

IN THE CORONERS COURT

Court Reference: COR 2018 6222

OF VICTORIA

AT MELBOURNE

FINDING INTO DEATH WITHOUT INQUEST

Form 38 Rule 63(2)

Section 67 of the Coroners Act 2008

Findings of:

AUDREY JAMIESON, Coroner

Deceased:

NGUYEN PHAM DINH LE

Date of birth:

29 March 1997

Date of death:

12 December 2018

Cause of death:

1(a) Injuries sustained in a fall from a height

Place of death:

**Redmond Barry Building 115, 156 Grattan Street,
Parkville, Victoria 3052**

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INTRODUCTION

1. On 12 December 2018, Nguyen Pham Dinh Le was 21 years old when he jumped to his death from the tenth floor of the University of Melbourne Redmond Barry Building. Mr Le was Vietnamese and he lived with his father, Thanh Le, in St Albans, Victoria. His parents had divorced about four years earlier and his mother lived in Vietnam.

THE CORONIAL INVESTIGATION

2. Nguyen Pham Dinh Le's death was reported to the Coroner as it fell within the definition of a reportable death in the *Coroners Act 2008* (the Act). Reportable deaths include deaths that are unexpected, unnatural or violent or result from accident or injury.
3. The role of a coroner is to independently investigate reportable deaths to establish, if possible, identity, medical cause of death, and surrounding circumstances. Surrounding circumstances are limited to events which are sufficiently proximate and causally related to the death. The purpose of a coronial investigation is to establish the facts, not to cast blame or determine criminal or civil liability.
4. Under the Act, coroners also have the important functions of helping to prevent deaths and promoting public health and safety and the administration of justice through the making of comments or recommendations in appropriate cases about any matter connected to the death under investigation.
5. The Victoria Police assigned an officer to be the Coroner's Investigator for the investigation of Nguyen Pham Dinh Le's death. The Coroner's Investigator conducted inquiries on my behalf, including taking statements from witnesses – such as family, the forensic pathologist, treating clinicians and investigating officers – and submitted a coronial brief of evidence.
6. This finding draws on the totality of the coronial investigation into the death of Nguyen Pham Dinh Le, including evidence contained in the coronial brief. Whilst I have reviewed all the material, I will only refer to that which is directly relevant to my

findings or necessary for narrative clarity. In the coronial jurisdiction, facts must be established on the balance of probabilities.¹

MATTERS IN RELATION TO WHICH A FINDING MUST, IF POSSIBLE, BE MADE

Circumstances in which the death occurred

7. On 12 December 2018 at 7.28am, Mr Le purchased a rope and scissors from Bunnings West Footscray.
8. Between approximately 7.30am and 8.40am, Mr Le travelled toward and entered the University of Melbourne Redmond Barry Building in Parkville, Victoria. Mr Le went to the tenth floor of the Redmond Barry Building and removed a fixed screw to open a window. He moved a chair toward the opened window and removed his shoes.
9. At about 8.40am, Mr Le jumped from a tenth story window of the Redmond Barry Building. Closed Circuit Television (CCTV) footage captured images of Mr Le's fall.
10. Members of the public attempted to render aid to Mr Le, including by the administration of resuscitative efforts and by contacting emergency services. A defibrillator was used, and the machine advised that Mr Le had no shockable cardiac rhythm. Ambulance Victoria paramedics attended and confirmed that Mr Le was deceased.

Identity of the deceased

11. On 14 December 2018, Nguyen Pham Dinh Le, born 29 March 1997, was visually identified by his father, Thanh Le.
12. Identity is not in dispute and requires no further investigation.

¹ Subject to the principles enunciated in *Briginshaw v Briginshaw* (1938) 60 CLR 336. The effect of this and similar authorities is that coroners should not make adverse findings against, or comments about, individuals unless the evidence provides a comfortable level of satisfaction as to those matters considering the consequences of such findings or comments.

Medical cause of death

13. Forensic Pathologist Dr Heinrich Bouwer from the Victorian Institute of Forensic Medicine (VIFM), conducted an external examination on 13 December 2018 and provided a written report of his findings dated 27 December 2018.
14. The post-mortem examination revealed injuries consistent with a fall from a height. Post mortem computed tomography (CT) scanning showed numerous fractures and bilateral haemopneumothoraces.² Toxicological analysis of post-mortem samples did not identify the presence of any alcohol or any common drugs or poisons.
15. Dr Bouwer provided an opinion that the medical cause of death was ‘1(a) Injuries sustained in a fall from a height’.
16. I accept Dr Bouwer’s opinion.

FURTHER INVESTIGATIONS

17. Upon attending the University of Melbourne, Victoria Police officers (“Police”) did not identify any evidence of third-party involvement in Mr Le’s death. Police located the position from which Mr Le had jumped by identifying personal items he had left on the tenth floor of the Redmond Barry Building. This included a backpack containing the rope and scissors he had purchased in Bunnings West Footscray that morning, as well as Mr Le’s wallet and Driver’s Licence.
18. Mr Le’s father Thanh Le stated that his son was born in Vietnam. He emigrated to Australia in 2011 to study at Keilor Downs Secondary College. Mr T. Le said that his son was a very clever young man and achieved an ATAR of 99.5. Between March 2015 and June 2016, Mr Le participated in an extension program at the University of Melbourne, studying mathematics. In 2017, Mr Le enrolled in a Bachelor of Science at the University of Melbourne. Mr Le’s elder brother by 5 years, Thinh Le, also attended the University of Melbourne, studying a PHD in Commerce.
19. Mr T. Le believed that Mr Le may have felt academic pressure in light of his brother’s success, despite both young men performing very well. Mr T. Le also stated that his

² Hemopneumothorax, or haemopneumothorax is the condition of having air in the chest cavity (pneumothorax) and blood in the chest cavity (hemothorax). A hemothorax, pneumothorax, or the combination of both can occur due to an injury to the lung or chest.

eldest son had been given a full scholarship at the outset of his studies in Australia, whereas his youngest son's studies costed \$40,000 per annum. Due to the status of Mr T. Le's visa, his son was not able to access government studying subsidies. During the six month period prior to his death, Mr Le commented to his family that he felt his future career was uncertain.

20. Mr T. Le stated that his son had never given any indication of mental ill health; he was fit and apparently healthy. Consequently, Mr T. Le believed that his son had never consulted a medical general practitioner (GP) in Australia. Congruently, the investigation has not identified any evidence of Mr Le consulting a medical practitioner in Australia.
21. A delegate of the University of Melbourne ("the University representative") provided a statement in relation to Mr Le's studies.³ The University representative stated that Mr Le was not known to University of Melbourne Health, or University of Melbourne Counselling and Psychological Services. However, Mr Le did attend the University's Stop 1 advice service, where he sought course and subject related advice on the following occasions:
 - 16 February 2017, for information regarding subject/ major selection;
 - 08 March 2018, for information to help him change subjects from 'Spanish 1' to BLAW10001: Principles of Business Law, and
 - 19 March 2018, for enrolment assistance and advice, including subject selection and the possibility of overloading or undertaking winter or summer semester subjects.

³ On 19 March 2019, the University of Melbourne General Counsel and Executive Director of Legal and Risk Debra Tegoni provided a statement to the Coroners Court of Victoria on behalf of the university.

CORONERS PREVENTION UNIT INVESTIGATION

22. I have previously raised my concerns about the suicides of international students studying in Victoria in my Findings into the death of Zhikai Liu, published 10 January 2019.⁴ Mr Liu was a Chinese-born international student aged 24 years who suicided in a setting of deteriorating mental state. During the course of my investigation into Mr Liu's death, I directed the CPU to identify other Victorian deaths of international students in circumstances consistent with suicide. The CPU produced a memorandum of advice which was attached to my Findings.
23. In light of the circumstances of Nguyen Le's death and ongoing concerns for the safety and wellbeing of international students studying in Victoria, I directed the Coroners Prevention Unit (CPU) to provide further advice regarding any opportunities for recommendations to reduce suicide risk among international students studying in Victoria

Previous Investigation: Zhikai Liu

24. My investigation into Zhikai Liu's death encompassed: Firstly, the circumstances of the death itself; Secondly, the academic literature on stressors that international students face in Australia and elsewhere; Finally, a data summary in which the CPU compared the socio-demographic, mental health and proximal stressors profile of 27 international student suicides against a cohort of 84 adult Australian-born students. The totality of the investigations identified a consistent theme running through this material, which was international students' low level of engagement with mental health services.

Recommendations in the death of Zhikai Liu

25. I made the following recommendation at the conclusion of my Findings:
 - I. *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.*

⁴ [COR 2016 1035](#).

26. I further noted that Australian education providers are required to maintain written records of adverse events (including deaths) involving international students, and these records could assist coroners investigating their deaths. Consequently, I also made the following two recommendations:

- I. *In undertaking its consultation, 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.*
- II. *I recommend The Australian Government Department of Education and Training amend Standard 6 of the National Code of Practice for 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.*

Response to Recommendations in the death of Zhikai Liu

27. On 8 April 2019, the Coroners Court of Victoria received an undated response from Commonwealth Minister for Education, the Hon Daniel Tehan MP.
28. Minister Tehan accepted the first recommendation and indicated a number of initiatives were already underway; he referenced the Council for International Education, the International Education Stakeholder Forum, and the National Consultation on International Student Mental Health and Wellbeing, as well as funding for mental health training for English language teachers.
29. Minister Tehan indicated in-principle agreement with the second and third recommendations, although he noted there were likely to be legal limitations ‘*which may limit providers’ disclosure of individual student information directly to the Coroner*’. He stated that he had asked his department to look into these legal issues further.

Updated CPU Activities

30. Consequent upon my directions in relation to my investigation into Nguyen Le's death, the CPU undertook the following activities:

- Consulted with organisations and individuals engaged in international student welfare, with particular assistance being provided by staff at Study Melbourne and Orygen.
- Reviewed information on international student welfare initiatives that occurred since I delivered my finding into the death of Zhikai Liu on 10 January 2019.
- Updated the international student suicide profile originally prepared to augment my finding into the death of Zhikai Liu. The updated data is contained in a memorandum to these Findings.

Consultation: Challenges and opportunities

31. Based on the consultations with Study Melbourne, Orygen and other organisations, the CPU identified several challenges and opportunities in international student wellbeing. Discussion during the consultations predominantly focussed on international students who were studying in universities, and I have maintained that focus in these Findings.

Universities and student wellbeing

32. Universities are usually the first point of contact for international students who have wellbeing issues. However, they face challenges in providing support, because their clientele is so diverse. For example, there is enormous diversity in the international student body with respect to cultural beliefs and practices around issues such as mental health, suicidality and help-seeking. There is also enormous variation in the preparedness and maturity of international students who come to Australia to study, with respect to life skills (for example the ability to look after oneself, shop and clean and cook for oneself) and English language proficiency. The reasons for an international student presenting to a wellbeing service are also very diverse, and can range from contextual stressors (employment, finances, study, relationships) through to deterioration in mental health.

33. The discussions indicated that it was impossible for a university-based service to have an appropriately tailored response for every international student due to the diversity of that cohort. Additionally, university-based services were simply not equipped to deal with more complex issues, particularly serious mental illness. Therefore, links between university support services and external services are essential.

Pathways to care

34. While links and referral pathways between university services and external services (particularly health services) are essential for supporting international students, particularly when a serious situation or mental health crisis occurs, there are practical hurdles to effective linkages. These include:
- The pathways by which university counselling and welfare services refer international students to tertiary health services (particularly hospitals and mental health services), can be unclear.
 - International students are required to hold mandatory health insurance. Despite information being readily available about what this insurance covers, there is often a lack of understanding for students, university services, and even the health services themselves, on scope of coverage. One particular issue, identified during feedback from counselling services who refer international students for mental health treatment, is the lack of awareness in Victorian mental health services about how international students can utilize the HICAPS system for mental health care.
 - If an international student presents to a hospital emergency department while experiencing a mental health crisis, he or she is treated as a private patient and must pay up-front for treatment. It is not necessarily that the hospital wants to put up this financial barrier to international students, but it has to work within the existing system.
 - There is a lack of data and research to elucidate the challenges of transition between university counselling and community based health services, so it is difficult to know exactly how big the issue is, which hurdles are the most

significant, and what is going to have the biggest impact in terms of ensuring international students get access to the health services they need.

Divided responsibility

35. One broader issue that at least partly underpins the issues pertaining to international student support and referral pathways, is the divided State and Commonwealth responsibilities across areas relevant to international student wellbeing.
36. The Commonwealth, as primary funder for public universities, is responsible for most university regulation including administration of the *Education Services for Overseas Students Act 2000* (the ESOS Act). Two national bodies, the Tertiary Education Quality and Standards Agency (TEQSA) and the Australian Skills Quality Authority (ASQA), are responsible for administering the quality assurance frameworks under the ESOS Act.
37. The State government is primarily responsible for health care in Victoria, including suicide prevention initiatives. But the role of the State government in supporting international students in universities is limited because of Commonwealth oversight. Rather than setting policy in health and wellbeing for international students at universities, the State government can only provide indirect support (for example through funding Study Melbourne) and must advocate to the Commonwealth for any policy positions; the main Commonwealth forum for raising international student issues is the Council for International Education, which includes state education ministers and expert members.
38. Complicating this situation, universities appear to have some difficulty in conceptualizing their role with respect to international student wellbeing. There is goodwill from universities for ensuring that counselling and other services are available to international students; but at the same time there is a persistent attitude in the sector that 'we are not mental health providers'.

Possible solutions

39. While universities are the first point of service contact for international university student welfare, research suggests that even before this, international students seek assistance from their peer groups. To strengthen the role of peer groups:

- International students could be connected to diasporas in the local community, to give each student a sense of staying in touch with their community and an expanded peer group.
 - Building an international student peer workforce appears to be a very beneficial approach: it will create opportunities for international students to discuss issues with people their own age, in their shared first language, who share the same cultural references.
 - It is clearly beneficial for students to be able to seek assistance from people who can communicate in their first language, but university services cannot meet this need for everybody, so peers are a way of addressing this gap.
40. There are several potential strategies to address the issue of referral pathways between universities and the Victorian health system, for example:
- Formal partnerships could be established between universities, community mental health services, emergency departments, and other support services, to develop coordinated and culturally appropriate responses for international students. Partnerships of this type might assist in overcoming the 'we are not mental health providers' attitude in universities and help them to reconceptualize their role with respect to students as being akin to a workplace that has a responsibility to promote its employees' mental health.
 - Further education for both international students and health services might lead to a better understanding of what are the current hurdles to international students who might wish to access a health service. Private health insurers could potentially play a role in facilitating this work.
 - Public hospitals may wish to consider and develop best-practice responses for international students who present in crisis.

Recent Initiatives: international student wellbeing

41. The following is an overview of the main reports on international student wellbeing to have been published after my Findings in the death of Zhikai Liu.

Bupa report on prospective international students' mental health

42. In October 2019, the insurer Bupa published its *2019 Mental Wellbeing Survey of Prospective International and Overseas Students*, based on results of 12,204 surveys conducted with prospective international students who had inquired about study in Australia. The report did not directly reference my finding into the death of Zhikai Liu, however, the accompanying media release⁵ referenced the finding as context.

43. Central results of relevance included:

- (a) The prospective international students experienced lower levels of average life satisfaction than an Australian comparison group and they were at higher risk for depression.
- (b) Approximately one in two prospective international students were assessed as vulnerable to experiencing psychological distress; and almost one in four reported feeling extreme pressure to succeed in planned studies.
- (c) Younger students, and students intending to study foundation or undergraduate qualifications, were assessed at greater risk for experiencing psychological distress.

44. The researchers concluded there was:

*[...] strong evidence that international and overseas students are a risk group for low feelings of life satisfaction, depression and associated distress, relative to Australia's adult population, before they arrive in Australia to study.*⁶

45. Six recommendations focused in the following areas: reducing mental health related stigma and increasing help-seeking among international students; improving early intervention to reduce prevalence and severity of mental ill health; enhancing opportunities for international students to develop social and support networks; training

⁵ Bupa, "New research sheds light on international students' mental health", 15 October 2019, <<https://media.bupa.com.au/new-research-sheds-light-on-international-students-mental-health/>>, accessed 7 October 2020.

⁶ Tomy A, *2019 Mental Wellbeing Survey of Prospective International and Overseas Students*, Melbourne: Bupa, 2019.

teaching staff in mental health first aid; and supporting students to sleep well, exercise more and eat better.

Orygen Report: international students' mental health and physical safety

46. In June 2020, Orygen published its report titled *International Students and their Mental Health and Physical Safety*, which was based on interviews with a wide range of stakeholders - international students, peak bodies, universities, English language schools and others - across Australia. This report was commissioned by the Commonwealth Department of Education, Skills and Employment as part of its actions in response to my recommendations in the Findings into the death of Zhikai Liu.⁷
47. Based on the interview results, Orygen identified several challenges that impact on international students' mental wellbeing, including financial, employment and housing stress; difficulty accessing services; language barriers to help-seeking; and experiences of racism and harassment. Education providers further noted challenges including resourcing limitations; increased demand for services; increased complexity of issues among international students; lack of awareness among health providers as to international student health insurance coverage; and diversity of cultures and languages in the international student body.
48. Orygen described seven thematic areas of good practice for the education sector to address these challenges and deliver wellbeing services to international students. They were:

(a) Whole of provider commitment through policy and leadership.

This theme refers to engaging all parts of the education institution to create an environment, community and culture that support international students' mental wellbeing. This engagement is driven through policy and leadership and creates a framework through which challenges facing international students can be identified and addressed.

⁷ Orygen, *International Students and their Mental Health and Physical Safety: Report*, Parkville: Orygen, June 2020, p.6.

(b) Enhancing connections and belonging.

This theme refers to initiatives and approaches whereby international students are connected to other international students, to domestic students and to local communities. This fosters a sense of belonging in a new country and enhances connections with peers.

(c) Building mental health and physical safety literacy and awareness.

This theme refers to initiatives to increase international students' awareness of and literacy in mental health. The goals are to promote international students' knowledge of what supports are available; and to encourage them to recognise when they might need help and support; and to promote help-seeking.

(d) Prevention and early identification of risk or emerging issues.

This theme refers to initiatives to mitigate and address stressors for international students. These initiatives are not necessarily clinically focused but may be financial (providing more time to pay fees) or employment-related or so on. The aim is to address stressors that can in turn impact on an international student's mental health.

(e) Promoting and facilitating access to supports on campus or in the community.

This theme refers to initiatives to improve links between education providers and external support services such as mental health services, for example by building partnerships or co-locating these services on campus or so on.

(f) Designing and delivering culturally appropriate responses.

This theme refers to initiatives to provide culturally appropriate support for mental health and other issues for international students, acknowledging the extraordinary diversity (of cultures, nationalities, languages, religious beliefs) of the international student body. This includes drawing on peer networks integrated with services and employing people who can speak languages of countries represented in the international student population.

(g) **Critical incident management**

This theme refers to how education providers and others react to a critical incident (injury, death, mental health episode or similar) that involves an international student.

49. The report included recommendations for initiatives and activities that could be considered in each of these themes, as well as examples from across the education sector to illustrate what is already being done.

Orygen University Mental Health Framework

50. In 2020, Orygen released the Australian University Mental Health Framework (“the Framework”). The Framework was created to provide guidance for Australian Universities in creating ‘*mentally healthy university settings that support students to thrive educationally and personally. The framework also includes guidance for the mental health sector to strengthen its engagement with universities to support student mental health and wellbeing.*’⁸
51. The Framework predominantly focusses on University Students more generally; it is not geared specifically toward international students. However, it specifically mentions international students as a vulnerable cohort and discusses responses for complex issues of various student cohorts. These concepts and outcomes are similar to those shared in consultations with the CPU and the previous Orygen Report.

Productivity Commission report

52. The Productivity Commission's *Mental Health* report (report no. 95), which was finalised in June 2020 and released to the public on 16 November 2020, included a consideration of international student mental health within its broader analysis of youth economic participation. The contents of my finding in the death of Zhikai Liu were detailed in the report.⁹ The report reviewed a broad range of research on the factors that

⁸Orygen, The Australian University Mental Health Framework Summary, <https://www.orygen.org.au/Policy/University-Mental-Health-Framework/Framework/University-Mental-Health-Framework-summary.aspx> dated accessed 16 December 2020.

⁹ Productivity Commission, *Mental Health*, Report no. 95, Canberra: Productivity Commission, 2020, pp.264-265.

worsen mental health among students generally, as well as the psycho-social and cultural stressors that may be particularly relevant to international students.

53. The report's authors concluded it is essential to encourage students to seek help for mental health issues and noted that international students are less likely than others to see help because of barriers such as language and cultural differences. An additional barrier noted was that the Overseas Student Health Cover (OSHC) insurance most international students are required to purchase might not offer sufficient cover for mental health treatment to avoid large out-of-pocket expenses, and some international students are confused as to what is covered. Two related recommendations were made:

Tertiary education institutions (or their representatives) should make arrangements with insurers providing Overseas Student Health Cover to their international students to ensure there is adequate coverage for any required mental health treatment (including the scheduled fees for treatment and potentially some portion of the student's out-of-pocket expenses).

They should also ensure their counselling services are able to meet the language and cultural diversity needs of their international students.¹⁰

54. Several other recommendations were directed more broadly at post-secondary students' mental health, including that all tertiary education institutions should have mental health and wellbeing strategies in place which cover areas such as prevention and early intervention supports, and links between onsite supports and the broader health system.

COMMENTS

Pursuant to section 67(3) of the Act, I make the following comments connected with the death.

1. There is now a substantial body of literature on the challenges facing international students who study in Australia. The June 2020 Orygen report titled *International Students and their Mental Health and Physical Safety* provides an excellent overview of this literature, as well as itself making a substantial further contribution to our understanding of the issues that impact on international students' mental wellbeing.

¹⁰ Productivity Commission, *Mental Health*, Report no. 95, Canberra: Productivity Commission, 2020, p.281.

Chapter 6 of the Productivity Commission's *Mental Health* report provides a similar overview of major challenges and issues.

2. The challenges identified in the literature, are reflected in the circumstances of international student suicides that Victorian coroners investigate. For example, in the investigation into the death of Zhikai Liu, I found that a far lower proportion of international students than Australian-born students who suicided in Victoria had sought assistance for mental health related issues; this is consistent with the research showing that international students experience financial, cultural, linguistic and other barriers to engaging with mental health services in the community. My investigation into the death of Mr Le has highlighted the complex intersection between different stressors that international students may experience; the breadth and complexity of issues international students might face is also a recurring theme in the literature.
3. The June 2020 Orygen report reviewed seven areas where good practice had been identified in education sector initiatives to address the challenges faced by international students and deliver wellbeing services to them. Each area was illustrated with examples of initiatives that education providers, government departments, study centres and others had implemented, which showed good practice in action. Additionally, Orygen identified several future opportunities for the education sector to build on the substantial work already being undertaken. In reviewing these opportunities, it was very clear that many organisations have a role to play in international student welfare, including:
 - Education institutions and their peak representative bodies.
 - The Tertiary Education Quality and Standards Agency and Australian Skills Quality Authority.
 - Government-funded support services and centres for international students.
 - State-funded mental health services.
 - Primary health services including primary health networks.
 - Emergency departments.
 - Insurers who provide Overseas Student Health Cover and their regulators.

- International student representative groups and clubs.
 - Local community groups and diaspora communities.
 - Legal services.
 - The broad range of relevant organisations was recognised in the penultimate chapter of the Orygen report, which considered cross-sector initiatives to support international students.
4. An individual or a single, coordinating institution ought to take the lead in furthering wellbeing initiatives for international students obtaining tertiary qualifications in Victoria. While the work of many different organisations intersects with international student wellbeing, there does not appear to be any organisation who is responsible for leading or coordinating initiatives to address the challenges that international students face. A coordinating body is not a necessary condition for implementing initiatives to support international students, as demonstrated in Victoria by the activities of education institutions (particularly universities), the Victorian Department of Health and Human Services, Study Melbourne, Orygen, Headspace and others. However, there are some more complex initiatives for which coordination might assist to achieve the right outcome. For example, the linking together of university-based student support services with general practitioners, emergency departments and mental health services to define referral pathways and improve continuity of care, has been identified as an important initiative to overcome at least some of the hurdles to international student help-seeking. But achieving this might require involvement of the universities themselves (particularly their on-site health and counselling services), state and Commonwealth health departments, primary health networks, hospitals, and potentially several other parties. A designated organisation to lead and coordinate the efforts of all these organisations would presumably be beneficial. Similarly, a coordinating organisation would be able to act as a central point of contact for collecting and disseminating information on the many initiatives that are occurring across the education sector to support international students; and also would be able to promote evaluations of initiatives to build an evidence base for effective supports for international students. Both these activities have been identified as crucial.
5. A case could potentially be made for several different organisations to take on this coordinating role, however, given that the central purpose of the coroner's

recommendation is to reduce suicide deaths and the Victorian Department of Health and Human Services is the lead organisation with carriage of suicide prevention initiatives in Victoria. Consequently, I consider the Victorian Department of Health and Human Services to be the most appropriate organisation.

RECOMMENDATIONS

Pursuant to section 72(2) of the Act, I make the following recommendations:

- (i) With the aim of promoting public health and safety and preventing like deaths, I recommend that the Victorian Department of Health and Human Services takes on the role of leading and coordinating efforts to support mental health and wellbeing of international students studying in Victoria, and to ensure international students can access mental health treatment

FINDINGS

Pursuant to section 67(1) of the *Coroners Act 2008* I make the following findings:

- (a) the identity of the deceased was Nguyen Pham Dinh Le, born 29 March 1997;
- (b) the death occurred on 12 December 2018 at Redmond Barry Building 115, 156 Grattan Street, Parkville, Victoria 3052 from injuries sustained in a fall from a height;
- (c) the death occurred in the circumstances described above, and
- (d) having considered all of the circumstances, I find that Nguyen Pham Dinh Le intentionally took his own life.

Pursuant to section 73(1B) of the Act, I order that this finding be published on the Coroners Court of Victoria website in accordance with the rules.

I direct that a copy of this finding be provided to the following:

Anh Pham & Thanh Le

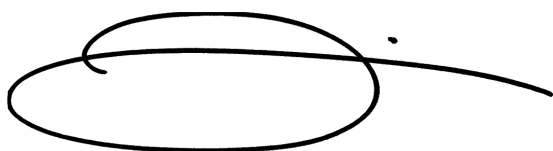
Emma Last and Kim Cleary of Study Melbourne

Gina Chinnery, Vivienne Browne and Penny Carlson of Orygen

Secretary, Professor Euan Wallace AM of the Department of Health and Human Services,

Constable Lee Anthony Evans, Coroner's Investigator

Signature:



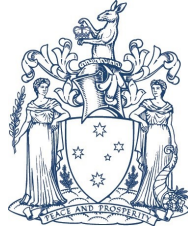
AUDREY JAMIESON

CORONER



Date: 13 January 2021

NOTE: Under section 83 of the *Coroners Act 2008* ('the Act'), a person with sufficient interest in an investigation may appeal to the Trial Division of the Supreme Court against the findings of a coroner in respect of a death after an investigation. An appeal must be made within 6 months after the day on which the determination is made, unless the Supreme Court grants leave to appeal out of time under section 86 of the Act.



Coroners Court of Victoria

COR 2018 6222

**CORONIAL INVESTIGATION INTO
THE DEATH OF
NGUYEN PHAM DINH LE**

**Annexure 1:
Suicides of international students in
Victoria 2009-2019**

Coroners Court of Victoria
65 Kavanagh Street
SOUTHBANK VIC 3006
Tel: (03) 8688 0700
Email: courtadmin@coronerscourt.vic.gov.au



From	Research and Data team
To	Coroner Audrey Jamieson
Date:	12 November 2020
Subject:	Suicides of international students, Victoria 2009-2019

1. Introduction

The Coroners Prevention Unit (CPU) prepared this data summary at Coroner Jamieson's direction to assist her death investigation.

1.1 Background

On 10 January 2019 Coroner Audrey Jamieson delivered her finding in the death of Zhikai Liu (COR 2016 1035), a Chinese-born international student aged 24 years who suicided in a setting of deteriorating mental state. The finding was informed by CPU analysis of suicides among international students which occurred in Victoria between 2009 and 2015. Basic findings were:

- 27 suicides of international students were identified during the period. Issues with confirming country of citizenship, visa status and study engagement in the available evidence meant this was almost certainly an under-estimate.
- Most international students (24 of 27) were citizens of countries in the Asian geographic region.
- Most international students were studying at university (20 of 27).
- The largest socio-demographic grouping was males aged 18-24 years (15 of 27), followed by males aged 25-29 years (5 of 27).

The international student suicides were compared to suicides among Australian-born adult students, which highlighted the following:

- A lower proportion of international students than Australian-born students had a documented history of self-harm (11.1% vs 34.5%) or previous suicide attempt (11.1% vs 45.2%).
- A lower proportion of international students than Australian-born students had been diagnosed with mental illness (14.8% vs 66.7%).
- A lower proportion of international students had contact with health services for mental health related reasons within 12 months of death (29.6% vs 73.8%) or within six weeks of death (22.2% vs 57.1%).

Interpretation of these findings was complicated by the observation that for many international students without a formal diagnosis of mental ill health, there was evidence of friends' and family members' concerns about the student's behaviour and deteriorating mental state in the period leading up to death. This suggested the lower prevalence of diagnosed mental illness may be due to issues in international students' engagement with the Australian health system.

A basic analysis of the contexts in which the suicides occurred was also presented, which showed the following:

- Similar proportions of students in the international and Australian-born cohorts gave indicators of intent before suicide; experienced interpersonal stressors such as separation from partner and conflict with partner prior to death; and experienced work-related stressors, social isolation and substance misuse.
- A higher proportion of Australian-born students than international students were exposed to stressors such as death of a family member, legal issues, exposure to abuse, and exposure to suicide of another person.
- A higher proportion of international students than Australian-born students experienced stressors pertaining to education and financial issues.

1.2 Purpose of this data summary

For this data summary the CPU revised its identification of suicides among international students during 2009-2015 in light of recently completed investigations, and extended the time period to include the years 2016-2019. The socio-demographic profile of the international students in the revised and updated dataset is presented here, consistent with the earlier data summary.

High-level comparisons between international students and Australian-born students across domains such mental ill health, interpersonal and contextual stressors were the primary focus of the previous data summary. Preliminary analysis of the updated data suggests the findings presented for 2009-2015 are also broadly applicable for the period 2016-2019. Therefore, the CPU determined there was little to be gained from simply replicating what was presented in the previous report.

Instead, for this data summary a thematic analysis was undertaken of the stressors experienced by international students proximal to death, focusing on the stressors that were previously found to be more prevalent in this group: particularly study and financial issues. The aim was to develop deeper insights into how these stressors might influence the decision to suicide in international students, and what prevention insights follow from this.

1.3 Acknowledgement

This data summary includes material that the CPU coded for a project funded by Study Melbourne; their support is gratefully acknowledged.¹

2. Case identification

The CPU undertook a range of activities to identify suicides of international students in Victoria between 2009 and 2019.

2.1 Definitions

The CPU defined an international student to be a person who (a) was not an Australian citizen; (b) held a student visa permitting temporary residence in Australia; and (c) was enrolled to study in an Australian education institution.

1 Study Melbourne is a Victorian Government initiative that promotes Melbourne and Victoria as the ultimate study destination and supports international students in Victoria. Study Melbourne sits within the Department of Jobs, Precincts and Regions, and works alongside education providers to deliver support services and dedicated programs, including the Study Melbourne Student Centre, to enhance the welfare and experience of international students living and studying in Victoria.

For purposes of this data summary, the meaning of the term 'international student' was further restricted to include only adult international students (aged 18 years or over) engaged in post-secondary study (university, TAFE or registered training organisation). There were several reasons for specifying these restrictions:

- While the original data summary did not specify an international student should be aged 18 years or over and in post-secondary education, in practice all relevant suicides identified between 2009 and 2015 met these criteria. Therefore, restricting the definition here does not impact on the relevance of the earlier data report.
- Suicides of international students aged under 18 years present different prevention issues to adult international students, because there are legal guardianship requirements for the former (but not the latter) to study in Australia.
- Suicides of international students engaged in secondary school education (regardless of age) present different prevention issues to those engaged in post-secondary education, because of the different education context (including contact hours, class cohort and teaching staff).

2.2 Data source

The Victorian Suicide Register (VSR) was the primary data source used to identify suicides of international students. The VSR contains a core dataset of basic coded and free-text information on suicides investigated by Victorian coroners between 1 January 2000 and the present, including deceased sex, age, suicide method, location of fatal incident, location of usual residence, and the narrative text of the Victoria Police initial report of death to the coroner. The VSR also contains an enhanced dataset with detailed coding on socio-demographics, mental health, indicators of intent, stressors, and toxicological profile; this enhanced dataset is coded for the complete years 2009 to 2016, with 2017 coding currently underway.

The National Coronial Information System (NCIS) was used to supplement the VSR. The NCIS is an online fully searchable repository of coronial documents and coded information from all coronial jurisdictions in Australia.

2.3 Inclusion criteria

The inclusion criteria for a relevant death were, (a) the death was of an international student engaged in post-secondary study at the time of death, (b) the deceased was aged 18 years or older, and (c) the death occurred between 1 January 2009 and 31 December 2019.

2.4 Case identification

The CPU conducted several overlapping VSR and NCIS searches to identify suicides that may have met the inclusion criteria:

- Searches of coded fields pertaining to employment status and country of birth on both the VSR and NCIS, to identify suicides where the deceased was a student and was born outside Australia.
- Searches of free-text fields in the VSR, and of Victorian coronial findings uploaded to the NCIS, using terms that included "international & student", "foreign & student", "student & visa", "overseas & student", and "foreign & student".

The results of all searches were collated and the available material regarding each potentially relevant death was reviewed to determine whether it met the inclusion criteria.

2.5 Information recorded

For each death that met the inclusion criteria, the CPU recorded:

- The deceased's age and sex.
- The deceased's country of citizenship, and the United Nations geographical region where the country is located.²
- The type of educational institution where the deceased was enrolled to study.
- The number of years the deceased had been in Australia.

Additionally, the CPU reviewed the available information for each relevant death (which, depending on the death, could have included the VSR record, coronial brief and/or coronial finding) and recorded the main contextual stressors that appeared to be relevant in the decision to suicide.

2.6 Limitations

Identifying relevant cases was dependent on there being sufficient information in the VSR record and coronial material regarding the deceased's status as an international student. A particular issue the CPU encountered in this respect was not being able to confirm that a student born outside Australia was an international student (as distinct from somebody who was a citizen, or who had been granted permanent residency, or who was in Australia on a prospective marriage visa or partner visa or other type of visa).

Another issue the CPU encountered was how to handle certain types of deaths that did not strictly meet the inclusion criteria, but which were potentially relevant to the broader issues being examined. For example:

- Students born overseas who were not Australian citizens, but who were in Australia as recently arrived (within five years) migrants. The majority of these deceased migrated to Australia as children with their families
- Students born overseas who were studying in Australia, but held a partner visa or refugee visa rather than a student visa.
- People who had arrived in Australia on a student visa, but had ceased study some time before their death. (These included deaths where the deceased was in Australia holding an expired student visa.)
- People who were enrolled in a course of study that had not yet commenced.

Ultimately the CPU determined to exclude these deaths, however noting that as a result the case identification process may represent an under-estimate of the true frequency of suicide among international students in Victoria.

3. Relevant cases

The CPU identified 47 suicides of international students between 2009 and 2019. Table 1 shows that the annual frequency varied between one (2010) and eight (2018) suicides, with an average of just over four suicides per year. The majority of the deceased were studying at university (33 of 47, 70%)

2 This was derived from United Nations, "Standard Country or Area Codes for Statistical Use", Standard M49, <<https://unstats.un.org/unsd/methodology/m49/>>, accessed 5 October 2020.

rather than at TAFE (5 of 47, 10.6%) or a registered training organisation (2 of 47, 4.3%); in seven cases (14.8%) the type of the education institution could not be confirmed.

Table 1: Annual frequency of international student suicides by education institution type, Victoria 2009-2019

Year	University	TAFE	RTO	Unknown	Total
2009	4	1	-	1	6
2010	-	-	1	-	1
2011	1	1	-	1	3
2012	2	-	-	1	3
2013	4	-	-	-	4
2014	3	-	-	-	3
2015	6	-	-	1	7
2016	3	1	-	1	5
2017	2	-	-	-	2
2018	5	2	-	1	8
2019	3	-	1	1	5
Total	33	5	2	7	47

Table 2 shows that the majority of the international student suicides were male (33 of 47, 70.2%), and the majority were aged 24 years or under (30 of 47, 63.8%).

Table 2: Frequency of international student suicides by sex and age group, Victoria 2009-2019

Age	Male	Female	Total
18 to 21 years	12	3	15
22 to 24 years	13	2	15
25 to 29 years	6	5	11
30 to 34 years	1	3	4
35 years and older	1	1	2
Total	33	14	47

Table 3 shows that most international students who suicided in Victoria between 2009 and 2019 were citizens of countries in Asia (37 of 47, 78.7%). The most frequently occurring countries of citizenship were China (eight deaths), South Korea (six deaths), Hong Kong (five deaths) and India (five deaths).

Time in Australia	Asia	Europe	Africa	Americas	Total
Less than one year	7	2	1	2	12
Between one and two years	9	-	1	-	10
Between two and three years	4	-	1	1	6
Between three and five years	6	-	1	1	8
Between five and 10 years	5	-	-	-	5
More than 10 years	-	-	-	-	-
Unknown	6	-	-	-	6
Total	37	2	4	4	47

There was broad variation in the amount of time international students had spent in Australia, with the highest frequency (12 of 47, 25.5%) among those in Australia for less than one year.

4. Thematic analysis

As Coroner Jamieson noted in her January 2019 finding in the death of Liu, similar proportions of Australian-born students and international students experienced a range of life stressors proximal to suicide: for example relationship breakdown, conflict with intimate partners, work-related stressors, social isolation and substance misuse. This does not mean the two groups necessarily experienced these stressors in the same way, but it strongly reinforces the message that international students - like the broader student body - need to be able to access holistic support services across psychosocial domains.

The major differences Coroner Jamieson reported in the Liu finding, were with respect to education related stressors (present in 66.7% of the international student cohort compared to 51.2% of the Australian-born student cohort) and financial stressors (37.0% compared to 10.7%). This was perhaps not surprising given that paying substantial course fees³ and maintaining satisfactory course progress are prerequisites for retaining a student visa.⁴ However, given the prominence of these two stressors for international students, a better understanding of how they might be manifested in the lead-up to suicide might produce prevention insights.

Therefore, the CPU reviewed the circumstances of the 47 international student suicides to identify those with evidence pertaining to education and financial stressors, and analysed this evidence to describe the main themes that emerged. The following is an overview of what was found, including de-identified quotes from coronial material to illustrate the themes.⁵

4.1. Education stressors

Stressors relating to education were identified in 30 (63.8%) of the 47 international student suicides that occurred in Victoria between 2009 and 2019.

In 19 deaths (40.4% of all international student suicides) there was evidence the student was failing studies proximal to death. Several deaths occurred proximal to events associated with confirmation that the student was failing studies: for example around due dates for assessments or results, or when formal notification was received of failure, or when parents were due to arrive in Victoria for graduation ceremonies.

"Sometime in 2016, [Deceased] commenced studying a [degree course] at [University]. [...] [Deceased] found his chosen course of study to be difficult and was failing. He would comment on the subject being hard and when he failed he simply tried again." (Police summary of circumstances, 3014/18)

"He failed [subject 1] in first semester and his [subject 2] mark was low, and he told his parents he was considering changing his course. His parents believed that despite difficulties in the first semester, he obtained better results in the second semester. [Deceased] never provided his parents with documents of results from the university." (Coroner's finding, 5303/15)

"[Deceased] also informed [friend] that she had not attended an exam that she needed to sit. On [date] [deceased] spoke with her father. She told him she had passed her [course] at the [education institution]. She had previously informed her father that this test was so

3 For indicative fees see Australian Government, "Education and Living Costs in Australia", <<https://www.studyinaustralia.gov.au/English/Live-in-Australia/living-costs>>, accessed 15 October 2020.

4 See Australian Government, "Visa compliance", <<https://www.studyinaustralia.gov.au/English/Live-in-Australia/Visa-compliance>>, accessed 15 October 2020.

5 The de-identified quotes include case numbers for internal coronial reference.

important so that she would be able to study her [post-graduate degree]." (Coroner's finding, 0838/14)

The second most prevalent recurring theme, identified in nine deaths, was concern about the student's course of study and where it would lead:

"He had recently expressed hopelessness about the worth of his degree and his future. In the past six months, he had told his mother that he did not feel the degree was worth the money and questioned job prospects." (Police summary of circumstances, 6222/18)

"The one thing I did notice about [Deceased] is that she would worry about what the future held for her. I mean job prospects, whether she would be able to stay in Australia after her studies." (Witness statement, 4578/16)

"It appears that he was becoming a little disillusioned with his [degree 1] course and thinking about changing to [degree 2], as he believed there was no future in [degree 1]." (Coroner's finding, 4340/09)

The third major theme in the education stressors was their intersection with financial stressors; this featured in eight deaths, and is addressed in the next section.

4.2. Financial stressors

Financial stressors were identified in 16 (32.6%) of the 47 international student suicides that occurred in Victoria between 2009 and 2019. As mentioned directly above, the most frequently occurring financial stressors (present in eight deaths) were linked to education, particularly the ability to continue paying tuition fees:

"[Deceased] was asking for advice on what I would do regarding staying at this University or going to a cheaper University [...] the possibility of getting residency was on his mind [...]. He seemed tense about these decisions which are hard to make [...]. I think [Deceased] must have been thinking he can't go back to [home country] but can't afford to pay a fee." (Witness statement, 4509/09)

"[Deceased] did not work and did not receive any Centrelink payments due to her status being on a student visa [...] [Husband] stated they were struggling financially as they had a very small income that did not cover their daily expenses and bills and that they had also fallen behind in payment of [Deceased's] school fees where they arranged a payment plan with [the institution]." (Police summary of circumstances, 1183/10)

In three cases, the financial stressors were explicitly linked to gambling of money that the deceased required for tuition and/or visa renewal:

"An analysis of [Deceased's] email account showed that he was attempting to apply for various 'quick loans', and was arrears in his tuition fees. [...] It is clear from the Coronial Brief that [Deceased] had come to be in a precarious financial position due to gambling habits which he had successfully concealed from his family." (Coroner's finding, 2069/18)

"[Girlfriend] stated to the police officers that they had saved approximately \$1,200 cash which was supposed to be located in a black purse in the wardrobe. Police officers found the black purse, which was empty. [Girlfriend] told police that she believed that [Deceased] might have taken the cash and again gambled and lost the funds, and that this might have been the principal contributing factor to his decision to take his life, as he would not have been able to recover the funds again and was facing return to [home country]." (Coroner's finding, 2056/15)

In a further four cases there was evidence of financial stressors (for example unpaid bills and credit card debt) but no additional detail could be established.

4.3. Intersecting themes

In examining educational and financial stressors, intersecting themes were identified which also appeared to be relevant to the international student experience. The following is an overview of two main such themes.

Homesickness and social isolation were identified across 11 deaths (22.4% of all international student suicides), and featured strongly in deaths where students were failing studies:

"[Deceased's] academic results had been poor and he had failed many subjects. He had become increasingly withdrawn, had ceased using [social media] for one year, felt lonely and had no friends." (Witness statement, 0082/13)

"[Deceased] attended the [University] Counselling Service [...]. He expressed times of severe isolation and not leaving his home for three to four days." (Coroner's finding, 2745/12)

"[Deceased] told me he was very homesick. [Deceased] lived by himself and he felt like he had so much pressure on him [...]. In conversations with [Deceased] he told me he had tried to speak with his parents but they didn't understand the problems he was going through." (Witness statement, 6573/14)

In seven deaths (14.3% of all international student suicides) there was evidence suggesting parental expectations were an important factor:

"[Deceased] was under pressure to get a degree as his parents were demanding it." (Witness statement, 0976/09)

"After I started at the university, I have not studied very hard. I was kicked out of [University 1] in the past. I was really regretful and wanted to mend my ways. However, I still haven't been able to study hard. So far, I have failed every semester at [University 2]. I can't bear the thought of making Mum and Dad disappointed [...]. I don't have the courage to face the future. In fact, I already intended to make this decision back in August [...]. See you in the next life." (Suicide note, 5266/13)

"I think now that maybe he didn't go to school like he said he did. I think if he didn't go to school, he would feel a lot of shame because his parents give him money to go to school but he doesn't go." (Witness statement, 0291/09)

Other less frequently identified stressors that intersected with education and financial stressors, included substance misuse and relationship breakdown.

5. Discussion: causes and consequences

Review of some deaths examined while compiling this report suggested an apparently coherent, causative chain of events prior to suicide: for example, relationship breakdown leading to disengagement from studies, failing a course, and being unable to manage parental expectations about securing a job to contribute to the family.

However, in other cases the presence of proximal stressors (particularly educational and financial stressors) was not explained by the investigation. Questions that emerged but were not answered when reviewing the circumstances of several deaths included: Why was this student failing studies? Why did this student lose confidence in this or her career path? How did this student come to be struggling financially after meeting the stringent visa requirement to prove the capacity to support himself or herself?

This observation is in no way intended as a criticism of coroners' investigations. The coronial briefs in many international student suicides evidence practical challenges such as not being able to locate

witnesses (friends of the deceased, treating doctors, family members) who are able to provide detailed statements about the student's past. In these circumstances it is entirely understandable that investigations might focus primarily on what happened proximal to the student's death, without being able to establish the broader context.

Another possibility to be considered is, coronial investigations may not be well suited to elucidating certain types of stressors experienced by international students:

- One such stressor that may not be identified through coronial investigation is the experience of using a second language. Most students in the cohort examined here came from non-English speaking backgrounds, and having to negotiate life and study in English may cause background stress that in turn negatively impacts area of life with observable results.
- Another contextual stressor that may function in this way is racism and discrimination: the international student experience of both is well documented,⁶ but their cumulative impact would be very difficult to ascertain and document in an investigation following death.
- Financial exploitation of international students including wage theft is an ongoing issue in Australia,⁷ potentially causing or contributing to the stressors discussed in this report. Given the risks international students face in disclosing these types of employment arrangements (which may be inconsistent with their visa conditions), witnesses may not wish to discuss them with the coroner's investigator.
- As established in Coroner Jamieson's earlier investigation in the death of Liu, undiagnosed mental ill health is likely to be a very significant stressor in the international student cohort, with second-hand accounts of the deceased's behaviour being the only available evidence; these accounts are an insufficient (and inappropriate) basis for retrospective diagnosis.

Whatever the case, it is overly simplistic to characterise the stressors discussed in Section 4 of this report - educational stressors, financial stressors, social isolation and homesickness, parental expectations - as being the causes of international students' decisions to suicide. In any particular case they may be the observable consequences of other underlying issues and stressors that the coroner's investigation cannot elucidate.

It follows that this report's contents should be used with great care. It is hoped an understanding of the stressors documented here might assist in designing supports for international students, but these stressors are not definitive of the international student experience and should not be used to circumscribe supports and programs.

6 See for example Berg L and Farbenblum B, *As if we weren't humans: the abandonment of temporary migrants in Australia during COVID-19*, Sydney: Migrant Worker Justice Initiative, 2020; Graycar A, *Racism and the Tertiary Student Experience in Australia*, Occasional paper 5/2010, Canberra: The Academy of the Social Sciences in Australia, 2010; Mills N, "International students say challenges in Australia include loneliness, racism, poverty", *ABC Radio Melbourne*, 1 May 2018, <<https://www.abc.net.au/news/2018-05-01/challenges-international-students-face-in-melbourne-australia/9702606>>, accessed 11 November 2020.

7 See for example Senate Standing Committees on Education and Employment, *A National Disgrace: The Exploitation of Temporary Work Visa Holders*, Canberra: Parliament of Australia, 17 March 2016; Farbenblum B and Berg L, *International students and wage theft in Australia*, Sydney: Migrant Worker Justice Initiative, 2020.