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LEGAL, CONSTITUTIONAL AND  
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COMMITTEE

## LEGAL, CONSTITUTIONAL AND ADMINISTRATIVE 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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Please note  
jumbled numbering  
of issues/pages in  
Issues Paper June 2004.

**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?

Adopted wording should be consistent  
with Q.C.R.C.

**ISSUE 3** (refer page 9)

What purpose should a preamble to the Queensland Constitution serve?

Agree with Issues Paper p.2 / 2.1

**ISSUE 4** (refer page 9)

What type of language should the preamble use?

Simple speech - not legalistic.

**ISSUE 5 (refer page 9)**

How extensive should the preamble be?

No specifics — general guidelines  
suitable for future generations.

**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. Preamble should be used  
to interpret Constitution, where there  
are contradictions or vagueness.

**ISSUE 7 (refer page 10)**

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

No — not necessary

**ISSUE 8 (refer page 10)**

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

Yes to sovereignty of the people.  
No reference to any deity,  
nor to monarchy.

No! As a multicultural society,  
we must make our constitution  
suitable for all citizens, of every faith  
and none - ; note:

ISSUE 9 (refer page 11)

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

- a) Jews and Muslims have never accepted Jesus as part of godhead
- b) Hindus have many gods, and orthodox Buddhists have none.
- c) Animist beliefs are almost universal in Asian + Pacific cultures.
- d) Australia's census shows ever-increasing numbers of secularists, atheists + humanists who specifically reject all 'supernatural' beliefs.

ISSUE 10 (refer page 12)

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

Yes, with recognition of prior possession  
and of indigenous concept of 'country',  
arrivals as sine qua non.

ISSUE 11 (refer page 12)

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

Yes to cultural diversity and with  
emphasis on <sup>suzerainty</sup> ~~suzerainty~~ of Australian  
'rule' of law.

ISSUE 12 (refer page 13)

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

Yes, including changes in law  
to reflect values of preamble.

**ISSUE 13** (refer page 14)

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

Yes - in accordance with the  
International Covenant on Civil and  
Political Rights.

**ISSUE 14** (refer page 14)

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

Perhaps equality of men and women,  
whatever the sexual preference.

**ISSUE 15** (refer page 14)

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

Not necessary because status dealt  
with in Constitution itself.

**ISSUE 16** (refer page 15)

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

Not necessary because spelt out  
in Constitution itself.

**ISSUE 17** (refer page 15)

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

Yes - natural environment should be paramount wherever conflict of interest arises.

**ISSUE 18** (refer page 15)

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

Preamble should be simple and general.

**ISSUE 19** (refer page 17)

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

Widest possible consultation with all citizens. (eg. I was not aware of the present draft Constitution, and only came across this invitation by chance).

**ISSUE 20** (refer page 17)

How should the community be consulted in this process?

All avenues should be explored - including printed postal matter to each household, engagement of schools etc.

ISSUE 21 (refer page 17)

Who should be consulted?

Every voting citizen, with bi-partisan support.

ISSUE 22 (refer page 18)

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

Not necessary: expense.

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?

Yes

ISSUE 24 (refer page 18)

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

When the draft constitution is put to the people, the draft preamble should be included as part of a 2-part questionnaire.