



# THE RT. HON. STEPHEN TIMMS MP

House of Commons  
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*Labour Member of Parliament for East Ham*

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Rt Hon Sajid Javid MP  
Home Secretary  
The Home Office  
2 Marsham Street  
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8 May 2018

Dear Sajid,

Thank you for your undertaking in the House last week, in answer to my question, to look carefully at the plight of "TOEIC students", who had their leave cancelled by the Home Office. They were accused of cheating in the Test of English for International Communication. Many deny the allegation.

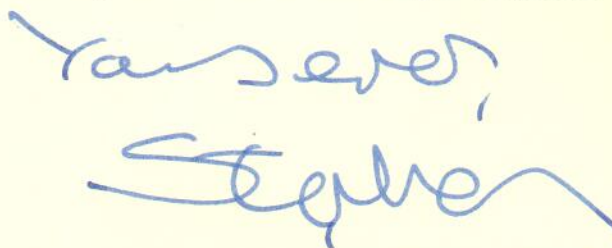
A BBC Panorama investigation in 2014 revealed cheating on a significant scale at centres delivering the TOEIC test, run by the US firm ETS. The Home Office was right to act. However, there was no independent assessment of who had cheated. The Home Office relied on allegations by ETS against some 40,000 foreign students. Serious doubts have arisen since about the reliability of the allegations. Courts have determined that some of them were wrong. It has been suggested that up to 7,000 students may have been wrongly accused. They have suffered grave injustice, and many find themselves in an appalling situation.

In December, the Court of Appeal ruled that the appeals against the Home Office's decision to cancel the students' leave must be heard in the UK, rather than holding out-of-country appeals. The Home Office subsequently decided against an appeal to the Supreme Court.

Patrick Lewis of Garden Court Chambers, whose firm is representing some of the students, briefed a cross-party group of MPs on the issues last week. We agreed to press for:

- clear Home Office acceptance that appeals in such cases must be heard in the UK;
- restoration of the rights of those affected, still in the UK, whilst their appeals are pending;
- and those already removed wrongly from the UK to have some means of redress.

Thank you again for your willingness to look carefully at what we consider a grave injustice.



STEPHEN TIMMS MP