Halal certification:
behind the veil of culinary sharia

Stand tall. Fight hard.

bernardgaynor.com.au

"The cattle are pillowed in a comfortable compartment, where they take a concussive blow to the head. The attendant inspects the cattle by touching its eye: if it blinks, it is still awake and needs to be struck another time, killing it and marking it "non halal." If, however, the cattle doesn't respond, it falls on its back at the slaughter table where Mohammed ***sacrifices it in the name of Allah****."*[1]

Australian meat: "As Halal as it gets", muslimvillage.com.au, 13 December 2013
(emphasis added)

"For whatever reason, ***Taqwa does not accept the Halal certification of AFIC****, despite the fact that the Head of AFIC's Halal certification is the reputable and trusted Dr Mohammad Anas who is globally respected and recognized as a Halal certifier."* [2]

When Halal becomes Haram, more Taqwa is needed, muslimvillage.com.au, 15 May 2013
(emphasis added)

*"****ICWA is opposed to stunning of animals before slaughter on religious grounds, because generally speaking the present methods of stunning in Australia are not right from Islamic point of view.*** *Abattoirs have been advised to take steps towards removal of stunning and its replacement with straining devices such as koshers box in respect of cattle and the restrainers in respect of small stock. We have allowed them time during which this could be achieved."*[3]

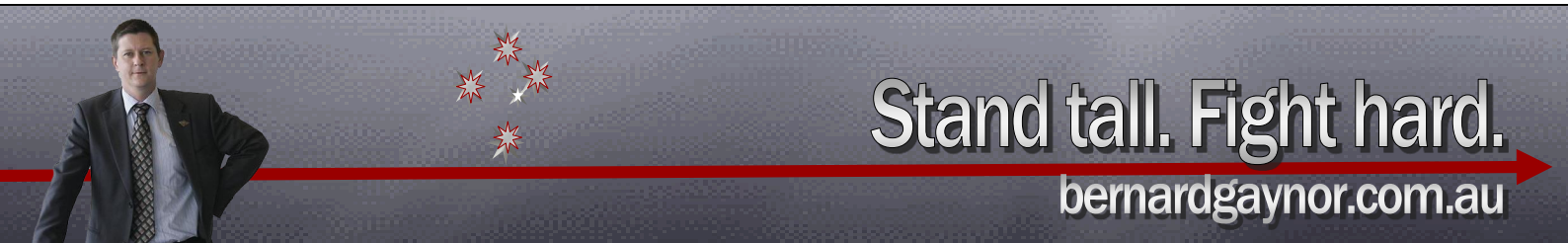
ICWA Halal Guidelines, islamiccouncilwa.com.au
(emphasis added)

"Halal subcommittee now is functional and income starts coming Alhamdullilah. Our next aim is to expand Halal certification for local and international business insha'Allah…

…During the year the ICWA has made ongoing donations to Syria because of the difficult civil conditions. ***The donations were through the Al Imdaad Charity, to ensure that no recriminations could be directed at ICWA.****"*

President's Report, Islamic Council of Western Australia 2013 Annual Report
(emphasis added)

[1] http://muslimvillage.com/2013/12/13/47317/australian-meat-halal-gets/
[2] http://muslimvillage.com/2013/05/15/39431/when-halal-becomes-haram-more-taqwa-is-needed/
[3] http://www.islamiccouncilwa.com.au/halal-certification/halal-guidelines/



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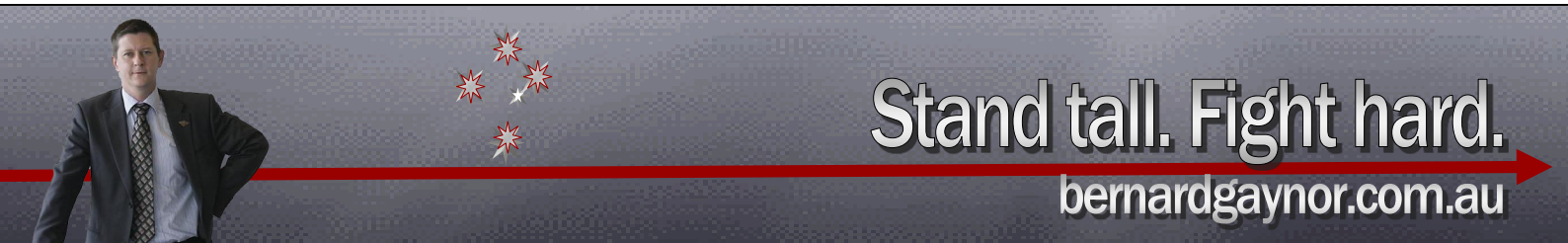

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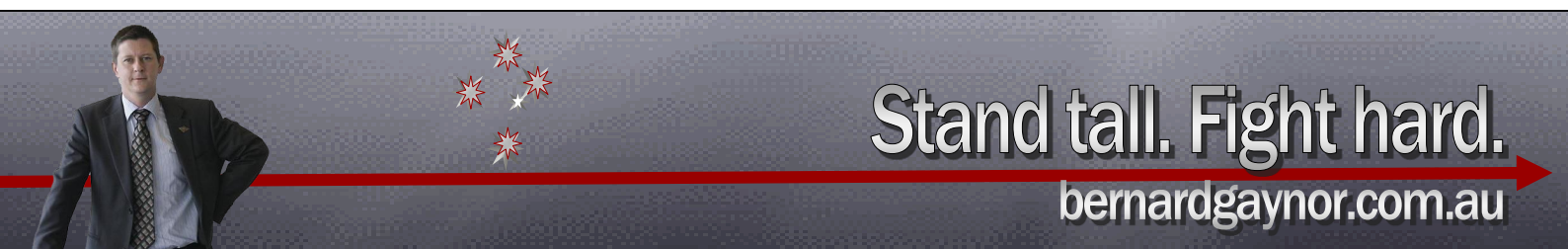

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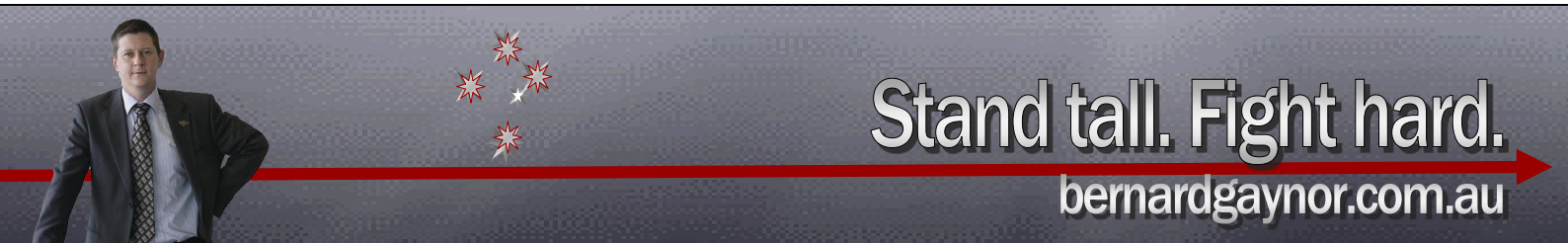


Foreword

Thank you for the opportunity to provide a submission to the Senate Economics References Committee inquiry into third party certification of food.

This submission relates to halal certification. However, while it is focused on halal certification (as a result of the prominence of halal certification in Australia today), it should be noted that the principles outlined in this submission relate to all religious food certification schemes. As such, this submission should not be viewed as being of an inherently anti-Islamic nature. This submission supports the right of all Australians (including Muslims) to freely purchase food of their choice and to be protected from religious coercion. As such, the primary recommendations of this submission are framed so as to apply to all religious food certification schemes that may be operating in Australia today. These recommendations are designed to benefit all consumers, regardless of whether they adhere to a certain religious belief or not. It is also acknowledged that some of the problems identified with halal certification may also apply to any other religious food certification schemes, although this submission presents no evidence that they do.

In essence, this submission calls for clear labelling and information to allow consumers increased choice.

Food that is produced from religious rituals, animal sacrifices or a religious workforce should be clearly labelled, both for the benefit of those that follow a particular religion, and for the benefit of those who do not.

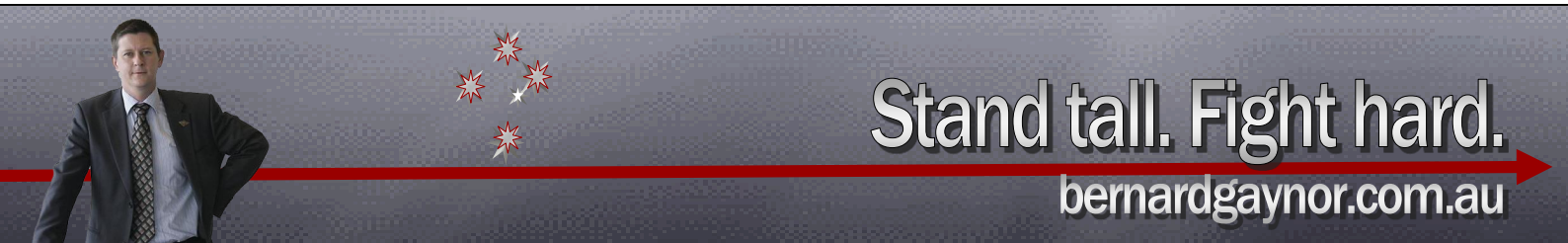
Food certification schemes that fund particular religions should also be clearly labelled.

In addition, the development of a voluntary industry religious food certification code will reduce certification costs, increase consumer confidence and provide consumers with additional information to allow them to make values-based purchasing choices. Such a code also has obvious benefits for producers who may wish to gain a market edge in relation to certain segments of the wider community.

This submission addresses this inquiry's terms of reference in relation to:

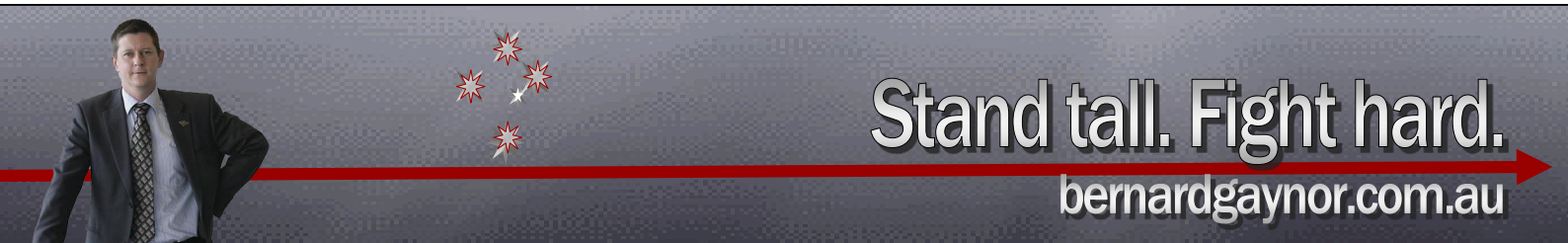
- the extent of halal certification schemes,
- the need for labelling of halal certified products or products that contain food items specifically produced in accordance with Sharia law,
- the need to provide Australian consumers with information in relation to halal certification schemes and Sharia law compliant food,
- details regarding fees for halal certification schemes and their potential cost for consumers,
- the importance of halal food certification in relation to export market access, and
- the extent and adequacy of information about halal certifiers, including the certification process, fees and financial records and other related matters.

It is acknowledged that some of the evidence presented in this submission falls into the category of 'other related matters'. As such, while this evidence touches upon the core issues of this inquiry, this inquiry may not be the appropriate forum to deal with some of the issues raised. As such, this submission also recommends that an appropriate inquiry be established to address these issues directly.



Part 1

Introduction



1.1 Something old, something new

1.1.1 The halal butcher strikes

On the morning of 1 January 1915, Australia suffered its first Islamic terrorist attack. It was also the only attack on Australian soil during the First World War. The attackers, Mullah Abdullah and Badsha Mohammed Gool, answered the call of the caliph and opened fire on the annual New Years' Day picnic train leaving Broken Hill. That train was filled with families; over 1,200 men, women and children were on board.

Three hours later, both Abdullah and Gool lay dead beneath a homemade flag. They took the lives of four Australians and wounded seven more before the men of Broken Hill were able to secure their town.[4]

Several days before the atrocity, Abdullah had been convicted of slaughtering animals without obtaining a license to operate an abattoir. As the local imam, he had been illegally conducting ritual halal slaughters.

Australia might have won the First World War with other allied nations but an objective observer could not but conclude that it was Mullah Abdullah who eventually emerged victorious over the issue of ritual halal slaughter in Australia. From his perspective the attack was not in vain. A century after Abdullah raised his rifle, abattoirs are advertising for slaughtermen with a key requirement: they must be Muslim. And it appears that the vast majority of Australian meat is now prepared in accordance with Sharia law.

When it comes to Islam, Abdullah's vision for Australia has come much closer to realisation than most could possibly have imagined. And the brave men who defended the residents of Broken Hill from its imam would probably find it disturbing that modern accounts of this terrorist attack paint Abdullah as the victim of discrimination.

1.1.2 A century later another strike reveals halal hypocrisy

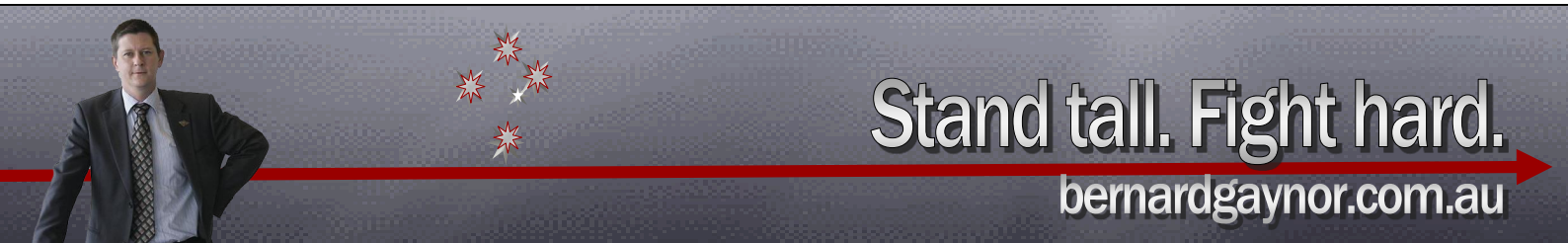
Almost exactly 100 years after the Battle of Broken Hill, another Muslim answered the call of the caliph. Just like Mullah Abdullah, Man Haron Monis died beneath a homemade flag after killing innocent Australians. And just like Abdullah, Man Haron Monis had a run in with the law in the days before the attack as a result of his Islamic activities: he had been sending offensive letters to the families of Australian soldiers who had died in another war, this time in Afghanistan. [5]

The similarities between these deadly attacks are also compounded by a coincidence.

During the Lindt Café terrorist attack, speculation was rife that Man Haron Monis chose to besiege the Lindt Cafe because it was not halal certified.[6] This speculation was ignited by news reports stating that [redacted], a halal certification authority, left the Lindt Café just minutes before Man Haron Monis attacked.[7]

If true, it was an embarrassing admission, but not because it added fuel to an unhelpful and conspiratorial emotional fire. The coincidental presence of [redacted] at the Lindt Café proved nothing about Man Haron

[4] https://www.themonthly.com.au/issue/2014/november/1414760400/nicholas-shakespeare/outback-jihad
[5] http://www.smh.com.au/nsw/this-pen-is-my-gun-man-haron-monis-failed-high-court-bid-20141216-1283ej.html
[6] Link withheld.
[7] Link withheld.



Monis' motivation and it was not required to suddenly link halal food with terrorism anyway. That link had already been conclusively proven a century earlier during the Battle of Broken Hill.

However, these reports damaged the credibility of claims made by proponents of halal certification that Muslims must only eat food that has been certified. It is somewhat ironic that an Islamic terrorist attack seemingly revealed that senior halal certifiers are happy to attend non-halal certified cafes. This in itself if not surprising: halal certification does not make food halal. However, her presence demonstrates that good Muslims can eat non-halal certified food without breaching any Islamic Sharia law requirements.

Consequently, Australians have good reason to view the claims of halal certifiers with scepticism.

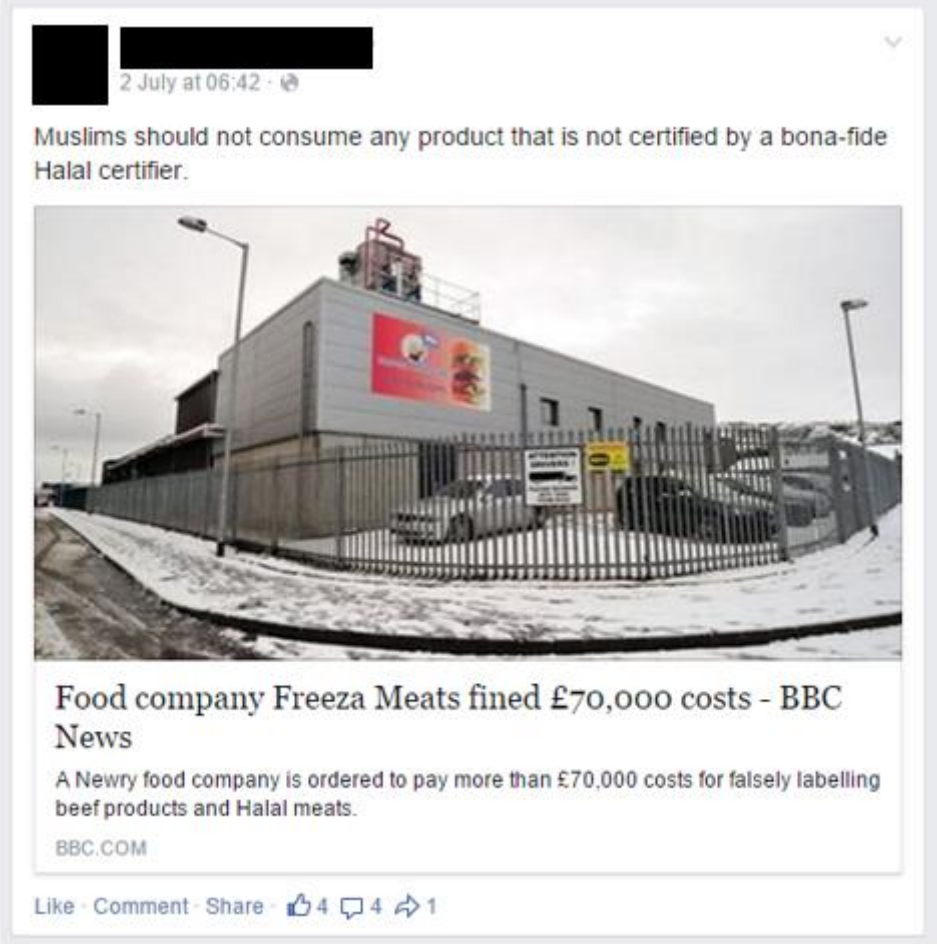
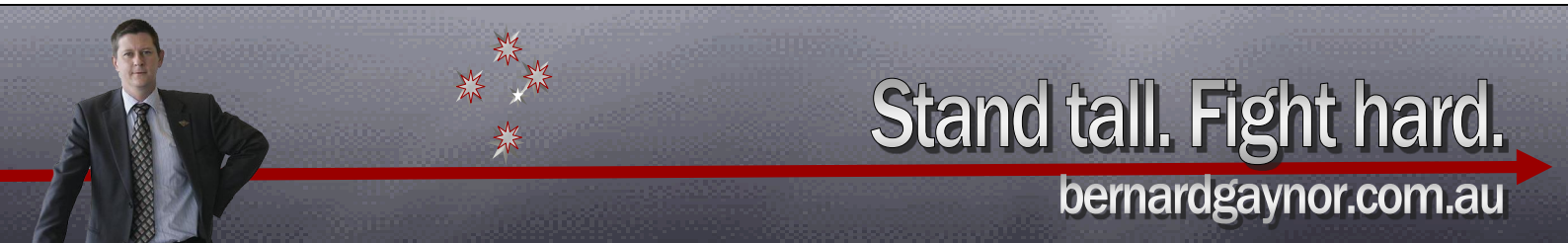


Image 1: The head of [redacted], [redacted], claims on his Facebook page that Muslims should not eat food that has not been properly halal certified. News reports of the Lindt Café terrorist attack state that another senior representative of [redacted], [redacted], was at the non-halal certified Lindt Café shortly before the attack.[8]

1.1.3 Halal certification: imposing Sharia law over the minutiae of life

The hundred years between the two successful Islamic terrorist attacks in Australia show how much this nation has changed. At the Battle of Broken Hill, one of Australia's few halal certifiers was behind the trigger.

[8] Link withheld.



At the Lindt Café terrorist attack, the media was reporting that one of this country's many halal certifiers was lucky not to be ducking for cover.

This dramatic change is proof that halal certification has been entrenched in Australia's food production process, although many Australians may not realise it. Yet, as the events of the last decade prove, the growing imposition of Islamic Sharia law regulations over the minutiae of Australian life has not made this country safer. Furthermore, despite the increased efforts to 'integrate' Islamic stipulations in all areas of society, terrorist activity and violent demands have only grown. This should be no surprise. Islam is historically marked by an aggressive stance towards those it meets that is only matched by an eternal, internal state of civil war.

It is little wonder that so many Australians, therefore, view even non-violent Islamic programs with a legitimate suspicion, whether they relate to halal certification, or other measures regarding Islamic ideology. The majority of Australians are not just opposed to Islamic violence. They are opposed to Islam and this is reflected in credible polling. In fact, research conducted in October 2013 found that only 16% of Australians believed that Islam made Australia a better place.[9]

1.1.4 Take action or repeat the failures of the past

This inquiry looks into halal certified food. As such, it does not investigate the general question of Islamic violence and this submission will not raise those issues in any specific detail. However, it does make the strong point that if the government truly believes that concerns about Islam and Islamic violence are ill-founded, the best way to counter these concerns is with information.

It is hard to envisage a better way of doing this than by ensuring that Australians are given information about the food they eat, especially when it is the product of an Islamic ritual and certification fees help to fund Islamic programs.

This submission also respectfully requests that requiring producers to include information about the Islamic content of their products is not put into the 'too hard' basket. That occurred with regards to the Battle of Broken Hill. As a result, the only attack on Australian soil in the First World War was not officially recognised as part of this nation's anniversary commemorations. This led the Mayor of Broken Hill to express his disappointment in the federal government and its sense of sensitivity.[10]

Let us hope that in 100 years we are not saying the same thing about the Lindt Café terrorist attack. The only way that will occur is if the federal government starts putting the interests of all Australians above the sensibilities of a minority. It has an opportunity to do this with this inquiry. Unfortunately, however, if an inquiry specifically formed to look into issues regarding halal certified food cannot stomach the pressure it will not bode well for the future. If that does happen, I greatly fear that the Lindt Café terrorist attack will also inevitably share another sad similarity with the Battle of Broken Hill: governmental amnesia, forgotten history and a deliberate decision to ignore the threat we face from an ideology that seeks to impose itself over all aspects of Australian society.

[9] http://www.qsociety.org.au/downloads/QSoc_Morgan_Poll_Islam.pdf
[10] http://www.smh.com.au/nsw/battle-of-broken-hill-an-act-of-war-or-terrorism-wont-be-commemorated-20141031-11eukj.html

1.2 Let's protect freedom and choice

1.2.1 Freedom and prosperity should mean choice

Australia prides itself on its freedom and its prosperity. As such, individual Australians should have the freedom to choose from a wide array of high quality food products. Under Australian laws, individuals also have the freedom to practice their religious beliefs while simultaneously enjoying protections that prevent them from being coerced into adhering with or financially contributing to religious beliefs that they do not support or follow.

1.2.2 Religious choice is protected by law

In particular, this freedom from religious coercion is underpinned by Section 116 of the Australian constitution. This clause prohibits the Commonwealth from establishing any religion (noting that Christianity was ***already legally recognised and therefore 'established'*** at the time of federation), imposing any religious observance and prohibiting the free exercise of religion.

This freedom is also protected to some extent by state-based anti-discrimination laws. For instance, it is unlawful in Queensland to discriminate on the basis of religious belief, including in the provision of goods and services. It is therefore arguable that supermarkets breach anti-discrimination laws if they supply food that is prepared only in accordance with one religious belief, or if they fail to disclose the religious nature of the food products they sell, particularly if the majority of customers do not hold that belief and the supermarket does not qualify for any exemptions to the *Queensland Anti-Discrimination Act* (1991).

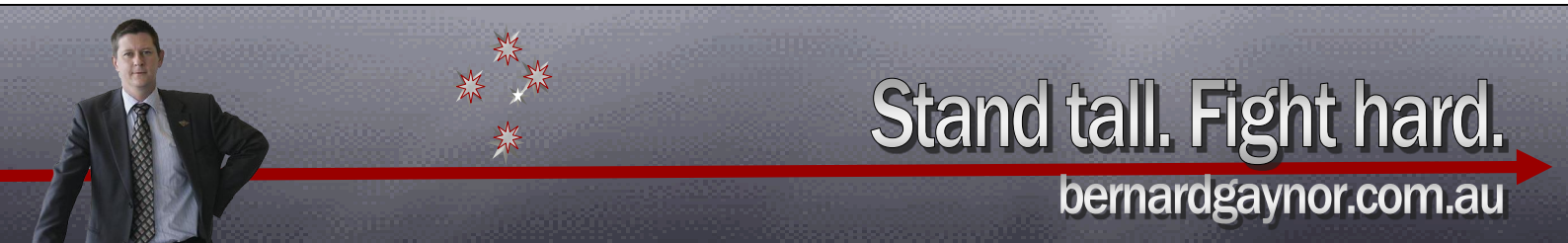
1.2.3 Object of food certification schemes

This inquiry looks into a range of matters in regards to food certification. Food certification schemes have two primary aims.

- They should provide consumers with information and certainty.
- They should provide producers with an opportunity to advertise that their products meet rigorous standards.

This submission strongly supports the principle of food certification schemes when they meet these objects. When these objects are met, freedom of choice over the food we eat – a basic necessity of life – is enhanced.

In general, food certification schemes in Australia are focused on safety and dietary considerations: use by dates, healthy food standards, allergenic and medical issues in relation to certain food types and information regarding food ingredients, recommended daily intakes and food energy details. Other certification schemes relate to food production, such as the living conditions of animals, use of chemicals in farming processes and the Australian-produced content of food.



1.2.4 Halal fuses food & religion but fails to meet the object of food certification schemes

Halal certification schemes differ from these schemes because they are focused on Islamic beliefs; they fuse food and Sharia law. These schemes have nothing to do with food quality, health standards or production standards. Instead, they operate to ensure that food is not just food, but also an Islamic religious product, particularly in relation to meat.

This submission does not oppose the right of Muslim consumers to benefit from halal certification schemes in themselves. However, it does identify numerous concerns in relation to halal food certification that constitute a market failure. These schemes, unfortunately, are not meeting the objects of food certification.

- Halal certification is not providing consumers with information.
- Halal certification is not providing producers with the ability to market their products as meeting rigorous standards.

Furthermore, while halal certification itself is confusing and chaotic, three things are clear.

- The vast majority of consumers are being coerced into adhering with the dictates of a religion that most Australians do not practice by effectively being forced to unknowingly purchase food – particularly meat – that is not just food, but the product of an Islamic ritual animal sacrifice in accordance with Sharia law.
- Consumers are unknowingly funding mosques and other Islamic projects (including overseas) when they purchase halal certified food.
- Producers and food outlets are seeking halal certification ostensibly in order to expand into export markets, while at the same time failing to disclose this certification to Australian consumers, probably on the basis that doing so would affect domestic sales.

This submission will provide details below to support these statements.

This submission also points out that halal certification schemes have no basis in Islamic scripture.

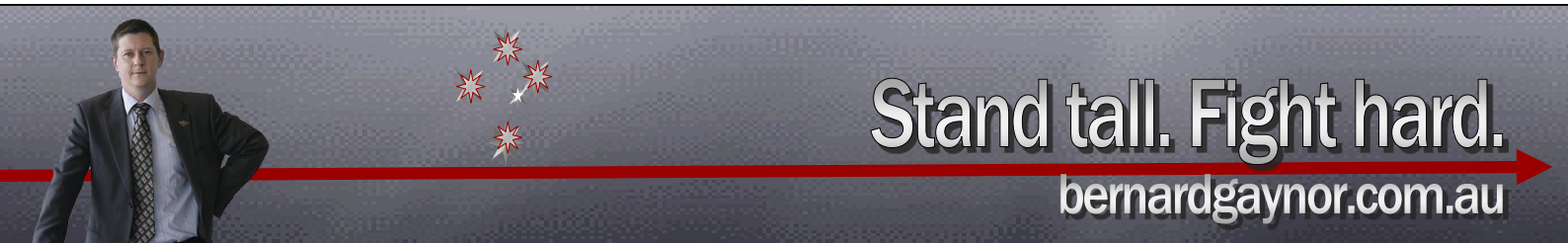
1.2.5 The unreasonable has been normalised

Before exploring specific problems in relation to halal certification, this submission notes that food production for domestic consumption in Australia has become unreasonably skewed towards meeting the demands of Australia's Islamic minority.

According to the Australian Bureau of Statistics, 2.2% of Australians identified as being affiliated with the Islamic religion at the 2011 census.[11] Therefore, it would be reasonable to expect the following:

- The demand for food that specifically meets Islamic Sharia law requirements would be very low and equating to about 2% of food produced for Australian domestic consumption.

[11] http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/2071.0main+features902012-2013



- Any costs associated with meeting the demand for food that meets Islamic Sharia law requirements should be met by those wishing to consume this food e.g. Muslims.

- The availability of food products especially produced in accordance with Islamic Sharia law requirements that dictate some method of production that differs from normal food production in Australia (e.g. an animal sacrifice with very specific requirements for slaughter) would be relatively limited, while the norm would be food that was not produced in accordance with these requirements.

However, food production in Australia does not reflect these reasonable expectations. For instance, the domestic cost recovery for halal certified products comes primarily from non-Muslim consumers because they make up about 98% of those who consume domestically halal certified products.

In another example, all the main suppliers of chicken meat for domestic consumption in Australia are halal certified. This means that the vast bulk of chicken meat in Australia is produced from an Islamic ritual animal sacrifice in accordance with Sharia law. Consequently, instead of a minority of Muslims seeking specific chicken meat products at specialty stores that cater for their religious beliefs, it is the majority of non-Muslim Australians who must now seek specialty suppliers if they do not want to eat chicken meat that has been sacrificed to the Islamic god, Allah. The unreasonable has been normalised and, as a result, Australians are effectively being coerced into contributing financially to Islamic programs and adhering to Islamic religious beliefs in relation to food.

Part 2

From the customer is always right

to

the customer has no rights

2.1 Halal certification: an exercise in consumer confusion

2.1.1 Basic outline of halal certification

'Halal' is an Arabic word that means 'permitted' or 'lawful'. As such, halal food certification schemes should provide consumers with certainty that the food they purchase is lawful under Islamic Sharia law. These schemes generally ensure culinary compliance with Sharia law in two ways.

- They certify that food that is inherently halal (such as bread and water) does not contain elements that are 'haram' or 'forbidden' under Islamic Sharia law (such as pork or alcohol). This should be seen as a 'negative' certification, in that these foods do not require any Islamic ritual input. As such, there is no reason why these foods could not adhere to a voluntary standard that imposes no certification fee.

- They certify that food products that contain meat and other animal derivatives have been produced from permitted animals sacrificed to the Islamic god, Allah, in accordance with Islamic Sharia law. This should be seen as a 'positive' certification, in that these foods require an Islamic religious input in the form of a ritual sacrifice. As such, there is an argument that Islamic consumers will benefit from formal Islamic certification in relation to these products. Conversely, these are foods that non-Islamic consumers have a legitimate reason to avoid. Mandatory labelling of these foods is required for the benefit of all consumers.

However, while halal food is a relatively simple concept, halal certification is more complicated. In order to receive certification, producers are generally required to meet a number of other conditions, some of which have no bearing on the production of halal food itself. Instead, they focus on establishing Islam in the workplace and prohibiting practices that are contrary to Sharia law, even though they are widely accepted by the majority of Australians.

- Meat producers in particular must have two separate supply chains to ensure that any products that do not meet Islamic Sharia law requirements are segregated (for instance, if the animal dies from a concussive blow instead of a cut to the neck).

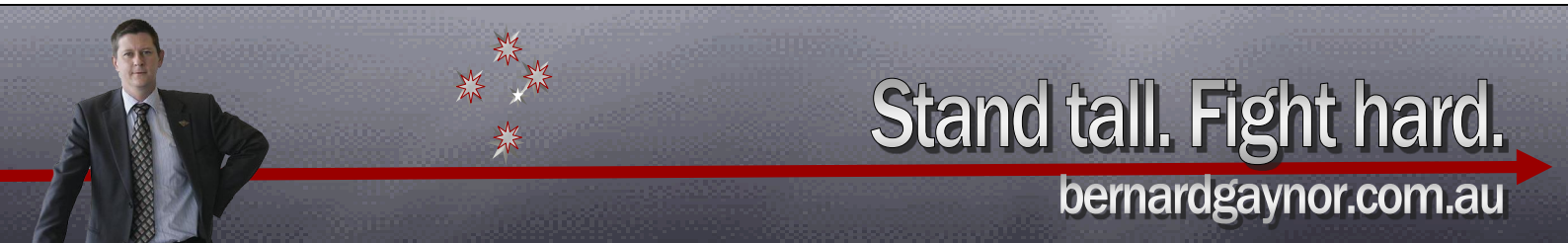
- Producers must employ Muslims for specific elements in the production process.

- Producers must provide religious facilities for Muslim workers and provide cultural training for non-Muslim employees.

- Producers must not produce or supply products that are considered haram under Islamic Sharia law.

- Pork must be quarantined from production facilities.

In order to be effective and meet the needs of Islamic consumers, it is especially necessary for halal 'positive' food to be clearly labelled. Clear labelling of halal 'positive' foods, regardless of whether the final product is certified by an Islamic organisation, is also required to allow non-Islamic consumers to avoid foods if they did not wish to purchase products that have resulted from Islamic Sharia law sacrificial rituals, or if they did not want to support businesses that pay certification fees to Islamic organisations or that choose to employ only Muslims for certain jobs within their food production chain.



Additionally, effective certification requires that certifying authorities build and maintain the trust of Islamic consumers by transparently demonstrating that they are actually enforcing Islamic Sharia law standards rigorously.

2.1.2 Halal certification is failing to meet consumer needs

Unfortunately, halal certification schemes do not achieve the objects of certification for the following reasons:

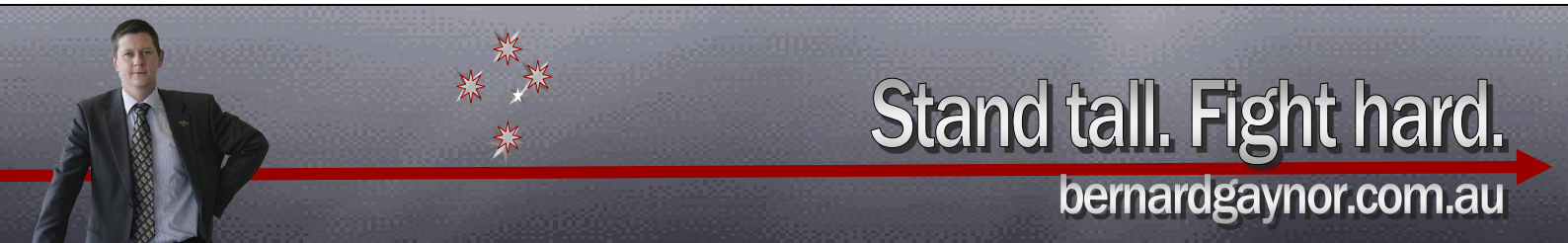
- Halal certified food is not clearly labelled.
- Foods that contain halal 'positive' elements produced from an Islamic ritual animal sacrifice in accordance with Sharia law are not clearly labelled.
- Producers and suppliers are reluctant to admit that their food products have been produced from an Islamic ritual animal sacrifice in accordance with Sharia law, or are halal certified.
- Certifying authorities have not been able to demonstrate that they enforce Islamic Sharia law standards rigorously.
- Producers of inherently halal food have no voluntary industry halal code or logo and instead must pay certification fees.

The result is consumer confusion for both the majority of Australians and the Islamic minority.

2.1.3 Who the halal knows? Part 1: a typical shopping experience

The reality of this situation is clearly shown by my experiences while preparing for this submission during a visit to three shopping centres south of Brisbane.

- The first shopping centre contained a **Woolworths** outlet. The staff at this store were polite and helpful, however, when questioned they were not able to confirm if the meat sold in this store was halal or not. Specifically, the staff could not state whether chicken, beef or pork products were halal or if there was any certification for them, although the deli manager believed that all chicken products from the deli were halal and certified as such. The deli manager also stated that she regularly received questions from customers about halal certification. None of the packaged lamb or beef products from the meat section appeared to have halal certification and I was informed that these products were probably not halal. The majority of packaged chicken products appeared to be halal certified with the exception of those that were crumbed or marinated and I was informed that all **Steggles** or **Ingham** chickens were slaughtered in an Islamic ritual animal sacrifice in accordance with Sharia law. When questioned, none of the staff could show me any lamb, beef or chicken products that were guaranteed to come from an animal that was not the product of an Islamic ritual animal sacrifice in accordance with Sharia law.
- The second shopping centre also contained a **Woolworths** outlet. Again, the staff were polite and helpful but they could not confirm whether beef, lamb or pork products were halal. However, I was



informed that all chicken products from the deli were halal but that the certification certificate at the deli had gone missing. None of the packaged lamb or beef products appeared to have halal certification and I was informed that these products were probably not halal. The majority of packaged chicken products appeared to be halal certified with the exception of those that were crumbed or marinated. When questioned, none of the staff could show me any lamb, beef or chicken products that were guaranteed to come from an animal that was not the product of an Islamic ritual animal sacrifice in accordance with Sharia law.

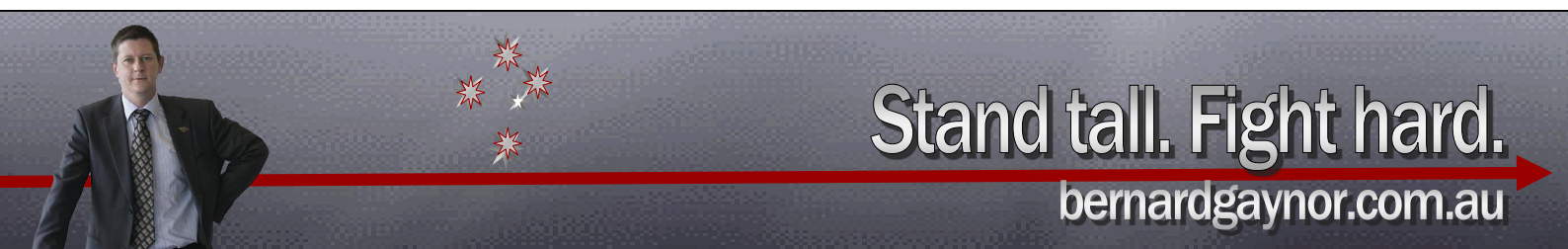
- The third shopping centre was larger and contained a number of outlets.

    - The first store I visited was a **Coles** outlet. Again, the staff were polite and helpful but they could not confirm whether beef, lamb or pork products were halal. However, I was informed that all chicken products from the deli were halal. None of the packaged lamb or beef products appeared to have halal certification and I was informed that it was not possible to state whether these products were halal or not. The majority of packaged chicken products appeared to be halal certified with the exception of those that were crumbed or marinated or sold under the **Freedom Farms** label. When questioned, none of the staff could show me any lamb, beef or chicken products that were guaranteed to come from an animal that was not the product of an Islamic ritual animal sacrifice in accordance with Sharia law.

    - The second store I visited was a **Lenard's Chicken** outlet. The manager at this store appeared to be exasperated when asked whether the chicken was halal. He stated that he was not interested in answering any questions and requested that I speak to Lenard's head office.

    - The third store I visited was an **independent butcher**. I was informed that over 90% of all chicken, lamb and beef in Australia was halal slaughtered. The butcher stated that all the major meat production companies in Australia were halal certified. When questioned further, he also stated that even though these producers supplied halal meat products, slaughtermen did not necessarily need to be Muslim and that most were not Muslim. However, the butcher did state that he could provide meat that was not halal because it came from a local abattoir that did not use halal slaughtering. The butcher also stated that customers were increasingly asking if meat was halal certified and that this was driven by those who did not wish to purchase halal meat. He stated that these questions had coincided with the community's increasing awareness of Islam and the rise of violence linked with Islam.

    - The final store I visited was a **Woolworths** outlet. Again, the staff were polite and helpful. At this store I was informed that it was illegal to sell halal products without a certification logo. As such, I was informed by workers in the meat department that no meat in the store was halal, except for those products that contained a halal certification logo. None of the meat products appeared to have a certification logo. I was also informed that only a very small minority of meat in Australia was slaughtered in an Islamic ritual animal sacrifice in accordance with Sharia law. However, I was informed by a worker in the deli that the chicken was halal, although there was no certification certificate.



2.1.4 Who the halal knows? Part 2: a typical phone experience

After visiting these shopping centres, I made some additional telephone enquiries to confirm what I had been told in store and to ask questions of other supermarket chains that I did not visit. I rang the customer service numbers on the websites of various supermarket outlets.

- Coles informed me that it sold meat that was generally halal certified, however, it depended on location. A customer service representative informed me that beef in the Coles shopping centre I visited was halal but that it was not possible to confirm the status of lamb.

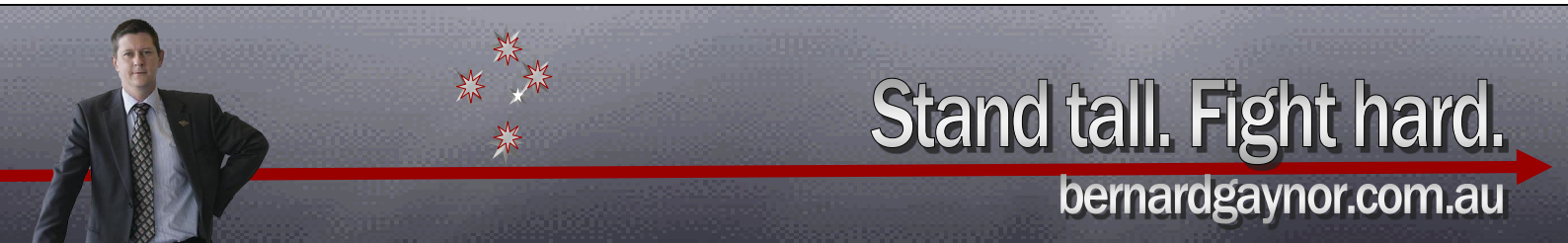
- Woolworths informed me that all Woolworth's branded meat was halal. However, it was not possible to confirm whether other branded meat was halal or not. However, the customer service representative then transferred me through to another person. He subsequently emailed me to state that Woolworth's branded meat was not halal certified, although this email also appears to indicate that Woolworth's branded meat is still often produced from an animal ritually sacrificed in accordance with Sharia law.

> *"To confirm, **Woolworths Own Brand products are not Halal certified**, including our own brand meat products. With regards to its fresh meats, Woolworth's requires humane slaughter which includes pre-stunning as part of the slaughter process. There is never any exception to this and this is verified at the time of our Woolworths Quality Assurance inspections and through independent third party audits of our suppliers.*
>
> ***Some of the meat and poultry that is sold at Woolworths comes from abattoirs that are halal accredited** and these sites do use pre-stunning as part of the slaughter process. **Woolworths is not halal accredited and therefore meat and poultry sold in our stores is not recognised as halal.** Woolworths is not in a position to meet the requirements for halal accreditation as this involves many additional requirements for each store to achieve accreditation."*
>
> Email received from a Woolworth's representative, dated 30 June 2015 (emphasis added)

- Aldi informed me that it did not certify any meat products as halal and that I would need to supply them a barcode to confirm whether a particular product was from a halal certified producer or the product of a ritual Islamic animal sacrifice in accordance with Sharia law.

- IGA informed me that each store sold locally sourced products and that I would need to speak to individual store managers. My local IGA informed me that they did not know if the meat they sold was halal or not. However, I was informed that the previous store owners probably were halal certified as they were not allowed to sell pork.

- Lenard's Chicken informed me that chicken was sourced from halal certified suppliers. However, Lenard's Chicken was not halal certified because Lenard's Chicken also sold pork products with their chicken. I was informed that it was not possible to purchase chicken meat from Lenard's Chicken that did not come from an animal that was slaughtered in accordance with Islamic Sharia law sacrificial rituals.



- Freedom Farms informed me that their chicken was slaughtered in an Islamic ritual animal sacrifice in accordance with Sharia law.

2.1.5 When confusion reigns, consumers lose out and confidence crashes

There is no reason to assume that these experiences are not broadly reflective of the situation faced by consumers in Australia with regards to halal food (particularly meat), whether it is actually certified as such or not. These experiences are reflective of responses from major supermarket outlets' telephone customer service representatives and in-store advice from locations on the south of Brisbane.

The responses outlined above should make it clear that consumers are not being serviced by halal certification schemes because of inadequate labelling. Islamic consumers have no way of truly knowing whether the food they eat complies with Sharia law, while the majority of Australians have no way of knowing whether they are eating food that is produced from a ritual Islamic animal sacrifice.

My experiences in preparing for this submission demonstrate that:

- Some outlets do not want to provide information about whether their products are sourced from suppliers that produce them in accordance with Islamic Sharia law.

- Meat products are not labelled as 'halal' or 'halal certified', even though they may be sourced from animals sacrificed to Allah in accordance with Sharia law.

- Those seeking halal meat are not able to purchase it with any certainty from supermarkets because, even though the meat may come from a halal certified producer, there is no labelling to confirm this.

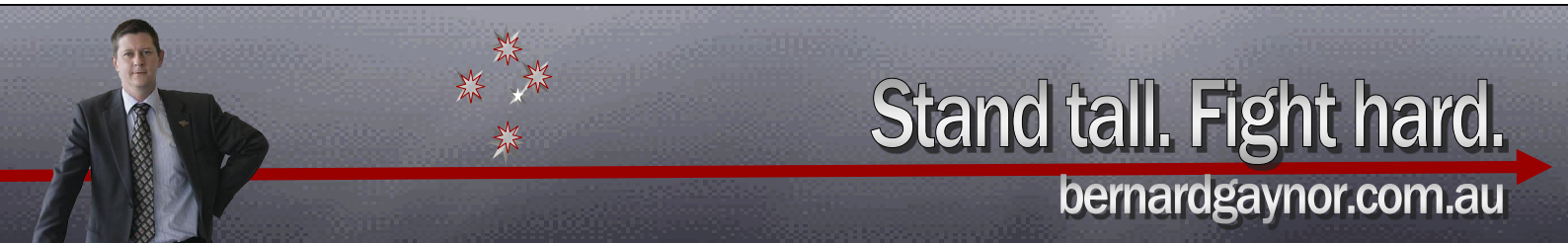
- Those seeking to avoid meat that is the product of a ritual Islamic animal sacrifice are not able to do so with any certainty because, even though some meat may come from non-halal abattoirs, there is no labelling to confirm this.

- Customer service representatives are giving conflicting and contradictory advice to consumers about the halal status of food (particularly meat). This advice differs when it is provided in-store, over the phone or in a written form.

- There is widespread confusion among workers in supermarkets over the status of halal food and the laws regarding labelling. This is evident from the conflicting statements given in the same Woolworths' store regarding halal labelling and the fact that in some stores no one was able to confirm if pork products were halal or not.

- In-store feedback suggests that customers are increasingly seeking information in relation to halal products (particularly meat), either from those wanting to purchase it, or from those seeking to avoid it.

This confusion undermines consumer confidence. For example, the independent butcher mentioned above stated that he could provide meat that did not come from an animal sacrificed to Allah. However, my confidence in the widely contradictory advice I received from all outlets regarding halal meat meant that I no longer had confidence in any advice. As such, I was left wondering whether the independent butcher was telling the truth, or simply saying whatever it would take to make a sale.



2.2 The state of play: chicken

2.2.1 What the producers say

Australia is not an Islamic country. However, the vast majority of chicken meat produced in Australia is the product of a ritual Islamic animal sacrifice to Allah in accordance with Sharia law.

The **Australian Chicken Meat Federation Inc.** (ACMF) describes itself as the "the peak coordinating body for participants in the chicken meat industries in Australia and recognized as the industry representative by the Australian Government." When I telephoned the ACMF I was informed that it could not state whether chicken supplied was halal and that I would need to contact individual producers.

I telephoned every producer listed on the ACMF website[12]. According to the ACMF, these producers supply over 95% of chicken meat in Australia.[13] All of them, with one exception, stated that their chickens were halal and slaughtered in accordance with Islamic Sharia law sacrificial rituals. These producers were:

- **Baiada Poultry Pty Ltd**
- **Steggles**
- **Adelaide Poultry**
- **Turi Foods: La Ionica and Golden Farms**
- **Cordina Chicken Farms Pty Ltd**
- **Golden Cockerel**
- **Red Lea Chickens**
- **Hazeldene's Chicken Farm Pty Ltd**

The one exception was **Inghams Enterprises Pty Limited**. When I telephoned this producer I was informed that it was company policy not to answer questions about whether their chicken was halal certified. Instead, I was informed that the **Islamic Council of Queensland** would answer any questions about halal certification on behalf of Inghams. The Islamic Council of Queensland informed me that Inghams was halal certified.

All producers also informed me that it was not possible to purchase chicken meat that did not come from an animal slaughtered in accordance with Islamic Sharia law sacrificial rituals. I was further informed by one producer that they only employed Muslims in the slaughter process. I was also informed by this company that I should not be concerned about halal meat if I was not a Muslim and my desire not to eat meat sacrificed to a god that I do not follow was brushed aside.

2.2.2 What exports?

According to the ACMF, less than 5% of chicken meat produced in Australia is exported. Most exports are to South Africa, the Philippines, Hong Kong, Singapore and the South Pacific islands.[14] These markets are not Islamic.

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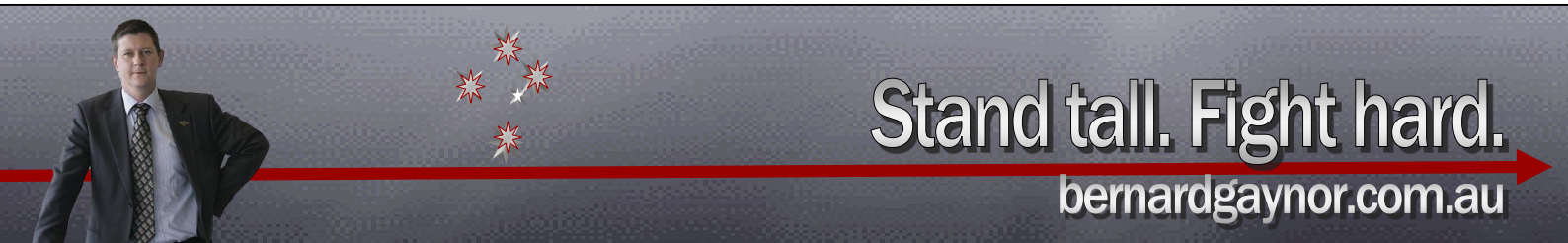
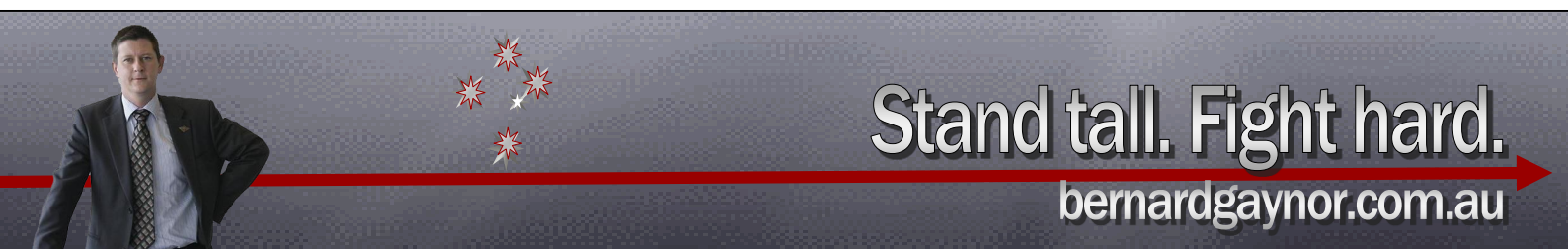
[12] http://www.chicken.org.au/page.php?id=172

[13] http://www.chicken.org.au/industryprofile/downloads/The_Australian_Chicken_Meat_Industry_An_Industry_in_Profile.pdf

[14] Ibid.



Consequently, it can be concluded that the chicken meat industry has adopted the Islamic practice of ritual animal sacrifice to Allah in accordance with Sharia law to meet the demand of a 2% minority living in Australia. As a result, 98% of consumers are effectively being coerced into only eating chicken meat that is produced in accordance with Islamic Sharia law.



2.3 The state of play: beef & lamb

2.3.1 What the producers say

Australia is not an Islamic country. However, it appears probable that the majority of beef and lamb produced for domestic consumption in Australia is the product of a ritual Islamic animal sacrifice to Allah in accordance with Sharia law.

Meat & Livestock Australia (MLA) states that it "delivers research, development and marketing services to Australia's cattle, sheep and goat producers. MLA has approximately 50,000 livestock producer members who have stakeholder entitlements in the company." When I telephoned the MLA I was informed that it could not state whether beef or lamb supplied was halal and that I would need to contact individual producers.

MLA did not list producers. However, the website aussieabbattoirs.com.au contains a list of abattoirs in Australia.[15] I telephoned every abattoir listed in Queensland.[16] Many of them stated that they supplied meat to either Coles or Woolworths. They further stated that some of this meat was the product of a ritual Islamic animal sacrifice to Allah in accordance with Sharia law. Unfortunately, it is not possible to determine how much of this meat is slaughtered in accordance with Islamic Sharia law but many of the larger abattoirs produce halal certified products.

- Australian Country Choice informed me that I would need to contact Coles to confirm if their meat was halal, although its website states that it is halal certified.[17]

- Churchill Abattoir informed me that it was not halal certified and did not slaughter meat in accordance with Sharia law. It supplies independent butchers.

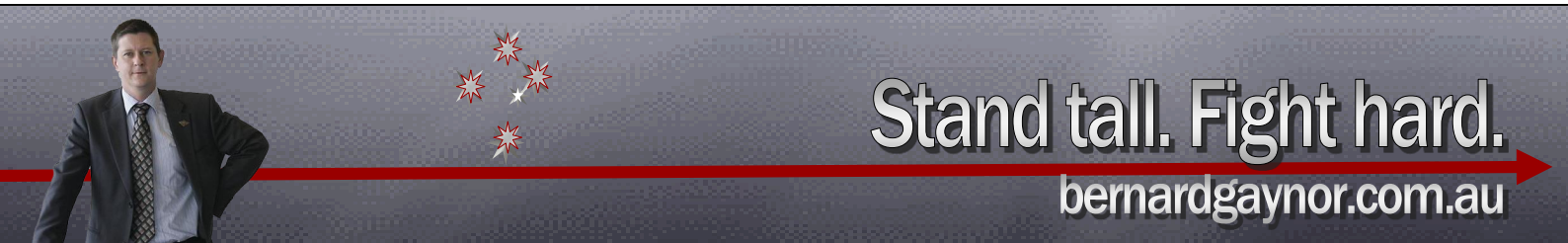
- Greenmountain Food Processing informed me that their meat is slaughtered in accordance with Islamic Sharia law.

- Highchester Meats informed me that their meat is not slaughtered in accordance with Islamic Sharia law, although a halal butcher slaughters meat for his own outlet one day per week. It supplies independent butchers.

- John Dee Export Abattoir informed me that their meat is slaughtered in accordance with Islamic Sharia law for both domestic and export markets.

- JBS Australia (Beef City, Dinmore, Rockhampton and Townsville) informed me that their meat is slaughtered in accordance with Islamic Sharia law, however, I would need to check with local suppliers to confirm. Its website states that it is halal certified.[18]

[15] This website advocates against abattoirs and may not contain a listing of all abattoirs in Australia.
[16] http://www.aussieabattoirs.com/facts/directory#qld
[17] http://www.accbeef.net.au/about-us/certifications-and-memberships/
[18] http://www.jbssa.com.au/OurProducts/default.aspx



- **Kilcoy Pastoral Company** informed me that they supply a mix of halal and non-halal meat. I was informed that they employed a mix of Muslim and non-Muslim slaughterers.

- **Mcclymont's Poultry Abattoir** could not be contacted.

- **Meramist Abattoir** informed me that their beef is slaughtered in accordance with Islamic Sharia law.

- **Nolan Meats** informed me that their meat is a mix, with some slaughtered in accordance with Islamic Sharia law and some non-halal. Its webpage states that it is halal certified.[19] [20] Nolan Meats supplies Woolworths.[21] I was also informed that they supply Coles.

- **NH Foods (Oakey Abattoir and Thomas Borthwick & Sons)** informed me that these abattoirs are halal certified. The company does operate another abattoir that is not halal certified.

- **Stanbroke Beef** informed me that its products are halal certified, although it does produce non-halal products on occasion. Its webpage states that it is halal certified.[22]

- **Swickers Kingaroy Bacon Factory** was not contacted.

- **Teys Australia (Biloela and Rockhampton)** informed me that it provided halal meat products depending on location, although its webpage does not state that its abattoirs are halal certified.[23]

- **Wallangarra Abattoir** informed me that all its products were halal.

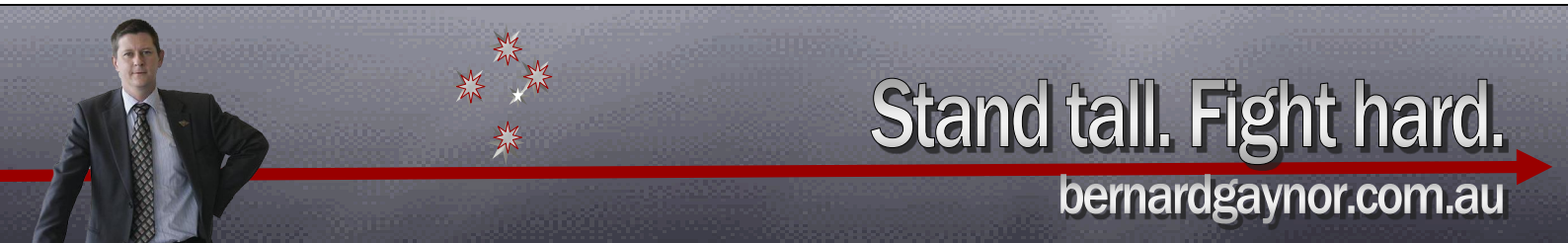
- **Western Exporters Abattoir** did not return my call. Its webpage states that it is halal certified.[24]

From this survey, it appears that at least 14 of the 20 abattoirs listed in Queensland produce meat that is the product of an Islamic ritual animal sacrifice to Allah in accordance with Sharia law. This submission cannot ascertain the volume of the abattoirs and the overall percentage of meat that is produced for domestic or international markets. However, it does observe that the abattoirs that appear to be larger are mostly halal certified and it would be reasonable to conclude on the basis of the information provided that the majority of meat produced in Queensland is the product of an Islamic ritual.

As part of the investigations for this submission, I was privileged to speak to [redacted] of [redacted] for a considerable period of time. [redacted] attitude towards those who do not want to eat halal meat was aggressive, dismissive and negative. For instance, he stated that I should not care if I was eating halal meat or not because I was not a Muslim and dismissed my desire not to eat meat that has been sacrificed to a god that I do not worship. He also made it clear that economic reasons meant that Australians should simply accept that the meat industry will comply with Sharia law ritual animal sacrifices.

[redacted] also provided some other details:

[19] http://www.nolan.com.au/media/1507/ahfs-halal-est-80-dec-2015.pdf
[20] http://www.nolan.com.au/media/1504/ahfs-halal-est-81-2015.pdf
[21] http://www.nolan.com.au/media/1531/wqa-may-2015.pdf
[22] http://www.stanbroke.com.au/preparation
[23] http://www.teysaust.com.au/quality/certification/
[24] http://www.westernexporters.com.au/Accreditations.asp



- Non-halal abattoirs are not profitable and are going out of business every week.
- Most meat produced in Australia is halal and slaughterers in accordance with Islamic Sharia law requirements.
- Export markets require halal certification and meat from individual animals may be split for export and domestic markets.
- The cost of certification is negligible. There is a cost per animal and this is less than the cost of one kilogram of spleen in Indonesia.
- Slaughtermen are not all Muslims and slaughtermen are rotated between a variety of jobs.
- Australians do not want to do these kind of jobs.

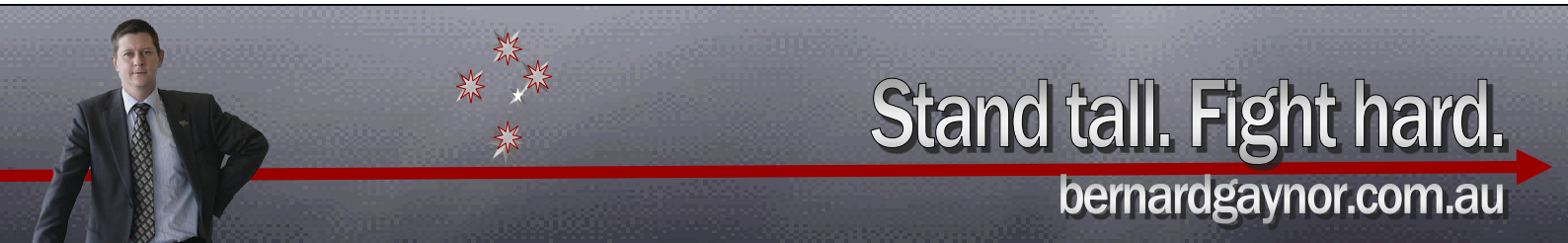
[redacted] indicated that I should visit an abattoir to observe what happens. I stated that I would be happy to visit an abattoir, although he declined to accept my offer. [redacted] also stated that those who raised concerns about halal certification were haters and bigots, whereas those who accepted halal certification were tolerant and diverse. He finished his conversation by stating that it was a waste of 20 minutes and that he would never get that time back.

2.3.2 The export market is mostly non-Islamic

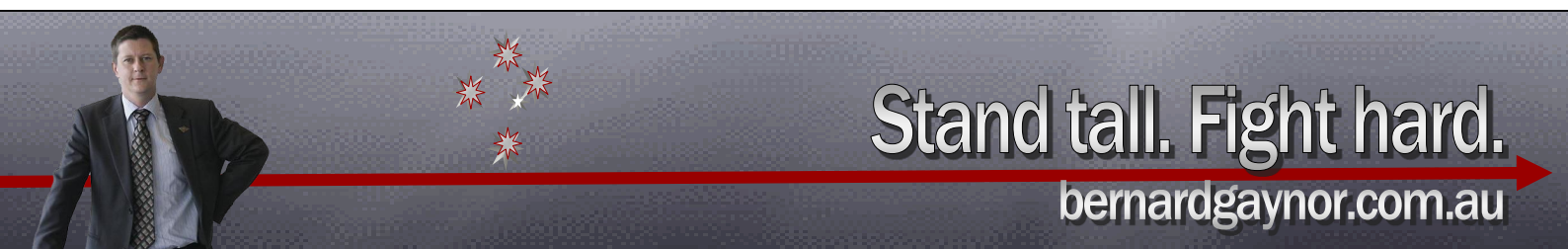
According to the MLA, the domestic market remains the largest single market for Australian beef and sheep meat, although the majority of meat produced in Australia is exported.[25] [26]

- Most Australian **beef meat exports** are to non-Islamic markets. Less than 10% of Australian beef exports are to the Middle East or other Islamic countries.[27]
- Most Australian **lamb meat exports** are to non-Islamic markets, although about 37% of lamb is exported to the Middle East, South East Asia and other African nations. This figure rises to about 42% for **mutton meat exports**.[28]
- Most Australian **goat meat exports** are to non-Islamic markets. Only about 3% of goat meat is exported to Islamic nations.[29]

[25] http://www.mla.com.au/Marketing-beef-and-lamb/Domestic-marketing
[26] http://www.mla.com.au/Marketing-beef-and-lamb/International-markets
[27] http://www.mla.com.au/files/2f5ee6d5-151d-42a1-888e-a42d009de451/MLA_Australian-Cattle-Industry-Projections-2015.pdf
[28] http://www.mla.com.au/files/0bc09dda-492f-4542-ad86-a43300c9ca6a/MLA-Australian-Sheep-Industry-Projections-2015.pdf
[29] http://www.mla.com.au/files/f02a9b83-be50-4c11-af09-a48100e4d0e4/MLA_Australian-Goat-Industry-Summary-2015.pdf



Consequently, it can be concluded that the red meat industry has seemingly largely adopted the Islamic practice of ritual animal sacrifice to Allah in accordance with Sharia law even though the majority of its domestic and export market is not Islamic.



2.4 The situation facing consumers

The old adage in business is that the customer is always right. Unfortunately, when it comes to halal certification, this adage is not part of Sharia law. The non-Islamic customer now has no rights.

2.4.1 No right to ask questions

This submission notes that producers are claiming that halal certification helps to secure export markets. It also notes that these same producers are not informing domestic consumers about their halal certification status and even, in some cases, stating that it is company policy not to answer questions.

As such, it is clear that some halal certified producers do not believe Australian consumers have the right to ask questions about the religious nature of the food products they purchase.

2.4.2 No right to information

This submission notes that halal certified products, particularly meat products from an animal sacrificed to Allah in accordance with Islamic Sharia law, are generally not labelled.

The right to information rests on the ability to access information. As such, the failure by halal certified producers to disclose certification means that consumers have no right to information about the food they purchase.

2.4.3 No right to religious freedom

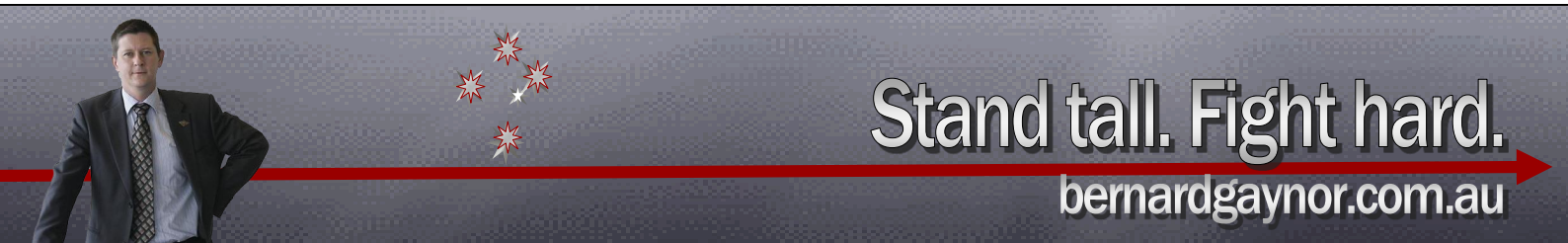
This submission notes that halal food is food certified as compliant with Sharia law. It also notes that the majority of Australians do not support Sharia law. Unfortunately, they are effectively being forced to into culinary compliance with this law because they have little choice over the food they eat. They are being coerced into adhering with Sharia law and consequently have effectively lost the right to religious freedom.

2.4.4 Accept it or be labelled a halal certified bigot

This submission notes that those who question halal certification are often labelled bigots. In fact, I was labelled a bigot by one producer simply for asking questions about whether I could purchase meat from that producer that was not sacrificed to the Islamic god, Allah.

It is simply unacceptable that the majority of Australian consumers today can be labelled bigots for trying to obtain information that will help them to avoid religious beliefs that they do not practice, while a minority of Australians have been able to claim the labels of ‘tolerance’ and ‘diversity’ by enforcing a religious standard across large parts of the food production industry.

This submission strongly argues that if food producers can ‘courageously’ label consumers bigots for seeking information about the food they purchase, then those producers should not be afraid of labelling their food either.

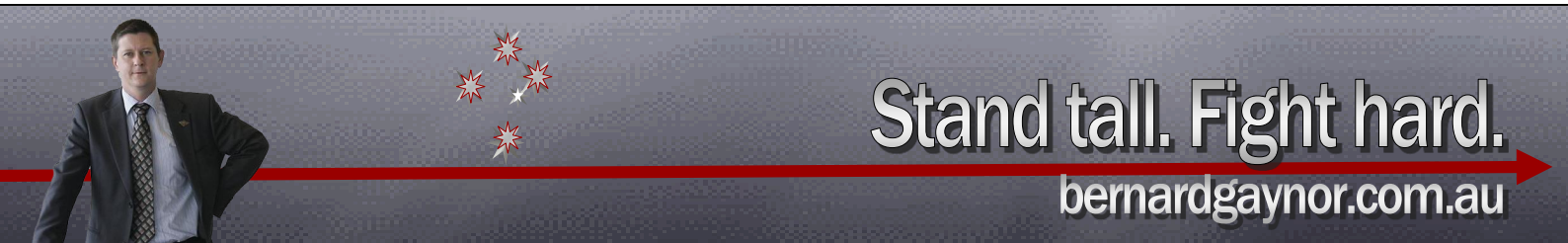


2.4.5 When it's about religion and money, let's have open disclosure

Australian consumers are justified in coming to the conclusion that halal certification is about money – overseas money. They are also justified in coming to the conclusion that the failure to disclose certification to Australians is also about money – Australian money. Food producers (particularly meat producers) are advertising that they have added an Islamic ritual to their production process in order to increase overseas exports, while denying information to Australian consumers about this ritual in order to maintain a domestic market base. As the Australian consumer has been denied information provided to the foreign consumer, he has effectively been relegated to a second class citizen in his own country.

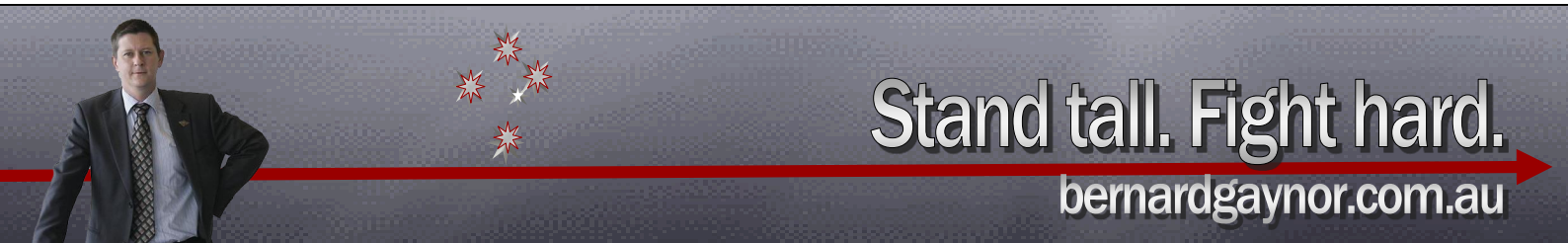
This submission recognises that food producers will seek to make a profit. This submission does not raise any concerns about that. It does argue, however, that food producers cannot have their cake and eat it too. If it is good enough to gain certification by complying Islamic Sharia law dictates in order to increase profit from new export markets, but not good enough to disclose that fact to the domestic market, then it is clear that certification does not always lead to increased sales. It is also clear that this constitutes a market failure in effective labelling.

This submission argues that food producers and consumers should be on a level playing field. If a religious element is added to food in order to obtain certification, this should be disclosed to everyone. If this is not profitable for Australian food producers, then market forces will dictate that halal certification is not sought, or producers will separate halal and non-halal production lines (as they properly should anyway) and charge premiums for those production lines that have lesser demand and in built extra costs, such as certification fees, Muslim only workforces and regular bureaucratic religious audits.



Part 3

Halal concerns



3.1 Halal concerns (part 1): Islamic differences

3.1.1 Many certifiers with unknown standards

According to the Department of Agriculture, there are 22 recognised Islamic bodies for halal certification of red meat for export.[30] However, not all of them are recognised for export by certain countries. For instance, Saudi Arabia only recognises 6 of these organisations. Some of these organisations are only accepted in certain Australian states. As a result, it appears that exporters of red meat outside of New South Wales or Victoria would need to gain two or more halal certifications to export to all the main Islamic markets.

There is no available information to ascertain why some organisations are accepted by some countries and others are not. However, during a 2014 hearing for the Joint Standing Committee on Foreign Affairs, Defence and Trade inquiry into Australia's trade and investment relationships with countries of the Middle East, a question was asked about the differences between certification standards. Mr Greg Read, First Assistant Secretary, Exports Division, Department of Agriculture explained these differences in the following way:

> *The requirements, in the main, will be quite uniform with the religious presence of an appropriate Muslim with the slaughter process, and the slaughter process is in accordance with sharia law and so forth, so all of those practices will be reasonably common.* ***They will be quite particular in relation to what happens when an animal is deemed to be non-halal or haram****—dogs that are present on the facility are appropriately constrained and muzzled; there must be no sign of pigs or pork around that facility; there must be appropriate segregation from a non-halal product; and a range of supervisory presences in that plan to ensure that this program is met from the religious side—****and that varies****. It is quite complex from market to market, and, from time to time, the certifiers that are accredited for each market keep changing as well.*[31]

Mr Greg Read, First Assistant Secretary, Exports Division, Department of Agriculture, 3 December 2014[32] (emphasis added)

From this answer, it appears that certification bodies have similar standards in relation to what is allowed although there are considerable differences in regards to what is forbidden. However, other evidence suggests that within Australia's Islamic community there is a considerable difference of opinion over what constitutes permitted halal food, particularly in relation to meat.

There have also been some problems gaining market access created by dual government/commercial certification systems for halal product. To ensure continued market access it has been decided to only use the Australian government system when a product is described as halal in the trade description. *Meat Notice 2014-04: Export-Registered, Australian Standard Meat Establishments (Tier 1)* states that:

> *"There have also been some market access problems created by the dual government/ commercial certification systems for halal product. To ensure continued market access it has been decided to only use the Australian government system when product is described as halal in the trade description."*[33]

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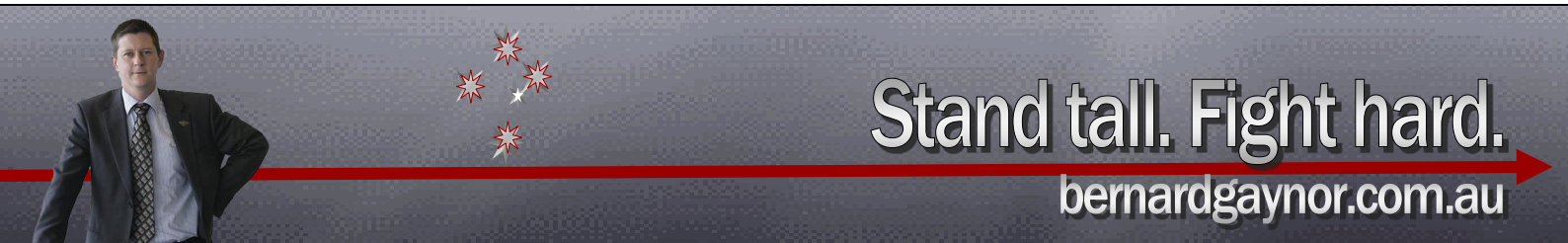
[30] http://www.agriculture.gov.au/export/food/meat/elmer-3/list-islamic-halal-certification

[31] http://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;db=COMMITTEES;id=committees%2Fcommjnt%2Ff7c5ceae-e696-42a2-8dbe-3493aa249317%2F0001;query=Id%3A%22committees%2Fcommjnt%2Ff7c5ceae-e696-42a2-8dbe-3493aa249317%2F0000%22

[32] ibid

[33] http://www.agriculture.gov.au/export/food/meat/elmer-3/notices/2014/mn14-04



While this submission understands that market access is important, it does note that the effect of this directive is to establish halal certification firmly within the bounds of government bureaucracy. As halal certification is a religious certification, it is essentially establishing Islamic Sharia law in the production and export of meat under government auspices. This appears problematic, given the constitutional prohibition on the Commonwealth from establishing any religion.

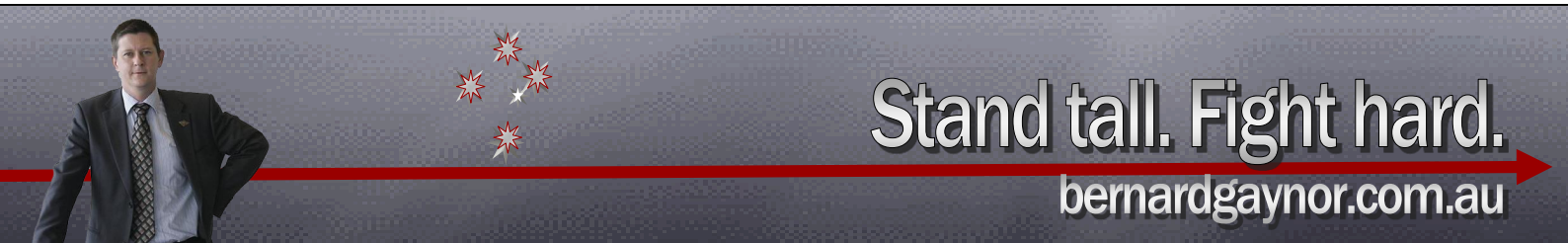
3.1.2 When halal is not halal

In May 2013 there was a controversy within Australia's Islamic community over the halal certification of **Fresh Poultry** chickens.[34] The controversy was ignited when Taqwa Halal Certification issued a statement claiming that **Fresh Poultry** products were not halal because they included machine slaughtered chickens.

This situation caused considerable confusion in the Islamic community as highlighted by numerous comments made on Facebook with regards to this situation.

Image 2: A sample of comments on the Masjid al Noor Facebook page demonstrate confusion with regards to halal certification and that certification authorities are not able to maintain the trust of Islamic consumers.[35]

[34] http://muslimvillage.com/2013/05/06/39138/claims-of-supplying-non-halal-chicken-denied/
[35] https://www.facebook.com/masjidalnoorsydney/posts/424100431020436



This controversy was covered by the website muslimvillage.com highlighting in one article that some certification authorities will not recognise the certifications provided by other halal certification authorities.

> *"For whatever reason, Taqwa does not accept the Halal certification of AFIC, despite the fact that the Head of AFIC's Halal certification is the reputable and trusted Dr Mohammad Anas who is globally respected and recognized as a Halal certifier."* [36]

Masjid Al Noor
4 May 2013 ·

Like Page

TAQWA HALAL CERTIFICATION UPDATE

(Regarding Fresh Poultry)

Assalam alikom, brothers and sisters in Islam the Prophet of Allah (pbuh) said: "Whoever amongst you sees an evil, he must change it with his hand; if he is unable to do so, then with his tongue; and if he is unable to do so, then with his heart; and that is the weakest form of Faith".

Over the past month the Managment at Taqwa Halal Certification (Sheikh Abo Adnan and Sheikh Omar El Banna) had Fresh Poultry chicken under investigation, and conducted numerous meetings with their management.

Unfortunately despite oaths and promises that Fresh Poultry Chicken has completely stopped buying machine slaughtered chicken from other chicken slaughter houses and that all chicken supplied by Fresh Poultry are (hand slaughtered), it has been proven beyond doubt that Fresh Poultry is still buying machine slaughtered chicken and supplying it to their customers!

In our last meeting, fresh poultry promised that starting 7/4/2103 this will completely stop but over the past few weeks they were caught by our inspectors again and again!

Thus, we advise our brothers and sisters to completely avoid eating fresh poultry chicken and warn others from eating their products.

Our families and children deserve to be eating 100% halal food. This will never be achieved unless Australian Muslims become strict about their food and refuse to be disadvantaged and deceived.

We announce this as an Amanah and responsibility and Allah knows our intention.

Spread the word please

TAQWA HALAL CERTIFICATION

Sheikh Abo Adnan / Sheikh Omar El Banna

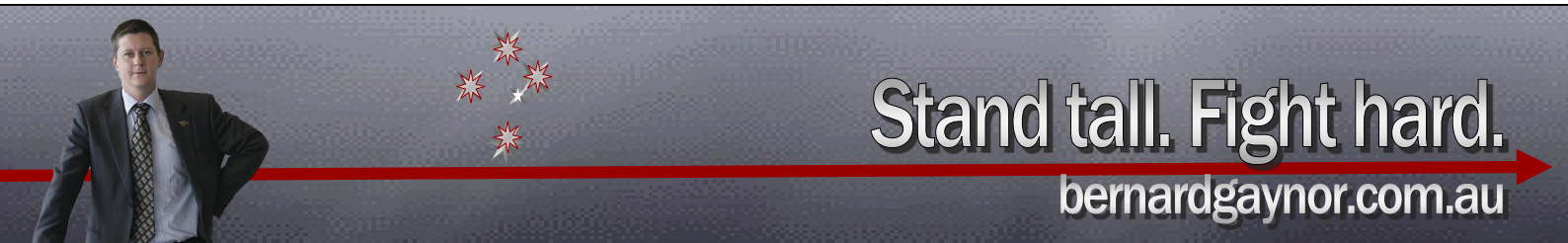
admin@taqwahalal.com.au

Like · Comment · Share

Image 3: A statement released by the Masjid al Noor mosque in South Granville on behalf of Taqwa Halal Certification.[37]

[36] http://muslimvillage.com/2013/05/15/39431/when-halal-becomes-haram-more-taqwa-is-needed/

[37] https://www.facebook.com/masjidalnoorsydney/posts/424100431020436



A later article written for muslimvillage.com in June 2014 explained that while not all Muslims will accept machine-slaughtered animals, there is unanimous agreement that hand-slaughtered animals are halal.

> *"In Australia, as elsewhere in the world, there is a difference of opinion amongst some Muslim scholars and Halal certifiers as to what is "Halal". Some advocate that all meat + chicken is Halal as long as you say "Bismillah" (In the name of Allah) before eating. Some consider machine slaughter Halal – under certain conditions and others will only accept hand slaughter as being genuinely Halal.*
>
> *There are strong viewpoints and detailed arguments presented on both sides of the machine and hand slaughter debate amongst Islamic scholars. Some argue that machine slaughter is completely lawful (Halal), whereas others argue that the process is completely unacceptable and the animal slaughtered in this process is unlawful (Haram).* ***Amongst all the differing opinions, hand slaughter is the universal slaughter method accepted by all scholars, which leaves no doubt in the halal status of hand slaughtered chickens."***[38]
>
> (emphasis added)

From this controversy, three points should be noted.

- Firstly, within Australia's Islamic community there are serious differences of opinion over what is considered lawful or halal, rather than just what is considered forbidden or haram. Consequently, there is considerable confusion over halal certification standards.

- Secondly, as a result of these differing standards, it is more than possible that multiple halal certifications could be sought for the same products. Indeed, it appears that Fresh Poultry was at least in discussion with two different halal certification authorities at the same time.

- Thirdly, Taqwa Halal Certification appears to no longer be in operation. Furthermore, Taqwa Halal Certification does not appear to have ever been registered as a recognised Islamic body by the Department of Agriculture, even though it is linked with the Masjid al Noor Mosque in South Granville. This demonstrates that there are halal certification authorities for domestic products that are not registered with the Department of Agriculture. It is not possible to determine how many domestic halal certification authorities are operating.

3.1.3 When haram is halal

The differences of opinion within Australia's Islamic community over what constitutes halal and haram are also starkly demonstrated by a controversy regarding the consumption of alcohol in late 2014. An imam from Sydney, Mostafa Rashed, issued a proclamation that it was acceptable for Muslims to consume alcohol.[39]

As a result, the Australian National Imams Council issued a statement rejecting this claim as 'outrageous'. It also stated that Mostafa Rashed was not a member of the council.[40]

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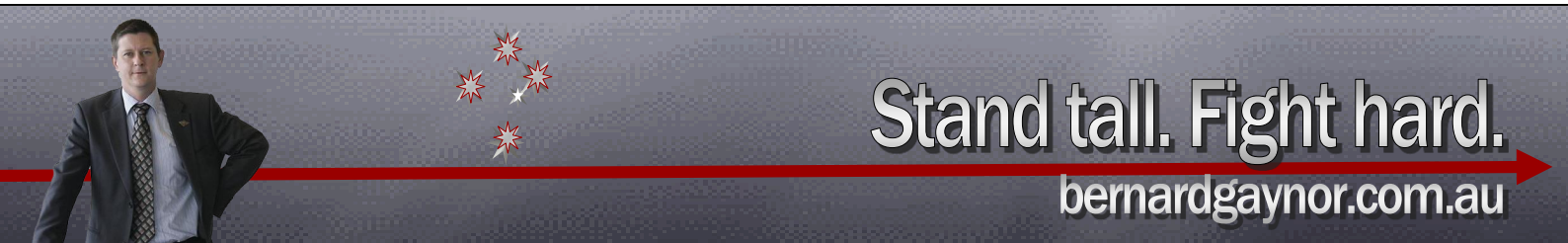
[38] http://muslimvillage.com/2014/06/05/54221/hand-v-machine-slaughter-halal-chicken/
[39] http://www.dailytelegraph.com.au/news/national/sydney-imam-mostafa-rashed-under-fire-for-islam-alcohol-edict/story-fnpn0zn5-1227149019991
[40] http://www.anic.org.au/wp-content/uploads/2014/12/ANIC-REJECTS-ALCOHOL-EDICT-BY-SO-CALLED-IMAM.pdf



While this submission does not intend in any way to solve the differences within Australia's Islamic community over what is halal and haram, it does note that a statement from an imam regarding the lawfulness of certain food is effectively a form of halal certification. This is confirmed by a statement made to the ABC in April this year:

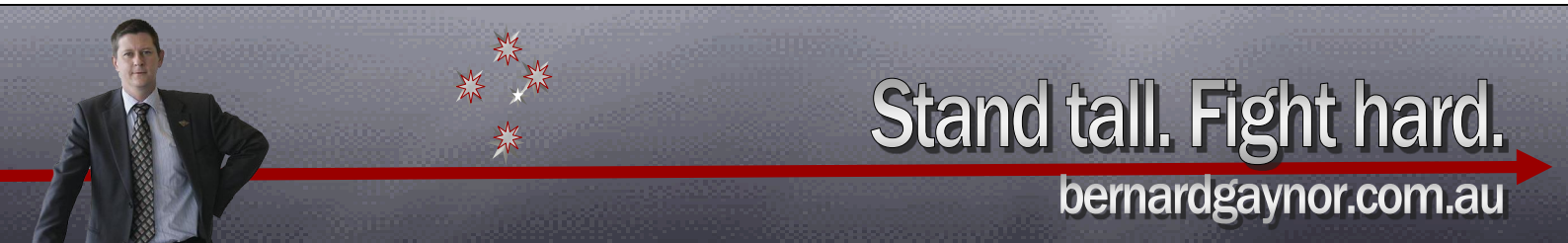
> *"Raihan Ismail, an associate lecturer in the Centre for Arab and Islamic Studies at ANU, told Fact Check that theoretically any Muslim can certify a food as halal, for example by being present when an animal is slaughtered."*[41]

3.1.4 Key points

Differences within the Islamic community, its leadership and its various sects mean that consumer confidence in halal certification has not been achieved or maintained.

- There is considerable disagreement within the Islamic community over what is halal and what is haram.
- There is no standard halal certification process. Some Muslims and authorities rely on a formal certificate and label from a halal certification authority, although there is no standard way of registering these authorities. Others rely on Facebook statements or statements from a recognised leader, even if that particular imam operates independently of other imams.
- The various halal certification authorities have a wide difference in standards. These standards range from some Islamic leaders allowing the consumption of alcohol, to some authorities condemning machine slaughter of animals.
- Halal certification authorities for domestic consumption are not registered with the Department of Agriculture and imams are operating independently of the Australian National Imams Council.
- The various halal standards of certifying authorities are not readily available.
- Food production companies, as a result, may be obtaining multiple halal certifications.
- Islamic consumers demonstrate a lack of trust in certification authorities.
- The establishment of halal certification within government bureaucracy may not be consistent with Section 116 of the constitution.

[41] http://www.abc.net.au/news/2015-04-14/fact-check-does-halal-certification-fund-terrorism/6383238



3.2 Halal concerns (part 2): an unstunning ritual slaughter

3.2.1 A sacrificial rite

Halal meat is not just meat that is considered lawful for Muslims to eat. It is more than that: it is the product of a ritual animal sacrifice to the Islamic god, Allah. In fact, it is precisely for this reason that this sacrificed meat is considered halal.

As such, halal meat is a religious item. This is made very clear in Islamic texts:

> *The Prophet said, "Whoever slaughtered the sacrifice before the prayer, he just slaughtered it for himself, and whoever slaughtered it after the prayer, he slaughtered it at the right time and followed the tradition of the Muslims."*[42]
>
> Sahih Bukhari, Volume 7, Book 68, Number 454

> *Allah's Apostle entered upon me at Sarif while I was weeping (because I was afraid that I would not be able to perform the Hajj). He said, "What is wrong with you? Have you got your period?" I replied, "Yes." He said, "This is a matter Allah has decreed for all the daughters of Adam, so perform the ceremonies of the Hajj as the pilgrims do, but do not perform the Tawaf around the Ka'ba." Allah's Apostle slaughtered some cows as sacrifices on behalf of his wives.*[43]
>
> Sahih Bukhari, Volume 7, Book 68, Number 466

> *Eat not of (meats) on which Allah's name hath not been pronounced: That would be impiety. But the evil ones ever inspire their friends to contend with you if ye were to obey them, ye would indeed be Pagans.*[44]
>
> Quran, Surah 6, Verse 121

Food is a requirement of life and religious belief is an important personal decision. This includes the decision not to follow a particular religious belief. As such, this submission strongly supports mandatory labelling of food products that result from religious procedures. This will benefit all consumers.

3.2.2 The stunning situation

As detailed in the previous chapter, halal certification authorities have differing standards over what actually constitutes an Islamic ritual animal sacrifice in accordance with Sharia law. One area of disagreement is over the use of stunning prior to slaughter.

Under Australian standards, animals must be stunned prior to slaughter.[45] However, according to the MLA, halal slaughter presents a problem in that the animal must not be irreversibly stunned prior to slaughter. A recent MLA study into humane slaughter techniques states:

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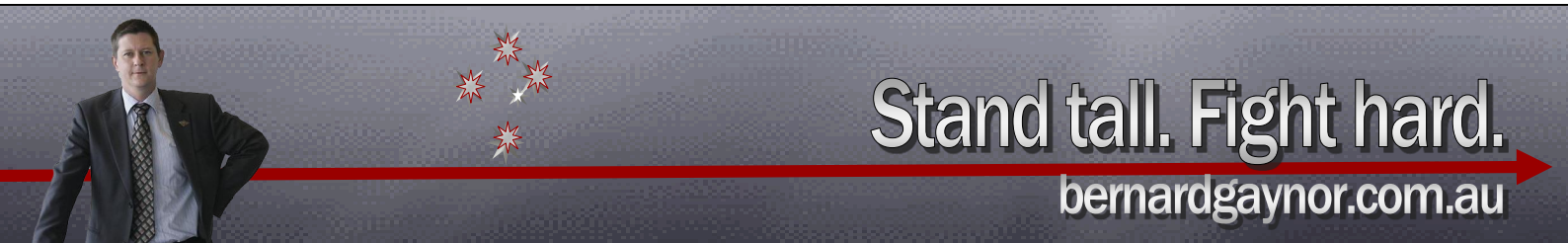
[42] http://www.sahih-bukhari.com/Pages/Bukhari_7_68.php
[43] ibid
[44] http://www.islam101.com/quran/yusufAli/QURAN/6.htm
[45] http://www.amic.org.au/SiteMedia/w3svc116/Uploads/Documents/Industry%20Animal%20Welfare%20Standards.pdf



> *"It is a requirement of meat production that animals processed are handled and slaughtered in a humane manner. Therefore, most animals are stunned prior to exsanguination, so that they are insensible throughout the process of sticking, and remain insensible until death has ensued. However, animals processed for the Muslim market (Halal meat production) are subject to the requirements of the relevant religious texts (the Al Qu'ran and Hadith), and there is often a conflict in opinion over the suitability of stunning procedures when slaughtering an animal for human consumption. The basic requirements of the religious texts are that the animal is healthy and handled in such a way that it is not injured at the time of carrying out the ritual slaughter cut for exsanguination. Thus, mechanical means of stunning, that cause skull damage, or those that result in the death of the animal, are not approved for the religious markets. Any method used to induce insensibility must not cause injury, and must be fully recoverable. In Australia, all cattle processed for the Halal market are stunned prior to slaughter, using a non-penetrating mechanical stun, referred to as a percussive, or non-penetrative stun."*[46]

Effects of Stunning and Thoracic Sticking on Welfare and Meat Quality of Halal Slaughtered Beef Cattle, August 2014

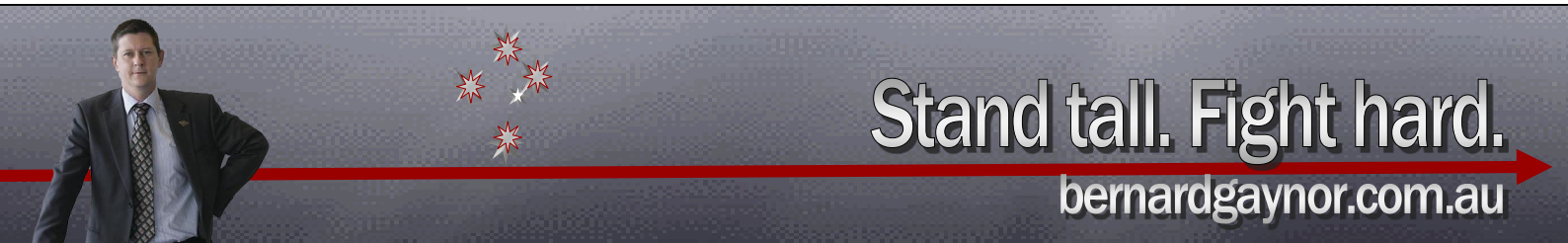
While the study quoted above states that further testing is required to reach definitive conclusions, it is noted that this study found that some halal slaughter methods resulted in inferior meat quality while irreversible stunning methods were associated with better meat quality and reduced indications of animal stress.[47]

3.2.3 Stunned, reversibly stunned or wide awake

The RSPCA notes that most animals used for halal slaughter in Australia are reversibly stunned and that this is not the conventional method used for animal slaughter. It also states that this situation is problematic, but is better for animal welfare than no stunning at all.

> *"The main concern with halal slaughter is whether or not pre-slaughter stunning is used. In Australia, the national standard for meat production requires that all animals must be effectively stunned (unconscious) prior to slaughter. The vast majority of halal slaughter in Australia (including at export abattoirs) complies with this standard, that is, all animals are stunned prior to slaughter. The only difference is that a reversible stunning method is used, while conventional humane slaughter may use an irreversible stunning method. The time to regain consciousness following a reversible stun may vary depending on the intensity of the stun.* ***At Australian abattoirs, the aim is to ensure that reversible stunning is done in a way that depth of unconsciousness is sufficient to allow for the animal to bleed out and die before there is a chance of regaining consciousness****.*
>
> *Halal slaughter in overseas abattoirs often does not include stunning - this is the key difference between halal slaughter in Australia and many other countries. Although reversible stunning is far better from an animal welfare perspective than no stunning at all,* ***irreversible stunning is more***

[46] http://www.mla.com.au/Research-and-development/Search-RD-reports/RD-report-details/Animal-Welfare/Effects-of-Stunning-and-Thoracic-Sticking-on-Welfare-and-Meat-Quality-of-Halal-Slaughtered-Beef-Cattle/935
[47] ibid



> ***effective in inducing unconsciousness than reversible stunning and is therefore the preferred method.***"[48]
>
> *What is Halal slaughter in Australia?*, rspca.org.au, 15 April 2015
> (emphasis added)

In other words, the RSPCA is stating that reversible stunning is not the conventional method used to slaughter animals and that it carries an increased risk that the animal may regain consciousness during the slaughter process and therefore endure greater suffering. This submission notes that there appears to be no available evidence stating what percentage of animals are irreversibly stunned compared to those reversibly stunned prior to slaughter. Nor does there appear to be any evidence in relation to the percentage of reversibly stunned animals that regain consciousness during the slaughter process.

The RSPCA also notes that there are a small number of abattoirs in Australia that have been granted exemptions under various state or territory legislation allowing them to slaughter animals without prior stunning. These abattoirs provide these exemptions in order to provide halal and kosher products.

It should be noted that the existence of abattoirs that provide halal meat from non-stunned animals is problematic. An obvious question arises: why is there a need for such abattoirs when it appears to be widely accepted that reversible stunning is permitted in the production of halal meat? Conversely, if stunning renders an animal non-halal, it raises questions over the entire credibility of the main halal certification authorities operating in Australia.

The continued exemptions allowing some abattoirs to produce halal meat by slaughtering animals without stunning them means it is likely that there will be further demands from halal certification authorities in the future for additional exemptions. This problem is not mere speculation. The Islamic Council of Western Australia webpage listing its halal certification policies states the following:

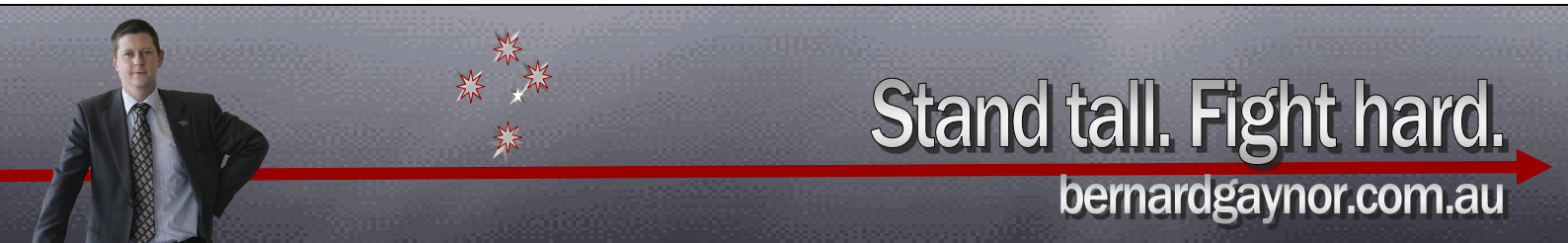
> *"ICWA is opposed to stunning of animals before slaughter on religious grounds, because generally speaking the present methods of stunning in Australia are not right from Islamic point of view. Abattoirs have been advised to take steps towards removal of stunning and its replacement with straining devices such as koshers box in respect of cattle and the restrainers in respect of small stock. We have allowed them time during which this could be achieved."*[49]

This submission does note that the Islamic Council of Western Australia has publicly stated that stunning methods in Australia are not right from an Islamic point of view. However, this submission also notes that the Islamic Council of Western Australia is certifying meat from stunned animals as halal and taking fees for doing so. This is akin to the Heart Foundation providing Heart Foundation Tick Program certification to products that do meet the criteria for certification. As such, this submission strongly argues that there is a serious question over the legitimacy of the halal certification process.

3.2.4 The Australian view

The majority of Australians believe that animal welfare is important. The media coverage and public response to revelations of animal cruelty in the live export trade is an example of this, as is the response to the exposure of animal cruelty in the greyhound industry.

[48] http://kb.rspca.org.au/what-is-halal-slaughter-in-australia_116.html
[49] http://www.islamiccouncilwa.com.au/halal-certification/halal-guidelines/



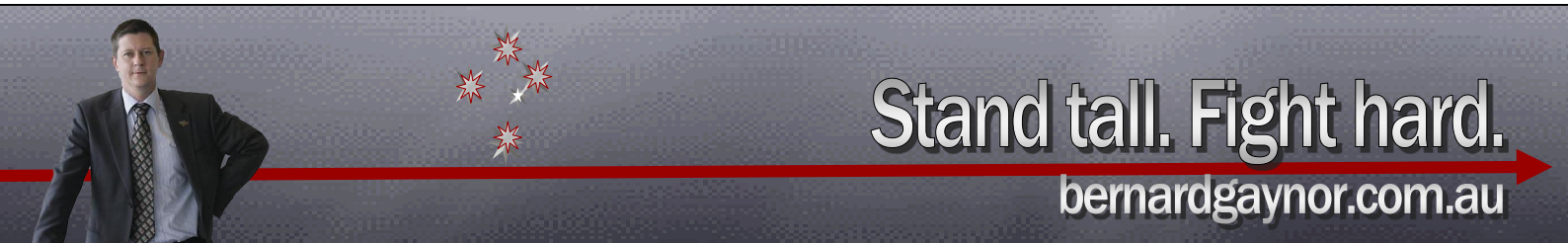
As such, it appears that the majority of Australians clearly do not support animal slaughter without stunning and are opposed to exemptions allowing abattoirs to conduct this type of slaughter in Australia. Effectively, all this does is bring in to Australia the types of practices that resulted in Australia halting its live export trade overseas. It also appears likely that Australians are opposed to reversible stunning techniques if these processes result in animal cruelty. Therefore, there is a strong public interest argument to support the provision of information about slaughter techniques where non-conventional stunning methods are used in the slaughter process.

While the issue of live trade is not part of the terms of reference for this inquiry, this submission does not oppose live trading. Live trade bans do not end animal cruelty overseas. Furthermore, the same type of animal cruelty is allowed in Australia at certain abattoirs that have received religious exemptions anyway. Additionally, Australian producers should not be disadvantaged as a result of animal cruelty in what appears to be predominantly Islamic societies.

3.2.5 Key points

Halal meat is not just meat: it is a religious product slaughtered in a way that many Australians find concerning.

- All halal meat is sacrificed to the Islamic god, Allah.
- All halal meat comes from animals that are not irreversibly stunned, or not stunned at all.
- Concerns have been raised by the RSPCA about the level of animal suffering associated with reversible stunning. These concerns appear to be justified in scientific studies.
- There should be no requirement for abattoirs to conduct halal slaughters without stunning in Australia.
- However, the fact that some Islamic halal certification authorities in Australia oppose stunning on religious grounds indicates that it is likely there will be increased pressure from Islamic certifiers in the future (both domestic and export) for a more 'purer' form of halal meat.
- The fact that some Islamic halal certification authorities in Australia oppose stunning on religious grounds yet still certify meat from stunned animals as halal demonstrates that there is a serious question over the credibility of halal certification schemes.
- Australian consumers have no way of knowing whether the meat they eat is part of an Islamic ritual animal sacrifice, or if the slaughter process is done with irreversible stunning, reversible stunning, or no stunning at all.



3.3 Halal concerns (part 3): an Islamised workforce

3.3.1 The anecdotal evidence

As detailed earlier in this submission, there is conflicting evidence with regards to halal certification and the employment of Muslims.

- An independent butcher informed me that most slaughtermen were not Muslim, but that most meat in Australia was halal.

- A chicken meat producer informed me that all workers involved in the actual slaughter of chickens were Muslim.

- [redacted] informed me that not all slaughtermen were Muslim, that most meat was halal and that slaughtermen were rotated to do a variety of jobs. He also stated that most Australians did not want to work as a slaughterman.

As such, this submission notes that there is a lack of information publicly available about the possible effects of halal certification on the workforce. However, two things do seem to be clear:

- Most Australian meat is halal certified.

- For meat to be halal certified it must be slaughtered by a Muslim.

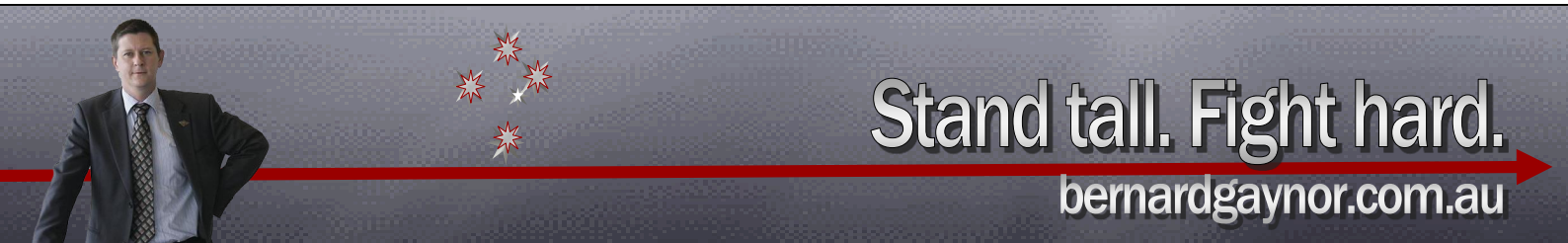
Consequently, it is difficult to understand how the majority of slaughtermen are not Muslim if the majority of meat is halal certified. Therefore, this submission strongly argues this inquiry should examine the effect of halal certification with regards to the Islamisation of the workforce in the meat industry. At the very least, it would seem that there are questions over the credibility of the halal certification process if the majority of meat is halal certified while the majority of those who slaughter animals are not Muslim.

It would seem logical to conclude that the increasingly widespread acceptance of halal certification schemes by meat producers will result in an industry workforce that is accordingly increasingly Islamised, at least in relation to those jobs that are specifically involved in the slaughter of animals.

It also seems that the anecdotal evidence raises the possibility that there are not enough Australians with the requisite skills (i.e. being a Muslim) to work in a halal accredited meat production facility. As only about 2.2% of Australia's population is Muslim, it would seem highly probably that this population could not provide the required workforce for an increasingly halal certified industry. As such, it is possible that workers with the requisite skill of being a Muslim may be sought overseas. The fact that [redacted] raised the issue of the lack of Australian workers is indicative of this.

Furthermore, if a workforce is rotated between different jobs (including those involved in the actual slaughtering of animals) as stated by [redacted], this is likely to eventually result in the employment of a primarily Islamic workforce across large parts of the meat production industry. This would raise the demand for Muslim employees across other jobs within the meat industry and further increase the probability that an Islamic workforce may be sought externally to Australia.

This submission also notes that the evidence shows that the large majority of meat products produced in Australia for both export and domestic consumption are not consumed by Muslims. Consequently, it is



probable that a halal certified meat industry in Australia will require a predominantly Islamised workforce (some of which may need to come from overseas) and yet all of this will be done to supply a primarily non-Islamic market. If this is the case, it is neither reasonable, practical nor in the interests of the markets supplied or Australia.

Given the requirements for halal certification outlined below, the anecdotal evidence, the possible effects of halal certification in Islamising the workforce and the lack of available information, this submission strongly argues that this inquiry should examine these effects of halal food certification in some detail.

3.3.2 The requirements

While anecdotal evidence is conflicting, it does point to an increasingly Islamised workforce in relation to slaughtermen. This should not be surprising because halal certification authorities and the Department of Agriculture stipulate that halal meat must be slaughtered by a male Muslim.

- The **AQIS** Meat Notice 2009 / 08 states, "Only authorised Muslim slaughtermen can perform the halal slaughtering procedure for halal products."[50]

- **MLA** advertises that Australia's halal meat is produced by approved Muslim slaughtermen.[51]

- **AUS-MEAT Ltd** has an application form titled, "NOMINATION FORM FOR DESIGNATED MUSLIM REPRESENTATIVE IDENTITY CARD". It is used by both Australian citizens and those with work visas who wish to register as trainee halal slaughtermen, halal slaughtermen, halal inspectors or halal state supervisors.[52]

- The **Islamic Council of Western Australia (ICWA)** halal guidelines state that, "The slaughterman must be a mature, pious Muslim of sound mind who understands fully the fundamentals and conditions relating to Halal slaughter and be approved by the religious authorities."[53]

- The **Islamic Co-Ordinating Council of Victoria (ICCV)** website lists detailed requirements for halal slaughtermen, reproduced verbatim below:[54]

    - All new and existing applicants for registration must be practicing Muslims of good character and faith and must be known by at least two prominent Australian Muslims who are prepared to write a reference about them.

    - All new Slaughter men must obtain a reference letter from the Imam of the Mosque where the Slaughter man is well known.

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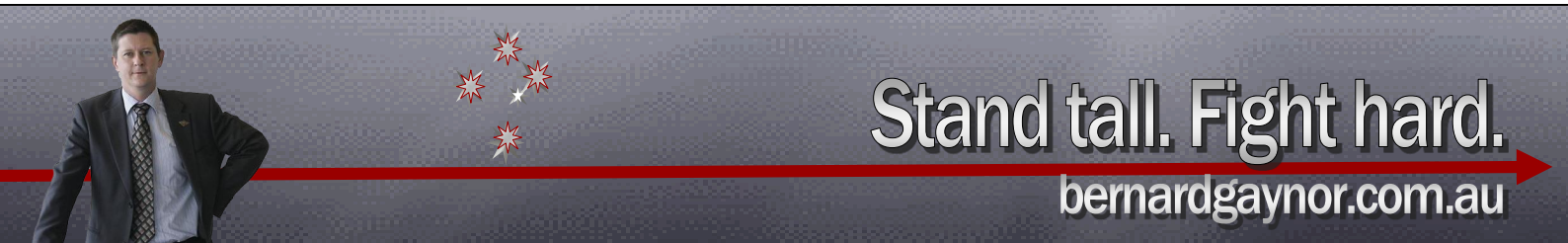
[50] http://www.agriculture.gov.au/export/food/meat/elmer-3/notices/2009/mn09-08

[51] http://www.mla.com.au/CustomControls/PaymentGateway/ViewFile.aspx?CA4EZhJmtRHvdUgtWsBe5GiPRJkfPCbabNx7eDfU38vIi/WjerLXKIeiEYb872NJ3EYMKKAfsht7d1Tnt3BqiA==

[52] https://www.ausmeat.com.au/media/51579/msrf_-_2014.pdf

[53] http://www.islamiccouncilwa.com.au/halal-certification/halal-guidelines/

[54] http://www.iccv.com.au/slaughmanreg.htm



- The Slaughter man must attend a practical and theoretical course for a period of two weeks.
- They must be allowed to work in Australia and be members of an Islamic Society.
- All Halal Slaughter men must register with the Islamic Co-Ordinating Council Of Victoria (I.C.C.V.) annually and obtain a current Identity Card (I.D card) before they may begin Halal Slaughtering.
- Registration as a Halal Slaughter man is subject to approval by the State Director. Although registration of Muslim Slaughter men is undertaken by the Australian Meat and Livestock Corporation (Aus-Meat), the I.C.C.V. reserves the right to appoint and dismiss applicants at its discretion.
- All I.D. cards are to remain with the I.C.C.V. until specific work has been arranged for registered members.
- Possession of a Halal Slaughter man ID card qualifies the applicant to be considered for employment by an abattoir or a meat work nominated by the I.C.C.V.
- The I.C.C.V. reserves the right to transfer, promote or demote any Slaughter man as it sees fit.

These requirements provide the ICCV with a great deal of power over the workforce in halal certified establishments, as well as over individual workers. It is also noted that other halal certification authorities have similar requirements to those outlined above.[55]

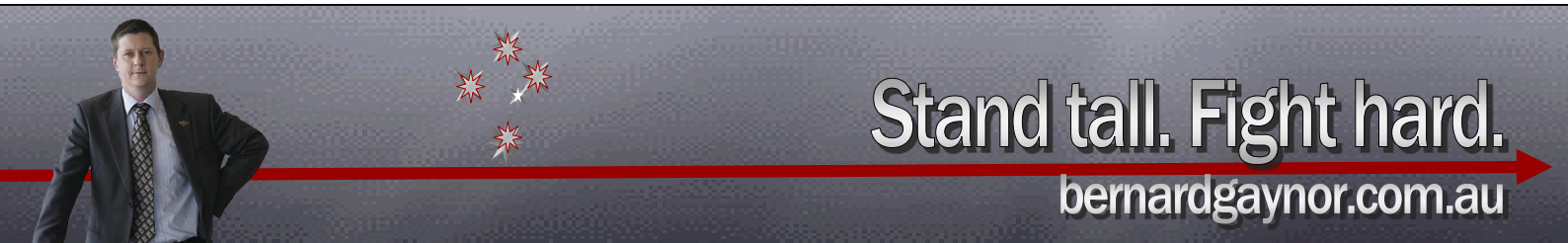
There can be no doubt that the requirements of halal certification authorities mean that Muslims have preferential employment prospects as slaughtermen because of their Islamic faith. Furthermore, if the majority of meat is halal certified and the requirements of halal certification authorities are being met, then it is logical to conclude that the actual role of slaughtermen within Australia is increasingly being confined to those persons who are Muslim.

3.3.3 The job market

Job advertisements also indicate that halal food certification is impacting the wider hospitality industry beyond specific producers of halal certified food. In particular, employers are now seeking candidates for management jobs within the food industry who have experience or understanding in relation to halal auditing. While this submission does note that it is possible to be aware of halal auditing requirements without being Muslim, it also notes that Muslims will probably tend to have a better understanding of these requirements. It also notes that halal certification authorities will only provide certification for halal auditors who meet the key criteria of being Muslim. As such, it is possible that halal certification is leading to the Islamisation of other areas of the workforce.

In addition, it is noted that there have been job advertisements specifically for Muslim slaughtermen for the Australian meat industry. These advertisements have been placed in Australia and overseas.

[55] http://muslimvillage.com/CCS-AFIC-reqirement.pdf?807f3e states that chicken slaughtermen must be Muslim.



KELLY. scientific resources

Quality Assurance Supervisor

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The Company

A Senior Quality Assurance professional is wanted to join a well-established WA brand, with a number of different product lines. The company is considered a market leader, but despite its size is still family owned. A fast paced and varied role for caniddates passionate about upholding high Quality Standards.

The Role

Reporting to the Technical Manager, the Senior Quality Assurance Officer is responsible for upholding internal and external quality standards, incuding but not limited to AQIS, SQF, BRC, HALAL, Coles and WQA. The successful applicant must be competent in Quality Assurance software and systems and enthusiastic about utilising paperless technology.

The successful applicant will be responsible for training and ensuring compliance of the quality control team.

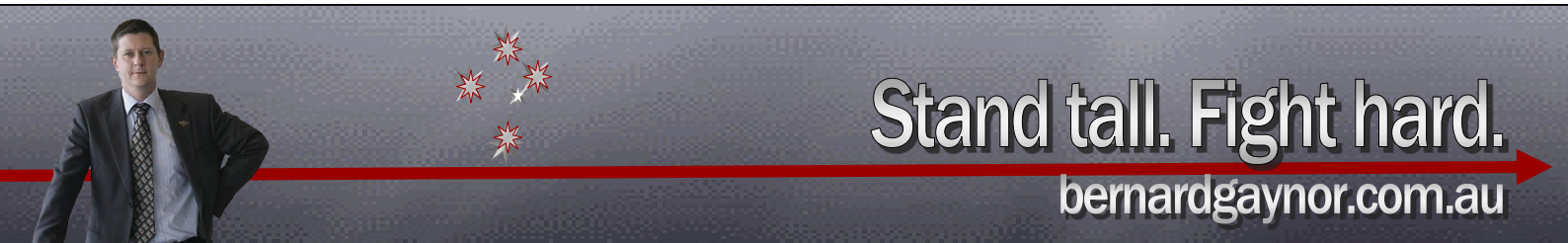
Tasks will include

- Updating HACCP manual and SOP's
- Conducting internal audits and ensuring compliance with external audits.
- Investigating customer complaints
- Daily interaction with production staff
- Consulting on Waste management and hygiene related matters such as pest control and packinging technologies.

This role requires a determined and assertive individual who is passionate about continuous improvement. Candidates who are very experienced in hi-care food manufacturing and are looking for the next step in their career, whilst still having the on-site support of a technical manager should look no further.

Image 4: A job advertisement for a quality assurance supervisor based in Perth. The applicant will be responsible for training and ensuring compliance of the quality control team, including halal compliance.[56]

[56] http://www.seek.com.au/job/29002119?pos=4&type=standout



Benchmark Resourcing
INDUSTRY SPECIFIC SPECIALISTS

Plant Manager | Meat Industry | Slaughter House

Benchmark Resourcing are your Meat Industry Specialists, providing recruitment and labour hire solutions to the meat and agricultural sectors. Our skilled partners have years of experience in the meat and recruitment industries and they understand the meat market, work environment and job requirements. Benchmark Resourcing works with some of the most established clients in the meat industry.

An opportunity exists for an experienced and results driven Multispecies Plant Manager within a mid sized privately owned abattoir slaughtering 120 head of cattle per day and up to 1,000 goat and sheep per day. You will be responsible for the daily operations and supervision of the entire plant. This plant is currently slaughtering and will be looking to introduce boning rooms at a later date. It's a domestic plant moving to also introduce tier 1 export.

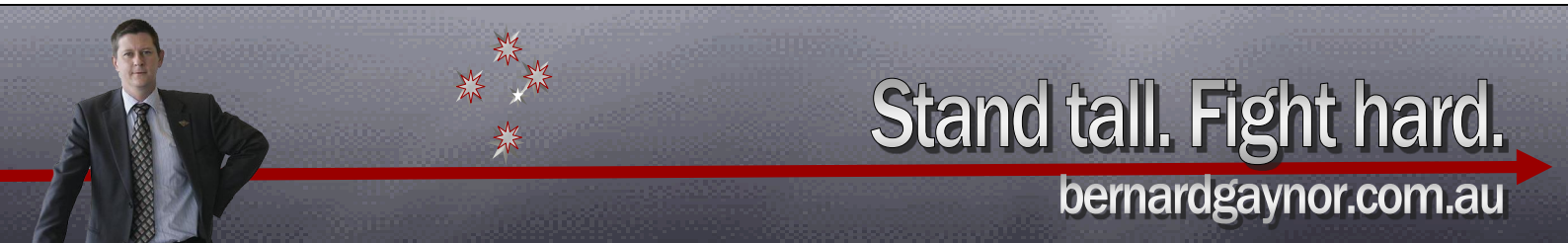
To be successful in this role you will have an extensive background in processing domestic and export meat products plus bring an extensive knowledge base of the Australian Meat industry as this is a senior role. You'll need to be highly organised with excellent time management skills, be able to work autonomously and be driven to achieve sales targets. You will have excellent interpersonal skills with the ability to build strong and long lasting relationships with new and existing customers.

Candidates will ideally possess the following experience and attributes:

- **Must have experience in similar role at an abattoir to be considered**
- Tertiary qualification in agriculture / science / business desirable but not essential
- 3 years plus experience in a Plant, Production or Operations Management role within the meat industry
- Demonstrated success as a meat specialist by generating solid and consistent revenue results
- AQIS/AUSMEAT understanding and nowledge
- Awareness of Halal requirements
- Strong attention to detail and time management skills
- Excellent written and communication skills
- Sound computer processing skills

Image 5: A job advertisement for a plant manager at a slaughter house based in Melbourne. The applicant is required to have an awareness of halal requirements.[57]

[57] http://www.seek.com.au/job/28995815?pos=5&type=standout



brazen recruitment

Better quality candidates faster

Quality Assurance Manager - Meat Industry

The Company

You will be working for a thriving, well established business with a solid history of providing Portion Cuts to the hotel and restaurant industry. With a small "value add" side (raw meat), they supply to Domestic and Export markets (Halal).

The Role

Due to the current Quality Assurance Manager going on maternity leave, an opportunity for an experienced Quality Assurance Manager within the meat industry has become available. You will be working the 6 am shift with flexibility to start earlier if necessary.

- Drive, manage and maintain Quality Assurance and HACCAP systems.
- Collect and maintain Export documentation for traceability.
- Complete and prepare for internal and external audits from Department of Agriculture, AUS-MEAT, AUS-QUAL, Halal, MSA, HACCP Warranty and random 3rd parties.
- Ensure compliance of Good Manufacturing Practices and Personal Hygiene of staff.
- Maintain and create Product Specifications for both export and domestic markets.
- Cover for Quality Control Officer and Pre Operational Hygiene start up shift for any annual or sick leave.
- Assist with export production planning.

Your Background

You will have a thorough understanding of Quality Assurance Management and Good Manufacturing Practices within the meat industry. A sound knowledge and Export process and procedures are necessary for this position, as is HACCAP and good Word skills.

It is essential that you have Auditing experience and strong negotiating and problem solving skills. A commercial approach is required, along with the maturity to take accountability and ownership.

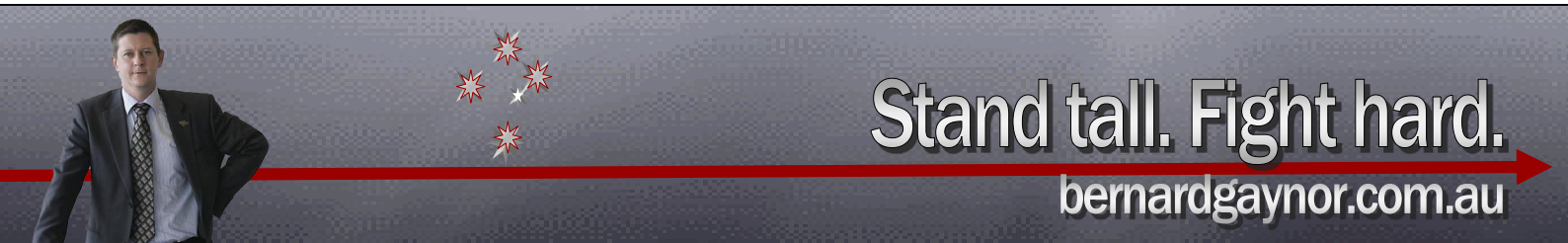
The rewards?

- A generous contract rate depending on skills, experience and qualifications.
- The chance to work for a progressive organisation which looks after their staff.
- Professional organisation which prides themselves in being leaders in their field.

The Next Step:

Image 6: A job advertisement for a meat industry quality assurance manager based in Brisbane. The applicant will be required to prepare for and complete halal audits.[58]

[58] http://www.seek.com.au/job/28844618?pos=15&type=standout



alpha flight services

Alpha Flight Services is a wholly owned subsidiary of dnata and is one of the world's leading aviation support services companies, providing retailing and catering services for airlines and airports. dnata services over 50 airlines worldwide and operate from 75 airports in 38 countries.

Training & Compliance Coordinator Brisbane

We currently have an exciting opportunity that has become available for an experienced and qualified Training & Compliance Coordinator to join our successful team in our Brisbane port.

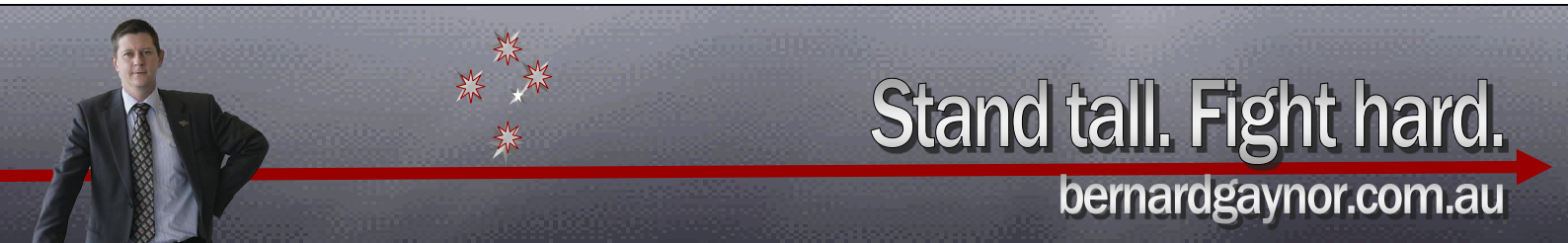
This role is responsible for supporting the National Food Safety and Compliance Manager, National WHS Manager and Unit Manager in both the preparation, delivery and monitoring of training programs and providing basic compliance support during the weekend.

In this role, you will be responsible for but not limited to:

- Assess training needs for all new and existing employees and map out training plans that ensure compliance to Alpha's and regulatory policies, standards.
- Identify and recommend any internal and external training programs to address competency gaps, within budget parameters.
- Provide support by conducting Food Safety Compliance Audits, and managing HACCP documentation/ records at Alpha's Brisbane Unit where required in conjunction with the Food Safety and Compliance Coordinator.
- Assist in conducting relevant sections of the induction process, in conjunction with the WHS Specialist, and ensure all staff are inducted in accordance with Company and legislative requirements.
- Pro-actively address performance issues in conjunction with the National Food Safety and Compliance Manager and relevant team members, by identifying areas of non-conformance, their root cause, and supporting preventative actions.
- Ensure Alpha is not exposed to unnecessary risk or costs associated with non-compliance in relation to HALAL, Food Safety, Workplace Health and Safety, Quarantine
- Assist in developing new training material and updating existing training material to assist with complying Internal policies and current regulations.

Image 7: A job application for a training and compliance coordinator in the airline industry based in Brisbane. The applicant will be required to ensure compliance with halal requirements.[59]

[59] http://www.seek.com.au/job/29032203?pos=1&type=standout



alpha flight services

Alpha Flight Services is a wholly owned subsidiary of dnata and is one of the world's leading aviation support services companies, providing retailing and catering services for airlines and airports. dnata services over 50 airlines worldwide and operate from 75 airports in 38 countries.

Driver
Canberra

We have an exciting opportunity for a motivated and enthusiastic Driver to join our Canberra team.

Your duties and responsibilities will include but are not limited to:

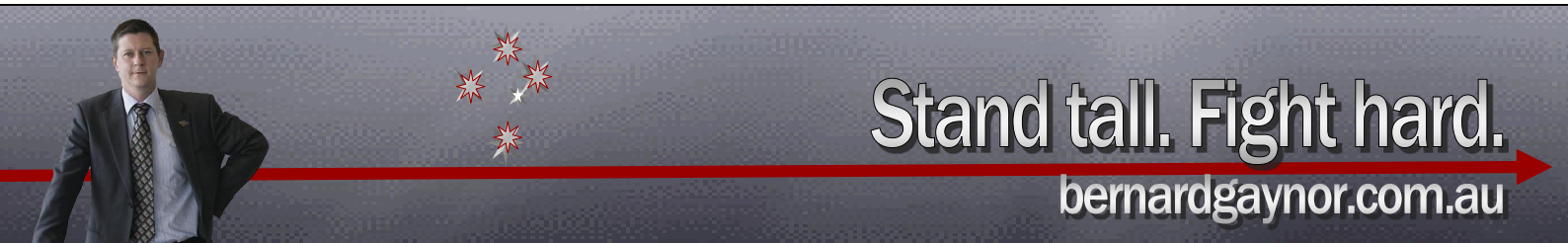
- loads and unloads trucks with carts, ovens and standard units
- performs driving duties (short distance)
- preparation and packing of catering equipment
- liaises with airlines staff and hand over delivery
- communicates in a professional and courteous manner
- maintains the company's policy in relation to HALAL,HACCP, food safety and WHS in accordance with company policy
- responsible for marshalling the Driver on the tarmac to position the truck in line with company / airport / airline policies
- carries out basic serviceability and maintenance checks of vehicles and/or equipment, including refuelling of vehicles
- performs administrative documentation and reporting duties as required
- follows up on any discrepancies and ensures that flight is correct
- general cleaning duties
- able to work in other areas of the unit for part or whole of shift basis to meet
  operational demands

The successful applicant must be able to demonstrate:

- must hold a current HR drivers license
- must hold a current Fork Lift license
- must have a First Aid Certificate
- WHS qualifications preferred yet not essential
- flexibility in regards to working hours essential (7 day per week operation)
- ability to work in a fast-paced , high-volume environment

Image 8: A job advertisement for a driver based in Canberra. The applicant will be required to maintain company policy in relation to halal certification.[60]

[60] http://www.seek.com.au/job/28994600?pos=7&type=standout



HALAL SLAUGHTERMEN WANTED FOR AUSTRALIA

Labour Solutions Australia partners with some of the most well known and respected names in the meat industry and are currently looking for experienced halal slaughtermen to join some of these organisations.

Various Locations

Competitive remuneration

Potential to develop and further your career

Labour Solutions Australia partners with some of the most well known and respected names in the meat industry and are currently looking for experienced halal slaughtermen to join some of these organisations.

If you have a solid background in the meat industry we are interested in hearing from you. We currently have several positions available in various locations across Australia for driven and ambitious high achievers looking to develop their skills with some of the large Australian players in the meat game.

Requirements:

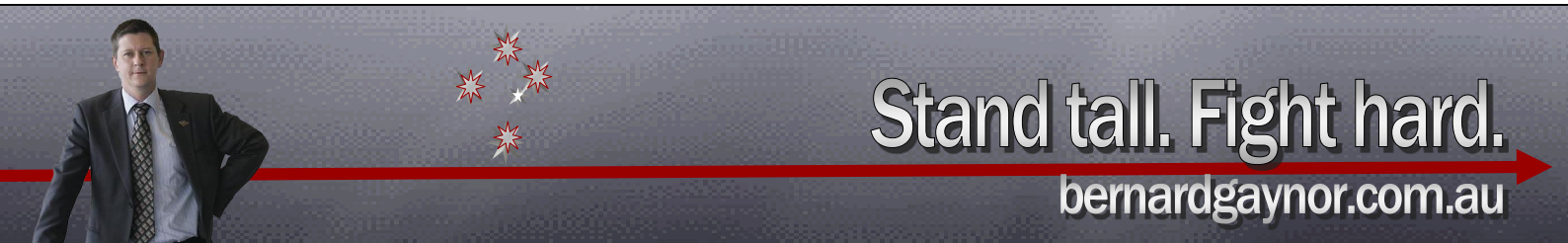
- Experience in Halal Slaughtering
- You must be physically fit and healthy
- You must have a flexible/reliable attitude and be willing to work overtime if required
- You must be able to legally work full time hours
- You must be able to pass pre-employment medical/ drug and alcohol tests

To express your interest in these positions or similar roles in the meat industry please send a copy of your updated resume through by clicking "**Apply For This Job Now**" at the bottom of this webpage.

Location: Alexandra, New Zealand
Location: Arrowtown, New Zealand
Industry: Food Manufacturing - Boning/Processing
Industry: Food Manufacturing - Butchers
more...
Work Type: Full Time
Apply Before: 18 Nov 23

Image 9: A job advertisement from New Zealand seeking halal slaughtermen for work in Australia.[61]

[61] http://myjobspace.co.nz/job/337047



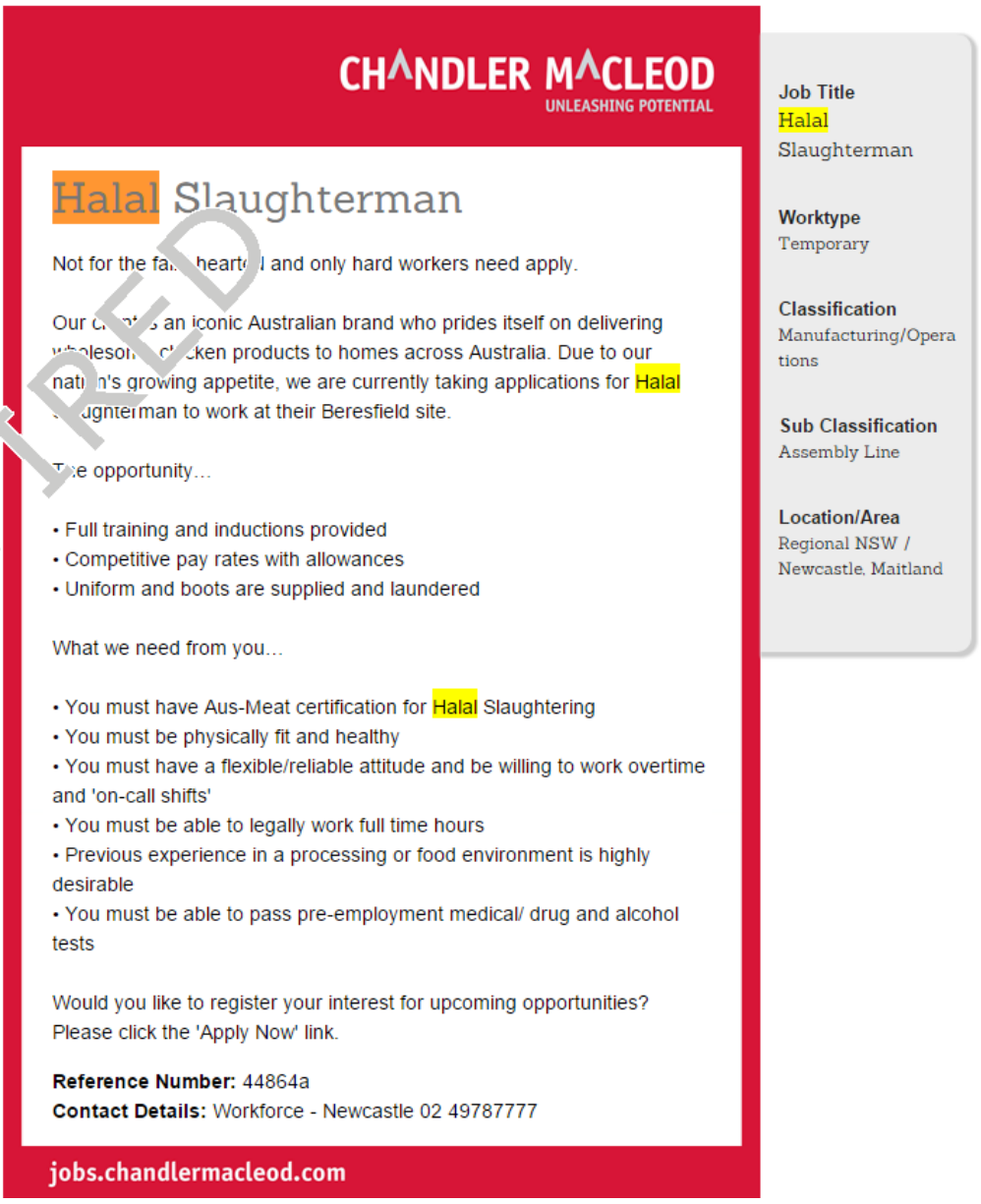
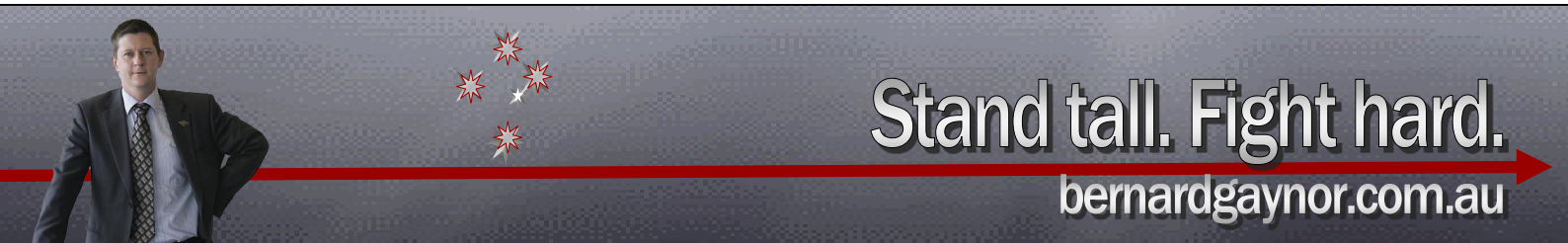


Image 10: An expired job advertisement for halal slaughtermen in the Newcastle/Maitland region.

3.3.4 Key points

Evidence from a variety of sources indicates that halal certification of food means that there is a strong requirement in the meat industry in particular for an Islamised workforce. It is also possible that halal certification schemes are resulting in an Islamised workforce outside of the production of halal certified food.

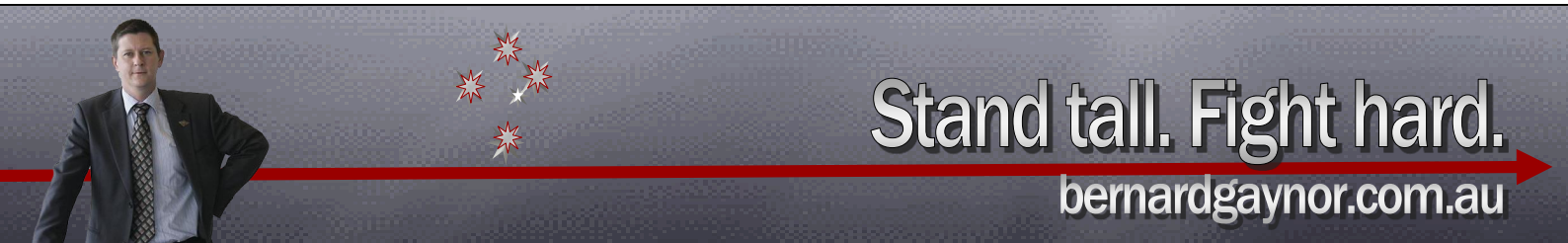
- Halal certification authorities require slaughtermen and halal auditors to be Muslim.



- Anecdotal evidence suggests that the meat industry rotates slaughtermen with other jobs. Consequently it is likely that this practice in a halal certified meat production facility will result in non-slaughtermen positions also being filled by Muslims.

- Evidence suggests that workers with the requisite skill of being Muslim are being sought externally to Australia.

- Australia's meat industry has no reason to be Islamised. Its major markets (domestic and export) are not Islamic and do not require halal certification, with the exception of lamb and mutton meat exports.



3.4 Halal concerns (part 4): funding Islam

3.4.1 Halal certification schemes do fund Islamic programs

Critics of those who do not wish to eat halal certified non-meat products or halal meat produced from an Islamic ritual animal sacrifice in accordance with Sharia law often claim that there is no evidence that halal certification fees fund terrorism. In doing so, they somehow reach the illogical conclusion that there are no other valid concerns about halal certification funding.

Unfortunately, these critics fail to understand that even if halal certification fees never funded terrorism and even if Islam was to be accepted by all as a non-violent religion, it still does not solve the fundamental problem that the non-Muslim Australian majority has with halal certification schemes.

At their essence, these schemes raise funds by certifying that food products are compliant with Sharia law and, in the case of meat, ensuring that it comes from animals sacrificed to the Islamic god, Allah. These food products are mainly consumed by a non-Muslim consumer base. Consequently, this non-Muslim consumer base is covering the larger part of the cost of certification while purchasing food produced in accordance with a religious requirement that they do not adhere to.

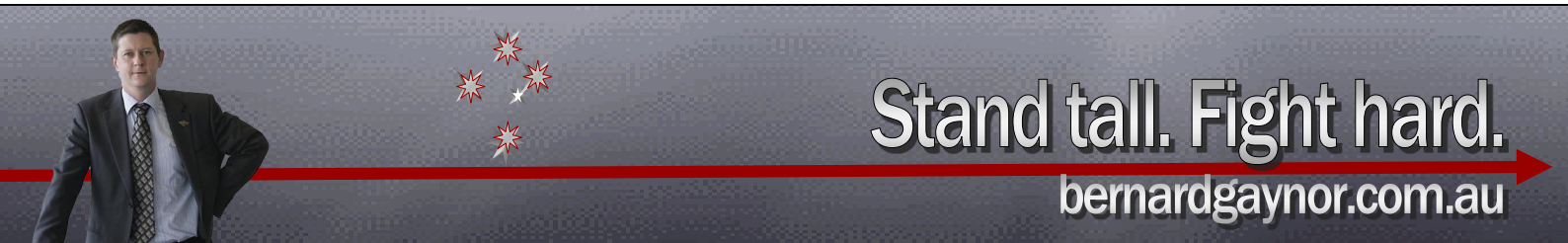
Furthermore, these certification fees are used to fund Islamic programs in Australia. Effectively, these certifications schemes have become a form of tax imposed in a collaboration between food producers/retailers and Islamic organisations on non-Muslim consumers who have no choice because there is no clear labelling and they cannot choose to simply stop eating.

There is clear evidence that halal certification schemes fund Islamic programs in Australia and overseas. That is because halal certifiers state that halal certification fees are used to fund mosques and other Islamic programs.

As such, critics of those who do not want to eat halal certified products miss the point entirely when they raise and then dismiss the issue of terrorism funding. Many non-Muslim consumers simply want a choice: they wish to be able to buy food where certification fees have not been paid, or where animals have not been sacrificed. They do so because they value Australia's culture as it is and do not wish to fund, promote or be coerced into adhering with a religious ideology that they do not follow.

An ABC 'Fact Check' report into halal certification in April 2015 reported that halal certification fees are used to fund Islamic schools and mosques, as well as their expenses.

> *"Dr Kahn said Halal Australia donates some of its profits to Islamic schools and mosques as part of its broader community engagement program, which includes donations to children's hospitals and the Cancer Council Australia.*
>
> *"We are mindful of responsibility to the poor and destitute in the community... here as well as in overseas countries [and we donate] through the proper channels, for example Muslim Aid, Islamic Relief, they are all registered non-government organisations internationally," he said.*
>
> *The Islamic Co-ordinating Council of Victoria (ICCV), a private company, claims to be "the major Islamic organisation responsible for the certification, monitoring, and supervision of Halal food exports from Australia".*



Gaafar Mohammed says ICCV is a community-based organisation that is partnered with 11 Australian mosques.

"We don't fund the mosques, but we take care of their expenses, like electricity, water, things like that," he said."[62]

Furthermore, both the **Australian Federation of Islamic Councils (AFIC)** and the **Supreme Islamic Council of Halal Meat in Australia (SICHMA)** are registered Australian charities. The category of charity that they are registered under is listed as charities that advance religion.[63] [64]

- According to its 2012 Annual Report, **AFIC** generated over $860,000 in halal certification fees, while it incurred about $350,000 in halal certification expenses. AFIC made donations of $150,000, including for the salary of an imam.

- According to its 2014 Annual Report, **SICHMA** generated over $1,500,000 in halal certification and auditing fees, with expenses of $967,000. SICHMA made donations of $368,000.

- These figures demonstrate that halal certification schemes generate revenues significantly more than the operating costs incurred. Charities do not simply cover administration costs, but raise large amounts for Islamic organisations.

This submission also notes that both the **ICCV** and the **Halal Certification Authority** claim to be the major suppliers of halal certification in Australia. For instance, the Halal Certification Authority claims that on its website that it has 80% market share of halal certification in Australia. While it cannot be possible that both of these organisations' claims are correct, it is possible that they both earn significantly more in halal certification fees than AFIC and SICHMA combined.

The **ICCV** is not a registered charity. Consequently, its annual reports are not available, however, as noted above, it has informed the ABC that it assists with running expenses for 11 Australian mosques. The **Halal Certification Authority** is not a registered charity either. Its website has a link to a halal foundation.[65]

In addition to the above facts regarding the operation of individual halal certification authorities, this submission does note that there is a general sense among Muslims that halal certification fees belong to the entire Islamic community, as reported by the *Daily Telegraph* recently:

"Dr Rifi said revenue collected by halal certifiers belonged to the "Muslim community"…

…"I propose that halal certification organisations provide financial assistance not just to the grandchildren of Karen and Peter Nettleton (Khaled Sharrouf's kids) but to deradicalisation schemes for disaffected Muslim youth," Dr Rifi said.

"Halal certification money should be invested in engaging with those frustrated youth and deradicalisation programs. After all this is Muslim community money," he said."[66]

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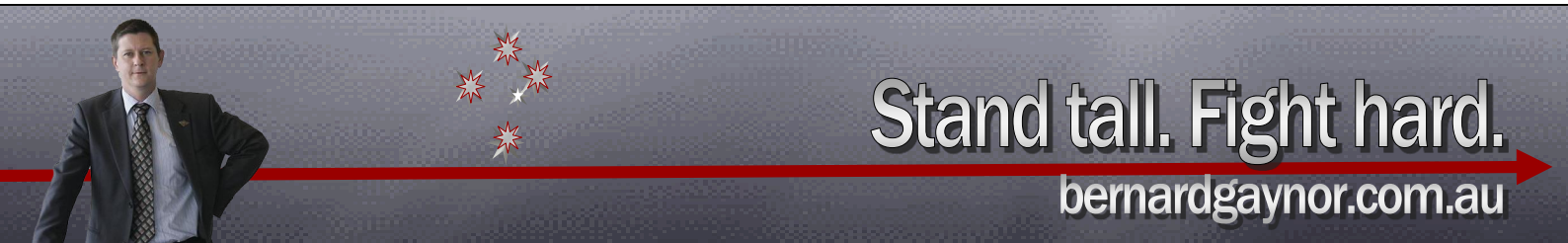
[62] http://www.abc.net.au/news/2015-04-14/fact-check-does-halal-certification-fund-terrorism/6383238
[63] http://www.acnc.gov.au/RN52B75Q?ID=951F8CFA-34C6-4FBF-9617-8E03A6717836&noleft=1
[64] http://www.acnc.gov.au/RN52B75Q?ID=6E1DECE6-1D82-495D-99BC-F1B713EE25D3&noleft=1
[65] https://www.halalauthority.org/index.php?page=Halal-Foundation
[66] http://www.dailytelegraph.com.au/news/nsw/islamic-community-leader-jamal-rifi-has-called-on-halal-certification-groups-to-fund-deradicalisation-programs/story-fnpn118l-1227378785140



No doubt, many Australians are offended at the idea that they should cover the costs of halal certification fees when they buy food in order to provide the Islamic community with money. Furthermore, it is frustrating that problems with terrorism, a product of Islam, are being used to justify this situation.

This submission also notes that regardless of whether annual reports show charitable donations, Islamic Sharia law provisions around zakat require all Muslims to pay a compulsory donation to eligible Islamic aims each year, one of which is jihad. This will be discussed below.

3.4.2 Charity or profit? No one knows

This submission notes that it is inconsistent that some halal certification authorities are claiming charitable tax exemptions and others are not when they appear to be providing the same services in the advance of Islam and offer the same type of support from these services to fund mosques and other Islamic programs in Australia.

In particular, this submission notes that the [redacted] is not registered as a charitable organisation and has not been provided GST exemption.[67] Yet this body, which claims to be one of the largest halal certification authorities in Australia, is not registered for GST either. Conversely, the **Halal Certification Authority** is registered for GST.[68]

This submission acknowledges that these different organisational structures, as well as the varied taxation and charity statuses of halal certification authorities may be perfectly lawful. It does not have the taxation or accounting expertise to make any definitive judgments. However, it does note that this inquiry's terms of reference examine the adequacy of information available to the public regarding certification fees and finances. These structures may need to be examined by this inquiry, or clearer information about these structures should be made available to the public. This will enable the consumer to make informed decisions to support, for instance, halal certification authorities that operate on a not-for-profit basis compared to those that operate to enrich certain individuals.

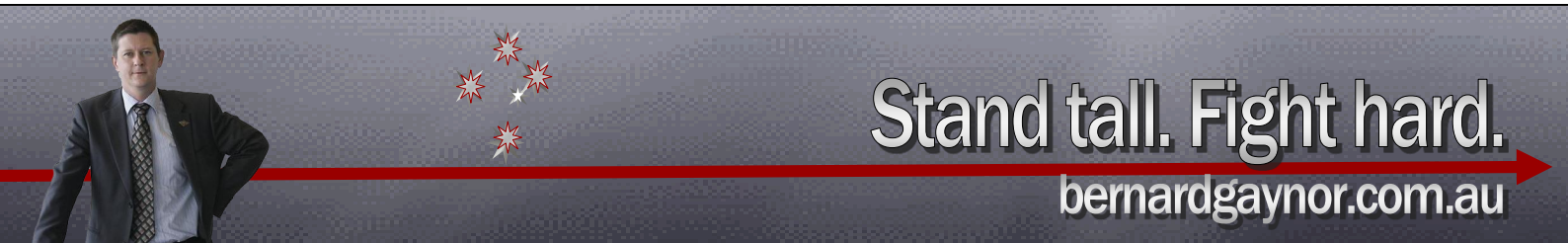
3.4.3 The terrorism question

This submission acknowledges that the issue of funding for terrorism has been raised by many opponents of halal certification.

Terrorism, unfortunately, is one of the major threats of the current time and this threat does not appear to be receding. In fact, a recent federal government report acknowledged that Australia was not winning the war against internal terror threats on any front.[69] As such, Australians are justified in being concerned about terrorism, including its funding sources. As the threat from terrorist groups clearly come from those who claim to be Islamic, and as the facts show that more Muslims from this country have been prepared to join the Islamic State than the Australian Defence Force, it is ridiculous to suggest that Australians should not hold legitimate questions about the allegiance of the Islamic community to this nation.

Unfortunately for the Islamic community (and halal certification authorities that help to fund this community), this means that it should expect to face questions. While this submission acknowledges that

[67] Link withheld.
[68] http://abr.business.gov.au/SearchByAbn.aspx?abn=33068275203
[69] https://www.dpmc.gov.au/sites/default/files/publications/190215_CT_Review_0.pdf



this may be frustrating for the Islamic community (and halal certification authorities) and that many Muslims do not support violence or the violent teaching and example of Mohammed, it makes no apology in making this statement. Until the Islamic community can solve the problems that arise from its own members, it should expect suspicion, cynicism and distrust. The non-Islamic community would not be prudent to act otherwise.

This submission is not suggesting that halal certification is a direct source of funding for terrorism. Nor is it suggesting that halal certification authorities are knowingly indirectly funding terrorism either. However, this submission does note at least one questionable donation to Syria from a halal certification authority and argues strongly that a combination of conditions have created a 'perfect storm' for the funding of Islamic terrorist groups. As a result, the conditions have been created to allow individuals to directly and knowingly finance terrorist activity. More importantly, these same conditions mean that Muslims and other Australians may also be unknowingly funding terrorism as well through their support for charitable activity. Consequently, there is a general question about the use of funds raised by the Islamic community, especially where they are sent overseas. Funding raised by halal certification is not exempted from this question.

This perfect storm has been created by the following conditions:

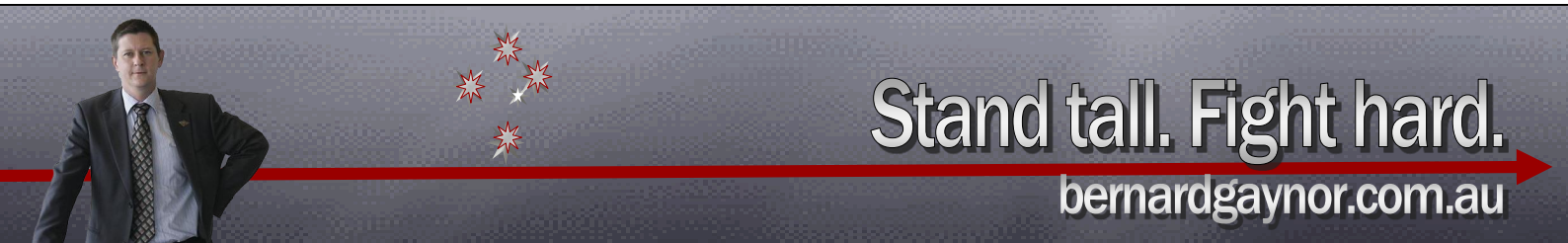
- Islamic law requires all Muslims to pay an annual obligatory tax or charity called zakat and one of the eight groups of people that are financed by zakat is armed jihadis (detailed below).

- Some Muslims believe that the Islamic State is an authentic Islamic jihadi movement. In Australia, some Islamic groups have, at the very least, been equivocal in their condemnation of the Islamic State. For instance, Hizb ut Tahrir has refused to condemn the Islamic State.[70] In addition, many Islamic leaders in Australia, including some associated with halal certification organisations, have publicly defended Hizb ut Tahrir.[71]

- Other Muslims do not support the Islamic State. However, they must still acknowledge that there is a legitimate Islamic concept of armed jihad. Presumably, this may include those who are fighting against the Islamic State and/or the Syrian government in Syria. Australian Muslims have publicly advocated assisting in jihad with the Free Syrian Army.[72]

- The evidence shows that the Islamic State and other terrorist groups have secured significant funding or support from Islamic charities in other nations.[73] It was also recently reported that members of an Australian charity were arrested for supporting the Islamic State.[74] The Islamic State also secures funding from organised crime, with some links to Australia.[75] [76]

[70] http://www.dailytelegraph.com.au/news/nsw/hizb-ut-tahrir-wont-condemn-islamic-state-death-cult/story-fni0cx12-1227226333973
[71] http://islaminaustralia.com/2015/02/19/muslim-community-rejects-abbott-governments-demonisation-and-condemns-moves-to-silence-legitimate-criticisms/
[72] http://www.news.com.au/world/australian-ex-terrorist-accuseds-top-tips-for-joining-jihad/story-fndir2ev-1226645042913
[73] http://www.abc.net.au/news/2014-09-11/explained-whos-funding-islamic-state/5736008
[74] http://www.abc.net.au/news/2015-07-03/australian-charity-investigated-for-alleged-is-links/6591174
[75] http://www.afr.com/business/construction/islamic-state-terrorist-linked-to-sydney-building-groups-20140822-jkr4n
[76] http://www.theaustralian.com.au/in-depth/terror/islamic-state-extremists-reach-out-to-crime-lords/story-fnpdbcmu-1227119927068



- Australia's Islamic organisations have a controversial history of financial and regulatory compliance (detailed below).

- The evidence shows that organised criminal groups in Australia have significant Muslim membership and, in some cases, have been linked to those fighting for the Islamic State (detailed below).

- Even Western governments have been unable to prevent funding and weapons sent to Syria to support anti-Islamic State/al Qaeda organisations from falling into the hands of the terrorist groups.[77]

- The humanitarian crisis in Syria and Iraq means that there is a pull factor for legitimate and well-intentioned charitable financial assistance from both Muslims and non-Muslims in Australia.[78] [79] [80] However, the Australian Institute of Criminology has found that non-profit organisations are at risk of terrorist exploitation where they are linked to particular religious movements, transfer funds into conflict zones and provide funds to overseas-based organisations.[81]

This perfect storm means well-intentioned and nefarious groups are both channelling funding into Syria and Iraq. Furthermore, *Terrorism financing in Australia 2014* report states that:

> *"Charities and NPOs may be used to raise funds for groups engaged in foreign conflict and as a cover to transfer funds offshore. Funds for legitimate humanitarian aid may also be diverted in Australia, or at their destination, and used to support terrorist groups."*[82]

This funding is facilitated by Islamic Sharia law, regardless of what one thinks of this law. Terror groups claim legitimacy from this Sharia law, as do Islamic groups that oppose the Islamic State.

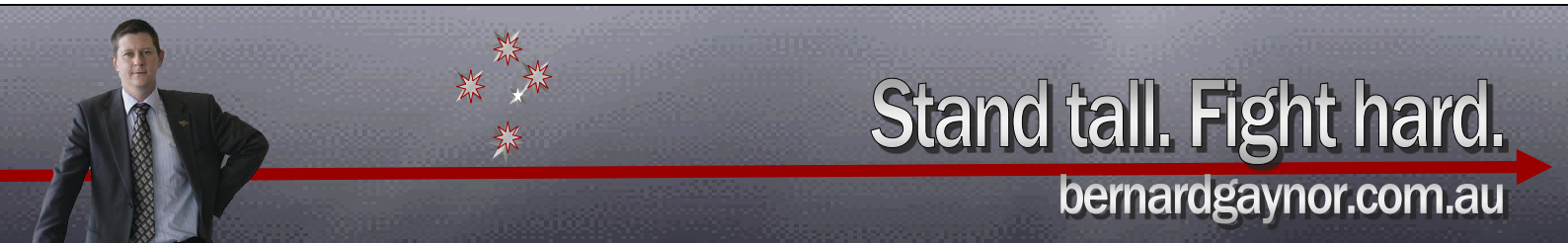
While this inquiry does not look into issues of funding for terrorism, its terms of reference do include examining the extent and adequacy of information available to the public about financial records of halal certification schemes and any related matters. As such, the information provided below relates to issues that this inquiry may wish to examine.

3.4.4 Zakat and jihad

Halal certification is a process that ensures food producers comply with Sharia law. However, halal certification does not operate in a Sharia law bubble and it is reasonable to assume that halal certification authorities also comply with other Sharia law stipulations in regards to finance.

Zakat is an Arabic term meaning 'that which purifies'. It is variously described as an obligatory Islamic tax or Islamic charity and is one of the five pillars of Islam. Muslims are bound to pay zakat annually and the

[77] http://www.telegraph.co.uk/news/worldnews/middleeast/syria/11203825/Syrian-rebels-armed-and-trained-by-US-surrender-to-al-Qaeda.html
[78] https://islamic-relief.com.au/1210/syria-appeal/
[79] http://www.unicef.org.au/appeals/syria-crisis-appeal
[80] https://www.oxfam.org.au/my/donate/syrian-refugees/
[81] http://www.aic.gov.au/publications/current%20series/rpp/100-120/rpp114/06_misuse.html
[82] http://www.austrac.gov.au/publications/corporate-publications-and-reports/terrorism-financing-australia-2014



amount that they are required to give generally correlates to about 2.5% of their total wealth. Islamic authorities have decreed that failure to pay zakat means that the Muslim is considered to be an apostate.[83]

Zakat is decreed for eight purposes. One of these purposes is jihad, specifically the Islamic interpretation of armed jihad. It is also permissible under Sharia law to pay zakat to an Islamic charity that then directs those funds towards the purposes of zakat, including jihad.

- According to *A summary of Islamic Jurisprudence*, Volume 1 by Dr Salhih Al-Fawzan, the seventh category of zakat is jihad. Furthermore, Allah loves those who engage in jihad.

  > *"The Seventh category is that spent in the Cause of Allah such as that given to warriors who volunteer in fighting for the Cause of Allah and they do not take salaries from the Public Treasury of Muslims.*
  >
  > *Generally, the phrase "the Cause of Allah" refers to war against the enemies of Muslims, as Allah, exalted be He, says:*
  >
  > ***"Indeed, Allah loves those who fight in His Cause…"***
  > *(Qur'an: As-Saff: 4)*
  >
  > *And He also says:*
  >
  > ***"Fight in the Way of Allah…"***
  > *(Qur'an: Al-Baqarah: 190)"*[84]

- According to the website, missionislam.com, zakat can be paid for armed jihad:

  > *"Zakat can be given in the path of Allah. By this is meant to finance a Jihad effort in the path of Allah, not for Jihad for other reasons. The fighter (mujahid) will be given as salary what will be enough for him. If he needs to buy arms or some other supplies related to the war effort, Zakat money should be used provided the effort is to raise the banner of Islam."*[85]

- According to a fatwa listed on the website, islamiconlineuniversity.com, zakat may be paid to support non-violent jihad, although some Islamic authorities believe it must only be used for armed struggle:

  > *"Other scholars are of the view that 'in the path of Allah' is restricted to battles in the path of Allah only and that it is not appropriate to use Zakah for anything besides it."*[86]

- According to the Islamic website, hidaya.org, zakat can be paid to those engaged in jihad.

  > *"Those who are away from home in the path of Allah. Those in Jihaad, those seeking knowledge or a stranded Haji may be assist with Zakat if they are in need."*[87]

- The Islamic website, newmuslimguide.com, advises that those who fight in defence of Islam or their country can receive zakat:

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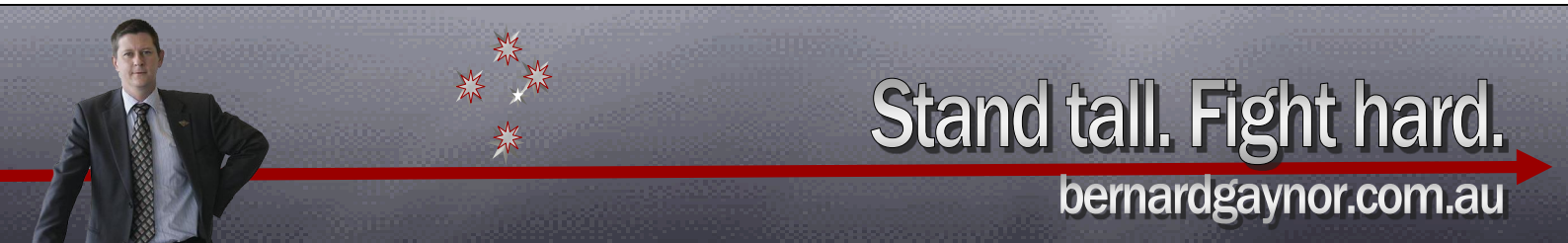
[83] https://en.wikipedia.org/wiki/Zakat
[84] http://sunnahfollowers.net/library/books/Jurisprudence1fawzaan.pdf
[85] http://www.missionislam.com/knowledge/zakat.htm
[86] http://www.islamiconlineuniversity.com/dld/fatwatranslate.pdf
[87] http://www.hidaya.org/publications/zakat-information/who-is-entitled-to-receive-zakat



> *"Those who struggle in the cause of Allah: This includes those who fight in defence of their religion and country as well as those who engage in any activity which aims to support and propagate Islam."*[88]

- The website, islamqa.info, makes it clear that the majority of Islamic scholars believe zakat is to be used to support jihad:

> *"This study, which we carried out on all the Qur'anic texts in which the phrase "and for Allah's Cause" appears and on a number of saheeh hadeeths of the Messenger of Allah (blessings and peace of Allah be upon him), prove the validity of the conclusions reached by the majority of scholars who limited spending "for Allah's cause" in the verse on zakaah to jihad, because the phrase for Allah's cause", when mentioned in general terms in the Qur'an and Sunnah, refers to jihad.*
>
> *But it should be noted that the definition of jihad is not limited only to fighting; rather it includes all areas of conflict between the Muslims and the disbelievers. Supporting Islam is not limited only to combating the disbelievers and mushrikeen and their plots; rather it goes beyond that and includes combating the supporters of falsehood in Muslim lands if this falsehood targets Islam itself, such as if those who support falsehood want to change Islamic sharee'ah or abolish the Islamic caliphate in the Muslim lands, or permit things which are haraam or allow evil things."*[89]

Three points are immediately obvious from Islamic Sharia law requirements in relation to zakat and jihad.

- Halal certification authorities are required, like all other Muslims, to pay zakat.
- Armed jihad is permissible under Sharia law.
- One purpose of zakat is to finance those who engage in armed jihad.

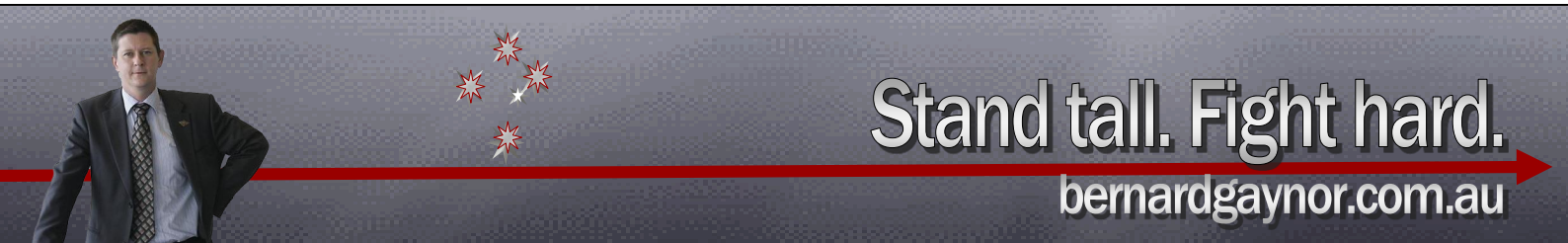
This submission notes that it does not necessarily follow that halal certification authorities in Australia are directly or indirectly paying zakat to jihadis. They may well be paying zakat for other purposes, such as the development of Islam in Australia. This submission simply notes that funding jihad is not only lawful under Islamic Sharia law, but encouraged.

3.4.5 Islamic organisations in Australia have a controversial record of accountability

Whatever one thinks of halal certification, or the Sharia law requirements regarding jihad and zakat, it must be observed that Islamic organisations in general have had a controversial history of financial and regulatory compliance in Australia. Indeed, regulatory compliance appears to be weak and, at worst, some Islamic organisations have been linked to the funding of terrorist groups.

- In September 1982, the Royal Commission into the Australian Meat Industry specifically examined AFIC's credibility as a halal certification authority, stating:

[88] http://www.newmuslimguide.com/en/your-zakaat/61
[89] http://islamqa.info/en/209643



"AFIC's past record of performance in this area is poor. That is demonstrated by the high level of malpractice that has occurred. As an organisation, AFIC has not shown any ability to administer the system of halal certification effectively."

- In September 2005, the *Sydney Morning Herald* reported that SICHMA was involved in a legal case regarding allegedly unapproved loans to charities:

  "[redacted] influence on the Supreme Islamic Council of Halal Meat in Australia ended when former loyal supporters swore in court that he had diverted more than $1 million without approval into loans for his own favoured charities, in particular his college, which he runs with his wife, [redacted], who is also the principal."[90]

- In July 2006, SBS reported that the peak Islamic organisation in Australia, AFIC had its assets frozen:

  "AFIC's bank has frozen its funds until the present board can produce evidence it is the properly-elected body."[91]

- In March 2010, the *West Australian* reported that two administrators of the Islamic College of Australia were found guilty of fraud:

  "Two Islamic college leaders were this afternoon found guilty of fraudulently claiming millions of dollars from the State and Federal governments to help get the school out of financial trouble."[92]

- In July 2012, *The Australian* reported that Australia's largest Islamic school had been ordered to pay back over $9 million in public funding:

  "AUSTRALIA'S biggest Islamic school has been ordered to pay back $9 million in public funds to the NSW government after it found millions in taxpayers' money had been diverted to the country's peak Muslim body."[93]

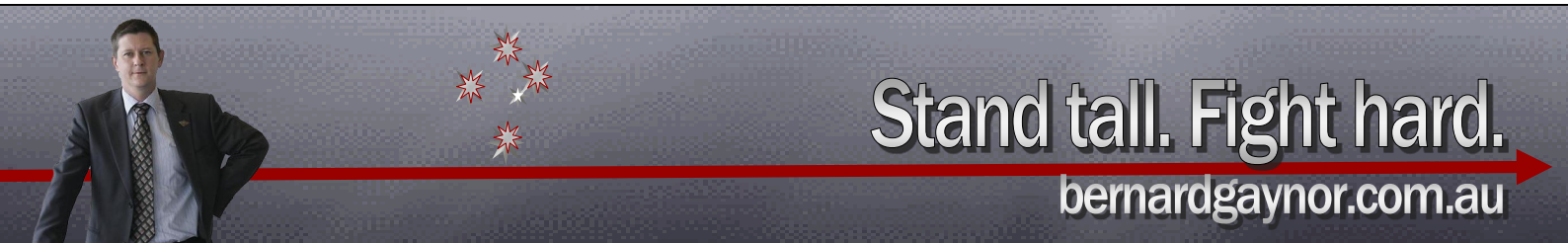
- In December 2012, *The Australian* reported that senior members on the AFIC board had been suspended while an auditor investigated the alleged loss of hundreds of thousands of dollars:

  "[redacted], the former president and current vice-president of AFIC and the assistant treasurer [redacted] were suspended after an executive committee meeting on December 9, and an external auditor brought in to examine the use of hundreds of thousands of dollars of the organisation's funds."[94]

- In October 2013, *The Australian* reported that an Islamic school in Sydney's south west was under investigation following complaints that millions had allegedly gone missing:

  "Sam Cannavo resigned as principal late last month over the management of the 230-student school, making a formal complaint to police alleging that up to $2.1 million had gone

[90] Link withheld.
[91] http://www.sbs.com.au/news/article/2006/07/06/afic-funds-frozen
[92] https://au.news.yahoo.com/thewest/wa/a/7008504/islamic-college-leaders-guilty-of-fraud/
[93] http://www.theaustralian.com.au/national-affairs/state-politics/malek-fahd-islamic-school-to-repay-9m-in-public-funds/story-e6frgczx-1226438977643
[94] Link withheld.



missing from the school. Mr Cannavo has given police allegedly falsified building receipts with millions drawn on an account managed by a senior school official.

Mr Cannavo also alleges landfill on the school site contains asbestos and the school's sewage system had frequently overflowed, at times entering the school's drinking fountains.

A builder hired by the school has also made a police complaint, alleging he was paid only half of the almost $5m the school had charged for projects at the school, alleging the school had charged millions in fake invoices."[95]

- In October 2013, the ABC reported that Australia's largest Islamic school faced imminent closure after allegedly failing to meet regulatory requirements:

  "Australia's largest Muslim school, Malek Fahd Islamic School, is facing imminent closure after New South Wales Board of Studies inspectors recommended its registration not be renewed in 2014."

- In January 2014, Fairfax media reported that a number of Islamic charities, community organisations and individuals had been warned to stop sending funds to Syria through the channels they had been using:

  "Australia's intelligence agencies have been monitoring phone calls, freezing bank accounts and making covert home visits to warn people donating money to Syrian war victims that they suspect the funds might instead be financing terrorism."[96]

- In September 2014, *The Australian* reported that a money transfer company was suspended after allegedly funding Islamic State terrorists:

  "Authorities are also concerned the company, Bisotel Rieh Global Money Transfer, may have transferred funds to Mohamed Elomar, Khaled Sharrouf's companion in Syria and a fellow fighter with the terrrorist organisation.

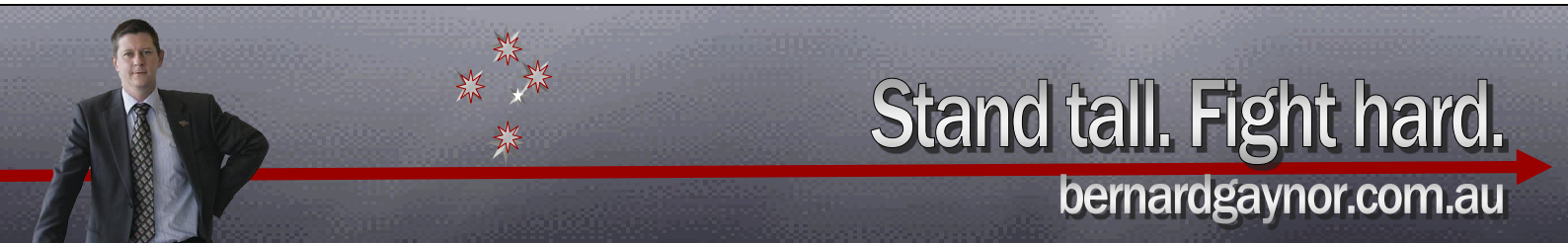
  Financial intelligence and compliance agency AUSTRAC announced it had suspended Bisotel Rieh, which trades in the western Sydney suburb of Lakemba, after it failed to declare the $9m in funds transferred out of Australia.

  The company is being investigated over suspicious transfers of funds to individuals in Malaysia, amid admissions from staff that it "actively smuggles" money from Turkey into Lebanon."[97]

- In September 2014, the ABC reported that a charity raising funds for Syrians had its bank account frozen:

  "A well-known charity group raising money for humanitarian aid in Syria has been caught up in the crackdown on money leaving Australia for the Middle East.

[95] http://www.theaustralian.com.au/national-affairs/state-politics/red-flag-on-fifth-islamic-school/story-e6frgczx-1226741298459
[96] http://www.smh.com.au/national/asio-spying-on-syria-fundraisers-amid-terrorism-funding-fears-20140111-30nme.html
[97] http://www.theaustralian.com.au/news/nation/fears-companys-missing-9m-used-to-finance-terror/story-e6frg6nf-1227062089424



Bank accounts for the Australians For Syria Association were shut down a month ago by the Commonwealth Bank, without explanation."[98]

- In March 2015, the *Courier Mail* reported that the **Islamic College of Brisbane** was under investigation for alleged financial irregularities:

  "The finances of Queensland's largest Islamic school are under the microscope amid allegations of thousands of dollars of "phantom debt'' and secret payments to the former chairman of the board."[99]

- In April 2015, *The Australian* reported that the **al-Furqan Islamic Centre**, which a number of terrorism suspects has been linked to, was under investigation for alleged tax, social security and financial fraud:

  "Several security agencies are monitoring the Springvale South prayer room with the aim of shutting it down.

  They are known to be investigating tax, immigration, finance or social security fraud in an effort to halt the radicalisation process thought to be taking place."[100]

- In May 2015, *The Advertiser* reported on allegations of serious financial mismanagement at the **Islamic College of South Australia**:

  "The analysis, prepared by the former principal of an affiliated Islamic school in Brisbane, Dr Mubarak Noor, raises questions over millions of dollars "missing" from financial statements, and a loan to parent body the Australian Federation of Islamic Councils, and skyrocketing rents paid to AFIC.

  According to Dr Noor, federal and state funding was understated by $3.5 million across the 2012 and 2013 records, while a loan from the school to AFIC was raised "without justification" from under $200,000 to almost $2 million between 2011 and 2013, and rent to AFIC rose from $84,000 in 2011 to $628,000 in 2012.

  Former principals confirmed they were denied all access to financial records in their time at the school."[101]

- In June 2015, the ABC reported that the **Islamic Council of the ACT** and **Muslims NSW** were allegedly not meeting regulatory requirements and may face loss of registration:

  "The ACT Government has said it would consider cancelling the registration of the Islamic Council of the ACT after an ABC investigation found the group may have failed to hold annual meetings for up to four years.

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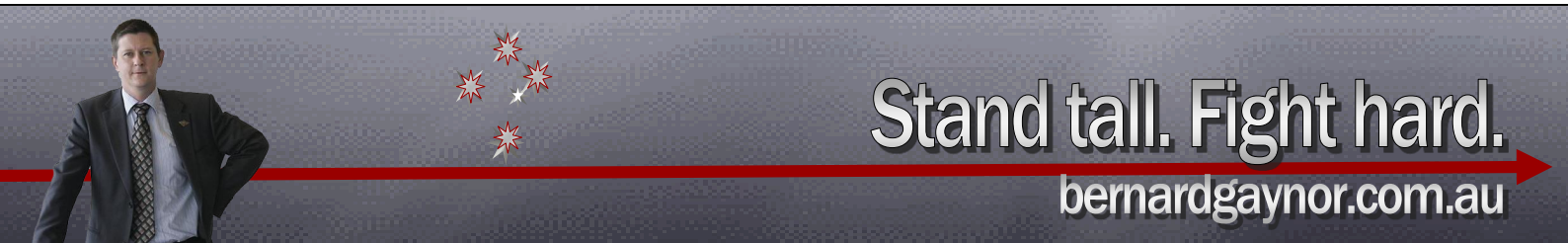
[98] http://www.abc.net.au/news/2014-09-30/syrian-charitys-accounts-closed/5780056
[99] http://www.couriermail.com.au/news/queensland/islamic-college-of-brisbane-investigated-over-phantom-debt-secret-payments/story-fnihsrf2-1227283681092
[100] http://www.theaustralian.com.au/in-depth/terror/al-furqan-islamic-prayer-centres-future-innbspdoubt-after-terror-raids/story-fnpdbcmu-1227310963799
[101] http://www.adelaidenow.com.au/news/south-australia/call-for-police-to-investigate-allegations-of-financial-mismanagement-at-islamic-college-of-sa/story-fni6uo1m-1227370475086



> *Both it and its NSW counterpart, Muslims NSW, have been accused of not holding annual meetings for as long as eight years and the claims are supported by paperwork lodged with regulators in those states."*[102]

- In June 2015, *The Australian* reported that schools run by AFIC appeared to be operating on a for profit basis in contravention of government funding regulations:

> *"Muslim schools across the country appear to be operating for profit under a "creative accounting" process forced on principals by the Australian Federation of Islamic Councils, the Independent Education Union says."*[103]

- In July 2015, the ABC reported that members of an Islamic charity based in Australia were arrested in Lebanon for allegedly raising funds for the Islamic State:

> *"Barakat appeared before a military court in Lebanon on Friday. He faces charges of fundraising for jihadists, recruiting for IS and fighting against the Lebanese army.*
>
> *The ABC understands two other dual Australian-Lebanese members of the Sydney-based charity are under investigation in relation to the fundraising charges."*[104]

This submission is not alleging that any halal certification authorities are engaged in illegal or fraudulent financial activity. It is simply noting the general situation of financial accountability in the wider Islamic community that has, at times, involved halal certification authorities. This submission argues that it should be a matter of interest for this inquiry that AFIC and SICHMA, reported to be linked with numerous alleged financial irregularities, are halal certification authorities.

3.4.6 Significant Muslim affiliation with criminal organisations

Unfortunately, there appears to be a significant Muslim membership base in some criminal organisations. Again, this submission is not alleging that halal certification authorities are linked with criminal organisations. It is simply noting the general context of criminal activity and its apparent reliance on an Islamic membership base in some cases.

- *The Australian* reported in March 2007 that bikie gangs had links with Middle Eastern groups and were using Islamic symbols.

> *"Supt Gere and Ms Lobez say gangs across Australia have formed relationships with Middle Eastern and Asian crime gangs and mafia-type groups.*
>
> *In Perth, the Coffin Cheaters are linked with the Scorpions and the Sword Boys, who wear miniature scimitars or curved swords.*
>
> *The Sword Boys were a local street gang before allegedly running drugs for the Cheaters."*[105]

- The *Courier Mail* reported in December 2010 about a new bikie gang named 'Soldiers of Islam':

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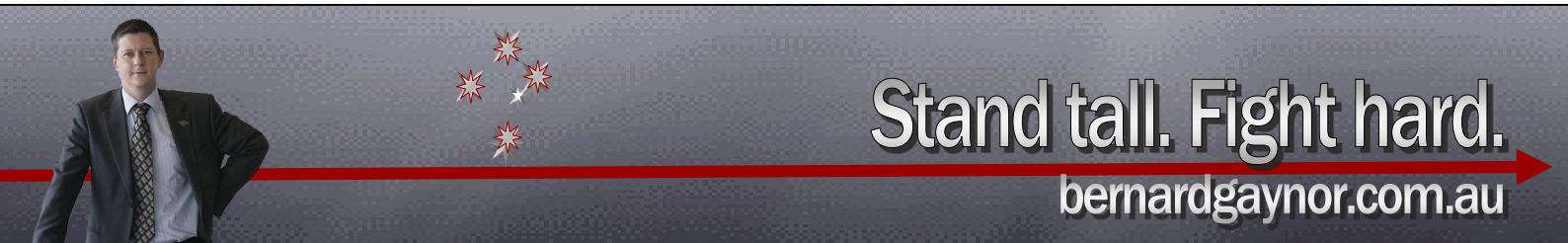
[102] http://www.abc.net.au/news/2015-06-27/muslim-state-councils-accused-of-avoiding-accountability/6577366
[103] http://www.theaustralian.com.au/national-affairs/education/muslim-schools-forced-to-pay-afic/story-fn59nlz9-1227393736387
[104] http://www.abc.net.au/news/2015-07-03/australian-charity-investigated-for-alleged-is-links/6591174
[105] http://www.theaustralian.com.au/news/bikie-gangs-run-nightclub-drug-scene/story-e6frg6n6-1111113215431



> *"Police have discovered pictures of Osama bin Laden at a Gold Coast home linked to a worrying new bikie gang called Soldiers of Islam, whose members include former Iraqi soldiers."*[106]

- The *Advertiser* reported in February 2012 that the slain son of a bikie gang leader was buried in an Islamic ritual:

> *"IT was a quiet, sombre Muslim funeral. No bikes, no bravado, and no sign of the brutal gang war that claimed Giovanni Focarelli's young life.*
>
> *Calm prevailed among the gangland mates and family of* [redacted] *as they gathered for his final farewell on Friday."*[107]

- The *Courier Mail* reported in October 2013 that bikie gangs were targeting Muslims for recruitment:

> *"Sources say gangs such as the Bandidos are embracing multiculturalism, signing up Lebanese, Turkish and Balkan members, many from Sydney and Melbourne."*[108]

- The ABC reported in November 2013 that Afghan elements of the Brothers 4 Life bikie gang were behind a violent turf war:

> *"Police believe an Afghan faction inside the notorious Brothers 4 Life gang is responsible for a recent outbreak of bloody and indiscriminate gun violence in Sydney.*
>
> *The leader of the breakaway faction is an Afghanistan-born 30-year-old whose family sought asylum in Australia."*[109]

- In April 2014, Zaky Mallah released a You Tube video threatening violence against a certain named person and claiming that at least three different bikie gangs in Sydney contained Muslims who would be prepared to use violence against him.[110]

- The *Sydney Morning Herald* reported in August 2014 that an Australian fighting for the Islamic State had criminal links:

> *"An underworld clash between Khaled Sharrouf and other crime figures over attempts to collect a disputed $9 million debt precipitated Sharrouf's departure to the Middle East to join murderous extremist group, the Islamic State.*
>
> *Sharrouf, who recently gained global infamy after pictures were posted on social media of his young son holding a severed head, was attempting to recover the debt in the months before his departure for Iraq.*

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[106] http://www.couriermail.com.au/news/queensland/new-bikie-gang-called-soldiers-of-islam-is-gaining-momentum-on-the-gold-coast/story-e6freoof-1225969788870
[107] Link withheld.
[108] http://www.couriermail.com.au/news/queensland/criminal-bikie-gangs-boost-numbers-with-young-muslim-and-eastern-european-recruits/story-fnihsrf2-1226733840346
[109] http://www.abc.net.au/news/2013-11-19/afghan-faction-splits-brothers-4-life-gang/5103596
[110] http://bernardgaynor.com.au/revealed-australian-made-islamic-death-threats/

> *Sharrouf was muscle for hire in the Sydney underbelly, working closely with bikies, drug dealers and underworld identities before leaving Australia on his brother's passport."*[111]

- The *Daily Mail* reported in November 2014 that Islamic extremists were joining bikie gangs:

> *"Police say Islamic extremists are teaming up with outlaw motorcycle gangs, using radical Islam as a justification to join the groups."*[112]

- The *Age* reported in January 2015 that police were preparing for a spike in crime following the release of a prisoner with a significant following of Muslims:

> *"Police are preparing for a major spike in outlaw motorcycle gang related crime with the pending release of an influential prisoner recruited to the Mongols while serving a sentence for two attempted murders.*
>
> *According to jail sources Mohammad Akbar Keshtier, 43, also known as Afghan Ali, is the acknowledged leader of a gang of Muslim prisoners held in maximum security jails.*
>
> *"When he was moved to Barwon there were about 50 Muslim inmates waiting to pay homage to him," the source said."*[113]

- The *Daily Telegraph* reported in February 2015 that a senior bikie member had converted to Islam:

> *"A SENIOR Bandidos bikie with links to Sydney's notorious Brothers 4 Life gang and Muslim radicals has converted to Islam…*
>
> *… Brothers For Life began life as a loose association of members from the Bankstown-Greenacre area in Sydney's southwest, drawn from gangs including the Assyrian Kings, Dlasthr - "The Last Hour" - and the Muslim Brotherhood under the leadership of convicted murderer Bassam Hamzy.*
>
> *They terrorised western Sydney and were responsible for a spate of shooting as a tit for tat internal power struggle erupted in 2013."*[114]

This submission notes that there are many more reported examples linking criminal activity with an Islamic membership base. It also notes that one halal certification authority has close family connections to alleged criminal activity, although there is no evidence that this person was involved in that criminal activity. However, he was fined for inadequate weapon storage.[115]

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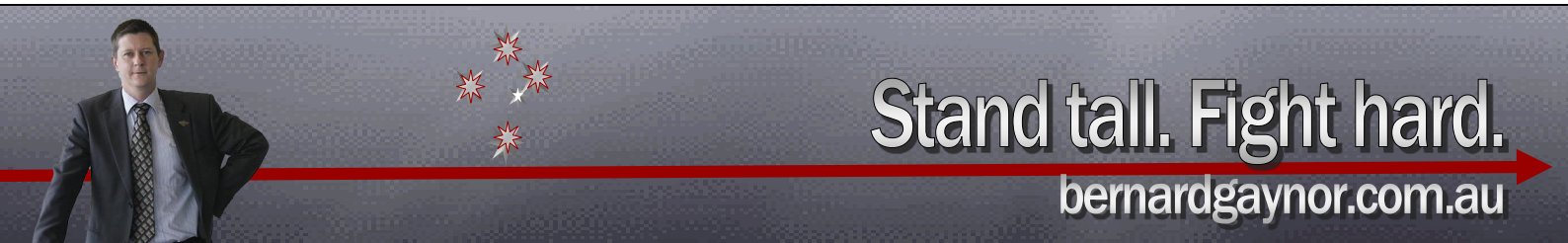
[111] http://www.smh.com.au/national/jihadist-was-a-muscle-for-hire-20140822-3e5ra.html
[112] http://www.dailymail.co.uk/news/article-2843385/Islamic-Radicals-joining-forces-outlaw-bikie-gangs.html
[113] http://www.theage.com.au/victoria/police-braced-for-bikie-crime-rise-following-mohammad-akbar-keshtiers-release-20150116-12rk53.html
[114] http://www.dailytelegraph.com.au/news/nsw/brothers-4-life-linked-bandidos-bikie-brett-kaos-pechey-converts-to-islam/story-fni0cx12-1227228275077
[115] http://www.perthnow.com.au/news/western-australia/wa-islamic-council-head-rateb-jneid-cleared-over-gun-storage/story-fnhocxo3-1227076538647



3.4.7 Halal certification authority attempts to conceal Syrian donation

Noting the general details listed in the sections above, this submission does argue that this inquiry should examine the financial operations of the **Islamic Council of Western Australia (ICWA)**, particularly as its 2013 annual report raises serious questions about the transfer of funds to Syria.

The President's Report states that the Islamic Council halal subcommittee has been made functional and that the organisation is hoping for certification to begin raising revenue. Then [redacted] makes the following statement:

> *"During the year the ICWA has made ongoing donations to Syria because of the difficult civil conditions. The donations were through the Al Imdaad Charity, to ensure that no recriminations could be directed at ICWA."*
>
> President's Report, Islamic Council of Western Australia 2013 Annual Report

This submission notes that it is unknown why the ICWA decided to distance itself from its transfer of funds to Syria. However, it does note that **the Al Imdaad** charity based in the United Kingdom is affiliated with Al Imdaad in Australia. The United Kingdom branch of Al Imdaad has sparked controversy for the following reasons:

- It provided funds to the Turkish-based charity **IHH Humanitarian Relief Foundation**.[116] Turkish police arrested two of IHH Humanitarian Relief Foundation's members for supporting al Qaeda in 2014.[117]
- It provided funds to an organisation reportedly aligned with the **Muslim Brotherhood** (a banned terrorist organisation in Egypt), the **Zamzam Foundation**.[118]

This submission also notes that other halal certification authorities in Australia are linked with Islamic Relief Australia International.[119] The United Arab Emirates listed **Islamic Relief** as a terrorist organisation in 2014, although media reporting also indicates that this listing may not be justified.[120]

This submission also notes that recently some Australian halal certification authorities have signed a secret agreement in Mecca. This agreement was organised by a Wahhabist leader and it appears that it may direct halal certification authorities that sign this agreement to transfer some proceeds to an international fund established to promote Islamic concepts and programs.[121]

3.4.8 Key points

Halal certification schemes are funding Islamic programs in Australia from the revenues generated by certification and paid for by the majority non-Islamic consumer base in this country. Furthermore, while there is no evidence that halal certification schemes are knowingly funding terrorism, there is a 'perfect

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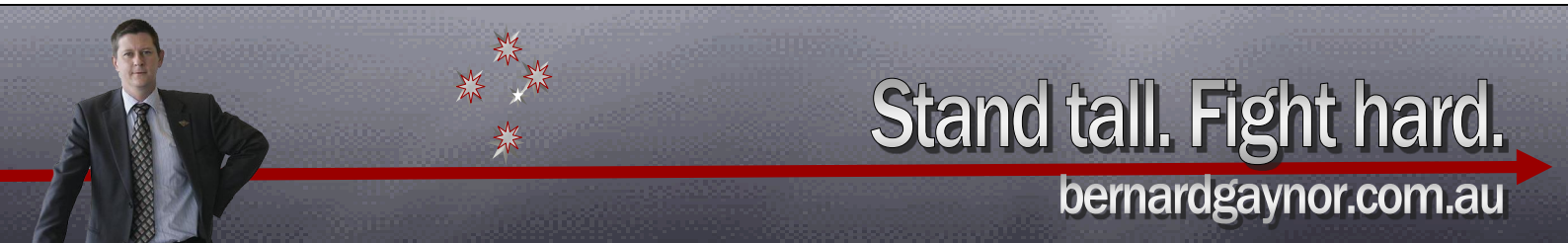
[116] http://apps.charitycommission.gov.uk/Accounts/Ends87/0001140187_AC_20130331_E_C.pdf
[117] http://www.usatoday.com/story/news/world/2014/01/14/turkey-qaeda-erdogan-assad/4471453/
[118] http://www.telegraph.co.uk/news/uknews/11114599/Government-donation-to-Muslim-Charities-Forum-denounced-as-madness.html
[119] http://www.halal-australia.com.au/recognition-and-affiliation/
[120] http://www.civilsociety.co.uk/governance/news/content/18588/islamic_relief_labelled_as_terrorist_group_by_uae
[121] http://www.theaustralian.com.au/in-depth/community-under-siege/halal-certification-charter-signed-in-secret-in-mecca/story-fnubfp6c-1227367563146



storm' of conditions that are allowing terrorist groups to profit, even from legitimate charities. Some halal certification authorities are operating as charities, or contributing to charities, including overseas.

- Halal certification authorities state that they are funding Islamic programs and mosques in Australia from the proceeds of certification.

- The lack of labelling means that consumers have no way of knowing if they are purchasing food items that have contributed to halal certification schemes and therefore Islamic programs.

- Halal certification schemes are generating revenues far in excess of the costs of certification.

- Halal certification schemes are operating under a varied mix of regulatory provisions. Some are registered charities, while some are profit making businesses. Some profit making businesses are not registered for GST.

- Muslims are required to pay a compulsory tax or donation under Sharia law each year. This is to be used for specific causes, including armed jihad.

- Terrorist groups are being funded by bogus charities, while government reports recognise that even well-intentioned and legitimate charities can be manipulated to divert funds to terrorist groups.

- Australia's Islamic community has a controversial record of financial and regulatory accountability.

- Some criminal organisations appear to have strong Muslim membership bases.

- At least one Australian halal certification authority has seemingly attempted to conceal donations to Syria.

- Australian halal certification authorities have signed an international agreement that appears to direct that a certain percentage of halal certification costs are transferred overseas.

3.5 Halal concerns (part 5): cost

3.5.1 Certification cost

It is difficult to determine the exact costs of halal certification for individual businesses because there is not much information publicly available. However, there are some costs that have been reported:

- A court case regarding faked halal certification certificates states that the average cost of certification for a kebab store is $5,000 annually and $30,000 annually for wholesale suppliers.[122]

- According to an ABC 'Fact Check', the **Byron Bay Cookie Company** pays $1,500 per year for certification, while **Fleurieu Milk Company** would have paid a $1,000 certification fee for a $50,000 contract.[123]

- According to the *Courier Mail*, one beef producer was quoted $27,000 per month in fees payable to an Indonesian halal certification organisation.[124] Australian halal certification organisations have also paid fees to Indonesian organisations. Fees covered costs for Islamic schools and mosques in Indonesia and failure to pay has meant some businesses have not been able to export.

- The **Halal Australia** website does not quote certification costs, but lists a $110 application fee with an additional $55 application fee for every additional site. This fee does not guarantee certification. Actual certification fees vary based on factors such as product category, halal risk factors and the need for ongoing support systems.[125]

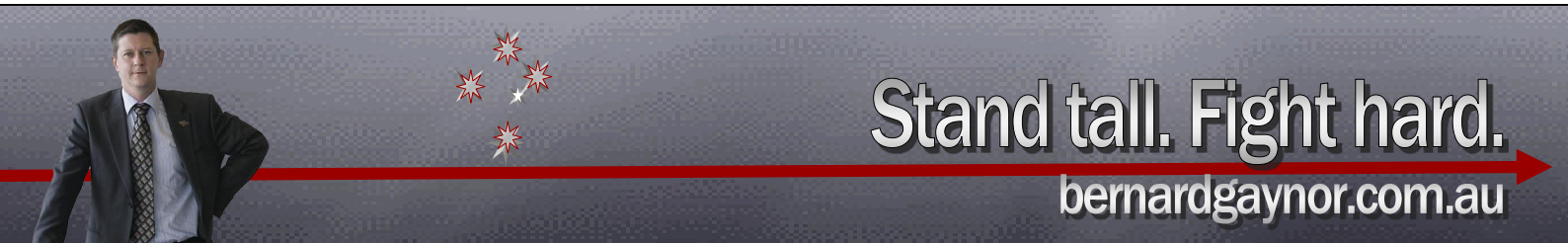
- The **Islamic Council of Queensland** website sells certification fees for $400.[126]

- According to the **AFIC** website, food producers pay a royalty for certification and must provide AFIC access to its financial records in order for that royalty to be calculated.[127]

While the costs of halal certification vary widely, it can be seen that in some cases fees are a significant impost on businesses. In fact, the court case mentioned above demonstrates that this impost can be so large that businesses will attempt to fake certification.

Furthermore, it appears likely that costs may affect a number of businesses. For instance, in order to receive certification from the **Halal Certification Authority** each food ingredient (as well as storage, manufacturing and cleaning equipment) needs to be approved by an imam. From the information on the Halal Certification Authority's webpage, each supplier must effectively be halal certified before the original applicant can be certified.[128] Obviously, this process may need to go through a number of iterations back to original source

[122] http://www.davies.com.au/ip-news/federal-court-awards-additional-damages-for-flagrant-infringement-of-halal
[123] http://www.abc.net.au/news/2015-04-14/fact-check-does-halal-certification-fund-terrorism/6383238
[124] http://www.news.com.au/national/aussie-firms-paying-inflated-price-to-have-halal-certification/story-fncynjr2-1226743120181
[125] http://www.halal-australia.com.au/fees-and-charges/
[126] http://icq.net.au/halal-certificate-products/
[127] http://muslimsaustralia.com.au/halal-accreditation-2/#respond
[128] https://www.halalauthority.org/index.php?page=Certification-Procedure



suppliers and may involve expensive and lengthy investigations throughout the entire food industry's production, storage and transportation network.

The total cost of halal certification in Australia is not publicly available either. However, it is possible to reasonably estimate figures.

- According to documents lodged with the Australian Charities and Not-For-Profit Commission, AFIC generated $860,000 in halal certification fees in 2012. This was an increase in revenue of about 21% over the previous year.[129]

- According to documents lodged with the Australian Charities and Not-For-Profit Commission, SICHMA generated $1,109,000 in halal certification fees in 2014. This was an increase in revenue of about 6% over the previous year.[130] This submission notes that SICHMA has no employees.

- Given these figures and the increase in revenue, it would be reasonable to expect that these two certification authorities generated about $2,200,000 in halal certification fees this year.

The Halal Certification Authority claims that is controls 80% of the market share for halal certification in Australia. If this claim is correct, and if AFIC and SICHMA make up the balance of halal certification fees, then the total amount of halal certification fees charged in Australia in 2015 would be at least $11,000,000 per year.

However, we do know that there are numerous other certification authorities, with 22 registered for export with the Department of Agriculture. Consequently, it is likely that the total costs of halal certification fees are greater than the minimum estimate above. Regardless, this submission notes that it is obvious that some millions of dollars in certification fee costs are incurred by food producers each year. It is unreasonable to assume that food producers are charitably absorbing this cost on behalf of consumers. There can be no doubt that it is passed on, as are all costs, so that producers can cover their costs and make a profit.

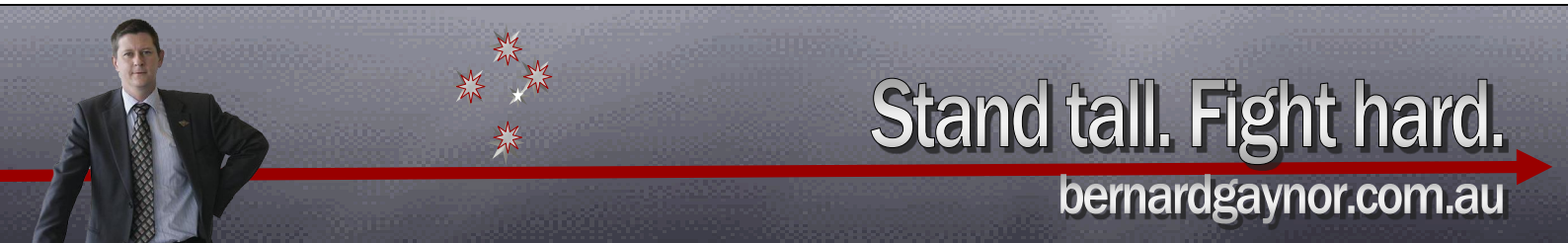
3.5.2 Auditing cost

Halal certification fees are not the only cost of certification. There are ongoing audit costs. Again, these are not publicly available. However, this submission does note that SICHMA has reported it received over $400,000 in halal auditing fees in 2014. The previous year it did not generate any revenue from auditing fees.[131]

Documentation from the Western Australian Halal Authority (WAHA) states that certified organisations are to be approved by the WAHA Shariah Board. Following certification, companies are to submit quarterly audit reports.[132] The WAHA audit form is nine pages long and even includes questions in relation to prayer rooms for Muslim employees. The fit out for these facilities alone would be expensive.

Given the fact that SICHMA's report show that halal auditing fees were not paid in 2013, this submission notes that it is possible that halal audits are a relatively new process and that these may result in significant new and additional costs for businesses to incur annually. This submission also notes that apart from the

[129] http://www.acnc.gov.au/RN52B75Q?ID=6E1DECE6-1D82-495D-99BC-F1B713EE25D3&noleft=1
[130] http://www.acnc.gov.au/RN52B75Q?ID=951F8CFA-34C6-4FBF-9617-8E03A6717836&noleft=1
[131] http://www.acnc.gov.au/RN52B75Q?ID=951F8CFA-34C6-4FBF-9617-8E03A6717836&noleft=1
[132] http://www.halalbooklet.com/downloads/WAHA_Certification_Procedure.doc



direct auditing fee, businesses must incur other costs, including time spent on regular audits and the compliance costs that must be built into the food production process. These costs may well exceed the actual costs of initial certification.

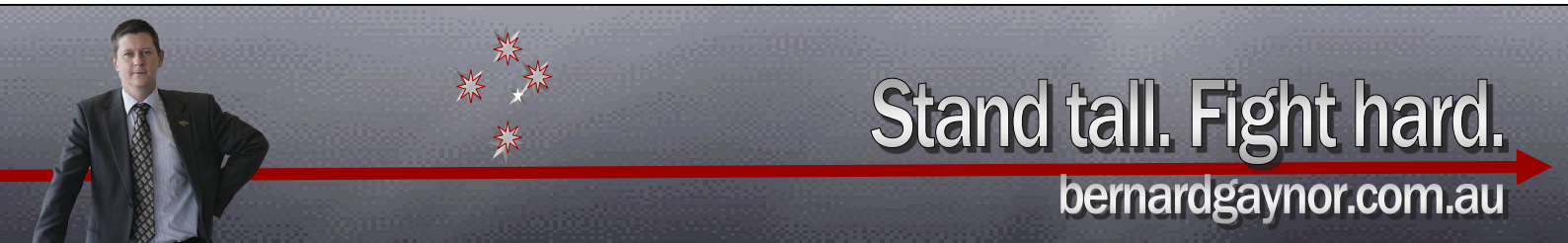
3.5.3 Other business costs

Besides the certification and auditing fees, there are other costs that business must incur. For instance, meat processors must have two separate supply lines as any meat that is deemed not halal must be segregated. This is not just to ensure that pork products are separated. Rather, it is to ensure that meat from an animal that is not killed the appropriate way is segregated (for example, if it dies from the stunning process rather than the sacrificial ritual). As such, any halal certified meat producer will be required to build two separate supply chains even if they do not process animals that are considered haram under Sharia law.

This submission notes that these other business costs can be quite significant. For example, for an abattoir to maintain certification with the WAHA, its production processes must meet the following requirements[133]:

- It must meet administrative requirements for both the WAHA and any relevant foreign halal certification authorities.
- It must develop procedures and clean all machinery between halal and non-halal slaughters.
- It must have a procedure for removing carcases that have been downgraded from halal, effectively establishing a second supply chain.
- It must develop procedures for the storage and security of halal certification certificates.
- Muslim slaughtermen must carry registration cards.
- Stunning and slaughtering techniques must be in accordance with Sharia law.
- Checks on the stunning and slaughtering techniques must be done by a Muslim.
- Records must be kept each day in relation to halal carcases, cold room storage and product transfer.
- All halal carcases must be stamped.
- Offal must be processed in accordance with Sharia law.
- There must be separation of halal and non-halal equipment.
- These procedures must be applied and repeated for carcases in the boning room and cold room.
- There must be separation between halal and non-halal products throughout the processing and transportation supply lines.

[133] http://www.halalbooklet.com/downloads/WAHA_Audit_Form.doc



- All staff must be trained to understand the sensibilities of Muslims in relation to halal processes.
- These training programs must be reviewed.
- Facilities must be provided for an Islamic prayer room.
- Production processes must allow time for prayer.

Obviously, simply meeting these requirements is going to impose significant costs on a business quite apart from certification and auditing fees. That these costs are prohibitive is made clear in a statement I received from Woolworths on 30 June 2015 while preparing for this submission:

> *"Woolworths is not in a position to meet the requirements for halal accreditation as this involves many additional requirements for each store to achieve accreditation."*

In addition, it appears that numerous halal certification authorities will not provide certification unless food companies ensure that they do not produce 'haram' food. Essentially, certification under these conditions means that companies will cease producing items that the non-Muslim majority in Australia have happily and safely consumed in the past. This may also reduce production and profits for businesses, while reducing choice for consumers.

In all, this submission notes that a very conservative estimate of halal certification, audit and other costs may amount to an annual figure of $20 million per year. Consequently, the 1982 Royal Commission into the Australian Meat Industry should be compulsory reading for this inquiry. It slammed the profits taken by AFIC and other halal certifiers which were estimated in total to cost less than $600,000 per year in 1982.

> *"In any event, whether the annual cost of certification is $580 000 or $230 000, it is a significant cost to the industry which should be contained as far as possible if Australia is to remain competitive in Islamic markets. The past system has meant that Australian meat producers have been paying fees which, in part, have been devoted to the general purposes of Islamic groups in this country. This should not be permitted to continue."*[134]
>
> *Royal Commission into the Australian Meat Industry*, September 1982

One fails to see how a certification scheme that may well have increased in costs by a factor of at least 34 in just 33 years is not a financial impost on businesses and consumers. It is also difficult to understand how the reduction of halal costs was considered to be important for export competitiveness in Islamic markets in 1982, while in 2015 businesses seem to be arguing that the imposition of halal certification costs improves their competitiveness.

3.5.4 Religious cost

Halal certification is not simply about food. It is about ensuring that food, the supply chain and even workers comply with Islamic Sharia law.

[134] file:///C:/Users/Bernard/OneDrive/Documents/8.%20Writing/Submissions/Food%20Certification/VPARL1982-85No52B.pdf

As such, halal certification comes with a religious cost. This cost is not quantifiable in economic terms, but it is rather measured in social terms. Australia is a Christian nation and all its institutions and laws are rooted in Christian principles. That being said, Australia has a very tolerant approach to religious belief and Australian society prides itself on freedom and choice.

Halal certification schemes must be seen for what they are: they are not about religious choice. Rather, they are about imposing Islamic dominance and raising funds for Islamic propagation.

If halal certification schemes were about choice and simply meeting the needs of the Islamic community, they would not need to impose themselves across almost the entire food supply chain in Australia. They would only need to ensure that enough food was certified to meet the needs of the very small Islamic minority in Australia.

Unfortunately, the widespread imposition of halal certification is now denying religious choice to the non-Islamic majority. In particular, they have lost the freedom not to eat meat sacrificed to the Islamic god, Allah. In Australia and elsewhere in the world, this loss of religious freedom over food is resulting in a corresponding loss of freedom in other areas.

- Barbeques on Christmas Island for general public use have been designated for halal only meat.
- Employees in a United Kingdom business were told in 2012 that they could no longer eat pork in their workplace.
- The Oxford University Press has banned the word pork from its publications.[135]

Image 11: This public facility has been designated for halal only meat by the Shire of Christmas Island.

[135] http://www.telegraph.co.uk/news/uknews/11345369/Oxford-University-Press-bans-use-of-pig-sausage-or-pork-related-words-to-avoid-offending-Muslims.html

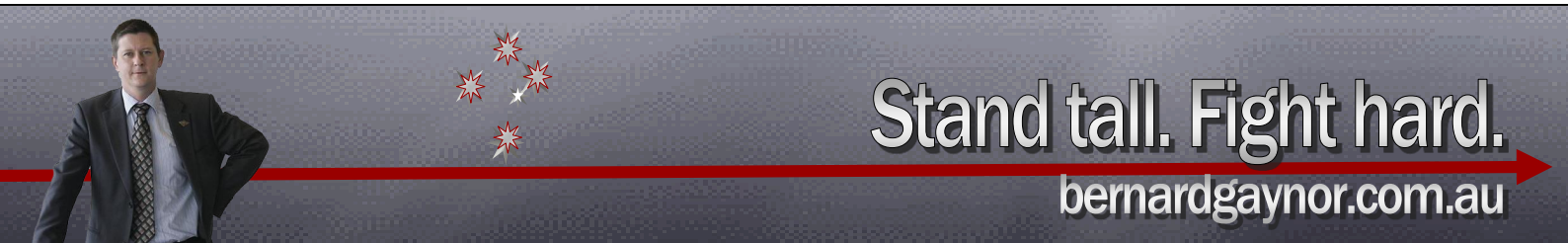
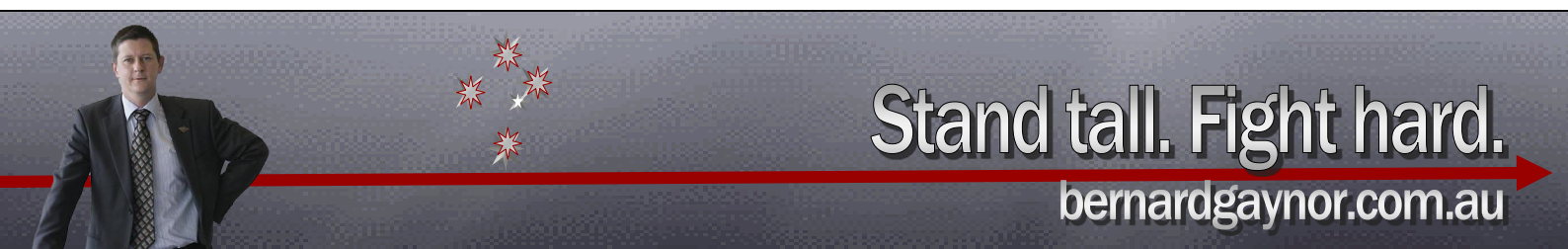


Image 12: Employees at the United Kingdom retailer 'Boo Hoo' were informed in 2012 that they cannot eat pork products at work.

3.5.5 Key points

Halal certification comes at a cost. This does not only include certification fees, but also includes auditing costs and the costs incurred from structuring production and supply chains to comply with Sharia law. There is also a cost in relation to choice and religious freedom.

- Information about certification fees show that the costs can be significant, such that businesses have sought to fake certification.
- In order to receive certification, some halal certification authorities are requiring all suppliers for that business be certified as well.
- The total cost of certification fees alone in Australia is likely to exceed $11 million.
- Auditing fees appear to be new additional costs incurred by businesses and may well exceed the actual costs of certification.



- Businesses must incur other costs, including a mandatory second supply chain for meat producers to handle carcases that have been downgraded from halal.

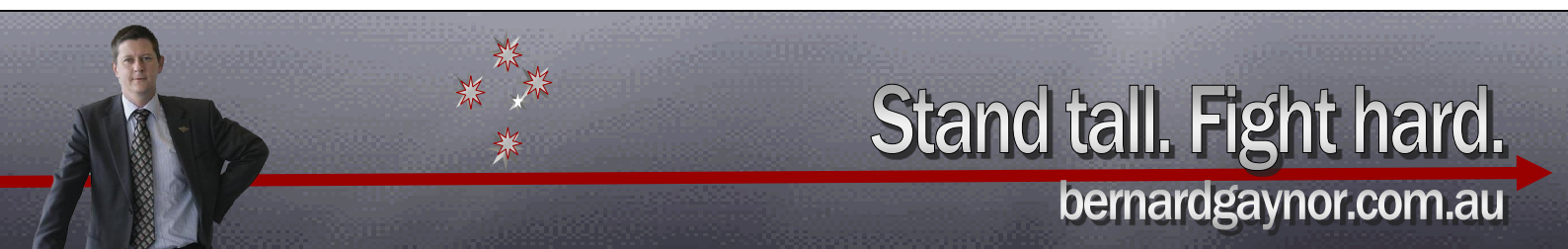
- Business must incur other costs including the provision of prayer rooms and training on Islamic sensibilities.

- Certified businesses may be required to cease producing certain product types.

- Businesses seemingly are required to provide their financial records to halal certification authorities.

- It is unreasonable to assume that businesses are charitably absorbing the costs of certification, halal audits and the costs related to meeting Sharia law requirements. There can be no doubt that these costs are passed onto the primarily non-Islamic consumer base.

- Evidence shows that choice and religious freedom are being curtailed with the rise of halal certification.



3.6 Halal concerns (part 6): halal creep

3.6.1 Halal is more than food – it's a way of life

Halal is a way of life. This is made clear in numerous Islamic publications and websites, including on the Islamic Council of Victoria's webpage.[136]

As such, under Sharia law there are provisions dictating regulations over every aspect of life from business transactions through to washing rituals. For instance, *A Summary of Islamic Jurisprudence,* (Volumes 1 and 2) by Dr Salih al-Fazwan has chapters dedicated to the following topics (among many others):

- Purification and Water
- Etiquette of Answering Call of Nature
- Menstruation and Postnatal Bleeding
- Times When Prayer is Forbidden
- Giving Zakah
- Jihad
- Selling Fruits
- Loaning and Loans
- Kinds of Partnership
- Trusts
- Gifts and Donations
- Inheritance of a Fetus
- Marriage
- Divorce
- Breastfeeding
- Amounts of Diyah (Blood Money)
- Food

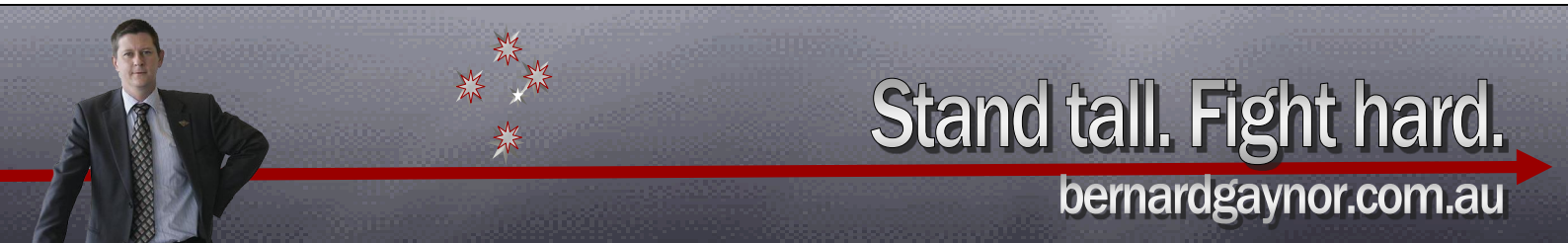
Obviously, many of these areas relate to business directly, such as those that deal with financial transactions. However, other will relate indirectly, such as rules on breastfeeding because Islamic women will form part of a workplace.

As such, it is reasonable to expect that halal certification authorities for businesses will increasingly seek to impose other facets of Islamic Sharia law in the certification process. They not only have a religious interest in doing so, but a financial one. Halal certification is lucrative.

3.6.2 There's always room to be more halal

Given the above, it is clear that there is much more room to be halal. It is conceivable and likely that halal certification will gradually grow to encompass other aspects of business activity, including by ensuring that businesses only use Islamic Sharia finance, that employees handling food are deemed to be Muslims of good standing and even that bathroom facilities in the workplace comply with Sharia law. This may well sound

[136] http://www.icv.org.au/index.php/publications/what-is-halal



farfetched, but so does the idea that the majority of Australia's meat is sacrificed to the Islamic god and that is happening today.

Again, this is not simply mere speculation. In one example from Malaysia, a hotel has dictated that a lift be used only for halal certified food. As a result, a Chinese business cannot use the lift and food must be transported via a set of stairs.[137]

Image 13: A Malaysian hotel has banned non-halal food from a lift, meaning that a Chinese restaurant must transport food via a staircase.

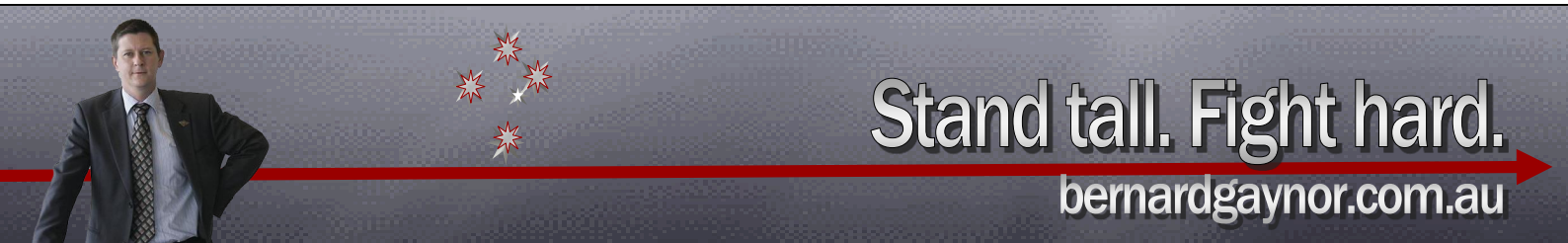
This submission does note that once businesses have incurred the cost of obtaining certification, there will be little desire to risk loss of certification by failing to comply with a gradual increase in requirements.

3.6.3 Key points

Halal is a way of life dictated by Islamic Sharia law. This law covers everything from business transactions to toilets.

- Halal certification authorities are likely to increasingly seek to impose Islamic Sharia law over all aspects of a business before certification is provided in the future. There are religious and financial incentives to do so.
- Halal certification will likely result in demands for further 'Muslim only' jobs and employees.
- Once certification is obtained, businesses are less likely to object to a gradual increase in requirements to comply with Sharia law.
- Halal certification will likely result in demands that unfairly disadvantage non-Islamic compliant businesses.

[137] http://www.freemalaysiatoday.com/category/nation/2013/01/10/hotel-explains-halal-signboards/



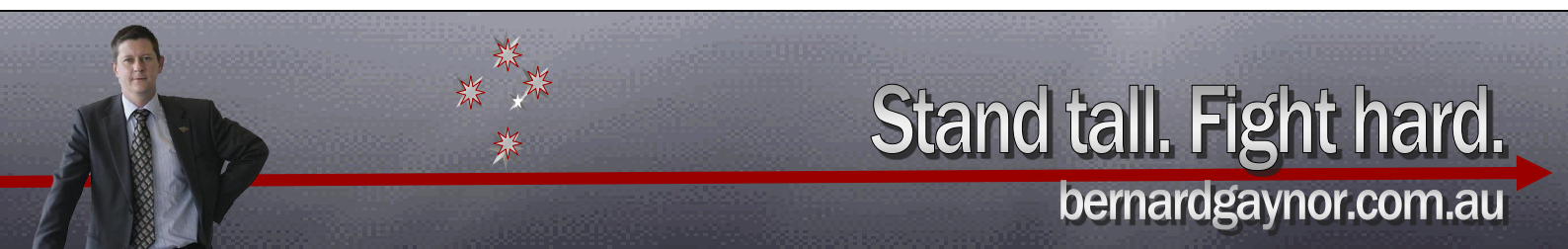
3.7 Halal concerns (part 7): religious bribery and extortion

3.7.1 The chicken controversy speaks for itself

Halal is not simply a means of ensuring a Sharia law complaint food industry. Even Islamic authors have recognised that the demand for certification and the competition between certifiers may result from a desire to illegally obtain market dominance.

As detailed earlier in this report, there was a controversy surrounding the halal certification of chicken meat in Australia in 2013. This excerpt from an article written for muslimvillage.com is concerning reading:

> *"However, it is clear that a serious conflict of interest arises when you control an organization that is a Halal certifying authority and then that body publicly calls for a boycott of a direct competitor of a company you have a 50% share in.*
>
> *When this was put to a representative of Taqwa, they responded that Kassem Butchery is not a direct competitor of Fresh Poultry as it is only a wholesaler and not a processor of Halal chicken. It is very difficult to accept such an argument because Fresh Poultry is not just a processor, but also a wholesale and retail supplier and thus is a direct competitor to Kassem Butchery. The evidence of this is the fact that Giglio's recommends Kassem Butchery and that Kassem Butchery does not supply Fresh Poultry chicken.*
>
> *Of growing concern are reports that the issue is now moving beyond chicken with questions now being raised regarding red meat. This raises the question of who will be targeted next. Companies like Abu Ahmad Butchery/Fettayleh, who are currently approved by Taqwa as a red meat supplier, must be having sleepless nights. In the interests of full transparency, it should be noted that Abu Ahmed Butchery/Fettalyleh only currently supply Halal machine slaughtered chicken.*
>
> *The other major unanswered question is why would Taqwa want to see the collapse of the only Muslim owned and controlled Halal hand slaughterhouse in Australia that employs over 70 people, mostly Muslims, and has the capacity to supply the whole Muslim community? This may not have been their intention, but it is a potential consequence from a public call to boycott Fresh Poultry.*
>
> *Taqwa should have taken this into account before making such an announcement. This is not only for Islamic reasons, but the enormous potential legal liability that the Directors of Taqwa could personally face from Fresh Poultry, Red Lea and all effected businesses, if their call to boycott due to products being not 100% Halal could not be legally substantiated.*
>
> *If Fresh Poultry were to collapse due to a boycott, the only party to benefit from such a move is Giglio's, a non Muslim owned competitor that openly sells pork products. To take away such an asset from the control of the Muslim community would be an enormous loss to us all.*
>
> *When this was put to a representative from Taqwa the response was that they would rather trust and deal with a non Muslim company than a dishonest Muslim owned one. Leaving aside all the factual evidence shown thus far that raises serious questions about the competence of Taqwa as Halal certifiers, the complete lack of foresight in such thinking is as disappointing as it is destructive.*
>
> *This is further compounded by the fact that if Fresh Poultry where to shut down, Giglios can only currently supply about 5000 chickens a week or about 16% of the current production of Fresh Poultry*



(30,000 a week) – with no guarantee that it can increase production. The response from Taqwa to this was that people should simply stop eating chicken.

Despite the obvious impracticality of such advice, this provides no commercial solution to the dozens of restaurant owners and butchers who rely on and have full confidence in Fresh Poultry. Companies such as Ahmad Chami Butchery, Darwiche Butchery, Dougies Grill and many more. In some instances, such as is the case with Dougies and their purchase of chicken burger patties, there is no alternative Halal hand slaughtered supplier to Fresh Poultry for certain products. This will prove an interesting dilemma for the soon to open Dougies Flame Grill Auburn store which is reportedly going to be part owned by parties alleged to be closely associated with Masjid Al Noor.

For the record all the above-mentioned businesses have indicated that they had full confidence in Fresh Poultry and would continue to be supplied by them. This is sadly not the case with many other businesses. MuslimVillage have received numerous reports of take away food outlets and restaurants being threatened with boycott unless they change over supply to Giglio's/Kassem Butchery. Many of these business owners have reported that they did not want to leave Fresh Poultry, but are in fear of losing business if they don't.

This at the end of the day is the central issue at the heart of this Halal controversy.

This is not just about Halal standards, which is an issue – among a host of many – that requires strong leadership from a reputable body like the Australian National Imams Council to give guidance on and resolve. This is about the forceful imposition of the personal interpretation of Islam by a small number of vocal and intimidating people upon the majority of Muslims in our community."[138]

When Halal becomes Haram, more Taqwa is needed, muslimvillage.com.au, 15 May 2013

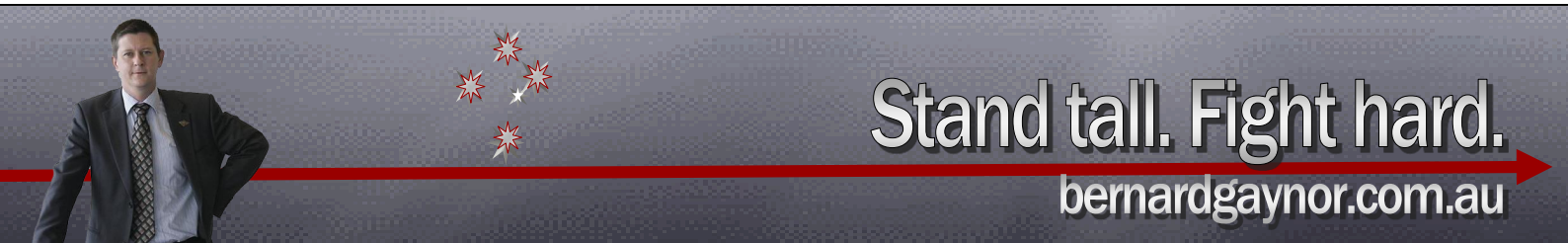
This article raises a number of points of concern:

- Halal certifiers may have a conflict of interest, especially when are linked to businesses that are in competition with other suppliers.
- The competition to secure halal certification rights from wholesalers has a direct and significant impact on certified businesses in the retail industry.
- Muslim authors appear to believe that halal certification should be used to increase or maintain the control of businesses by Muslims and the Islamic community.
- Muslim authors believe that certification authorities may be using halal certification to impose certain interpretations of Islam over the Islamic population.

This submission notes that these concerns are echoed in an article published by *The Australian* earlier this year:

"Power is gained and lost on two fronts: control of money and religious authority, granted by the masses.

[138] http://muslimvillage.com/2013/05/15/39431/when-halal-becomes-haram-more-taqwa-is-needed/



> *The institutions, like AFIC, that have control of the money-making schools and halal certification guard their investments jealously. Civil wars have been fought in the community over this control and it is this that lies at the heart of AFIC's misery."*[139]

This submission also notes that other persons associated with halal certification authorities have interests in meat processing. This adds further credence to concerns that halal certification schemes may be used to improperly secure market share and/or dominance.[140]

3.7.2 Saudi Arabia

While it is clear that there are serious concerns over potential conflicts of interest within Australia over halal certification, it is also just as clear that foreign approval of certification authorities are subject to the same concerns. It has long been known that Saudi Arabia has intended that halal certification be used as a means of funding Australia's Islamic community in Australia, as detailed in the 1982 Royal Commission into the Australian Meat Industry. It noted that in 1974, a Saudi Arabian delegation gave AFIC $1.2 million to allow it to establish a halal certification scheme with the aim of building funding streams for the Islamic community in Australia.[141]

The *Sydney Morning Herald* reported in September 2005 that Saudi Arabian influence over halal certification had serious consequences for control and funding of the Islamic community in Australia:

> *"The certification rights from Saudi Arabia allow their owners to in turn certify the slaughtermen who kill animals in accordance with Islamic regulations. With a tithe on every carcass, and the market for Halal meat rapidly growing, the certification rights are worth millions of dollars. "There is a battle going on because we have made some very serious complaints to the Saudi authorities," Mr Mehboob said.*
>
> *Those who control the rights can build mosques, fund the training of imams in their chosen country and bring Islamic preachers to Australia. The money is also a vital subsidy to the new Islamic schools flourishing in Australia and which are a source of both influence and income for their owners."*[142]

Recent reports also demonstrate that cables released by WikiLeaks confirm that the Saudi Arabian government influences and funds Islamic groups of its choice in Australia.[143]

This submission notes that there are no clear religious reasons why some countries, such as Saudi Arabia, will approve certain halal certification authorities in Australia and not others. It would seem likely that there are non-religious reasons this occurs. Essentially, it appears that Saudi Arabian recognition of certification

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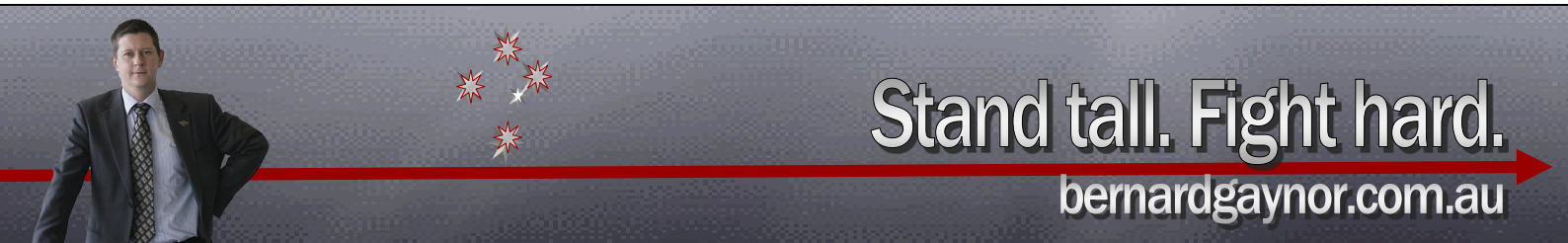
[139] http://www.theaustralian.com.au/national-affairs/opinion/in-muslim-australia-theres-divide-and-no-respected-rule/story-e6frgd0x-1227375153989

[140] http://www.theaustralian.com.au/in-depth/community-under-siege/im-no-businessman-islamic-school-chief-changes-his-story/story-fnubfp6c-1227383594794

[141] file:///C:/Users/Bernard/OneDrive/Documents/8.%20Writing/Submissions/Food%20Certification/VPARL1982-85No52B.pdf

[142] http://www.smh.com.au/news/national/revealed-the-saudis-paymaster-in-australia/2005/09/09/1125772698477.html

[143] http://www.smh.com.au/national/wikileaks-saudi-cables-reveal-secret-saudi-government-influence-in-australia-20150620-ght4kp.html



authorities are linked to Saudi Arabian attempts to influence Australia's Islamic community and, in turn, both Australian society and the Commonwealth itself.

Furthermore, this submission does note that it would be bribery to pay Saudi Arabian officials a fee to secure a financial advantage in relation to food exports into Saudi Arabia. Halal certification does not fit this description directly, but it is possible that it could be abused so that it does become a form of bribery. It is also possible that it could be manipulated this way without the knowledge of any halal certification authority in Australia.

In essence, the Saudi Arabian government determines which certification authorities may provide halal certification of Australian meat exports into that country. This authorisation process is not transparent, but it does raise considerable funds for the favoured halal certification authorities who, in turn, fund Islamic projects in Australia.

As such, it is possible that the Saudi Arabian government is engaged in a form of religious bribery in Australia by effectively enforcing a religious fee to be paid to institutions of its choice before any meat export business can proceed.

This submission notes that the same problems relate to other Islamic nations that dictate only certain halal authorisation authorities can certify meat exports.

3.7.3 Key points

Halal certification raises concerns over conflict of interest and foreign influence.

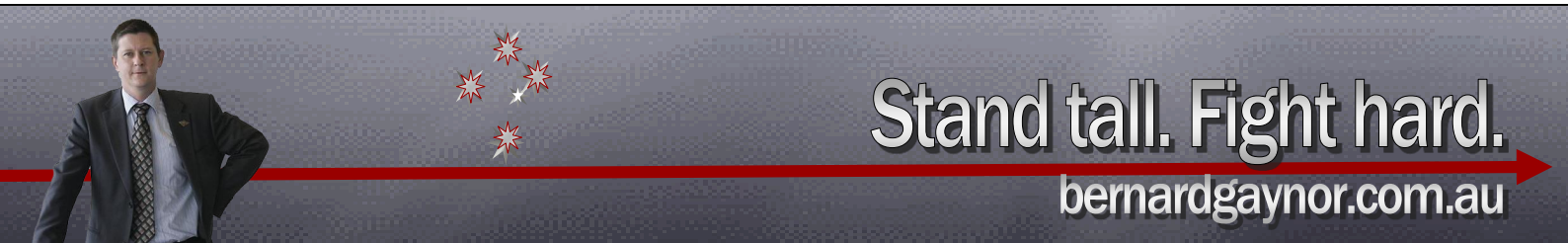
- Islamic authors have noted that it appears that some halal certification authorities have seemingly been using certification as a means to undermine competitors and to secure market advantage for food businesses that they own.

- It seems that some halal certification authorities have been using the certification process to impose their version of Islam on the wider Islamic and Australian community.

- Evidence suggests that Muslims believe halal certification is a means by which the Islamic community can gain control of food industry businesses in order to provide employment primarily to Muslims.

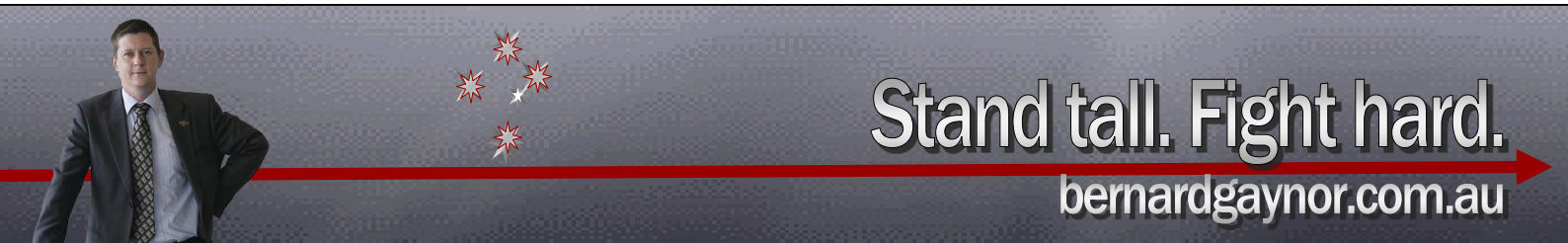
- Foreign governments, such as Saudi Arabia, are using halal certification to direct funding and control to Islamic organisations of their choice in Australia.

- It is possible that the non-transparent decision by foreign governments to only allow certain halal certification authorities to certify meat exports is a form of religious bribery.



Part 4

Where to from here?



4.1 The last inquiries

4.1.1 The 1982 Royal Commission into the Australian Meat Industry

Concerns in relation to halal certified food are not new. In fact, the 1982 Royal Commission into the Australian Meat Industry made several recommendations in relation to halal certification. Several of them are worth re-examining:

- The Royal Commission stated that halal certification should be treated like all other certification schemes. Unfortunately, as will be seen below, this is not the current practice with self-regulation being relied upon to manage certification:

  > *"Description of product as halal, documentation for halal product and halal slaughter stamps should all be accorded the same status as other product descriptions, documentation and stamps and attract the same penalties for misuse."*[144]

- The Royal Commission stated that costs only should be reimbursed in order to eliminate a profit incentive to halal certification. Unfortunately, as detailed above in this submission, halal certification was set up as a fundraising initiative for the Islamic community by the Saudi Arabian government and continues to be just that today.

  > *"The reasonable costs, and only those costs, incurred by AFIC and the other bodies in the performance of their supervisory functions should be reimbursed."*[145]

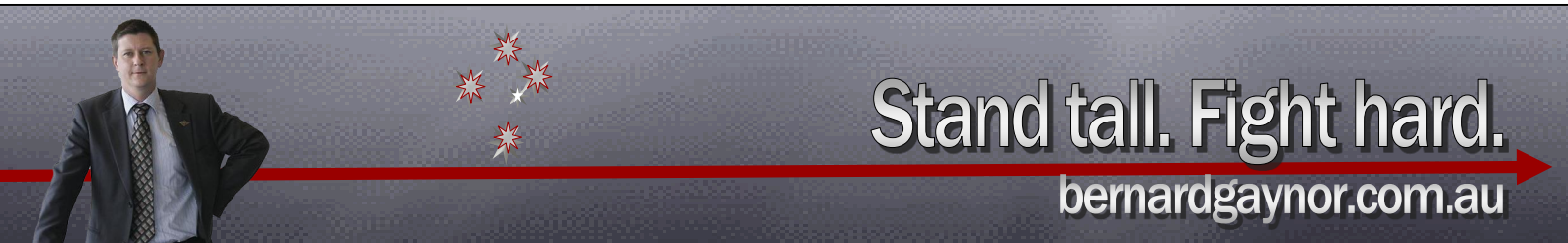
4.1.2 The 2011 Review of Food Labelling Law and Policy

In 2011 a report, *Labelling Logic*, was published after a review into Australia's food labelling laws. It did not look into issues of halal certification specifically, but it did provide recommendations that apply to the labelling of halal certified foods in general. These recommendations clearly demonstrate that halal certification schemes are failing. As a result, this report demonstrates the need for more decisive action to ensure that the needs of consumers are met.

The 2011 report defined halal certification as a consumer values issue and therefore should be self-regulated. This submission does not disagree with that assessment that halal certification is a consumer values issue, but disagrees that self-regulation is appropriate. This submission notes that the 2011 report considered halal certification from the point of view that some consumers may want certification, while assuming that the majority may be indifferent to it. This may well be the case for other consumer values issues, such as 'free range', where some consumers are willing to pay more for certified products and the majority are comfortable paying less for products that comply with general industry standards. Halal certification differs in that it is a religious certification (and therefore is of interest to both Muslims and those that do not wish to be Muslim), there is no clear labelling and price factors are built in such that all consumers pay for certification costs.

This submission argues that the majority are not indifferent to halal certification that ensures food complies with Sharia law and, in fact, want to avoid food (particularly meat) that does so through the addition of a

[144] http://www.parliament.vic.gov.au/papers/govpub/VPARL1982-85No52B.pdf
[145] Ibid.



religious ritual. However, the *Labelling Logic* report is still worth examining, if only because it recognises that consumer value labelling may need additional regulation in certain circumstances. This submission argues that all those circumstances are met with halal certification.

- The 2011 report recommended that consumer value labelling be self-regulated, except in the case of market failure or ineffectiveness of self-regulation:

> *"The modes of intervention for consumer values issues should be self-regulatory but subject to more prescriptive forms of intervention in cases of market failure or the ineffectiveness of self-regulatory schemes."*[146]

- The 2011 report identified that consumers rely on accurate value labelling statements where they are made. Unfortunately, most products that are the result of an input value, being an animal sacrificed to Allah in accordance with Sharia law, are not labelled. The problem is not that the value labelling is false. It is that there is no labelling at all to identify the religious nature of this food:

> *"When value statements are made on labels, these consumers rely on their accuracy and base their purchases on them. Therefore labelling for consumer values issues should be monitored and given a high priority by government."*[147]

- The 2011 report identified that halal certification (along with other consumer value issues) lent itself to clear labelling because it provided an opportunity for producers to gain a market edge. Unfortunately, as mentioned above and elsewhere in this submission, this labelling is simply not there with regards to halal food and halal certification. Undoubtedly, the producer believes they are gaining a market edge, just not in Australia. As a result, the Australian consumer is not being provided the information they require about the product in order to make an informed choice. Furthermore, there is a strong argument that they are being denied information that the producer knows may well result in them suffering a market disadvantage.

> *"Given consumer interests in such values issues, there are powerful incentives for industry to provide relevant information and thereby ensure effective operation of the market. In essence, if the label claim provides a supplier with a positive point of differentiation in the market, there is a strong incentive for the supplier to adopt such a claim and for consumers to respond. For example, some suppliers may be able to realise a market advantage by highlighting a specific means of production (e.g., 'organic', 'free range'). This tends to be the case when the differentiated product is not the industry norm. The Panel has taken the view that where the market operates efficiently there is no need for mandatory regulation, although in certain cases with specific values issues there may be advantages in developing a prescriptive definitional framework to ensure a level playing field."*[148]

- The 2011 report recognises that consumer value certification schemes rely on the trust that the certifying body has credibility and are not simply engaged in the process of revenue raising. This submission argues that both of these requirements have been breached by halal certification authorities.

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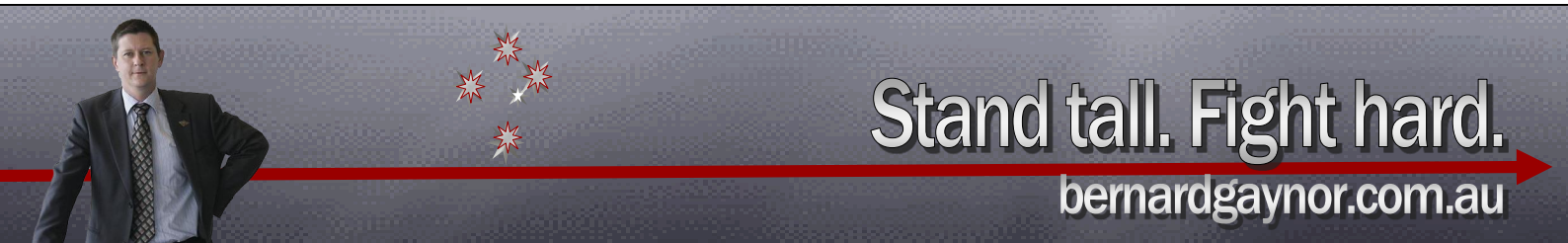
146 http://foodlabellingreview.gov.au/internet/foodlabelling/publishing.nsf/Content/48C0548D80E715BCCA257825001E5DC0/$File/Labelling%20Logic_2011.pdf

147 Ibid.

148 Ibid.



> *"The role of such schemes in effectively and accurately communicating values claims hinges strongly on the credibility of the certifying body and the extent to which such schemes do not become more of a revenue raising option for the certifying agency than a truly independent auditing or verification process."*[149]

- The 2011 report states that halal and kosher certification schemes appear to be adequately managed through self-regulation. However, it does recognise that additional regulation could be required if self-regulation prove ineffective. This submission notes that the 2011 review did not look specifically at issues in relation to halal certification. From the evidence presented in this submission, halal certification is clearly not being effectively managed by self-regulation. In fact, there is no self-regulatory system in place to deal with the primary concerns of the majority of Australians who are not seeking halal food, but seeking to avoid it.

> *"Halal and Kosher are two religiously based specific consumer values claims relating to food preparation and production processes. At this time, alert and informed communities and monitoring by authoritative religious bodies appear to provide the discipline necessary for effective self-regulation. Additional regulation may be considered in the future if monitoring indicates that this self-regulatory approach is ineffective."*[150]

- The 2011 report states that self-regulation should be superseded by government intervention in cases of market failure. It identifies market failure in the case of country of origin labels precisely because some producers did not wish to disclose this information. This submission notes that this situation also applies with regards to halal certification. Consequently, according to the reasoning of *Labelling Logic*, there has been a market failure in relation to halal certification and government intervention is required to ensure consumer confidence.

> *"The Panel proposes that market failure is the principal argument that should be advanced for any prescriptive intervention in food labelling in the area of consumer values issues. There are mutual market benefits (to buyer and seller) of promoting food with positive/aspirational origins (e.g., chocolate from Switzerland), yet non-reciprocal benefits from withholding such information when it relates to origins with perceived negative connotations (e.g., food products from countries with poor human rights records). This situation constitutes market failure and the reason for government intervention on the issue of CoOL."*[151]

4.2 The solutions

This submission proposes a number of solutions to address the market failure of halal certification schemes. However, it should be noted that the recommendations in relation to food labelling and religious food certification are not specific to halal certification, but to religious certification in general. These recommendations are outlined in detail below.

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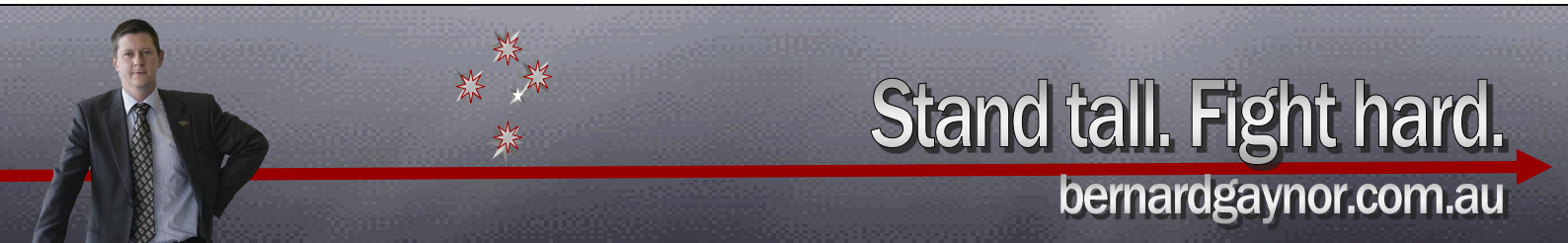
149 http://foodlabellingreview.gov.au/internet/foodlabelling/publishing.nsf/Content/48C0548D80E715BCCA257825001E5DC0/$File/Labelling%20Logic_2011.pdf

150 ibid.

151 ibid.



This submission argues that where halal certification schemes have resulted in clear market failure through a failure to disclose or properly label those schemes and their values, that mandatory labelling should be provided. These relate to three areas:

- Food that has a religious element added to the production process.
- Food that is produced by persons of a particular religion.
- Food where certification schemes are used to raise funds for certain religious communities.

This submission also argues that voluntary self-regulation is still a useful tool in relation to 'negative' halal certification. This is particularly the case where halal certification relates to food that avoids certain products in order to comply with particular Islamic religious beliefs. In these circumstance, it is argued that voluntary industry codes should be developed and implemented so that consumers of a particular religious belief can be satisfied that they are complying with their beliefs, while consumers who do not hold that belief are not impacted in other ways, such as by covering the cost of religious certification schemes. This submission argues that a voluntary industry would actually reduce producer costs and thereby benefit all consumers.

This submission also provides other recommendations to assist all consumers find access to additional further information in relation to areas of concern.

4.2.1 Recommendation 1: Mandatory disclosure of religious rituals

Where a religious addition is made to food such as a prayer, sacrifice, blessing or other ritual, this should be disclosed to consumers.

Any food that contains food items that have been the product of a religious ritual should disclose this, whether the food item in question is actually certified or not. Foods that fit this description should be mandatorily labelled with the following words:

> *"This item contains products from [brief description of religious ritual] in accordance with [religious adjective] [religious code]"*

In the case of halal slaughtered meat products, the label would state:

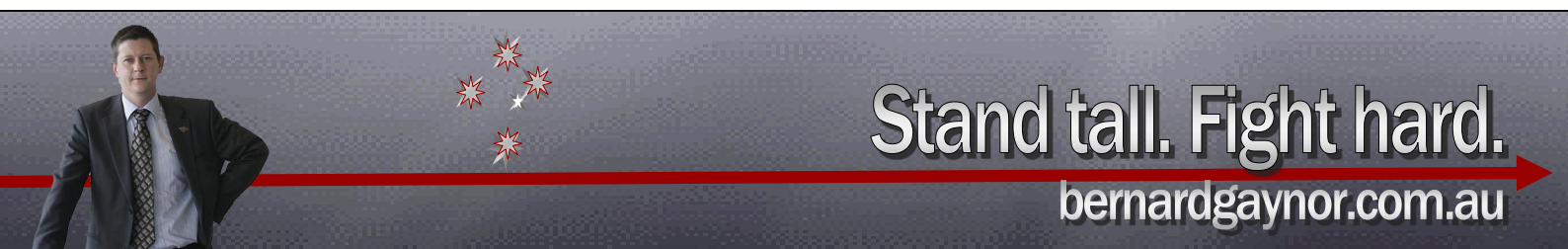
> *"This item contains products from an animal sacrifice in accordance with Islamic Sharia law."*

This labelling should be placed on food packaging. Where food is not packaged but purchased at markets, delis and the like, this information should be displayed with the food. This labelling (or an acceptable form of generic labelling) should also be included in the menu of places where food is prepared and served (such as restaurants).

This submission further recommends that specific labelling criteria regarding font size and type be consistent with other mandatory labelling, although religious certification should be placed inside a box of its own, with an example below:

This item contains products from an animal sacrifice in accordance with Islamic Sharia law.

This submission makes this recommendation to ensure that all consumers are aware of the religious nature of religious food. This is particularly important in products that are not finally certified as being religiously correct (for instance, chicken products that include pork). This is because many consumers are not



interested in purchasing food that is produced as part of a religious ritual, but are interested in avoiding those foods.

4.2.2 Recommendation 2: Mandatory disclosure of a religious production process

Where persons of a certain religion are specifically employed to perform specific tasks in the food production process, this should be disclosed to consumers.

Any food that contains food items that have been produced by a person of a specifically-designated religious creed should disclose this, whether the food item in question is actually certified or not. Foods that fit this description should be mandatorily labelled with the following words:

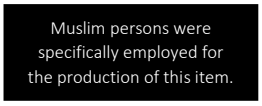
> *"[Religious adjective] persons were specifically employed for the production of this item."*

In the case of halal certified meat products, the label would state:

> *"Muslim persons were specifically employed for the production of this item."*

This labelling should be placed on food packaging. Where food is not packaged but purchased at markets, delis and the like, this information should be displayed with the food. This labelling (or an acceptable form of generic labelling) should also be included in the menu of places where food is prepared and served (such as restaurants).

This submission further recommends that specific labelling criteria regarding font size and type be consistent with other mandatory labelling, although religious certification should be placed inside a box of its own, with an example below:



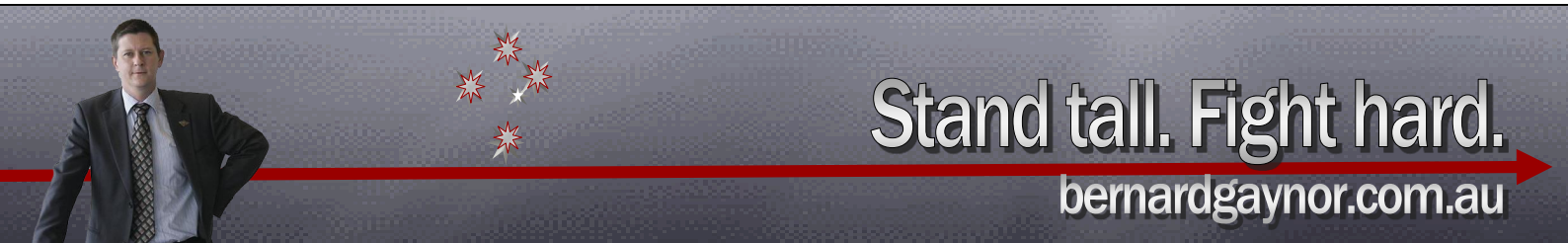
This submission makes this recommendation to ensure that all consumers are able to find information about specific religious employment associated with the production of that food. This is particularly important in products that are not finally certified as being religiously correct (for instance, chicken products that include pork). This is because many consumers are not interested in purchasing food that is produced by people of a certain religion, but are interested in avoiding producers that engage in such employment practices.

4.2.3 Recommendation 3: Registration of a religious workforce

Food producers that seek food certification where they employ persons of a certain religion for certain elements of production should be required to comply with the following conditions:

- They must register with an appropriate state or federal government body.
- A license fee should be paid to the state or federal government for each person employed in such a capacity.
- Each individual person employed as such must also be registered.
- Non-Australian citizens should not be permitted to work in such capacities.

This submission makes this recommendation to ensure that all food producers comply with appropriate state and federal anti-discrimination laws and to prevent non-Australians being employed for religious certification



roles. There should be no reason why our diverse society cannot provide employees for religious certification beyond the needs and capacities of its own diverse communities.

4.2.4 Recommendation 4: Mandatory disclosure of religious certification fees

Where religious food certification schemes charge a fee that benefits a religious community, this should be disclosed to consumers. There should be additional disclosure where certification fees are directed overseas.

Food products that have religious certification should be mandatorily labelled with the following words:

> *"A certification fee for this product has been paid to a/an [religious adjective] organisation. Proceeds from this certification fee may be used for [religious adjective] [religious buildings] and other [religious adjective] programs [if required these additional words], including overseas."*

In the case of water certified halal by an organisation that donates overseas, the label would state:

> *"A certification fee for this product has been paid to an Islamic organisation. Proceeds from this certification fee may be used for Islamic mosques and other Islamic programs, including overseas."*

This labelling should be placed on food packaging. Where food is not packaged but purchased at markets, delis and the like, this information should be displayed with the food. This labelling (or an acceptable form of generic labelling) should also be included in the menu of places where food is prepared and served (such as restaurants).

This submission further recommends that specific labelling criteria regarding font size and type be consistent with other mandatory labelling, although religious certification should be placed inside a box of its own, with an example below:

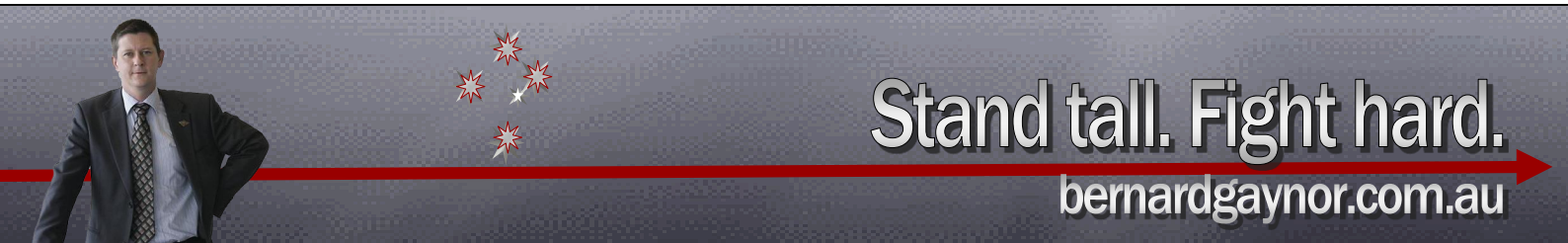
A certification fee for this product has been paid to an Islamic organisation. Proceeds from this certification fee may be used for Islamic mosques and other Islamic programs, including overseas.

This submission makes this recommendation to ensure that all consumers are able to find information about the proceeds of certification funding.

4.2.5 Recommendation 5: Development of an industry religious certification code

An appropriate food industry body should develop a voluntary industry code in relation to religious food certification. This code should only relate to foods that require some kind of 'negative' certification that they do not breach religious laws (for example, a certification that a food product does not contain some prohibited substance), rather than a 'positive' certification that some kind of religious ritual has been performed.

This submission makes this recommendation to allow the food industry and consumer groups from a particular religion to develop voluntary certification codes. Such a code would enable producers to voluntarily and freely market their food that would ordinarily be compliant anyway to particular religious groups, while ensuring that the wider consumer base is not impacted by increased certification costs.



4.2.6 Recommendation 6: Development of industry self-regulation

An appropriate food industry body should develop complaint mechanisms to allow efficient and effective responses to breaches of any voluntary industry code by producers that claim to meet the requirements of that code.

This submission makes this recommendation in order to provide consumers from a particular religious belief with confidence in the voluntary industry code.

4.2.7 Recommendation 7: Voluntary disclosure of compliance with industry code

Where food products meet a voluntary industry religious certification code, food producers should have the option to voluntarily disclose this to consumers.

Food products that meet this code may be voluntarily labelled with these suggested words:

> *"This product meets the Food Industry voluntary [religious code] certification code. No certification fees have been paid for this product."*

In the case of water that meets this code, the label would state:

> *"This product meets the Food Industry voluntary halal certification code. No certification fees have been paid for this product."*

These words should be flexible so as to be able to state if products meet multiple voluntary religious certification codes.

This submission further recommends that where voluntary disclosure occurs, provision be made such that it is visually different from mandatory disclosure to avoid consumer confusion, with an example below:

This submission makes this recommendation to provide producers with flexibility to market products to certain religious communities if they so desire.

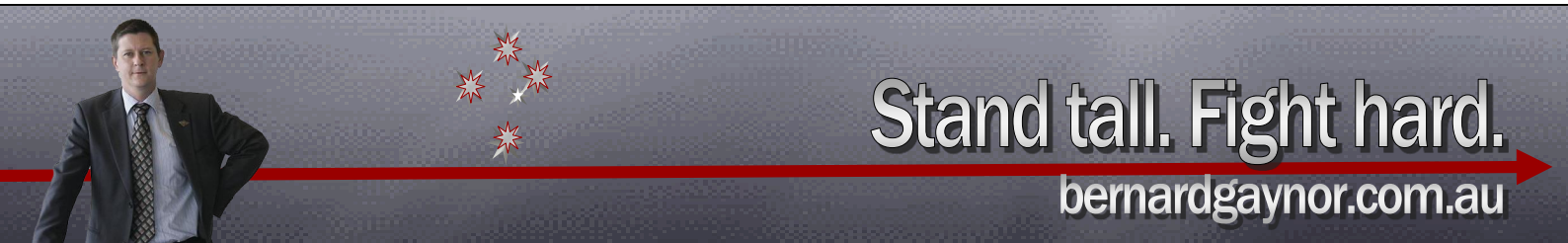
4.2.8 Recommendation 8: Registration of certification authorities

All religious certification authorities who charge fees to certify products or who have a logo placed on any food products should be registered with an appropriate food industry body.

This submission makes this recommendation to build credibility and transparency over religious certification.

4.2.9 Recommendation 9: Provision of additional consumer value information

A website managed by an appropriate food industry be body be established containing any voluntary and paid religious food certification standards. This webpage should also allow consumers to easily identify



religious certification logos and authorities and it should provide information about how to make any complaints in relation to certification issues. It should also contain information about religious certification that should be publicly available but that is not appropriate to place on food labels, including:

- certification standards,
- certification fees,
- any conflict of interest (such as links between certifiers and producers),
- ritual slaughter procedures, and
- detailed statements in relation to the allocation of certification funds.

This submission makes this recommendation to provide consumers with additional required information in order to make informed choices in relation to religious food certification. It will also provide producers with information to make informed choice with regards to religious certification authorities that may assist them to better advertise their food in order to gain a market edge.

4.2.10 Recommendation 12: Appropriate exemptions for exporters

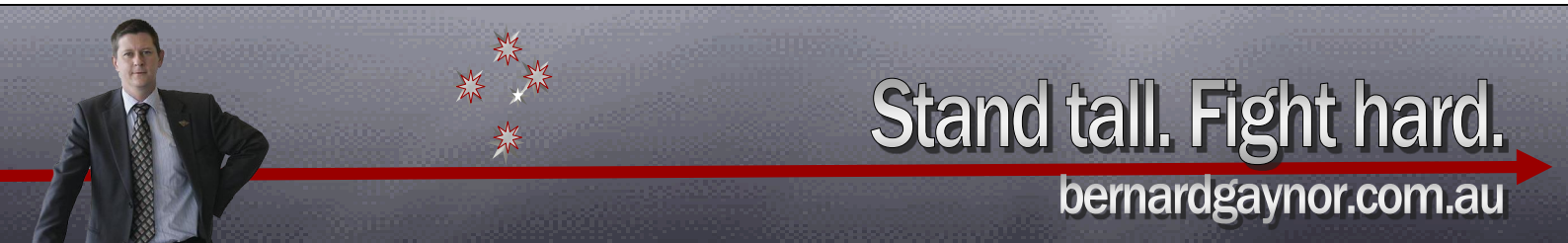
Where appropriate, producers that export food should be able to request exemptions for exported items from any regulations that may result from this inquiry. These exemptions should be registered and should be publicly transparent. However, food producers that split supplies between the export and domestic markets must still comply with regulations for their domestic products.

This submission makes this recommendation to ensure the continued growth and viability of the export industry.

4.2.11 Recommendation 11: Further inquiry into halal certification schemes

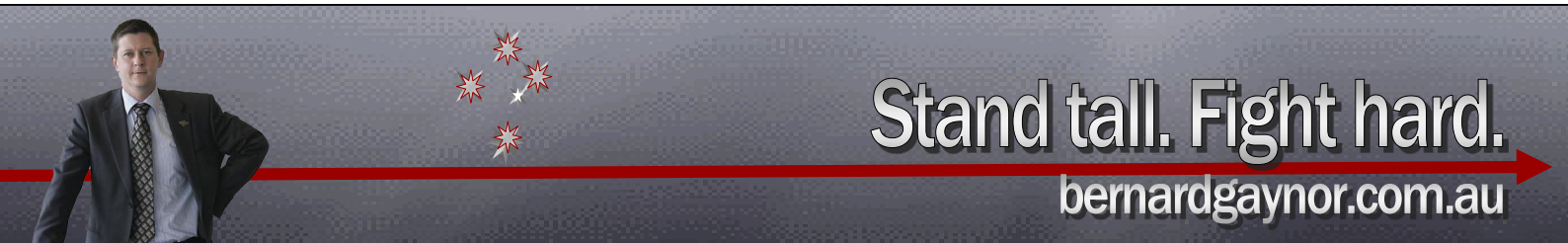
An inquiry of the appropriate type should be established to investigate other issues in relation to halal certification that are not specific to an inquiry into food labelling. This inquiry should examine any areas of concern including, but not limited to:

- slaughter techniques,
- Islamisation of the workforce,
- issues relation to the Constitution and the establishment of the Islamic religion,
- issues in relation to the imposition of an unlawful tax,
- issues in relation to donations and the accountability of donations,
- financial accountability of halal certification authorities,
- inconsistencies in the legal structure of halal certification authorities,
- conflicts of interest within halal certification authorities,
- evidence of possible extortion,
- transparency and appropriateness of certification fees,
- the cost impact of certification on the food industry,
- impact on social cohesion,
- foreign influence within halal certification authorities, and
- the aims of any foreign influence.



This submission makes this recommendation because this inquiry may not be properly established to examine these issues.

4.2.12 Recommendation 12: Further inquiry into unstunned slaughter

An inquiry of the appropriate type should be established to determine whether unstunned slaughter is required in Australia and whether any religious exemptions are required.

This submission makes this recommendation because this inquiry may not be properly established to examine these issues.