



The Hon Dan Tehan MP
Minister for Education

Parliament House
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Our Ref: MC19-000190



Ms Mikaela Meggetto
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Dear Ms Meggetto

Thank you for your letter of 11 January 2019 regarding Victorian Coroner Audrey Jamieson's Finding without inquest into the death of Mr Zhikai Liu (Court ref: COR 2016 001035). My thoughts go to Mr Liu's family and friends, for whom the release of this inquest report will bring painful memories.

The Australian Government takes international students' safety and welfare seriously. We want to ensure all students who come to Australia are living in a safe, supportive environment and have access to help they need to thrive while in Australia, and to succeed in their studies.

Education providers who teach international students must meet the requirements of the *Education Services for Overseas Students Act 2000* (ESOS Act) and the *National Code of Practice for Providers of Education and Training to Overseas Students 2018* (National Code). The National Code includes a dedicated standard (Standard 6) to ensure international students receive certain support services when living and studying in Australia. Education providers must provide access to support services to ensure the mental and physical wellbeing of their international students.

I have considered the Coroner's recommendations and my responses are contained below.

Coroner's Recommendation 1: To promote public health and safety and to prevent like deaths, I recommend that the Australian Government Department of Education and Training undertake consultation, in whatever form it believes most appropriate, with Victorian international student education providers as well as other organisations involved in international student education and support in Victoria, to identify strategies to engage vulnerable international students with mental health support.

I agree to this recommendation and note implementation is already underway. While the Coroner's recommendation was specific to Victoria, I believe this issue must be approached from a national level.

Building on the strong legislative requirements within the ESOS Act and National Code, and in order to inform the sector's further development of strategies to address mental health, my department has undertaken initial discussions with various stakeholder groups at the national level, including with Expert Members of the Council for International Education and the International Education Stakeholder Forum. I have tasked my department with undertaking a National Consultation on International Student Mental Health and Wellbeing in April and May 2019. This National Consultation will include state and territory government counterparts to ensure a coherent approach across all jurisdictions, as well as sector peak bodies, international student representatives and mental health professionals.

I can also advise the Australian Government has already funded a number of projects to address mental health for international students, which will support strategies that may be identified through the above consultations. For instance, the peak body for providers delivering English language training, English Australia, is currently running a series of mental health training workshops for staff to better support students. This project recognises that teachers and staff are the vital points of contact for international students and can help make a difference to students struggling with mental health. I look forward to learning the insights gained from this project and sharing them with the sector more broadly as part of my department's consultative work.

Coroner's Recommendation 2: I recommend the Australian Government Department of Education and Training consider how critical incident reports maintained by education providers under Standard 6 of the National Code of Practice for Providers of Education and Training to Overseas Students, may be brought together to inform interventions to reduce suicide among international students studying in Victoria.

I agree in-principle with the recommendation. I am advised there are likely legal limitations affecting the use and disclosure of information contained in critical incident reports under the *Privacy Act 1988* and state and territory privacy laws. I have asked my department to investigate this further and provide advice on how to give effect to this recommendation. As indicated in response to Recommendation 1, my department will continue discussions across the sector, and with governments, to inform the sector's further development of strategies to address mental health.

Coroner's Recommendation 3: I recommend the Australian Government Department of Education and Training amend Standard 6 of the National Code of Practice of Providers of Education and Training to Overseas Students to include a requirement that, when a death of an international student occurs, within four weeks the education provider forward a copy of the written record of the critical incident and remedial action taken to the Coroner in the jurisdiction where the death occurred.

I agree in-principle with the recommendation. As with the previous recommendation, I understand there are likely legal limitations within the *Privacy Act 1988* and state and territory privacy laws which may limit providers' disclosure of individual student information directly to the Coroner, including critical incident reports. Should reporting be allowable, my department will consider, as part of its consultations, which parties would be able to best use the insights gained from these reports. In addition, as education providers are not currently required to prepare critical incident reports in a specified timeframe, consultations would also consider the practical implications of imposing a four week deadline.

Thank you for bring your report to my attention. I look forward to further consultations with the international education sector on this important issue.

Yours sincerely

DAN TEHAN

