

**Submission  
No 14**

## **RELIGIOUS EXEMPTIONS FOR THE WEARING OF HELMETS**

**Organisation:** Turbans 4 Australia

**Date Received:** 31 October 2024



## Helmet Exemption for Sikh Motorcycle Riders

Turbans 4 Australia has been at the forefront of community consultations and discussions around Sikh Helmet Exemption as evidenced in these articles:

1. <https://www.smh.com.au/politics/federal/the-birthday-gift-i-can-t-use-why-amar-wants-helmet-hard-hat-exemption-for-sikhs-20190911-p52q75.html>
2. <https://www.sbs.com.au/language/punjabi/en/podcast-episode/sikhs-in-australia-should-be-exempt-from-wearing-a-helmet/famemrpv5>

Amar Singh founded the charity Turbans 4 Australia. Since 2015, Turbans 4 Australia has specialised in providing emergency goods to people in need regardless of their race, religion, or ethnicity. The people they assist include those experiencing financial hardship, food insecurity, homelessness, and unemployment, and those impacted by natural disasters such as bushfires, floods, and drought. In his own words, Amar says,

"Since 2015, my team and I have been assisting Australians from all walks of life while also promoting multiculturalism and religious tolerance. I want Australians to see Sikhs as people they can trust and turn to in times of need. I wanted to do so by following the teachings of my faith, particularly our strong tradition of helping those in need regardless of their race, religion, ethnicity, or social status. So I thought: what better way to teach others about my community and my faith than through charity work?"

"Since we began, my amazing team of volunteers at Turbans 4 Australia has worked tirelessly to help hundreds of thousands of Australians in need. We've assisted people facing all kinds of challenges, from those impacted by natural disasters like floods, bushfires, and cyclones, to those facing homelessness, domestic violence, poverty, unemployment, and isolation. We've taught people in cities all over Australia about the Sikh community through our regular Turban Fest events. By tying turbans on people's heads, we create an opportunity to chat without fellow Australians and show them that our turbans and beards are nothing to fear. We've staged traditional Bhangra dance performances and demonstrated the Sikh martial art of Gatka at venues throughout the nation. By forming connections with people from all walks of life, we're breaking down the barriers of fear and misunderstanding while following the core Sikh values of equality, respect, and service to humanity. As a proud Sikh and Australian, it is my deepest hope

that Turbans 4 Australia will continue to promote multiculturalism, interfaith dialogue, charity, and compassion for many years to come. My fellow volunteers and I will certainly try our hardest to create a more tolerant society."

### **Census Data on Sikhs in Australia and NSW:**

The 2021 Census confirms that Punjabi continues to be the fastest-growing language in Australia, with more than 239,000 people using it at home, an increase of over 80 percent from 2016.

<https://www.sbs.com.au/language/punjabi/en/podcast-episode/blossoming-beautifully-census-2021-reveals-punjabi-is-the-fastest-growing-language-in-australia/7lqmqr8l>

NSW Demographic Fact Sheet 2022 - The languages used with the greatest percentage increase in numbers since the previous Census in 2016 include Punjabi (+90%)

Sikh numbers in Australia almost doubled between the 2011 and 2016 Census, recording 72,000 Sikhs in 2011, compared to 2016 when the numbers jumped to 126,000. "Sikhs have rapidly been increasing in the population because so much migration has been happening from Asia," said Professor Bouma. Source:

<https://www.sbs.com.au/news/article/not-many-people-know-about-sikhs-spotlight-on-australias-growing-community/xspgvt29>

"Sikhs are one of the youngest religious cohorts in Australia with 25% of Sikhs below the age of 20 years and 84% of Sikhs below the age of 40 years." Source:

<https://www.sbs.com.au/language/punjabi/en/article/sikhs-contribute-8-1-billion-annually-to-the-australian-economy-report/3lajhkkbb>

"The Census 2016 data revealed by the Australian Bureau of Statistics this week has confirmed that with nearly 126,000 followers in Australia, Sikhism is now the fifth largest religion in the country. Victoria has seen the sharpest increase in the number of Sikhs over the last five years, with the latest Census data revealing that there are a total of 52,762 Sikhs in Victoria. The state with the second highest Sikh population is NSW, where 31,737 Sikhs reside, followed by Queensland with 17,433, Western Australia with 11,897, and South Australia with 8,808 Sikhs living there. Canberra (ACT) has a total of 2,142 Sikhs, while Northern Territory and Tasmania have smaller populations, of under 700 Sikhs each. SBS Punjabi has contacted ABS about the small discrepancy in the statewide populations of Sikhs as declared in their latest stats, with the number of male and female followers not coinciding with the total number of Sikhs for each state and territory." Source:

<https://www.sbs.com.au/language/punjabi/en/article/sikhism-is-now-the-fifth-largest-religion-in-australia/09i2eyfb7>

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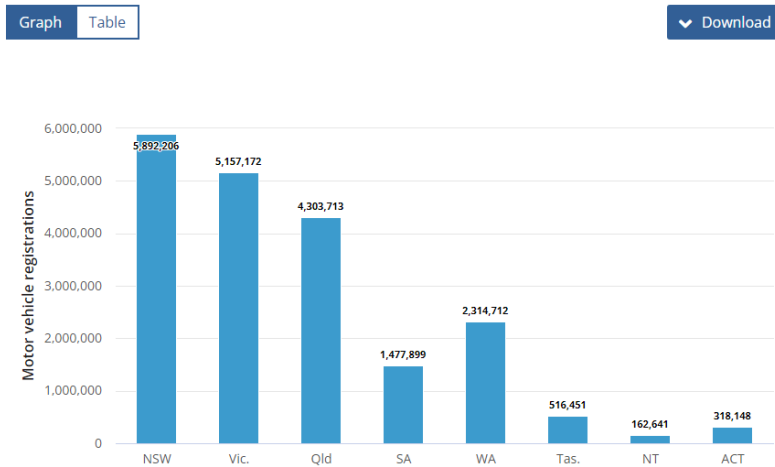
Today there are more than 210,000 Sikhs in Australia, representing 0.8 percent of the country's population, according to the Australian Bureau of Statistics. Source:

<https://www.sbs.com.au/language/punjabi/en/podcast-episode/sydney-an-exhibition-about-sikh-history-became-the-center-of-attraction/Ostifhiba>

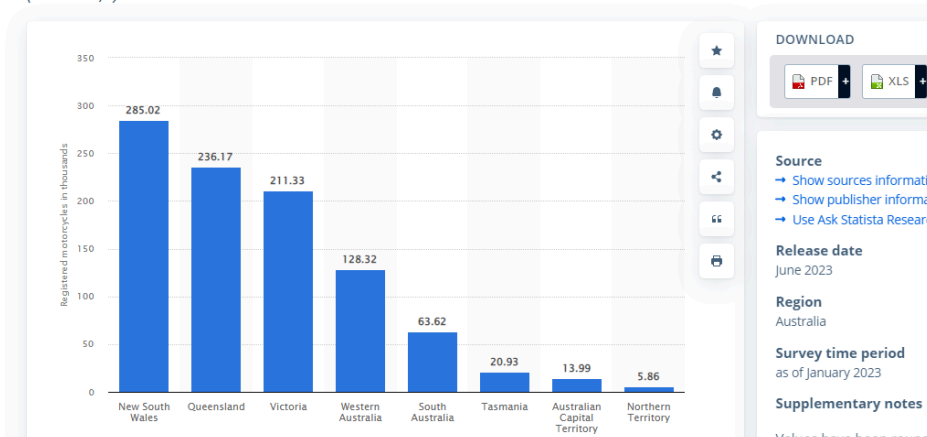
## Percentage of motorcycle riders VS car drivers in NSW:

<https://www.statista.com/statistics/824844/australia-number-of-registered-motorcycles/>

Motor vehicle registrations by state and territory, 2021



Number of motorcycles on register in Australia as of January 2023, by state (in 1000,s)



<https://www.abs.gov.au/statistics/industry/tourism-and-transport/motor-vehicle-census-australia/atest-release>

4 case studies on different aspects of the helmet exemption - These private individuals didn't want to come forward but wanted to share their experiences and opinions:

**Helmet exemption should only apply to:**

- Practising Sikhs only - If a person is not a true follower of the faith then they have no grounds for seeking the exemption. a large majority of the community sentiment is supportive of only Practising Sikhs being allowed to ride under the proposed helmet exemption.
- A full 5-7 meter PAAG (oval turban) or 8-10 meter DUMALLA (round turban) should only be considered appropriate for helmet exemption.
- Any causal turban, such as defined as a PARNA (loosely tied 2-3 meters turban) must not qualify for a rider to be exempt.
- A practicing Sikh also carries a Kirpan.
- Strict drug/ alcohol policy - A practicing Sikh is forbidden to consume alcohol or any illicit substances. This should also apply to Riders with exemption. If they are charged with any traffic offenses under drug and alcohol, the helmet exemption must be revoked for life.
- The first year should be a smaller CC engine like P's system (lighter motorbike).

**Reduced speed like in NZ:** "In New Zealand, Sikhs who wear turbans can ride a bicycle without a helmet, and a motorbike up to 50 kilometers per hour." Source:

<https://www.parliament.nsw.gov.au/Hansard/Pages/HansardResult.aspx#/docid/HANSARD-1820781676-95825/link/2198>

### **Community organisation:**

The role of an appointed community organisation is critical for the screening process. An appointed community organisation must be independent of motorcycle clubs to issue preliminary permits and guidelines for Sikh Riders. A certification from the appointed community organisation, would also lead to a special conditions alphabet on the front of license to identify the Helmet Exemption Sikh riders for Policing stops and enforcement. A Statutory declaration, signed in front of JP and co-witnessed by the appointed community organisation. An advisory committee to meet twice a year with NSW Transport, Police, Sikh Motorcycle Clubs, and Appointed Community Organisations to discuss and coordinate issues relating to the Helmet Exemption. Clubs must show membership of Sikh-only riders (open members not allowed) to appointed community organisation.

**Occupational and work site-related helmet and hard hat exemption:** In the UK, Turban-wearing Sikhs are exempt from wearing head protection in the workplace. [Sections 11 and 12 of the Employment Act 1989](#) as amended by [Section 6 of the Deregulation Act 2015](#) exempt turban-wearing Sikhs from any legal requirement to wear head protection at a workplace... The exemption applies only to head protection and Sikhs are required to wear all other necessary personal protective equipment required under the Personal Protective Equipment Regulations 1992. Source: <https://www.hse.gov.uk/contact/faqs/sikhs-head-protection.htm#:~:text=Are%20turban%2Dweari>

[ng%20Sikhs%20exempt%20from%20the%20need%20to%20wear.head%20protection%20at%20a%20workplace.](#)

- Full turban or dumalla (no short turbans)

There needs to be an appointed community organisation independent from Motorcycle clubs to issue preliminary permits and guidelines for Sikh Riders.

A full 5-7 meter PAAG(oval turban) or 8-10 meter DUMALLA(round turban) should only be considered appropriate for helmet exemption.

Any causal turban, such as defined as a PARNA (loosely tied 2-3 meters turban) must not qualify for a ride to be exempt.

A certification from the appointed community organisation, would also lead to a special conditions alphabet on the front of the license to identify the Helmet Exemption Sikh riders for Policing stops and enforcement.

- Police roadside traffic stops and Police check

The role of the appointed community organisation is critical in this whole process. A practicing Sikh also carries a Kirpan.

- Practicing sikh only

A large majority of the community sentiment is supportive of only Practising Sikhs being allowed to ride under the proposed helmet exemption.

A Statutory declaration, signed in front of JP and co-witnessed by the appointed community organisation.

- Ongoing discussion and consultation

An advisory committee to meet twice a year with NSW Transport, Police, Sikh Motorcycle Clubs, and Appointed Community Organisations to discuss and coordinate issues relating to the Helmet Exemption.

- Strict drug/ alcohol policy

A practicing Sikh is forbidden to consume alcohol or any illicit substances. This should also apply to Riders with exemption.

If they are charged with any traffic offenses under drug and alcohol. The helmet exemption must be revoked for life.

If a person is not a true follower of the faith then they have no grounds for seeking the exemption too.

- The first year should be a smaller CC engine.

The first year like P's system should be lighter motorbike.

- Clubs must show membership of Sikh-only riders(open members not allowed)

All motorcycle clubs must show their membership to the appointed community organisation

- Work, occupational, and work sites related helmet or hard hat exemption.

In the past, Sikhs who work in Transport(trucking/ Warehousing), construction, food delivery rider, and white-collar jobs such as project management, builders, engineers, and labourers are expected to wear a hard hat.