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REVIEW COMMITTEE

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**A PREAMBLE FOR THE QUEENSLAND  
CONSTITUTION?**

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**Feedback form**

This feedback form can be used to make a submission. Submissions may also be made in another form such as a letter. If additional space is required for responding to issues, please insert supplementary pages with reference to the issue being addressed.

The release of the issues paper, with the committee's call for submissions, is the first stage in the committee's review of the recommendations of the Queensland Constitutional Review Commission regarding a preamble for the Queensland Constitution.

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*Peter Mc Mahon*

ISSUE 1 (refer page 6)

Should the Queensland Constitution contain a preamble?

Yes.

ISSUE 2 (refer page 7)

Should the Queensland Constitutional Review Commission draft preamble be adopted in Queensland?

No.

ISSUE 3 (refer page 9)

What purpose should a preamble to the Queensland Constitution serve?

Aspirational

Affirmation of "community" as opposed to "individual" values

ISSUE 4 (refer page 9)

What type of language should the preamble use?

- Clear and simple language
- English
- Not several languages

ISSUE 5 (refer page 9)

How extensive should the preamble be?

minimal  
must unite all in the community - therefore cannot cater for any specific interest group as this option divides community.

ISSUE 6 (refer page 9)

Should the Queensland Constitution specifically state that the preamble cannot be used to interpret other provisions of the Constitution?

No

ISSUE 7 (refer page 10)

Should there be a reference to the origins or history of the Constitution in the preamble?

No - we need to look forward. The statement of underlying values should suffice.

ISSUE 8 (refer page 10)

Should the preamble refer to the sovereignty of the people and, if so, how?

yes

By adopting a set of values that reflect the will of the community that endorses and legitimises the constitution in the first place.

ISSUE 9 (refer page 11)

Should the preamble refer to God and, if so, how?

Yes  
I need to refer to God as "Creator and source of knowledge re the world as we know it. This includes knowledge of our natural and built environment and all peoples who live within our environment."

ISSUE 10 (refer page 12)

Should the preamble recognise Aboriginal and Torres Strait Islander people and, if so, how?

Yes.  
As an ancient people who have occupied this land for long periods and who have been privileged to have latent information about the natural world revealed to them in profound ways and that this information is immensely valuable to all generations of custodians.

ISSUE 11 (refer page 12)

Should the preamble recognise cultural diversity and, if so, how?

No. Leave this to the simple statement of fundamental values, otherwise the preamble becomes divisive.

ISSUE 12 (refer page 13)

Should the preamble recognise the rule of law and, if so, how?

Yes.  
By stating that current laws apply "fully" (i.e. in their undiluted entirety) to each and every citizen.

ISSUE 13 (refer page 14)

Should the preamble refer to 'equality' and, if so, how?

Definitely NOT. Equality tends to equate to sameness, whereas no two people or situations are ever entirely the same by way of background, talent, personal attributes, opportunities etc. The concept of law being applied equally assumes the ability to divide a unchangeable truth by unknown persons. The law applies in its interests "fully" to each individual not "equally".  
Funky.

ISSUE 14 (refer page 14)

Should the preamble refer to gender equality and, if so, how?

Definitely not - This is a dynamic issue whichever way you look at it. Over time affirmative action programs need to be re-evaluated. Hence best left out of a preamble which needs to be a constant set of other values over time.

ISSUE 15 (refer page 14)

Should the preamble recognise the status of the Constitution and, if so, how?

No. Preamble should be independent of status of Constitution.

ISSUE 16 (refer page 15)

Should the preamble recognise the system of government the Constitution establishes and, if so, how and to what extent?

No.

ISSUE 17 (refer page 15)

Should the preamble refer to the environment and, if so, how?

Yes. As a community of people we are shaped by our land and vice versa. The key aspect is that of shared knowledge allowing each community to properly care for the land for the sake of future generations.

ISSUE 18 (refer page 15)

Should the preamble contain other elements and, if so, what should they be?

No

ISSUE 19 (refer page 17)

How might text be developed around the identified elements of a preamble?

Through each local government council as this is the best way for each community to be consulted and listened to. Each council can devise its own ways. State + federal governments are too far removed from local communities.

ISSUE 20 (refer page 17)

How should the community be consulted in this process?

via local government

ISSUE 21 (refer page 17)

Who should be consulted?

Leave this to local government. Local governments include aboriginal and T.I. communities.

ISSUE 22 (refer page 18)

Should a referendum be held to insert a preamble into the Queensland Constitution?

Yes

ISSUE 23 (refer page 18)

Should an 'interim' preamble to the Queensland Constitution be inserted by way of an Act of Parliament prior to a final version being confirmed by way of a referendum?

No. This would be done by State government which is too far away from local communities. It would prejudice new work to be done from local communities.

ISSUE 24 (refer page 18)

When is an appropriate time to consider a referendum on the issue of a preamble for the Queensland Constitution?

As soon as local government has been consulted. This would not take long.