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LEGAL, CONSTITUTIONAL AND
ADMINISTRATIVE REVIEW
COMMITTEE

LEGAL, CONSTITUTIONAL AND ADMINISTRATIVE
REVIEW COMMITTEE

**A PREAMBLE FOR THE QUEENSLAND
CONSTITUTION?**

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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ISSUE 1 (refer page 6)

Should the Queensland Constitution contain a preamble?

ISSUE 2 (refer page 7)

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

ISSUE 3 (refer page 9)

What purpose should a preamble to the Queensland Constitution serve?

ISSUE 4 (refer page 9)

What type of language should the preamble use?

Issue 1 Should the Queensland Constitution contain a preamble?
Yes ; one that is consistent with 2.1 of Issues Paper page 3.

Issue 2 Yes ; adopted wording should be consistent with QCRC recommendations as set out on page 2 of the Issues Paper.

Issue 3 This is answered above.. The preamble should be inspirational and set the tone for what follows.

Issue 4 It should be set out in common speech and avoid legalisms.

Issue 5 The preamble need not be too specific or detailed but serve rather as a guide to future generations of law makers.

Issues 6 No. The usefulness of the preamble will be evident when it is used to interpret any vagueness or ambiguity that may appear in the Constitution.

Issue 7 This is not necessary and could even create difficulties.

Issues 8 Emphatically yes; the sole sovereignty of the people without any reference to deity or monarchy.

Issues 9 No. This would be anachronism in the modern world where we no longer regard cyclones, earthquakes etc as acts of God and in war if we pray for His help we can be sure our enemies are doing the same. As individuals human beings may feel a divine influence at work in their lives but this is a private matter. When religion is brought into public declarations it leads to hypocrisy as witness the American Declaration of Independence.

Issue 10 Yes with clear recognition of prior occupation and indigenous concepts of engagement with country.

Issue 11 Yes provided traditional practices do not conflict with the rule of law and the general good.

Issues 12 Yes of course, including changes of law that may be necessary to give substance to the values espoused by the preamble.

Issue 13 Yes and in accordance with the International Covenant Articles 14 and 26 as mentioned in Issues Paper page 13.

Issue 14 See above . Without gender/sex equality there can be no equality.

Issue 15 This is not necessary.

Issue 16 This also is not necessary as the preamble is intended to be a general guide.

Issue 17 Yes. The natural environment is fundamental to the health of the state and the people. This should be made clear in the preamble so that if conflict arises with other interests e.g commercial interests, the health of the natural environment takes priority.

Issue 18 The preamble should be kept general and simple and not invite controversy.

Issue 19 20 and 21. These issues seem to me to be about the same thing. All householders should be consulted as far as possible. I would exclude NGOs otherwise members of organisations would have two bites at the cherry, assuming that they are all householders.

Issue 22 An interim Act of Parliament would do *pro tem*.

Issue 23 The insertion of an interim preamble by Act of Parliament should not be necessary for a referendum to go to the people.

Issue 24 When the draft of constitution is put to the people but as a two part questionnaire. People can then vote for one or other or both.