Fear over property sales plan
Ex-criminals could become agents

By MARIKA DOBBIN

JAILED drug traffickers and violent criminals would no longer be banned from later becoming real estate agents under national licensing proposals that would “lower the bar” in Victoria.

Police checks on auctioneers, property managers and agency sales staff would also no longer be required in Victoria, which has higher probity standards than other states.

The Real Estate Institute of Victoria has attacked the federal government's proposals for a national system, saying it would let undesirable people into the industry and put home owners' most expensive assets at risk.

The National Occupational Licensing Authority released its draft legislation this month that would allow various trades to operate across state boundaries on a single licence, in order to increase labour mobility and cut red tape.

The regulations still would prevent those convicted for dishonest offences, or misleading and deceptive conduct, from becoming agents, but would remove Victoria's exclusions on people sent to jail for more than three months for crimes of drug trafficking or violence.

The new system would also deregulate the sale of commercial, industrial and rural property, with only residential real estate agents required to be licensed.

REIV president Trevor Booth said Melbourne residential agents who had lost their licence for misconduct, such as ripping off trust funds, could still sell rural, industrial or commercial property under the deregulated system.

“Whilst we are in favour of a national licence, we don't support any form of deregulation. Why should someone selling or buying be subject to greater risk just because the property is rural? Why a different set of standards and rules?”

He said licensing arrangements work well in Victoria, with a relatively low number of complaints to Consumer Affairs.

Last year, 15 complaints about agents were lodged with the department.

A spokeswoman for Minister for Skills Chris Evans said the proposals for property occupations were based on “extensive expert advice from both industry and regulators” and were agreed to by all states and territories before being released for comment.

“Creating one national set of licences for key trades and occupations would bring major benefits for the economy, workers and employers,” she said.

“All feedback will be taken into account in the final reforms that will be presented to the states and territories later this year.”

Victoria’s Consumer Affairs Minister Michael O’Brien said the model released for public consultation also puts forward options of maintaining the status quo and automatic mutual recognition of licences.

He said the state government was talking to local stakeholders to help develop regulation that “ensures necessary consumer protections while improving business efficiency”.

Information about the proposals is available from the National Occupational Licensing Authority's website at www.nola.gov.au.
Universities must wake to the new age

Every so often we should ask universities the same kinds of big question we expect our scholars to pose about their disciplines.

In my case, I wonder whether the Western model of the university is doomed, particularly the Anglo-Australian version where extensive research is a defining property. The following, broadly, is an argument to this effect. (I appreciate there are counter-arguments, but even so, I think there is a persuasive case that we are on the cusp of major, disruptive change.)

Before plunging the reader into unfathomable gloom, I should say there are many reasons to be cheerful about higher education generally. It is expanding globally, as it must in a world increasingly based on innovation, technology and services.

Higher learning and research have never been more needed. Growth in the BRIC countries (Brazil, Russia, India, China) and beyond will fuel it for a generation to come. Australia competes well at the moment, as is outlined in the Australian Council for Educational Research’s briefing, July 2012, “Australia in context”.

So, as a “cause”, higher education’s prospects are bright, and those of us who think that its contribution to civilisation as a whole is more important than national boundaries and institutional forms should be optimistic.

There are reasons, however, not to be cheerful about the current model of the Western university. This imprecise term matches the following unflattering description.

The Western university is predominantly on-campus, although that is changing. It is not-for-profit, but a close analysis of annual financial statements may show that for many there has been an underlying operating loss for some years, masked by the attribution of capital and other one-off grants as revenue. Its lecture theatres are empty for most hours of the year.

It employs academic staff on terms and conditions that inhibit flexibility, not because of an affection for inflexibility but to protect a treasured form of academic work and career. Its workforce, however, is ageing and probably not replacing itself with enough early-career talent. It may well aim to be highly ranked, nationally or internationally, and because most rankings are based in part around research metrics, it is swept along by mimetic drift towards an ideal type of university somewhere in the ether.

In its heart of hearts the Western university knows it is involved in too many disciplines and cannot be excellent in all of them, but the pain involved in exiting from its thinner fields is too much to contemplate for senior managers who (like me) would prefer to focus on growth projects.

It is selling courses to international students without really internationalising itself; and this has worked well for two decades, backfilling for a shortfall in government income, because international students up to this point have wanted to buy domestic education in a Western aesthetic.

(But what happens when they want international higher education in their own aesthetic?)

Finally, it may be administered on stand-alone platforms, even though there are other tertiary institutions a few kilometres away duplicating the same set of back-office and support functions.

The problem with this model, if not already apparent from its features, is that students can’t afford it any more, even though they may protest to protect it; governments don’t want to afford it; industry and business don’t seem to want to invest in it to an extent that will make a difference; philanthropy (in Australia) has priorities higher than it, such as school education, health and disadvantage; and academics are worn out by it, if the brooding genre emerging of disgruntled books and articles is anything to go by.

Against this backdrop, the disruptive technology of the internet favours private providers not engaged in research and community service, and it favours the huge brands operating massive open online courses, or MOOCs, as they have become known.

Perhaps what has happened since the 1970s is that the West has “massified” a form of elite higher education, which has gone as far as it can go, and now we need to invent something new.

Alongside a few very strong universities, which no doubt will continue to thrive on the traditional model, there will be a new form of agile, flexible organisation committed to the highest forms of student-centred teaching and scholarship. But these organisations will not necessarily be conducting all forms of research, and certainly not across all of their disciplines.

They may be networked together, and may even become Australian versions of the “system” universities that can be found in the US and some parts of Europe. Functionally, they will be polytechnics, devoted to practical learning, whatever they actually call themselves. Which universities and vocational institutes become which will be an interesting question, and those that don’t even want to ask the question are living dangerously.

Stephen Parker is vice-chancellor of the University of Canberra. This is an extract from a paper given at the university governance and regulations forum in Canberra on September 4.
The Western university has too many disciplines but avoids culling the weakest.
Australian universities operate a reverse-Qantas business model. The airline makes money on its domestic passengers but loses a fortune on international customers. Universities lose money on domestic students but make it up by charging high fees to international ones.

Because international students pay more to study than it costs universities to teach them, they subsidise domestic students whose government-determined fees (plus taxpayer subsidies) add up to less than universities spend teaching them.

Overcharging foreigners to subsidise locals worked reasonably well when international students were willing to pay big dollars to study in Australia. But a series of government visa bungles, the soaring Australian dollar and intense competition from other countries have slashed the number of international students studying in our universities.

Faced with declining revenues, vice-chancellors boarded the Shanghai-Mumbai express and set off to sell their wares. They offered agents large commissions to send students to their universities. To attract more students, some universities reconsidered their standards: do students really require a high competency in English for university work; have we been too tough on plagiarism and other forms of cheating.

To assist universities to recruit students, the Australian government has liberalised its visa regime. In future, universities will be able to play a larger role in deciding which international applicants receive student visas. Will they be able to resist the temptation to enrol students who might not be sufficiently motivated or prepared for higher education? No one knows, but recent reports from England do not bode well.

Thousands of students at London Metropolitan University may be deported because the United Kingdom Border Authority (UKBA) has removed the university’s right to admit students from outside the European Union.

London Metropolitan’s Australian vice-chancellor, Malcolm Gillies, claimed this move would cost his university tens of millions of pounds. This is a heavy blow on its own, but it comes on top of the millions his university already owes the government because of an earlier problem in reporting its home and European Union student numbers. Without the high fees paid by international students, the university may have to close.

According to the Immigration Minister, Damien Green, the drastic action was necessary because “systemic failures meant that London Metropolitan was not able to ensure the appropriate admission and tracking of students from abroad”. The university enrolled many students without valid visas, some with poor levels of English proficiency and others who were not diligent about attending classes.

Critics claim that Green’s action is political. They say he wants to be seen as reducing the number of “immigrants” at a time of high unemployment.

London Metropolitan has instituted legal action to have the UKBA ban overturned. If the university is unsuccessful, it will be barred from enrolling new international students and current ones will have to find another university willing to accept them or leave the country. Some of these students are in the final year of their courses and will have a strong legal claim for damages or at least a refund of fees paid.

About 10 per cent of London Metropolitan University’s students are classified as “foreign”. For most Australian universities, the percentage of international students is two or three times higher. It is impossible to imagine any Australian university surviving for long without international students.

Could the debacle facing London Metropolitan happen in Australia? It’s not impossible. The liberalised visa regime gives universities greater latitude in determining which students are awarded visas. Because they find it hard to control, let alone reduce, their costs, most Australian universities will continue to rely on international students to help pay their bills. Like Qantas, some will seek alliances with foreign partners and establish campuses abroad.

These will be outside the jurisdiction of Australian immigration authorities, but they will still be subject to Australian accreditation.

Universities can run abroad, but they can’t hide. Their reputations and their very existence require them to ensure that their students are genuine. If any fail, the consequences will be dire.

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