

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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To: The Research Director- Legal, Constitutional and Administrative Review Committee

Preamble to the Queensland Constitution

Issue 1: Should the Qld Constitution Have a Preamble?

I am opposed to the inclusion of a preamble in the Queensland Constitution. Queenslanders showed their opposition to a preamble to the Australian Constitution at the last Federal Referendum. Proposals that are prominent for inclusion in the preamble are frequently pushing the proposer's social agenda. The preamble may in certain circumstances alter the interpretation of the Constitution. In any case, a preamble to the Constitution is an issue of which should only be decided by a vote of the Queensland people.

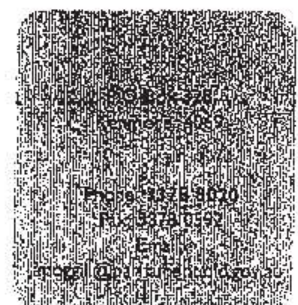
Issue 2: Should the Queensland Constitutional Review Commission draft preamble be adopted in Queensland?

I am opposed to the Queensland Constitutional Review Commission draft preamble.

Issue 3: As previously stated, I oppose the inclusion of a preamble to the Queensland Constitution and reassert my belief that the Constitution should be a stand-alone document and the matters considered for inclusion in the preamble ought to be dealt with in the other appropriate forums. Be that as it may if a preamble is included in the Queensland Constitution it should simply encapsulate the universally held beliefs of Australians in areas such as equality, individual freedom, tolerance, belief in God and the responsibility of citizens. It would be inappropriate that a preamble be partisan or try to set a political or social agenda. State politics is partisan, the Constitution is for all.

Issue 4: I am opposed to the inclusion of a preamble. Should a preamble be included it should be in simple English.

Issue 5: I am opposed to the inclusion of a preamble. Should a preamble be included it should not be extensive. An extensive preamble would surely be aimed at altering the view of the Constitution or setting a political agenda. It is unnecessary that a preamble be extensive and it is inconsistent with the aims of a preamble to the Constitution.



Issue 6: I am opposed to the inclusion of a preamble. Should a preamble be included in my view it is imperative that it should not have legal standing to interpret other provisions of the Constitution. I would consider this a great intrusion into the liberty and democratic processes of Queenslanders if their Constitution would have its interpretation altered by the inclusion of a preamble.

Issue 7: I am opposed to the insertion of a preamble. In any case, if a preamble is included it is not the appropriate place for a written history of the Constitution. Other avenues exist for this to be recorded.

Issue 8: I am opposed to the inclusion of a preamble. If a preamble is included it should acknowledge that Australia is a Constitutional Monarchy and be consistent with the Queensland and Australian Constitutions as they stand now, not as some people would wish them to be.

Issue 9: I am opposed to the inclusion of a preamble. Should a preamble be included it should make reference to God. Our nation, our culture and our State have all been built on the premise of a belief in God. The majority of Queenslanders believe in God. This includes long-standing inhabitants as well as new arrivals. Removal of acknowledgement or reference to God would be to follow a minority view and would seek to impose that view on the majority of Queenslanders. A preamble should in no way however conflict with tolerance of those who do not believe in God.

Issue 10: I am opposed to the inclusion of a preamble. Should a preamble be included I do not consider that it should not single out Aboriginal and Torres Strait Islander people for recognition. Aboriginal reconciliation is best served by accepting our responsibilities to address disadvantage. Queensland should take practical and effective action on Aboriginal education, health, housing, employment, not by form of words.

Issue 11: I do not believe there should be a preamble. If a preamble is included I do not consider it should recognise cultural diversity. I do not see this social issue being dealt with in a Constitutional sense. An affirmation of our fundamental belief in tolerance and respect for individual rights, liberties and beliefs encompasses the concept of diversity whether it be cultural or any other part of life.

Issue 12: I do not believe there should be a preamble. Should a preamble be included I accept that it should recognise rule of law. Queenslanders are almost universally committed to rule of law and it is a fundamental tenant of our society and an underlying Constitution. I see no reason why rule of law is not appropriately dealt with in a Constitutional setting.

Issue 13: I do not believe there should be a preamble. Should a preamble be inserted the fundamental belief of Queenslanders in equality (and tolerance) is consistent with the aims of the Constitution and would therefore be acceptable. This statement should not go beyond equality and tolerance to specifying religion, gender, race etc. Sometimes what is excluded may be more significant than what is included.

Issue 14: I am opposed to the inclusion of a preamble. Should a preamble be included I do not consider that it should refer to equality within particular areas such as gender equality.

By specifying certain areas of equality one significantly runs the risk of downplaying the value of equality in areas not mentioned. Gender equality is dealt with by legislation and is not best addressed within a Constitutional setting.

Issue 15: I am opposed to the inclusion of a preamble. Should a preamble be included I have no problem with it referring to the status of the Constitution so long as such reference is not made in a manner that would influence the thrust of the Constitution as it has stood over time. It should not be worded in such a way as to pre-empt a possible change to a future republic. The Constitution is not the appropriate place to be detailing matters of individual responsibility within government.

Issue 16: I am opposed to the inclusion of a preamble. Should a preamble be included reference to the system of government should be consistent with long held tradition and with the contents of the Constitution, which is that we are a Constitutional Monarchy. There should be no change in emphasis. If in future Australia becomes a republic then matters relating to the Queensland Constitution can be reconsidered. At this point the Australian people have not approved such a change.

Item 17: I am opposed to the inclusion of a preamble. Should a preamble be included I do not believe it should make reference to the environment. We value protection of the environment very highly but it is not a matter to be dealt with in a Constitutional setting. It is a matter for legislation and legal/social dealings.

Item 18: I am opposed to the inclusion of a preamble.

Item 19: I am opposed to the inclusion of a preamble.

Item 20: Any alteration to the Constitution including the insertion of a preamble would only be acceptable if the wording is approved in a referendum by the Queensland people.

Item 21: The Constitution belongs to the Queensland people; inclusion of a preamble is only acceptable if approved in a referendum by the Queensland people.

Item 22: The Constitution belongs to the Queensland people; inclusion of a preamble is only acceptable if approved in a referendum by the Queensland people.

Item 23: An "interim" preamble is nonsense. The Constitution is not something you make interim additions to. I would be vigorously opposed to this suggestion which is totally inconsistent with the concept of a Constitution.

Item 24: I am opposed to the inclusion of a preamble. If a referendum is to be held it should be clearly held in conjunction with a State Election. Principally this is an issue of convenience but as a Queensland issue it is best focused on by Queenslanders whilst they are making a decision on their State Government.