

**LEADER OF THE OPPOSITION**

---

Parliament House • Alice Street • Brisbane Q 4000 • Telephone (07) 3406 7997 • Facsimile (07) 3221 1496  
Email: leader@opposition.qld.gov.au

14 July 2004

Dr Lesley Clark MP  
Chair  
Legal Constitutional and Administrative Review Committee  
Parliament House  
George Street  
**BRISBANE QLD 4000**

Dear Dr Clark

I refer to your letter of 17 June 2004 forwarding to the Opposition an issues paper entitled "*A Preamble for the Queensland Constitution*".

I note that this Issues Paper seeks submissions by Friday 27 August 2004.

It is clear from this Issues Paper that the purpose behind it is to advance the attempt by those persons who favour the adoption of a Republican form of government in Australia of issues in support of their position.

It is clear from the results of the Commonwealth Referendum held on 6 November 1999 that the people of Australia, and the people of Queensland, rejected both a move towards a republic and the introduction of a preamble to the Commonwealth Constitution.

I would in particular draw your attention to the fact that 67.19% of the people of Queensland rejected the proposal to insert a preamble in the Commonwealth Constitution, the strongest majority against such proposition in any Australian jurisdiction.

Whilst acknowledging that the proposal in the issues paper relates to the Queensland Constitution as opposed to the Commonwealth Constitution, I have seen no evidence or argument that would suggest that the people of Queensland would adopt any different attitude towards proposals to insert a preamble in the Queensland Constitution than they adopted in relation to proposals to insert a preamble in the Commonwealth Constitution.


Indeed, the issues which you raise in your issues paper remain issues of high public controversy upon which no consensus is likely to emerge in the foreseeable future.

Indeed, the very concept of a Queensland Constitution similar to the Constitution of the Commonwealth of Australia is challengeable. Whilst the Beattie Labor Government has enacted the Constitution of Queensland Act 2001 as an attempt to consolidate most of the Constitutional foundations of Queensland, this Act still remains merely an expression of the Queensland Parliament as constituted at the time of its enactment and it does not, as such, incorporate all legal documents providing the Constitutional foundations of the State of Queensland.

No doubt the Beattie Labor Government could use its current majority on the floor of Parliament to insert whatever preamble it wished to this Act. However, in doing so it will merely be an expression of the Parliament of Queensland as currently comprised with an ALP majority and not a reflection of the fundamental constitutional principles that underpin the role of Queensland as a political entity and as a State of the Commonwealth of Australia.

I would urge your committee to accept that it is spending resources unnecessarily on this whole process which merely reflects a view of one particular segment of the community that favours the imposition of a Republican form of government in the Australian nation. This whole process should be immediately abandoned and your Committee should concentrate its time and resources on more productive undertaking.

Yours sincerely



**LAWRENCE SPRINGBORG**  
**Leader of the Opposition**

KM/mh