



Three advocates for the affected students—MP Stephen Timms (centre) speaking, director of Migrant Voice Nazek Ramadan (right) and immigration lawyer Patrick Lewis from Garden Court Chambers (left). In Parliament in July 2018.

PHOTO: COURTESY MIGRANT VOICE

Stuck in limbo

MALIHA KHAN

Blamed of cheating on their English-language tests by the Home Office in 2014, thousands of Bangladeshi students' visas were revoked and their right to work and study in the UK suspended

An old Dhaka native, Sheikh Shariful Amin went to the UK as a student in 2008. He had already completed a master's degree but as it didn't count there, Amin then did one at the University of East London.

After that, Amin successfully applied for a post study work visa (no longer available since 2012) which would allow him to stay on to work for two years. In 2012, he applied for a graduate entrepreneur visa, which required him to show GBP 50,000 in investment funds, so he could start his own business.

Amin took an English-language test, the Test of English for International Communication (TOEIC), for this visa application. It was not required and he could have easily given another, the International English Language Testing System (IELTS), as had many other Bangladeshi students before departing for the UK. But at that time, IELTS test centres and dates were comparatively less and Amin found TOEIC centres more widely available. This decision was soon to become a source of grief for him in the years to come.

TOEIC, government-approved since 2011 for non-EU students, was administered by the Educational Testing Service, an American company known by its acronym ETS and which also administers the Graduate Record

Examination (GRE) and Test of English as a Foreign Language (TOEFL) globally.

What happened next is the dreaded knock on the door by immigration officials that the student and then businessman who came to the country legally, never thought he would experience. Amin was arrested from his home in Stratford (in east London) at 8:05 on the morning of February 5, 2015. 12 immigration officials came to his home and said they would be sending him back that evening.

"They said I had cheated in my exam by using a proxy for the speaking part [of the test]," says Amin. While he was let go after three days in detention, the papers he was handed were a shock—he had no right to rent a place to live, study, or do business anymore. His three-and-a-half year old driving license was revoked and his access to the National Health Service (NHS) partially restricted. He could only appeal from outside the UK.

Though he had been in the country seven years at that point, Amin's knowledge of immigration law was nil as he had only had to renew his visa twice till then. "I was devastated, wondering how this had happened to me," says Amin, "Then I set to find out which law was preventing my right to respond to this fraudulent allegation."

Others did not receive a home visit or

experience detention. Waqar Hussain only learned of the allegation against him when, before his last semester as a computer science student, he enquired about his class schedule. He was informed that he had been withdrawn from the university because of it (he had taken the test before enrolling there). Waqar only received official notification from both his university (Glyndwr University in London) and the Home Office after already being withdrawn and his visa cancelled, respectively.

In 2014, he first heard about affected peers and was actively campaigning for them when he learned to his shock that he, too, was implicated.

"I didn't get any support from my university. They had a responsibility to explain the legal procedures I could undertake to defend myself," says Waqar. He says Glyndwr had said that they would give affected students another chance, as they had to pass an internal English test before being admitted anyway. It didn't later, though Waqar knows of several universities which allowed affected students to retake exams and then, continue their studies.

"The university suggested I go back to Bangladesh and complete the course there, though I know that the distance learning option is not available.

Continued on page 5