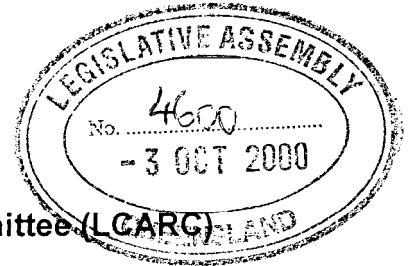


THE CLERK OF THE PARLIAMENT  
**Government Response to**



**The Legal, Constitutional and Administrative Review Committee (LCARC)**

**Report No. 24, July 2000,**

**Review of the Queensland Constitutional Review Commission's (QCRC)  
Recommendations relating to a consolidation of the Queensland Constitution**

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The Committee's Recommendations:

**Recommendation 1**

*The committee recommends that the Premier-as the Minister responsible for Queensland's constitutional legislation-introduce, as soon as possible, Bills based on the committee's attached draft Constitution of Queensland 2000 and Parliament of Queensland Bill 2000 into Parliament for Parliament's adoption.*

*The committee further recommends that the Premier consider, at some later stage, holding a referendum to complete the consolidation of the Queensland Constitution by relocating the entrenched provisions of the Constitution Act 1867 (Qld), the Constitution Act Amendment 1890 (Qld) and the Constitution Act Amendment Act 1934 (Qld) into the consolidated Constitution in modernised form.*

The Government endorses the Committee's recommendation of introducing Bills to consolidate Queensland's constitutional legislation.

The Government considers consolidating the Queensland Constitution into an accessible, easily understood document is an important first step in a longer process towards making the Constitution relevant to Queensland now and in the future.

Constitutional review has been the source of ongoing examination for over seven years by the Electoral and Administrative Review Commission, the Parliamentary Committee for Electoral and Administrative Review, the Legal, Constitutional and Administrative Review Committee, and the Queensland Constitutional Review Commission. The Government is extremely appreciative of the detailed research and community consultation that has been undertaken by these bodies. The common achievement of these bodies has been the recommendation to consolidate constitutional provisions currently contained in over ten principal Acts, into two Bills.

The Government will shortly introduce two consolidation Bills into the Legislative Assembly – the *Constitution of Queensland 2000* and the *Parliament of Queensland Bill 2000*.

The Bills have been modelled on the Government's *Discussion Draft Bills* released for public consultation in July 1999. The *Discussion Draft Bills* were modelled on the LCARC Bills released with its Report No.1 3 tabled in April 1999 and are also very similar to the LCARC Bills released with its Report No. 24 tabled in July 2000.

There are four basic categories of proposed amendment to the Government's *Discussion Draft Bills*, following the QCRC and LCARC reports. These are:

- (a) amendments necessary due to constraints imposed by entrenched provisions (consistent with the advice of the Crown Solicitor that the entrenched provisions remain in the shell of their original Acts and not be replicated in the consolidated Bills);
- (b) non-controversial minor amendments proposed by the QCRC and supported by LCARC, to be adopted in full;
- (c) further adjustments to some of the non-controversial minor amendments proposed by the QCRC; and
- (d) other (non-QCRC) minor amendments of a technical and/or consolidatory nature which reflect constitutional practice and procedure.

It is intended that the Bills be introduced as soon as possible as recommended by the committee.

## **Recommendation 2**

*The Committee notes the Government's endorsement of the Committee's previous recommendation that measures be taken to improve the civic education of Queenslanders and, in particular, the level of awareness and understanding of the Queensland Constitution.*

*The Committee further recognises that the scope and content of a civic education strategy to give effect to this recommendation and QCRC recommendations 18.1 and 18.2 is subject to budgetary considerations and priorities.*

*In this context, the Committee recommends that as part of any such civic education strategy, the Premier-as the minister responsible for Queensland's constitutional legislation-consider implementing:*

- *recommendation 2 of the Committee's report no 13 that steps be undertaken to improve Queensland citizens' awareness and understanding of the State Constitution including, in particular (if, and when, a consolidated Queensland Constitution is passed by the Parliament) by:*
  - the preparation of an explanatory book/et to contain or accompany the Constitution;*
  - *distribution of the Constitution and accompanying explanatory booklet widely throughout the State as part of a strategy to ensure that the Constitution is otherwise easy to access; and*
  - *liaison with the Minister for Education to develop strategies and programs to enhance Queensland citizens' awareness and understanding of the State's constitutional arrangements, both in schools and in the community generally; and*
- *the Queensland Constitutional Review Commission's recommendations regarding:*
  - *the Minister for Education making regular ministerial statements to inform the Legislative Assembly of progress of implementation of civic education in the State (R18.1); and*
  - *the Electoral Commission of Queensland developing an electoral education centre (R78.2).*

The Government endorses the recommendation that measures be taken to improve the civic education of Queenslanders, in particular the level of awareness and understanding of the Queensland Constitution.

The Queensland Constitution is the fundamental law about how the people of this State are governed. It is imperative that Government promote its accessibility and relevance to the people of Queensland.

Strategies suggested by the committee would assist the Government in this endeavour.

The Government will form an interdepartmental working group, chaired by representatives of the Department of the Premier and Cabinet and including representatives of the Department of Education and the Department of Justice and Attorney-General in order to implement the LCARC's recommendations in relation to civic education.

Following the successful passage of consolidated Constitution Bills, the proposed working group will progress the specific elements of the LCARC's recommendation 2 by developing a civic education program including:

- an explanatory booklet for wide distribution to accompany a consolidated Queensland Constitution;
- a broad range of resource materials relating to Queensland's Constitution which can be utilised in existing school curriculum and adult civic education programs; and
- an evaluation strategy in order to measure the effectiveness of the civic education program in raising Queensland citizen's awareness and understanding of the Queensland Constitution and ensure that the program reflects the Government's stated outcomes in respect to raising general education levels and the smart State initiative.

The representatives on the working group from the Department of Education will provide information on the progress of the working group to the Minister for Education so that the Minister can inform the Legislative Assembly of the progress of implementation as it relates to state school curricula.

The working group will liaise with the Electoral Commission of Queensland to ensure that the civic education program complements any initiatives developed by that organisation in response to the LCARC's recommendation.

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