

SENATE LEGAL AND CONSTITUTIONAL REFERENCES COMMITTEE
INQUIRY INTO AN AUSTRALIAN REPUBLIC

Note on evidence presented to the Committee on 20th May 2004
by Eric Lockett

There seems to have been some misunderstanding within the Committee about my reasons for being critical of part of its Terms of Reference. On reflection, I am not sure that I sufficiently clarified this during the hearing. I hope that this note will help remove any remaining misunderstanding.

As I indicated in my submission, I have some reservations about the timing of this inquiry (and I noted with interest that the ARM representative felt that it was still too early to again put the question of becoming a republic to the people). I also have some reservations about the wording of part (a). However, I have no quibble with the Committee being asked to look into a process for re-considering the issues.

The main problem I have is with part (b) of the Terms of Reference. This means that, although the Committee is to advise on the best process for resolving issues such as the nature, role, and selection and dismissal procedures for the head of state, that advice on process is, in effect, pre-empted by part (b) which presumes that hearings by this committee are the appropriate process. I think that experience should tell us they are not. Something much more effective at assessing 'grass roots' feelings is needed.

My concerns have been eased somewhat by indications during the hearings that, although I understood that it was the usual role of such committees to recommend a preferred option from the material put to them, this committee apparently doesn't see its task to be to resolve these issues by settling on a single preferred option. The public won't be presented with a fait accompli on a take-it-or-leave-it basis. That was not apparent from its Terms of Reference.

Nevertheless, I still think that, on such matters, the output from a process involving local delegates consulting with their communities at the 'grass roots' level would have more credibility with the general public than the output from a committee of federal parliament.

Eric Lockett

20/5/04

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Amendment to written submission by Mr Eric Lockett

Please amend the outlined process for reconsideration of this issue by replacing step 1 from my previously lodged submission with the following.

1. A plebiscite on whether the Government should initiate a new process for the Australian people to decide whether, and on what terms, Australia should become a republic. (The background material should provide details of the planned process for addressing the issue.)

E. J. Lockett

17/5/04

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Supplement to previously supplied amendment to written submission
by Mr Eric Lockett

On re-reading the amendment I supplied to the hearings held in Hobart on 20 May, I have noted that a further small change is needed with that amendment to make sense of the process outlined in my submission. As well as replacing Step 1, some words need to be added to Step 5. The full amendment is as follows.

Replace the original Step 1 with:

1. A plebiscite on whether the Government should initiate a new process for the Australian people to decide whether, and on what terms, Australia should become a republic. (The background material should provide details of the planned process for addressing the issue.)

Add to the original Step 5, immediately before 'i)' the words:

If Australia were to become a republic:

Would you please ensure that the Committee is made aware of the incorporation of this supplementary amendment.

E. J. Lockett

17/5/04