications they simply did not have the resources to assess. This might not at first glance be considered a purely ICT issue. However, it is arguable that it was the lack of appropriate ICT systems in TRA's assessment procedures that resulted in TRA's inability to keep pace with the increased demand for its services. In this instance, government policy that resulted in the sudden increase in matters for TRA affected the (apparently rudimentary) ICT systems in TRA, thus rendering the agency incapable of acquitting its role effectively.

The end of the industry.

The policy ☠ business strategy relationship at the end of the industry: the effect of policy on business strategy.

The decision to close the industry had an obvious effect on business strategy in requiring the private providers to either come up with something new to do, or leave. Since there are no longer any businesses providing a vocational pathway to permanent residence the effect of policy on business strategy can be seen literally as destructive. However, during the end of the industry that outcome had not yet eventuated entirely. Government did not initially present the new policy trajectory as closing the industry down. Providers and students clung to the hope that something of the dream of a pathway to permanent residence could be salvaged. This was not to be the case, but not everyone came to that conclusion at the same time.
The decision to close the industry was framed by government in two ways. The public frame was that the government was seeking to protect Australia's reputation as a provider of high quality international education. In order to do this the government would have to rid the industry of 'dodgy' providers and close the 'loopholes' that allowed students to gain permanent residence through the 'back door' of onshore vocational training. The reason presented in less public arenas such as Senate Estimates, was that the policy of providing a pathway to permanent residence through onshore vocational training had been far too successful and had attracted far too many students to Australia. Allowing these students, even those with current valid applications, access to permanent residence would mean issuing far more permanent residence visas than the government was willing to issue. In addition, by implication the NCN problem was unmanageable and getting worse. In essence, the success of the program had swamped the government, which was no longer able to manage the immigration program effectively.

However, in deciding to close the industry the government was unwilling to announce suddenly some measure that would immediately dash the dreams of the hundreds of thousands of students then onshore on the pathway. Some interview participants were strongly of the view that the government could not implement such a sudden and unambiguous program to close the industry without creating the potential for political unrest, something the government was unwilling to do. The government therefore embarked on a two pronged approach. On the one hand the changes would be framed as protecting Australia's reputation as a high quality provider of international education, and on the other the changes would be implemented in stages so as not to provide a focus for potentially aggrieved students. This is not to suggest that anyone sat down and mapped out this plan in detail. Maybe someone did, but the reality was probably much more a series of improvisations, taken up as opportunities arose, with the general aim of closing the industry without causing too much fuss. One further caveat must be noted: the government never totally abandoned the idea of international students being able to gain permanent residence after studying onshore. Instead, the pathway through vocation training was removed, while much more difficult pathways through tertiary education were created.

The set of possible business strategies presented by these government actions can be summarised at adapt or die. As will have become plain, this duality of decisions was not unique to the end period of this industry. It could be argued this duality is always and constantly at the heart of business strategy.

The two largest private providers in Australia chose a combination. Controlling portions of the companies were sold to investors and the original owners eventually either left the industry completely, or maintained a minor interest in their businesses. The new owners pursued a strategy of
continuing diversity in course mix for international students, including the provision of tertiary courses. Also, more attention was paid to the domestic market in at least one case.

For the owners of smaller colleges the spectrum of choice was much narrower. Those caught in the variously unsustainable financial positions described in the Findings chapter could either close, attempt to trade out, or sell the business. As selling the business was unlikely in the developing policy environment, and if trading out was not viable because of unsustainable financial positions, then the business would be closed.

It was not possible to ascertain the exact number of college closures; however, interviewees with high levels of knowledge varied their estimates from the dozens to the low hundreds. The tuition assurance scheme operating at the time attempted to place the students of closed colleges into other colleges, and was largely successful in this endeavour. This provided the opportunity for a short lived business strategy of accepting numbers of transferees from closed colleges. However, there was a general inclination against this strategy as transferees from closed colleges were seen as highly financially risky students.

If the college owners decided not to flee, but to stay and work out some other business strategy, the new policies provided some opportunity, but only in their effects rather than in their purpose. A new market in onshore transfers (voluntary, rather than as a result of college closure) boomed as students sought new courses that might provide some hope of a pathway to permanent residence through tertiary education. Many students transferred to diploma courses in business, as a possible pathway into university and hopefully permanent residence thereafter. Many students transferred directly from vocational colleges into universities, which had a supportive effect on the international education sector in universities (Spencer 2011).

Eventually activity in the industry ceased. Concurrent changes in the funding of vocational training in the domestic market in Victoria saw a number of providers move away from international education, though often in a different guise or with a different company. Private providers in international education continue to exist, though they are no longer involved in providing vocational courses leading to permanent residence in the same manner.

_The policy ⇔ business strategy relationship at the end of the industry: The effect of business strategy on policy._

The government's public reasoning for closing the industry included the idea that 'dodgy' providers were 'exploiting' the 'loophole' that existed through providing trade courses as a pathway to permanent
residence. This was a reaction to business strategy. This was also an obvious reversal of the government’s previously implicit message that the pathway it set up would provide opportunity for businesses and also for student-migrants who could use this pathway to permanent residence and thus assist in alleviating the skills shortage, and further, that this was a good thing. We can not assume this change of opinion was purely rhetorical or motivated by some other hidden political agenda. It is entirely possible, and even likely, that the government was simultaneously becoming aware of a number of linked issues. Prominent among these were: the government's inability to manage the sudden increase in potential permanent residence applicants, the growing attention in the media to the industry which was framing the industry as a 'back door' to migration, the fallacy of the government's previous belief that student-migrants would actually work in the fields for which they had trained, and the disproportionate number of potential applicants training in a small number of trades. All of these factors, except perhaps the media attention, were the result of business strategies pursued by private providers in operating the pathway to permanent residence through vocational training.

While one may reasonably believe the government's rhetoric around 'dodgy colleges' and 'back door migration' was perhaps overly strident given the government's role in the creation and support of the industry, it is also reasonable to believe the people in government promoting this new framing did believe sincerely that there were 'dodgy colleges', and that the pathway represented some kind of immoral behaviour. Certainly a number of participants believed this to be the case. If this is accepted, then the government's reversal of policy trajectory need not appear to be an exercise in hypocritically crass political populism, but rather a process by which the government became progressively aware of the detrimental effects of the business strategies it had encouraged previously and, becoming so aware, acted to dismantle the opportunity for that business strategy to exist. When this is added to the government’s growing awareness of its own inability to manage the program, coupled with the characteristic and understandable unwillingness to accept any blame for anything, the government's actions in attacking the business strategy of the private providers seems driven less by spite than by opportunity. That is, the opportunity to dismantle the program without being blamed for setting up the program in the first place. This is probably behaviour one could expect in a democracy, where governments need to pay heed to public opinion and thus their own image.

Regarding the existence of this framing activity, it remains clear that the business strategies pursued by the private providers caused much of the problems with which the government was having to deal. Even if we accept that those business strategies were themselves made possible by government policy, the strategies and the problems were still real, and still needed to be dealt with. In
closing the pathway to permanent residence through onshore vocational training, the government was reacting to the problems created by the overly 'successful' business strategies pursued by the providers.

The policy ↔ ICT relationship at the end of the industry.

It is more difficult to analyse the relationship between policy and ICT at the end period of the industry because, unlike in the case of business strategy or policy, the ICT did not cease to exist. Of course, business strategy and policy continued to deal with other issues, and did not become nothing, but the ICT systems that underpinned the industry stayed relatively similar during the end of the industry. The business strategy of providing a pathway to permanent residence through vocational training disappeared, as did the policies that helped create and maintain the program. However, the PRIMS network stayed (and remains) in existence. The CRICOS register still operates. The factors discussed relating to ICT during the middle time period of the industry remained in place. The NCN problem was largely 'solved' through the sudden collapse in the number of students, and through the intervention of the courts in deciding many NCNs were issued incorrectly, and were thus voided.

Some changes that did occur do not strictly relate to the industry, as the ICT systems that serviced the industry ceased to do so as the industry disappeared. Some new networks were created through the creation of ASQA and TEQSA, but these were more new examples of the same kind of ICT entity, rather than different emanations of ICT.

According to some participants, the existing infrastructure, particularly PRISMS was used by regulators in a more forensic manner in monitoring compliance during the end of the industry. Also, in Victoria, a new website that publicly named the RTOs who had been found to be in breach of compliance requirements and sanctioned was put in place. The NTIS, renamed training.gov, had a section added where any restrictions on an RTO's delivery could be noted and seen by the public. In these ways ICT was used as part of the renewed push to enforce compliance and rid the industry of the 'dodgy' colleges.

However, there is one clear and dramatic example of the use of ICT in furthering policy. In 2010 the Commonwealth government decided that every provider currently registered on CRICOS would have to undergo re-registration. This was a political manoeuvre designed to force the States to implement more rigorous compliance regimes.

The Commonwealth government controlled CRICOS, and being registered on CRICOS was a prerequisite for access to PRISMS, which the Commonwealth also controlled. International students
could only be enrolled through PRISMS. The assessment of whether a college could be registered on CRICOS had been delegated to the various State regulatory authorities, with the tacit agreement of the Commonwealth that the Commonwealth would in practice accept the State's recommendation that a provider was compliant and could be registered, by the Commonwealth, on CRICOS. In this way, the Commonwealth maintained a kind of valve that controlled access to the international education industry in general. The States were responsible for assessing compliance, but the Commonwealth retained the ability to decide whether a provider would be registered.

By effectively threatening to de-register every provider on CRICOS that did not successfully pass re-registration, the Commonwealth was forcing the States to undertake a massive compliance project. In addition, the Commonwealth required that various new requirements be met before recommendations for re-registration would be accepted. These revolved around the financial viability of the provider, the reputation and experience of the principle executives of the provider in education, and the purpose of the business. The registering authority had to be satisfied that the provider was financially viable, of good standing, and that the primary purpose of the provider was to actually provide training.

Politically, this move allowed the Commonwealth to appear to be taking action to ensure that only high quality providers of education and training were allowed to operate in the sector. Concurrently, the creation of ASQA and TEQSA, and the removal of many of the compliance monitoring roles of the States to these new federal bodies, was shifting the ways in which international education was regulated. However, the delegation by the State's of regulatory power to ASQA and TEQSA has not been fully achieved at the time of writing.

Clearly, the existence of CRICOS and the technological valve present in the Commonwealth's power over PRISMS is what made this re-registration project possible. In practice, in at least one State regulators decided which colleges they wanted to target for audit. Providers that the relevant authorities were not confident about in meeting the new requirements would be audited at the State level, and only then, once and if the authority became confident the provider could meet the new requirements, would the authority recommend re-registration. In practice this meant providers the authorities suspected were 'dodgy' would be audited, and those that the authorities thought were operating in compliance with regulations would not be audited.

The auditing process at the end of the industry was commented on a lot by the participants. The general view of people both from a government and a provider background was that the government was set on closing colleges. In Victoria, there was a widespread view that the government believed there were too many colleges and embarked on a project to shrink the number of colleges overall.
This is a process that has continued since the demise of the education/migration industry through the selective awarding of Victorian Training Guarantee contracts in the domestic market.

The re-registration project and its practical implementation is an example of the co-dependence of ICT and policy at the end of the industry. The project was only conceivable because of the structure of the ICT systems then in place, and only achievable because of the Commonwealth's power in the international education industry, which was derived from policy.

Another change to the ICT systems was the removal from some agents of the ability to use the agents portal. Complimentary ICT systems, including PRISMS, were used to assess the number of students any particular agent was sending who later breached visa conditions. An unknown number of agents had their ability to use the portal suspended or cancelled. However, participants believed the number to be very high, particularly in relation to agents in India.

The fact that the participants did not consider ICT as an entity that could be considered as a discrete area of concern in the same way as could business strategy and policy, again does not here at the end of the industry necessarily imply that ICT was somehow less important. The policy changes that brought about the end of the industry relied on ICT systems, and the ways in which power was exercised over those systems. This reliance was present in the active sense of utilising the ICT systems to directly translate policy ideas into regulatory action. However, it was also present in the sense that its existence was a necessary assumption in coming up with ideas for policy changes that could be practically achieved. Or, in the case of the re-registration process, it was present as an assumption about the ways in which the Commonwealth could assert its power.

Throughout the above descriptions of relationships a kind of co-dependence between the areas of concern is evident. The character of that co-dependence will be dealt with in the Conclusion. However, as much as there is co-dependence it is also clear from this analysis that the existence of domains to do with policy, business strategy, and ICT was also apparent in the interviewees’ opinions, and in the documents pertaining to the industry. The existence of these domains has been dealt with previously, so we will now turn to the effects of the presence these domains, as a practice of thought, on the industry.

Some of the practical effects of the existence of domain creation on the industry.

The idea that there is a sphere of activity for government, and a separate sphere of activity for business lay at the core of the policy and regulatory regime that put the pathway to permanent residence in place. The implication is that business strategy affects government policy-making in at
least two ways. Firstly, governments assume that it is possible to influence the course of business strategies through the implementation of regulatory regimes designed to do so. Secondly, governments assume that it is actually the role of government to manage itself in such a way that its policy activity consists of the construction of these kinds of regulatory regimes. In the creation of the pathway to permanent residence through onshore training, governments clearly acted in a way that assumed certain characteristics of business strategy in coming up with the idea for a pathway to permanent residence that would be implemented by the actors in the industry, including private providers.

This is not, however, to assume there is a sphere where governments perform, and a completely separate sphere where businesses perform that is entirely absent of government. The practical reality in the industry was that government regulation of some matters of business strategy was highly intricate and prescriptive. The ESOS Act 2000, and its child the National Code contained very specific prescriptions for what a business needed to do in terms of its internal operational strategies if it was to maintain registration on CRICOS. Similarly, the AQTF Standards and the character of the VET system required very specific actions on behalf of providers’ business strategies in order to maintain registration as an RTO. The extent and manner in which these regulations were enforced may be debated, but they did exist. As Megarrity (2007) noted, the overt promotion a 'free market' ideology in international education by governments was in practice matched by an increase in regulatory control, not a lessening. However, the use of 'free market' ideology was common among governments at the beginning of the industry, and there is no reason to suppose the proponents of such an ideology were acting in any way other than to promote an ideology they honestly believed existed and could be made better.

In practice this mix of factors regarding assumptions about policy and business strategy had three results. Firstly, it was possible and thought proper that the government go about constructing the pathway to permanent residence in the way that it did, by providing opportunity to providers to implement business strategies that not only took advantage of the pathway, but actually put it into practice. Secondly, the effect of the creation of the pathway was to shift demand away from other courses that did not lead to permanent residence, thus rendering unviable business strategies that did not seek to operate in accordance with the new policy. This may have been an unintentional effect on behalf of government, but it still shows the intimate interrelation between policy and business strategy, even when and if the outcomes are different to the intention. Thirdly, the increase in regulation regarding internal business strategy matters, while perhaps stringent though variably enforced, did not ameliorate the potential for this relationship (so characterised) to go awry or have consequences other than those originally imagined. So that, while it is clear that an idea about the existence of different spheres of existence to do with policy and business existed, and along with that
came ideologies about how this relationship should be managed, in practice the co-dependence of these spheres was so close as to be almost co-definitional. In the case of this industry, the policies could only come into being because of pre-existing concepts about business strategy, while the success of the business strategies were entirely reliant on the existence of the policy and regulatory frameworks in the form that they were. And yet, the existence of this co-dependence almost to the point co-definition, itself relies on the existence in the assumptions of the people who put the regulatory architecture and the business strategies in place, an image of the world that includes the idea that there is a sphere for government policy, and another sphere for business strategy.

The apprehension of the world as being composed of these kinds of domains lead to dispute as well as co-action. The interviewees, and the documents examined are replete with the disputes and co-dependencies inherent in domain creation. One of the key areas of dispute recognised by the participants was between the Commonwealth government departments relating to immigration, and education. The fact that the Commonwealth sees fit to divide its responsibilities, with one department responsible for immigration, and a separate department responsible for education, indicates that the Commonwealth government (or more correctly, the people making this division up) thought of these areas as two different things. The general area of dispute identified by participants was that the DoE supported the idea of the pathway to permanent residence because it provided support to international education, while the DoI, as it became aware of the large number of students onshore and its inability to manage the attendant increase in case-load, wanted to close or slow the industry. The idea of having lots of students in Australia was good for DoE, while the fact of having too many student visa holders (and potential permanent residence applicants) in Australia was not good for DoI.

The dispute played out on an even more concrete level, where the design of PRISMS represented problems inherent in perceiving the world as divisible into these kinds of domains. PRISMS, as a system for monitoring the students, courses, and providers in international education, was (and is) operated by DoE. However, as the students in international education are present in Australia on conditional student visas, the output of PRISMS largely concerns DoI. The supposed necessity of dividing the world into domains regarding matters to do with DoE and matters to do with DoI created a problem because international education (and the education/migration industry) sit fully in neither area. PRISMS, as the ICT system meant to monitor the industry, sat awkwardly between the two departments.
The result was that DoE, through PRISMS, issued as many CoEs as possible in its perceived role as supporter of the international education industry. However, DoI, in its role as monitor and controller of the visa programs, was neither capable, nor later willing, to deal with the consequences of there being so many students in Australia who intended to apply for permanent residence, something that DoE had no responsibility over. Therefore, there was no need for any concern in the 'education' domain (DoE) about the massive increase in the number of NCNs being generated. In the 'immigration' domain (DoI) this was a very serious and unsustainable situation.

The design of the system, that assumed a division between 'education' and 'immigration', was undermined by the policy trajectory that very explicitly linked these two areas through the pathway to permanent residence through vocational training. At the same time, the system meant to monitor international education (PRISMS), while entirely capable of receiving the inputs required about students, courses and providers, and generating notices for others to perform outputs, provided data which neither Department could act on effectively. Underlying this administrative failure was the success of the business strategies put in place as a result of the policies that linked permanent residence to vocational training. The idea that the world could be, or is, divided into areas to do with policy, business strategy, and ICT that are different from each other (as well as the domain creation in terms of 'education' and 'immigration') lead to the failure of systems built around PRISMS to deal with the resulting massive increase in student numbers. It could be argued by extension that PRISMS was therefore incorrectly designed, but that would strengthen the first assertion; it is also true to say that PRISMS (and its supporting human organisations) were not designed with the results of the education/migration industry in mind, but rather as a result of assumptions about international education, and particularly, about the way the world should be divided into concerns about 'education' and 'immigration' as separate things.

Lastly, to move back to a wider perspective, the assumption that the world can be divided into concerns to do with policy, business strategy and ICT was also a framing device for the creation of the industry in another way: the idea that the purpose of the pathway was to ameliorate a skill shortage. When government members spoke of a solution to alleviate a 'skills shortage' in the context of this pathway, they did not mean to alleviate a shortage of skills among individual Australians. This is not to say governments were not interested and engaged in improving the skills of people who were already Australian citizens: they most certainly were. However, as part of the program to alleviate the skills shortage the creation of the pathway to permanent residence through vocational training for international students definitively excluded people who were already present in Australia as citizens.
The need for the pathway was framed as a service to businesses in supplying their demands for skilled workers first, and that through the provision of that service there was the assumption the rest of the nation would benefit. The very idea that it is the government's role to put into place policies that assist businesses in attracting skilled labour assumes the one entity of government should assist the other entity of business. The fact that this policy framework was itself framed in a way so as to encourage the adoption by colleges of business strategies that operated the pathway, underlines the assumption in government about its role in society, and about how it should go about creating regulatory and ICT architectures that support or guide business strategies. Without these assumptions, the industry could not have been brought into being.

*Story-telling, moral judgements, and the opinions of other people.*

When asked their opinions about events in the industry the participants overwhelmingly displayed a tendency to form narratives about the industry that involved moral judgements about various actors, and that assumed other people would hold various views. This tendency’s constant presence reflects the ways in which the participants saw and understood their world. This could reflect the ways in which participants framed their understandings of policy, business strategy and ICT. Therefore, while this project will not make definitive conclusions about a relationship between this tendency and the roles of policy, business strategy, and ICT in the industry, it does need to be addressed in order to give a thorough understanding of the interviewees’ views.

The tendency to historicise, or narrate, the story of the industry is understandable. It is almost inevitable that in answering questions about the role of, say, policy in the creation of the industry, interviewees would want to tell a story about it. As the industry occurred in the past, telling a story might be seen as the only way for them to organise their memories and impart them in a fashion they assumed would be coherent to the interviewer. The story was aligned always to the idea of a beginning, a middle (‘the perfect storm’) and an end. However, when delineating and describing these semi-discrete 'packages' of time, participants did not offer any solid dates for the beginning of one part and the end of another. There was no agreement, not even any effort, to elucidate a precise date upon which the ‘beginning’ ended and the ‘perfect storm’ began. This means that the idea of a beginning, a middle, and an end time, does not, in fact, exist to an agreed historical timeline.

The data sources such as AEI do show a sudden increase in the number of students onshore in specific years, and government documents can prove the dates upon which policies were announced or regulations promulgated. However, this is not the way the interviewees went about telling the story.
Instead, the interviewees constructed much of the history through their attention to normative concerns. For example, the idea of the beginning of the industry was not evident in the interviews with disputing opinions about when the Commonwealth put in place policies that created the pathway, but if the Commonwealth was right to do so, and whether there was a justification for the Commonwealth in doing so. The idea of the middle time of the industry, the 'perfect storm', did not contain debate about when this time period might have been (though again, data sources on student numbers can usefully identify it). Indeed, questions about specifying the time period were usually shrugged away as not really important. Instead, the idea of 'perfect storm' was evident in normative assertions about the behaviour of private providers, students, and governments. As it is from these normative assertions that this project draws its information about the roles of policy, business strategy and ICT, the normative character of the assertions might have, in some way, influenced the character of the findings that could be drawn.

A further complication is the tendency of interviewees to characterise the views they believed others would hold about these normative concerns. Normative claims about government or private providers were based on beliefs about the beliefs held by other people. However, the participants were mostly incorrect about the beliefs they assumed others, as groups, would hold. While participants from private provider backgrounds believed people from a government background would hold certain beliefs about people from private provider backgrounds, people from government backgrounds did not, in fact hold those beliefs to the degree believed by people from private provider backgrounds. A belief by a person from a private provider background that a 'government person' was likely to believe all private colleges were 'dodgy' would not be borne out in the beliefs of 'government people', who, while they generally conceived the idea of 'dodgy' colleges being in existence, did not hold the belief that all colleges were 'dodgy' at all. In reality, the assignment of beliefs to groups, which formed a part of the normative environment the participants believed to be in existence, was not coherent in the way assumed by many participants. Many people from a government background did believe in the existence of 'dodgy colleges', but so did as many people from a private provider background.

The last, but very important twist in this behaviour was the tendency to self-exclude from the assumed beliefs. So, for instance, a government person might think a private provider person would think a government person would hold the view that all private providers were dodgy. As seen, this belief of the government person would be incorrect. However, there was a distinct tendency to extend this belief to the idea that while the government person might believe the private provider person was right in assuming government people would tend to see all private providers as dodgy, in this instance, the individual government person was different, and did not believe all private providers were dodgy. The effect is something like: 'those people W think we people X think Y, and many X do think Y, but though I am a X, I am different and I think Z'.
The importance of this was three-fold. Firstly, even while practicing self-exclusion, participants were still likely to think other people belonged to groups and were likely to hold beliefs in accordance with their perception of the beliefs people in that group would hold. Secondly, the beliefs were about normative concerns, i.e., was it right for private providers to put on courses that lead to permanent residence? Thirdly, the self-exclusion perhaps underlay the tendency to believe the factor being considered was not in the control of the person being interviewed. Senior government people (even in the political sense) did not evince a belief that they themselves were making policy. Senior executives did not see themselves as solely responsible for the growth of the business strategy that led to the industry coming into being.

It is likely that the mistaken assumptions had some impact on the ways in which the participants came to understand what it was they should be doing when being asked to describe, say, the role of business strategy in the creation of the industry. Whatever impact it was, though, has not been addressed in this project. Instead, it is accepted that however fretted by normative concerns, and however imbued with the senses of others and groups and individuals, the opinions expressed by the participants still addressed the concerns of the project.
Chapter 5. Conclusion

The relationship between government policy, business strategy and ICT in the education/migration industry in Australia was complex and interdependent. In important ways, each area needs the others in order to be understood comprehensively, and an understanding of the interactions between the areas is centrally important if we are to attempt to make more meaningful and useful accounts of the events in the industry.

This thesis used an investigation of events in the education/migration industry in Australia to analyse the roles which policy, business strategy and ICT played in the growth and decline of the industry. It has done so with the clear intention of also analysing the relationships between these domains of thought as they pertained to the industry.

There is currently literature and complex discourse regarding the character of the relationship between combinations of two of these factors, or similar factors. Friedman (2003) wrote about the deep relationship between 'Economy' and 'Polity'. Kushida (2011), Klischewski (2010), Yeung (2011) and Taylor (2011) write about the relationships between ICT and Policy. There is a plethora of work on the relationship between business strategy and policy, especially if we extend it to the relationship between 'Business' and 'Government'.

However, little work has been developed on the relationship between all three factors as a kind of relationship in itself. Mokr (2009) comes close in his understanding of the Industrial Revolution in Britain. However, his is an overtly historical study of events occurring over a century ago. He also includes as a very important factor the rise of Enlightenment thinking. While Mokr understands and explores the idea that there is a relationship between technology, business strategy, and government policy, he does not claim it as a discrete, investigatable phenomena. Carruthers (1996) also describes a deep connection between government policy, business strategy and technology. However, again he is describing events occurring hundreds of years ago. Also his emphasis is much more firmly on the policy to business strategy relationship. Lastly, as with Mokr (2009), Carruthers (1996) does not claim that the relationship between the three factors can be understood, itself, as an identifiable and investigatable phenomena.

In a wider sense, there are vast literatures in each of the individual areas, charting and tracing the importance of each area in the development or practice of society. If the terms Policy, Business Strategy and ICT may be taken as signifiers for varying groups of activities, ideas, or physical objects, then it is certainly true that there is much literature regarding the content and character of those groups. Questions around definitions for the practice of each area underpin much theoretical work:
What is Policy? What is ICT? What is Business Strategy? These questions have been asked and answered, repeatedly, before. It is clear that there is something that is thought of as the area of Policy that is differentiable from the area of ICT, and something else again that is thought of as the area of Business Strategy. As one theory differs from the next, so too will the content of these areas change, and one may readily find crossover between the areas: on how some of the things in Policy are affected by some of the things in Business Strategy; or how some of the things in Business Strategy are affected by some of the things in ICT. But the conceptual delineation remains.

Even in our daily lives this division exists. Many Universities design themselves into departments to do with Policy, Business, or ICT; these departments gather and organise knowledge in these areas, and educate and issue degrees in these areas. Newspapers are often divided into sections along the lines of this division. People talk and think as if these were separate areas of concern: 'Do you work in business?' 'Is she studying policy?' 'He's been in ICT for years'.

However, this habitual delineation may conceal or distort, or the practice of it lead to unintended or detrimental outcomes, for the world does not require us to make this division: it is something we have invented. Obviously it is no less 'real' for having being invented, for being 'practiced' into being over a period of time. Maybe though, this conceptual division of concerns to do with policy, business strategy, and ICT, has become less useful in describing our society, and better plans could be made if we understood the relationship between them as something to be considered in itself. In the education/migration industry, the roles of policy, business strategy and ICT were entangled to the point of interdependence. No one area can be practically conceived without the existence of the others.

In the education/migration industry in Australia, the relationship between policy, business strategy and ICT was crucial in both a creative and destructive way. It is likely that if key decision makers had possessed a better understanding of this tripartite relationship, and a willingness and ability to analyse their ideas in terms of this relationship, some of the destructive outcomes of the industry might have been ameliorated.

This conclusion will look at the phenomena of this co-dependence in three arenas. Firstly, in the three key time periods described by participants: the beginning, the middle, and the end of the industry. This will demonstrate that the interdependence is real, that it exists in a practical sense, but that it was not recognised by the participants. Rather, it was not elucidated, not considered as a thing in itself. If this was the case generally among decision makers, then it could be that this lead to a number of problems that may have been avoidable were this understanding present.
Secondly, it will look at some areas of concern that emerged in the investigation but were not addressed in this project but could enhance potentially an understanding of what happened. This will particularly relate to narrative constructions and the prevalence of normative concerns in creating understandings of past events. In other words, what is there that is still unanswered? Thirdly, it will consider in which ways an understanding of this co-dependence could lead to further research.

*The interdependence of policy, business strategy, and ICT at the beginning of the industry.*

The analysis chapter dealt with ways in which each of these factors affected the others at different times in the industry. This was characterised as double relationships, for example the policy ↔ business strategy relationship, but here we will look at the policy/business strategy/ICT relationship as a trilateral relationship of co-dependence.

A series of co-dependencies can be seen at the beginning of the industry. While the participants overwhelmingly thought of policy as the prime cause of the start of the industry, this was perhaps the result of two factors. Firstly, many of the participants worked in policy formation and implementation and so had a detailed knowledge, gained through lived experience, of the ways in which policy changes assisted the start of the industry. Secondly, the issues of policy were something that everyone could speak about generally. Policy was not necessarily specific to any single entity in the industry but rather something that everyone dealt with in some way, making it a site for discourse and discussion that participants could have in common. Also policy changes did indeed have a significant impact on the birth of the industry.

The decision to pursue a policy trajectory which created a pathway to permanent residence through on-shore vocational training required an assumption that there were businesses that would adopt strategies to take advantage of it, and that ICT infrastructures could put it into effect, while also attempting to monitor and control it. This is not, however, meant to imply a directional causality. The people promoting the creation of the pathway almost certainly did not formally plan and assess whether businesses would subsequently pursue the new advantages, or whether the ICT infrastructures were actually in place or could subsequently be built. It is not even likely that any of them overtly accepted they were assuming the presence of these factors.

However, the ideology that assumes it is the role of government to put regulatory frameworks in place that encourage the private sector to pursue advantages offered by those frameworks, also assumes that businesses will devise strategies to do so. Also, the belief that the government can keep track of information pertaining to the system, and can implement monitoring and sanctioning systems to
control the industry, assumes the pre-existence of an ICT infrastructure that can (or can be made to) acquit this role.

At the beginning of the industry, these assumptions were necessary preconditions for commencing the project of creating such a pathway. Increasing the points available to potential migrants for undertaking training onshore with registered providers was framed overtly by government as a change that would create the permanent residence pathway. This was seen as a means of assisting in alleviating the supposed skills shortage while providing broad support to the international education industry (including private providers) as an earner of export dollars. This required the assumption that an ICT infrastructure could assess potential applicants and monitor registered providers and student visa holders; and also that the providers will in fact implement business strategies to take advantage of the new pathway, and thus earn export dollars. There is here then a tripartite relationship between policy, business strategy and ICT.

On a practical level, the implementation of the business strategies by private providers that put the pathway into operation was intrinsically linked to policy and ICT. The policy settings not only made the business strategy possible, but had effects on the market that meant providers who did not pursue this business strategy were likely to suffer detrimental consequences as demand shifted away from courses that did not provide the pathway, and to courses that did. Quite literally, the idea to implement the business strategy was only possible because of the policy and regulatory changes that created that possibility, and that shifted the market in a direction that made not adopting the business strategy more risky.

The business strategy was implementable only through the ICT systems which governments required businesses use in enrolling and monitoring students. It was impossible to enrol a student on a student visa attached to the relevant course unless this was done through PRISMS. A provider could not gain access to PRISMS unless it was registered on CRICOS, and it could only be registered on CRICOS once the Commonwealth had assented to the relevant State regulating authority’s recommendation that the provider be registered. The business strategy could not exist without the ICT infrastructure that allowed it to operate.

The main ICT system itself, PRISMS, was designed specifically to monitor the international students and the providers that trained them. Without the policy settings that allowed the existence of these providers and international students, PRISMS would never have been thought necessary in the first place. In addition, the processes inherent in PRISMS reflected and guided (or controlled) enrolment processes that relied on assumptions about how an enrolment and training process should take place. This process, generally being from Letter of Offer, to eCoE, to arrival, to completion, reflects both the
importance of the financial transaction inherent in private provider activity, and the perceived regulatory need for the government to be able to monitor a student's activity while present in Australia on a student visa.

Policy, business strategy and ICT were present at the beginning of the industry both as assumptions about what would be possible in creating the pathway to permanent residence, and in the practical 'mechanics' of how this pathway was put into place.

_The interdependence of policy, business strategy, and ICT in the middle part of the industry: 'The Perfect Storm'._

The kind of interdependence that arises from neo-liberal ideology about the role of government and business in society, and the concurrent need to monitor activity through ICT, remained throughout the life of the industry. However, it appears in different forms as it deals with different real world situations. In the middle part of the industry the Commonwealth government's support for the industry was based on the idea that because it was bringing in lots of students and thus generating lots of export income, the industry was a good thing.

At a more practical level, the middle period of the industry provides examples of this tripartite relationship in action. The ability of providers to enrol off-shore more students than their capacity on-shore might suggest prudent involves the use of policy and regulation in setting up a system whereby capacity should be considered in regulating provider activity. It also assumes the existence of an ICT system that can record a provider's capacity and report on possible breaches of this condition. The practice of allowing providers to enrol a number of students off-shore that was higher than the number of their registered capacity represents an understanding of business strategy, and a willingness (or lack of unwillingness) to allow this strategy to operate.

From the providers' point of view, the ability to enrol more students off-shore than their registered on-shore capacity made possible business strategies that significantly lessened risk. The implementation of such a strategy requires the existence of policy and regulation frameworks that allowed it, and the ICT systems that put it into place.

Other, and wider, factors in the recruitment and enrolment process also relied on the existence of this interdependence on a global scale. The ability of potential students to accumulate the required amounts of money and send the money through the banking system increased the ability of businesses to have possession of money earlier in the process. This meant businesses were able to use that money to assemble the resources for the course before the student arrived, but after taking possession of the
money. While this in itself is not different to other international education projects where a deposit is paid before the student arrives, the ability to move the money instantly and without the problems attendant to older forms of transferring money, did provide an advantage to businesses in terms of timing and the perception of risk.

In the source countries, the growth of more sophisticated banking and finance systems, reliant as they are on regulatory and ICT systems, underlay the ability for potential students to gather the money in the first place. As has been seen, many participants believed that in the case of India various innovative lending and borrowing schemes were put into place in order to assist potential students in amassing the money to both pay the initial course fees and prove financial capability for the purposes of attaining a student visa. These schemes relied on the existence of a banking and finance system that was available to middle class people, who were able to provide collateral for the loans, and on the existence of a system that allowed the lenders to organise the schemes into being. The growth of these schemes would probably, in themselves, provide a good site for the investigation of the co-dependent relationship between policy, business strategy and ICT.

The creation of the agents' portal represents a coalescence of the concern that policy should support business activity, that business strategies will evolve to take advantage of this support, and that ICT could and should be used to assist in bringing this relationship into being. The agent's portal represented a kind of outsourcing of work from DoI to the agents. The idea of doing so in itself represents a symptom of the underlying assumption that governments could or should outsource activities to the private sector, which, again, in itself is an example of the co-dependence of business strategy and government policy. However, in addition the creation of the portal represents an implicit understanding on behalf of government not just that outsourcing to the private sector is a good thing, but that when that outsourcing would actually assist the businesses in acquitting their strategies then it is a doubly good thing. In the creation of the portal the government, through DoI, was overtly aiming to assist agents and colleges speed up the process for potential students gaining a student visa. The idea that speeding up this process would be a good thing relies on the assumption that it is government's role to assist business in pursuing their aim to enrol as many students as possible as quickly as possible. This creates a relationship of co-dependence as the government creates frameworks to assist businesses in acquitting their processes, which are being acquitted through government designed processes in the furtherance of government aims, in this case, the aim of bringing more potential migrants to Australia. Of course, the agent's portal is an ICT system; here again is an example of this tripartite relationship in action both in the assumptions that underlie the idea that the system should and could be put in place, but also in the actual practical operation of the system.
The NCN issue perhaps provides an example in distinction to the previous two in that it provides few redeeming qualities. The existence of PRISMS in the first place is an emanation of policy about how and what the government should do in an attempt to monitor and control the industry. PRISMS is obviously an ICT system. However, the NCN issue shows what can go wrong when a misalignment exists between government expectation about policy, business strategy for taking advantage of the policy, and the ICT systems deployed across both government and business in acquitting this relationship. One can either argue the government did not deploy adequate human resources to cope with the suddenly overwhelming amount of work being generated by the combination of business strategy and the ICT systems (which were working only as they were originally designed). Or, one can argue the government did not organise the processes required of the ICT systems and human resources in such a way as to prevent the sudden, and ultimately system-threatening surge in work which was created by the successful adoption of business strategies.

Of course, the NCN problem could not arise without the existence of assumptions about the shape of the industry, and the processes that would need to be acquitted by government and businesses in growing, but also monitoring and controlling the industry. The NCN problem also arose because of the division in governmental design between concerns to do with immigration and concerns to do with education. On the one hand the government was clearly intent on growing international education, and in particular in regard to the vocational pathway to permanent residence. On the other hand the government felt it had a responsibility to monitor the activities of the students as student visa holders in order to ensure that any breach of conditions attached to a student visa would be notified to government and acted upon by the relevant government representative. However, the program to increase the number of international students onshore (and thus the number of potential skilled migrants) almost certainly did not foresee the rate of growth that resulted from the policy changes that created the possibility of the pathway, and the successful deployment of business strategies that put the pathway into effect. The result was that government was not able to acquit both the aim of growing the industry and the aim of monitoring (and when necessary sanctioning) student visa holders at the same time.

At some point people in government must have become aware of a number of converging issues that could not be solved without senior government intervention. These were the NCN problem, the concentration of students in a small number of courses, the low likelihood of graduated students (and permanent residents) actually working in the fields nominated as areas of skills shortage, and the impending problem of there being too many valid applicants for permanent residence in the country. It is not known how these concerns were identified and how they made their various ways into the attention of senior government officers. However, somehow they did, at roughly the same time that other events were occurring in close proximity to the industry. These included increased media
attention that framed the pathway to permanent residence through vocational training as a somehow dishonest act on behalf of students, or providers or both.

The students were seen as either victims of unscrupulous colleges and agents, or as people trying to gain permanent residence in a dishonest manner through a 'back door'. Media attention also concentrated on attacks on Indian students. This media attention occurred both in Australia and India. The media interest in the victims entailed interest in what the victims were doing in Australia in the first place, which in turn entails interest in the colleges, and the pathway to permanent residence through onshore training. The Commonwealth government found itself with a pressing need to deal with the systemic issues presented by the large number of students being onshore (eg. the NCN problem), and an opportunity to frame the changes it would need to put in place to close the industry as something that was protecting Australia's reputation as a provider of high quality international education. A general program of policy changes toward this end began to be put in place. These changes would almost certainly have been promoted as necessary to protect Australia's reputation as a provider of high quality international education regardless of the media attention. However, the media attention did provide the opportunity for the government's program in closing down the industry to be more readily embraced by the community at large, and lessen the possibility of domestic disturbances among the students.

The interdependence of policy, business strategy and ICT at the end of the industry.

A number of co-dependencies can be seen at the end of the industry. Indeed, the decision to close the industry arose from matters existing at the intersections of policy, business strategy, and ICT. The problem of there being far more potential applicants for permanent residence in Australia than the government was willing to issue permanent residence visas, was also the result of the policies that brought these potential applicants to Australia. The fact that this number of people was able to grow so quickly to a point unmanageable by government, and that the government was presumably not aware of this problem until the point at which there were already far too many potential applicants, was almost certainly partly the result of failures in processes around ICT systems. Specifically, the PRISMS network made it possible for government officials to know how many people were enrolling in which courses. However, for some unknown reason the boom in people entering courses that lead to permanent residence was not being monitored for potential impacts 'downstream' when these people would eventually apply for permanent residence.

These have so far been matters that created a problem, the subsequent awareness of the problem, and the following decision to make changes to close the pathway to permanent residence through onshore
vocational training. However, in the practical actions undertaken to actually close the industry, the tripartite relationship between policy, business strategy and ICT is also present.

The decision to withdraw access to the agent's portal from many agents, particularly in the Indian subcontinent represents an understanding of the importance of the portal in the business strategies of agents and colleges. Concurrent with this withdrawal (and providing co-justification for it) was an increased level of diligence on behalf of government officers in assessing the applications of potential students for possible incidents of fraud. The term fraud here relates to the misrepresentation of matters about the student being presented in documents in support of an application for a student visa. The recommendations from the Knight Review regarding the assessment of a potential applicant as a bona fide student had two effects on closing the industry. At a basic level it increased the processing time for applications. This, in conjunction with the removal of access to the agents portal, had the effect of drastically reducing the rate at which applications could be turned into enrolments. Secondly, the idea of assessing an applicant as a genuine student includes the idea that the assessor must be satisfied that the applicant had a genuine intention to return to their home country upon graduation. This undermines the entire idea of the onshore international student coming to Australia on a pathway to permanent residence. It effectively includes the assumption that if the applicant's provider intends to provide courses that lead to permanent residence, the government will refuse to approve applications for a student visa on those very grounds, thus removing the possibility of enrolments from the provider and rendering the business strategy that put the pathway into place inoperable. Without an effective business strategy (that is, one that results in the enrolment of students) the providers would be forced to either adopt some other business strategy, or leave. This is the reversal of the previous policy that encouraged the creation of business strategies to put the pathway into effect, but it is also merely continuing the implementation of the idea that government policy can and should guide the set of available options to businesses, and in doing so have the effect of making business strategy reliant on government policy for its existence. The implementation of this activity relied on ICT systems, including the agents portal and PRISMS in being put into effect. Without the agents portal greater scrutiny of applicants could take place. The position of PRISMS as the only way in which providers could enrol people and issue eCoEs, and the concurrent control by government over which people could be granted the student visa, meant PRISMS was a key element in putting the program to reduce the number of student visas being issued in place.

The interdependence of policy, business strategy and ICT was also present onshore, and was used by governments in reconfiguring the industry away from the pathway to permanent residence. The decision by the Commonwealth to require the re-registration of all providers on CRICOS is a clear use of ICT in acquitting a policy goal, the need for which was created by business strategy. The existence of CRICOS, and the different regulatory relations in existence between the Commonwealth
and the States in operating the system by which registration on CRICOS could be achieved, made the idea of requiring re-registration possible, but also gave the idea political and policy power. By holding control of the valve through which all permission to enrol international students was controlled (specifically CRICOS’ complementary requirement of PRISMS access and use), the Commonwealth was able to force the States to implement an auditing regime which the Commonwealth had no existing capability (or perhaps willingness) to implement by itself. It is also arguable that the Commonwealth did not possess the regulatory power to carry out this kind of broad based compliance auditing regime because of the delegated powers inherent in the State authorities. However, as the Commonwealth never sought to do so the powers were not tested. The subsequent creation of TESQA and ASQA represent an attempt by the Commonwealth to gather and assert power nationally, but the idea that all the States would cede authority in this area to a Commonwealth body has not been borne out by recent experience.

Regardless of later developments, at the time in question, without CRICOS and the link to PRISMS the Commonwealth would not have been able to act so quickly and assertively by essentially threatening to decommission the international education industry in each State unless the States agreed to perform a big compliance project. Furthermore, the absolute reliance business strategy had on the provider being registered on CRICOS and having access to PRISMS, meant this ICT-based lever of control could be effectively wielded to prevent the continuing pursuit of the business strategy that put the pathway into place. Thus, the reliance business strategy had on government designed ICT systems could be exploited by government in pursuing its new policy goals.

For the providers the new policy directions made clear that there would no longer be a pathway to permanent residence through onshore vocational training. The ICT infrastructure that monitored and controlled the industry put this new direction into solid effect. There was simply no possibility of maintaining the previous business strategy void of government support. The business strategy simply could not exist without policy and ICT.

Throughout the story of the industry we have seen the co-dependence of policy, business strategy and ICT in creating, maintaining, promoting and then closing the industry. The relationship was not always one of easy cooperation, or of coordinated effort to a unitary goal. The relationship did not have only good outcomes. However, the relationship was always present. To think of one of the factors as separate to either of the other factors would not result in a comprehensive understanding, or even an accurate understanding, of the events in the industry.

Of central importance is understanding the tripartite relationship as itself something that can be considered. The factors not only related, but depended upon each other. The difference between co-
dependence and relationship is important. We are faced with a situation where the one simply could not exist without the others. Attempting a comprehensive understanding of what happened requires that this co-dependence be made central to the process of creating such an understanding.

Yet this relationship, as a thing-in-itself, was not recognised by the participants. The participants were able to identify issues as pertaining to policy, or pertaining to business strategy, and (though less so) pertaining to ICT as if these were different things, separately understandable and acting in separate spheres. This is not surprising on the one hand because the research questions put to them were thematically constructed to draw out issues relating to these three areas. However, the interview process did seek out areas of intersection, and did seek to pry into the relationships between the areas. The participants were aware of the relationship between, say, the area of concern one might describe as policy, and the different area of concern one might call business strategy, but there was not an understanding of the world that contained an area of understanding 'policy / business strategy'. Again, however, this is not surprising because much of the world of ideas the participants inhabit is similarly divided into domains of thought around policy, and separate domains of thought around business strategy, and about ICT.

_Matters left out that could be in play: The tendency to create narratives and normative claims in recounting past events._

The interviewees told stories. Those stories had structures, and included lots of normative claims about groups and individuals. The various sites of dispute all involved claims about what was right or wrong to do, and about ignorance, about power, about exploitation. Many of the documents also held inherent assumptions about the ethical environment in which the industry operated. Analysing the interviews and documents, in terms of the idea of the contributions of policy, business strategy and ICT, leaves aside the overwhelmingly common attribute among all the data: the tendency to tell a story, and to make normative claims. It would be troubling to make claims about the world without paying due attention to the ways in which that world was spoken into being by the participants. In essence we have two things, on the one hand the almost uniform tendency to tell stories and make normative claims, and on the other we have the data coming out of those stories and normative claims. It could be that the telling of stories, and the making of normative claims, is itself something that in some way constructs that world, and therefore influences that data.

The interviewees only overtly saw the world as containing things like policy, business strategy and ICT as domains of thought when they were being reflective. On the other hand, the assumption that the world does contain such domains of thought was implicit in the ways they constructed their stories.
about the industry, and the assumptions they made about normative concerns. It is unlikely that the lived experiences of most of the participants normally included the kind of reflection they undertook as part of the interview process. The act of being interviewed, perhaps, in a sense brought the act of reflection into being. As all the data from the participants flows from the interviews, it may not be valid to assume that their reflections would have been present in the world had they not been interviewed. However, the contents of those reflections, and those stories, were almost certainly existent (even if as not often expressed opinions) in the minds of the interviewees before they became interviewees.

However this concern might be drafted, the fact remains that the opinions expressed in interview do exist as data, regardless of their origin. The conduct of interviews about people's past experiences almost definitively requires the interviewee to tell stories about the past. Those stories are likely to contain normative claims if they involve events that were in any way controversial, as in a sense that is the character of controversy: if there were no normative claims to be made there would be no controversy.

It remains unclear then, how the act of story-telling and making normative claims, in itself might have affected the outcomes of the findings and thus analysis. However, while important to note as a possible qualification to the conclusions drawn above there are three mitigating factors. Firstly, this is not something unique to this investigation. Secondly, the possibility of an effect does not equal the presence of the effect. Thirdly, while we can admit the interview event may have carved the data into new shapes through the act of being interviewed, we can validly assume the content of the interviews was probably present in some way in the minds and practices of the interviewees before they were interviewed.

**Possibilities for further research**

The obvious possibility for further research would be in analysing other industries along the same lines as this project has the education/migration industry in Australia. This might be useful in terms of expanding the field of available data for the relationship between policy, business strategy and ICT. However, another manner of research that might prove fruitful would be to examine the relationship as it manifests in the different general sites for each of the factors. So, for instance, instead of concentrating on the three factors in one industry across a range of actors, it might be useful to examine the relationship among one group of people (and places) that generally represent one factor. For example, one could look at the relationship between the three factors as they manifest only among policy makers, or only among senior executives; and either in relation to one industry, or across or in comparison to other industries.
Another manner in which to extend the research that might prove fruitful would be in experimenting as if the relationship were a given existent relationship. For instance, designing and implementing a strategy assessment program for a business or government department that took into account the co-dependence of policy, business strategy and ICT.

A few unexpected issues from the data would also bear further research. The manner in which narrative and normative claim making could affect data would be one area. Another would be the tendency of interviewees to characterise the opinions they believed other people would hold according to the groups to which they thought those people would belong, while at the same time displaying a tendency to exclude themselves from that characterisation.

The other main issue to arise somewhat unexpectedly was the tendency of thought domains to make claims about the world by constructing stories about the past. Research on this tendency would be interesting, but of even more import would be research about how and why domains of thought come into being, are perpetuated, and perhaps morph into other domains of thought. Also, how these domains of thought generally ramify in the world outside theoretical practice, and how that existence goes to further informing the ongoing work of domain creation, maintenance, and destruction. Research on each of these three issues would amplify understanding of how the relationships between policy, business strategy and ICT play out.

The Last Words

There is a tendency to conceive of the world in thematic constructs to do with different areas of concern. We invent the idea that there is something called 'Policy' that is different to something called 'Business Strategy', and that they are both different to something called 'ICT'. For whatever reason this creation of domains of thought exists, it has effects on the people who live them into being. That there are relationships between these concerns should be obvious, and there is much literature looking at the various possible bilateral relationships inherent among the three areas. However, literature about the existence of a trilateral relationship is less developed. The idea that there a trilateral relationship of co-dependence between the three is not present in the world in as practical a sense as is, for example, the idea that there is a relationship between policy and business strategy.

The lack of the presence of this understanding among key decision makers in the education/migration industry in Australia perhaps resulted in a series of outcomes that had very deleterious effects on a large number of people. If decision makers could be made aware of this fundamental relationship when making decisions about plans for the future, better plans could be made.
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