

In the Name of Allah, Most Gracious, Most Merciful



PRESS RELEASE

Attention: News editors. Social affair, Ethnic media, interfaith media, and community writers

1 July 2015

New citizenship revocation laws will undermine the rule of law and the constitution

Abbot government's proposed law that gives the immigration Minister the power to revoke citizenship of Australians under section 35 of the *Citizenship Act* of Australians is a deeply worrying sign for the Muslim community of Western Australia.

The courts must have the ultimate power to interpret laws and ensure that constitutional rights of citizens are not abused by the government.

The separation of powers doctrine determines how the Australian nation is administered constitutionally and it is the judiciary's exclusive prerogative to find guilt of an accused person. It is **NOT** the government's role or the immigration minister's responsibility to find guilt or wrong doing of an Australian citizen by cancelling their citizenship right.

One of the dangers is that secret information relied by the minister will be uncorroborated information obtained from foreign or domestic spy agencies or informants against suspected Muslim Australian volunteers who chose to fight in foreign civil wars. Cancelling citizenship without a legal challenge will render them Stateless if a country of origin rejects them domicile for political reasons.

Minister's arbitrary decision making must be subject to judicial review to enable the affected person or persons have the ability to challenge the basis of the government decision otherwise this proposed law will give the politicians medieval-style authoritarian powers to revoke constitutional rights based on secret evidence.

The Minister's unfettered power will only weaken the federal constitution by taking away judicial power of courts to review legislation or finding of guilt. This will be a disaster for rule of law in Australia if section 35 is amended without proper legal safeguards.

Islamic council of WA wants supremacy of the courts upheld in the proposed citizenship revocation laws otherwise immigration minister's unchallenged powers will be contrary to rule of law and undermine the federal constitution.

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Islamic Council of Western Australia Inc.

Islamic Council of Western Australia (ICWA) was established in 1976 and incorporated as a State Council for Islamic affairs in 1977. We promote unity and friendship amongst Muslims and other communities within and outside of Western Australia.
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