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Sent: Wednesday, 20 May 2009 1:31 PM
To: LCARC
Cc: Marita Stinton; Peter Callaghan; Katrina Wright
Subject: CYLC: Preamble Submission
Importance: High
Attachments: 20090520_Ltr Legal, Const & Admin Rev Comm re Preamble Submission.pdf

Dear Research Director,

Please find attached Cape York Land Council Submission to the Preamble for the Qld Constitution and Modernisation of Oaths and Affirmations.

Regards,

For and on behalf of
 Peter Callaghan
 Chief Executive Officer

Elizabeth McNamara
 PA to the PLO
 Cape York Land Council
 Aboriginal Corporation
 ICN 1163



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Cape York Land Council

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Aboriginal Corporation ICN 1163

Contact: Peter Callaghan
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20 May 2009

Attention: The Research Director

Legal, Constitutional and Administrative Review Committee
Parliament House
George Street
BRISBANE QLD 4000

By Email: lcarc@parliament.qld.gov.au

RE SUBMISSION - A PREAMBLE FOR THE QLD CONSTITUTION AND MODERNISATION OF OATHS AND AFFIRMATIONS

I am the Executive Director of Cape York Land Council (CYLC), which is an Aboriginal Corporation formed by Cape York traditional owners in 1990, to advance the self determination of Aboriginal people in the Cape York Peninsula. We consult with traditional owners and represent their aspirations and wishes relating to management, use and ownership of Cape York Peninsula.

As a Native Title Representative Body under the *Native Title Act 1993* (Cth), CYLC assists traditional owners to gain recognition of their native title rights through negotiations and court action where required.

CYLC supports the inclusion of a preamble in the Queensland Constitution which contains a statement of due recognition of Queensland's Aboriginal and Torres Strait Islander People.

We believe that it is essential that Indigenous People are recognised and acknowledged in the preamble as the original owners and custodians of the land and sea, with their own customs, lore and laws. We submit that a further phase of consultation should be carried out with Queensland's Indigenous people once a draft form of wording has been prepared, but suggest that a form of wording which is similar to that contained in the Victorian Constitution could be considered:-

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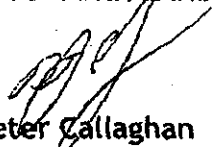
The Parliament recognises that Queensland's Aboriginal and Torres Strait Islander people, as the original custodians of the land on which the Colony of Queensland was established -

- * have a unique status as the descendants of Australia's first peoples;
- * have a spiritual, social, cultural and economic relationship with their traditional lands and waters within Queensland; and
- * have made a unique and irreplaceable contribution to the identity and well-being of Queensland.

CYLC also supports the proposal to modernize the language used in the oaths and affirmations made by Members of Parliament, Governors, Ministers, Executive Council members and Judges.

Please do not hesitate to contact me on 07-4053 9222 if you require any further information.

Yours faithfully,
CAPE YORK LAND COUNCIL



Peter Callaghan
CHIEF EXECUTIVE OFFICER