

#	One Nation Policies on Islam	www.FactCheckOneNation.com.au Responses
1	Call for an inquiry or Royal Commission to determine if Islam is a religion or political ideology	The High Court has already established a precedent for the meaning of 'religion' for taxation purposes in <i>The Church of the New Faith v Commissioner for Pay-roll Tax 1983 (Vic)</i> case. Islam meets all of the factors to be constituted as a religion on that basis. A Royal Commission can cost up to \$53 billion and would be a futile exercise as it has no binding effects on the Commissioner of Taxation.
2	Stop further Muslim Immigration and the intake of Muslim refugees	Attempts to introduce a legislative ban may also be very well inconsistent with the restriction on the making of laws "prohibiting the free exercise of any religion" in section 116 of the Constitution and potentially in conflict with Article 26 of the International Covenant on Civil and Political Rights (ICCPR) which Australia is a party to.
3	Ban the Burqa and Niqab in public places	The 'Burqa' is not worn in Australia. The 'Niqab' is worn by a tiny percentage of women who exercise their free choice to wear them and surely women are entitled to wear as little or much as they choose. No one ever robbed a bank wearing one. Such a ban would be potentially unconstitutional as it may breach section 116 of the Australian Constitution and could also be breaching our international law obligations .
4	Driver's licence cannot be obtained without showing the full face and having photo ID on driver's licence	Major states and territories across Australia already have clear guidelines that prohibit face coverings being worn when taking photos for an Australian driver's license. These guidelines are enshrined in various road transports, identification and other forms of legislation resulting in fines or possible jail time if not adhered to.
5	Surveillance cameras to be installed in all Mosques and schools. Mosques to be open to the public during all opening hours	This would constitute an unacceptable invasion of the privacy and could potentially be in breach of the Privacy Act 1988 (Cth) . Highly likely an attempt to do this would be inconsistent with the restriction on the making of laws "prohibiting the free exercise of any religion" in section 116 of the Constitution . Mosques are welcoming community institutions and are open to the public . National Mosque Open Day is an annual nationwide event in Australia.
6	No more mosques to be built until the inquiry is held	Mosques must comply with normal planning requirements and because of the recent fear mongering, face heavy scrutiny and opposition . A general ban on the absurd conspiracy theory that the "religious aspect" of Islam is a fraud, would be discrimination based solely on religious prejudice and would be clearly be in breach of the protections in section 116 of the Constitution .
7	Oppose the introduction of Sharia Law	No one is proposing to introduce "Sharia law" a term that is widely misunderstood. Sharia is not "law" – it is a set of interpretations that are dynamic and intended to accommodate the time, place, and laws of a particular community. Sharia explicitly mandates Muslims to obey the law of the land in which they reside. Besides you can't 'ban' Australian Muslims from praying, fasting and eating halal etc which is technically 'Sharia'
8	Investigate welfare payments paid to Muslims who may be in multiple marriages, having multiple children	Polygamy and Bigamy are both illegal . Intentionally providing false information to obtain welfare payments amounts to Centrelink fraud. Crimes under the Criminal Code such as Obtaining financial advantage, dishonesty causing a loss and Obtaining a financial advantage by deception have penalties that range from 12 months to 10 years maximum imprisonment and large fines can also apply.
9	Ban Halal certification. Halal certified food not to be provided in prisons or armed services. Companies may comply for export but no monies must be paid.	Senate inquiry concluded that there is no direct link between halal certification and terrorism . Providing halal to prisoners or members of the Defence Force due to religious beliefs is a human rights obligation , no different to someone asking for Jewish kosher meals . "Religious tax" argument is a myth . Australian livestock industry is heavily reliant on Muslim export markets and campaign against halal certification has major financial implications. You can't become Muslim by consuming halal products.
10	Call for a referendum to change Section 116 of the Australian Constitution	Section 116 of the Australian Constitution that allows the free exercise of religion . Any such changes may impact all religions being practised in Australia. Depending on the exact nature of their proposals, such changes seeking to strip Islam of its 'religion' status could also breach Article 18 in the International Covenant on Civil and Political Rights.
11	Muslims will not be allowed to be sworn in to Parliament under the Qur'an	Australian Jewish MPs Josh Frydenberg and Michael Danby were sworn in on their holy book, the Torah in 2010. Only 1 Labor MP, Ed Husic has been sworn in on a copy of the Quran. Such legislative prohibitions would potentially be unconstitutional .
12	Female genital mutilation (FGM) to carry lengthy jail term	FGM is a cultural and not an Islamically endorsed practice , which is criminalised by State and Territory laws that apply extraterritorially to protect Australian residents from being subjected to FGM overseas. Offences carry significant custodial sentences . In 1998 a Model Criminal Code for FGM was produced and sought imprisonment of up to 15 years for some specified offences.