## The Real Republic Australia's Constitutional Conversation No.7 – SPRING 2021

**Territory voters** should count



By DAVID MUIR AM Chair Real Republic Australia

One of the hurdles to reforming our Constitution is the fact that any referendum question put to voters must achieve a "double majority".

Section 128 of the Constitution means that for a referendum to be successful it must be carried by a majority of voters across the nation – including voters in the Northern Territory and the Australian Capital Territory – as well as achieving a "yes" vote in a majority of states – excluding the NT and ACT.

The Real Republic Australia has other concerns about Section 128, including the fact that it effectively puts all power to initiate a referendum in the hands of the Prime Minister of the day.

We think there should be opportunities for others, including state and territory governments and parliaments to initiate potentially beneficial reforms through a referendum.

But even if that change were achieved the "double majority" would still act as a potential roadblock to reform.

It is essentially undemocratic by excluding territory voters from being counted in both parts of the required majority.

At the time the Constitution was drafted the NT and ACT did not exist as the significant separate jurisdictions we see today.

By maintaining the exclusion of the NT and ACT in assessing the success of a referendum, our Constitution is not recognising the contemporary



status of both the NT and ACT. It is treating territory voters less equally than their counterparts residing in the six states.

The Real Republic Australia believes this situation should not be tolerated.

We believe that there should be a change to the Australian Constitution so that the Section 128 double majority requirement is satisfied if a majority "yes" vote is recorded nationally as well as by a majority of both states and territories.

Recently we released our "roadmap" for achieving constitutional reform including an Australian republic with a directly elected head of state.

Our suggested process revolves around a series of Australian Constitutional Assemblies that would allow average voters to assess and recommend potential referendum questions.

Amending Section 128 to ensure people in the NT and ACT have equality with voters in the states when it comes to amending the Australian Constitution is one of a number of reforms we would like to see addressed through that process.

We believe it would deliver real benefits to all Australians and would address the inequality currently evident when it comes to the NT and ACT's role in achieving real reform.

#### Mixed referendum results for NT and ACT voters

The Whitlam Government sponsored an unsuccessful referendum in May 1974 to enable NT and ACT electors to vote on referendum questions and to allow changes to the Constitution if a referendum question was approved by a majority of voters and a majority of voters in half the States. The national 'yes' vote was 47.99% and the question passed in only one state, NSW. It was not until after a May 1977 referendum sponsored by the Fraser Government was passed by all states that NT and ACT residents could vote on referendum questions.





#### Catholic Church backs recognition

The Catholic Church has backed the <u>Uluru Statement From the</u> <u>Heart</u> and the concept of a constitutional voice for First Nations' people.

A <u>report drafted by a working</u> <u>group</u> as part of the virtual meeting of the Church's 278member <u>Fifth Plenary Council of</u> <u>Australia</u> stressed the need for a church process to support the Uluru Statement and for a First Nations' voice to be enshrined in the Constitution.

Prior to the meeting the president of the Australian Catholic Bishops Conference, Brisbane Archbishop Mark Coleridge, has endorsed the Uluru Statement.

"Only a heart of stone could allow the indigenous peoples to become aliens, exiles, and refugees in their own land," Archbishop Coleridge <u>said</u>.

He called on "all people of goodwill and good intention" to also support the Statement From the Heart and put it into action "in every way possible".



The Statement From the Heart was agreed at a meeting of First Nations' representatives at Uluru in 2017 and calls for:

- enshrining a First Nations' voice in the Australian Constitution,
- establishment of a Makarrata Commission to supervise the making of agreements with Australian governments, and
- a process of truth-telling about Australia's history and colonisation overseen by the Makarrata Commission.

# Holiday puts focus on a republic

Monday 4 October was a public holiday in Queensland – the state named after Queen Victoria during whose reign Federation came to fruition. Real Republic Australia chair David Muir took the opportunity to promote our reform agenda through an op-ed in Brisbane's daily paper *The Courier-Mail*. Below we reproduce the article and on the next page we respond to some of the many online comments and anti-republic arguments put forward by readers of the newspaper in response.

#### Monday 4 October is a public holiday in Queensland and no doubt some in the Sunshine State may not know why.

The fact people living in a state named for a British monarch may need to be told that we enjoy a day off work to mark the Queen's birthday is itself telling. So too is the fact that the holiday has been shifted around the calendar by successive governments and that Her Majesty's actual birthday was in April.

That is not to suggest that Queenslanders care little for Her Majesty. Those of us who advocate genuine constitutional reform and an Australian republic also recognise and value the long and dedicated service Her Majesty has given in the role that fate handed to her.

While I cannot speak for other organisations, the Real Republic Australia believes that the republic debate should never be about denigrating the Queen or her family. It is about Australians deciding our own future with an Australian as our head of state.

Even Her Majesty and senior royals reportedly believe that it is our debate to have and they will accept our decision.

The debate is whether we continue having a British monarch as our head of state – a system that forever excludes any Australian. Even someone descended from our First Nations.

Heads of state play important roles reflecting national ideals and values as well as projecting their nation on the world stage.

But when the royal family travel abroad they promote British interests, not Australia and not even those within the 54-member Commonwealth of Nations which the Queen heads and which includes 33 republics – soon to be 34 when Barbados becomes one in November.

Most importantly, the debate is about the model we want for a republic.

The Real Republic Australia has always advocated a directly elected head of state.

I was a delegate to the 1998 Constitutional Convention elected on the ticket of the late Clem Jones, Brisbane's former Lord Mayor who led the push for a directly elected head of state. So I know that the model is absolutely crucial.

The 10-day Convention spent too long discussing if we should become a republic

and not enough time devising a model that voters would support with the result that the November 1999 referendum offered the idea of a head of state picked by politicians in Canberra – essentially one that a prime minister chose and could summarily dismiss.

That model did not even gain majority support from 152 Convention delegates – receiving 73 votes in favour, 57 against, and with 22 delegates abstaining.

Even before the referendum, a September 1999 Newspoll showed 50% of respondents wanted a directly elected head of state, only 14% wanted "the politicians' republic" on offer, and 32% backed a constitutional monarchy.

Even monarchists would back a directly elected head of state over "a politicians' republic" or some sort of "hybrid" model.

My belief is supported by a November 2002 Newspoll that asked 1200 respondents to consider which model they would support in the hypothetical situation of an inevitable Australian republic.

The result was 79% wanted a directly elected head of state, 18% wanted Federal Parliament to appoint one, and 3% were uncommitted.

It is clear that a directly elected head of state is the only model Australians will back if we are to transition to a republic.

A republic can work within a Westminster system.

Just take a look at Ireland – a republic with a well-functioning democracy with a directly elected head of state with powers codified in the Irish Constitution, and a traditional parliament and executive government led by a prime minister and cabinet.

Some argue that we should not talk about a republic when there are bigger issues of concern, like the current pandemic.

But the two are related because we see the republic as just one constitutional reform we should be debating.

We have released details of other potential beneficial changes to the Australian Constitution including:

 constitutional recognition of First Nations' people

# Let's bring Australians together - as a republic

Construction of the second secon

Vertice 2 a republic and not enough time will a list an anode that voters would not enough that a list and that voters would not head the loss of a head of translam. Notwenther provide that the Notwenther that a prime minister chotens. That mount of the loss of a list and the politicians is Catherra – reve that mount of the loss of the deligater – receiving 73 votes there there is a parties minister cho the list and the loss of the loss of the deligater – receiving 73 votes there a November 2002 Novempole A November 2002 Novempole that would be loss of the loss of the A November 2002 Novemb

> postnetical situation of an insvituble Asstratian regulable. The result was 70 per cent wasning a directly elected head of state. (B per cent wanted federal parliament to appoint one, and 1 per cent weat committed. It is clear that a directly elected head of state is the outdy model Asstratians will back if we are to transition to a republic.

An immediate man state. By even tates is pretained to a mere using the subset of answer and tangen needed to real and state powers and of the fight against the and state neoks. Dar road map reised of the given threats that as a look, a well.

DAVID MUIR AM IS CHAIR OF THE REAL REPUBLIC AUSTRALIA, WHICH WAS STARTED BY FORMER BRISDANE LORD MAYOR CLEM JONES

- four-year, fixed, and synchronised terms for both houses of Federal Parliament to stop prime ministers gaming the system by picking election dates, cutting the number of elections now costing more than \$300 million, and ensuring government mandates are not hostage to Senators elected years earlier
- breaking the constitutional nexus that demands the lower house is twice the size of the Senate – a provision that will one day see a lower house of 300 MPs and around 150 Senators
- cutting the number of Senators for each state while retaining two apiece for the NT and ACT
- eliminating by-elections by creating a Senate-style casual vacancy system for the House of Representatives, and
- constitutional recognition of local government.

We recently released a "roadmap" showing how we could achieve reforms through a process built around the concept of an Australian Constitutional Assembly involving average voters in assessing potential changes to the way we are governed which can then be put to voters in a long-term series of referendums.

An immediate task for an Australian Constitutional Assembly should be to assess any constitutional changes needed to realign federal and state powers and responsibilities to ensure the maximum effectiveness of the fight against the pandemic and similar future threats.

Our "roadmap" for constitutional changes reinforces the idea that Australians should be in charge of the process, just as one of them should be our head of state.

## Addressing some common concerns

The opinion piece by Real Republic Australia chair David Muir on the Queen's Birthday holiday in Queensland (*previous page*) sparked a strong response in letters to the editor in Brisbane daily newspaper *The Courier-Mail* as well as in its online forum. Below we have selected a few of the comments that put forward arguments against a republic, or which raised potential objections. Many of the comments submitted by *Courier-Mail* readers reflect common complaints or myths about an Australian republic. We have provided our response to such arguments below.

COMMENT	RESPONSE
"The bigger problem is the existence of the states. They should be abolished. What do they do that couldn't be handled by the feds and local government?"	The Real Republic Australia is not supporting the abolition of states and territories. However, our proposal for an ongoing series of Australian Constitutional Assemblies could be employed to address any reforms needed in the powers and responsibilities of the federal, state, and territory governments to ensure more efficient and cost-effective administration.
"Australia is together, as it is. It ain't broke, so leave us alone."	There are always opportunities to make our system of government work better and an elected head of state who is able to promote Australia on the world stage – as the British royal family does for the UK – as well as other changes proposed by the Real Republic Australia would pay dividends to Australians. In the late 19 <sup>th</sup> century there were many who said the Cobb & Co coach system wasn't broken. But would we prefer it today instead of the newer and better forms of transport that replaced it?
"I'd bet that people would not vote for a republic if we had a referendum today. This would partly be because the Queen is highly respected and people probably won't vote for a change while she's still on the throne."	We agree that Her Majesty deserves the respect of Australians for her service, but disagree that it would wrong to start a republic debate now. She recognises the debate is not about her and the decision is one for us to make and she will accept it.
The Queen is Australia's monarch and the Governor- General is our head of state. We've had Australian GGs for nearly 100 years."	The Queen is Australia's monarch and as such head of state. The Governor- General is only the Monarch's representative. Section 2 of our Constitution says: "A Governor-General appointed by the Queen shall be Her Majesty's representative in the Commonwealth."
"The last thing we need is an Australian Trump."	We totally agree, and none of our proposals involve establishing a head of state along American lines where the President is both head of state and head of the executive government.
"It would be a backward step because we would have a Prime Minister elected by the people and a President elected by the people. Just the recipe for a power struggle."	Our proposals call for a head of state elected by Australian voters but with powers strictly codified in the Constitution or relevant legislation. This, as shown in Ireland, would mean no rivalry or power struggle between a prime minister as head of government and a head of state.
"It's only the left woke cancel culture Labor mob that are desperate for this change."	People of all political persuasions support an Australian republic including many MPs in the Liberal, National, and Liberal National parties.
"The proposed constitutional recognition of First Nations' people without a referendum is sufficient grounds for me to not support Australia becoming a Republic."	First Nations' people can achieve constitutional recognition only if a referendum is supported by Australian voters in accordance with the criteria laid down in Section 128 of the Australian Constitution.
"Wanting to change the current system is more about hatred of the monarchy than anything else."	As mentioned earlier, the Real Republic Australia respects Her Majesty the Queen for her long and dedicated service. We actively discourage anyone from basing pro-republic arguments on personal attacks on the Queen or members of the royal family.
"Unfortunately articles like this always kill off the debate, because it becomes about how the head of state is chosen, rather than whether we should be a republic. The result is a split republican movement, and the status quo."	The Real Republic Australia believes the republic model is the key to success for any referendum. The 1999 referendum failed because the wrong model – the "politicians' republic" – was put to voters in a take-it-or-leave it fashion. They chose to leave it. We want our Australian Constitutional Assembly process to determine likely options for a model. These options would then be put to voters in a national non-binding plebiscite asking if they want a republic and, if so, to choose a model. The preferred model would then be put to a referendum. We are confident that our preferred model – a head of state directly elected by voters – is the one that will receive support and which has the best chance of being carried at a referendum.
"I just don't trust that modern day leaders and the general public can put their politics aside to draft a	We are not proposing a new Constitution, but do advocate a process to involve average Australians in updating our Constitution to become a republic and to

ensure it meets the needs of our nation now and into the future.

general public can put their politics aside to draft a new constitution that will be in the best interest of the country as a whole."

## Four-year terms

### can answer

## several questions



over some matter has been established.

The second problem is that of 1975-instability flowing not from the prime minister's power

to pick an election date of his own choosing, but from the existence and use of the Senate's power to force a government to the polls by blocking supply in a situation where that government retains its



The Real Republic Australia advocates for a directly elected head of state but also proposes the establishment of an ongoing process based around the concept of Australian Constitutional Assemblies giving average Australians a chance to be involved in other constitutional reforms. One of our ideas is a change to four-year terms for Federal Parliament with a fixed election date to synchronise the election and terms of both houses. The concept of fixed election dates is not new. More than three decades ago former Labor Party federal attorney-general in the Hawke Government, then Senator Gareth

Evans, (pictured) wrote about the benefits of fixed terms, albeit for three years. This edited extract of his comments show fixed terms can help answer questions about the use of Senate powers in the 1975 Whitlam dismissal while injecting greater stability into our political system.

### There are a number of ways in which technically speaking, the constitutional problem of 1975 can be tackled.

Some people's preference is to start with the end of the decision-making chain, and seek to remove the power of Governor-General to dismiss a government still commanding a majority in the House of Representatives.

Understandable although it may be to focus on vice-regal discretions, given the disgraceful personal role played by Sir John Kerr in 1975, the difficulty with this kind of solution is that it doesn't sufficiently acknowledge the dilemma that even the best motivated Governor-General would face if supply did in fact run out, and, in circumstances where the wheels of government had ground completely to a halt, the government of the day refused to go voluntarily to the polls.

The problem with Kerr's action in 1975 lay not so much with his decision to exercise the power, but rather with the wildly premature timing of its exercise, and with the gross deception that he practised on the government in the process.

My preference, then, would be to focus squarely on the powers of the Senate..... to remove from Section 53 of the Constitution any power of the Senate to reject "or in any other manner block" money bills.

But the most attractive reforms are not always the most readily achievable, and it remains the case that – with all the electoral emotions that questions about the Senate seem always to generate, at least outside New South Wales and Victoria – it is just not feasible within any reasonable time-frame for such a proposal to pass at referendum.

My own preferred solution has been, for several years, an indirect approach to the problem – the proposal for fixed-term parliaments.

The proposed fixed-terms concept is quite simple, though its mechanics get more complex. The basic rule under the legislation I introduced as Attorney-General, is that elections for the House of Representatives are to be held on a constitutionally fixed date – namely the third Saturday in November every three years – which cannot be varied at the discretion of the prime minister or government of the day.

This basic rule is subject to two qualifications:

- an early House of Representatives election can be held in the event that the government of the day loses a noconfidence vote in the lower house and no alternative government can be formed; and
- double dissolutions can occur as at present in the event of a prolonged deadlock between the House and Senate.

But in either case the incoming government does not commence a new three-year term; rather it merely serves out the term of its predecessor, ensuring that the basic threeyear cycle is quickly restored.

The fixed-terms concept is directed to removing two different but equally basic causes of instability in the Australian constitutional system. The first is the utter lack of stability and predictability in the electoral cycle, as a result of the unquestioned power of the prime minister of the day under the present rules – and a power much exercised in recent years – to call elections for the House of Representatives as early as he likes and as often as he likes and, moreover, to demand a double dissolution more or less at whim in the event that the formal precondition of a deadlock with the Senate majority in the lower house. The argument here, in summary, is that the basic constitutional prohibition of premature elections would make the blocking of supply in most circumstances pointless and politically counter-productive.

To the extent that the basic prohibition could be avoided in a particular case – for example by the existence, at the time of the blocking, of some deadlocked measure for which the double dissolution "trigger" was already cocked, as was the case in both 1974 and 1975 – then the rule that an incoming government could only serve out the term of its predecessor would operate in nearly every case as an overwhelming practical disincentive to the Senate pursuing the matter.

Historians of the future may take the view that the greatest opportunity for reform of the Constitution to solve the problem of 1975 was that missed when we took the decision in May 1983 to postpone – first for a period, then indefinitely – the fixed-terms referendum planned initially for August of that year.

Opinion polls taken at the time indicated support of the order of 70% for the fixed-terms idea in every state.

It may be that not only the merits of the proposal itself, but the honeymoon that the Hawke Government was then enjoying, would have contributed to its successful passage even in the face of apparent intransigence from the opposition parties, which hostility is what led the government, in the event, to abandon the exercise.

It may be that some momentum can be reestablished behind the fixed-terms proposal, or behind some other proposal equally or more capable of solving the 1975 problem.

I hope that for the future of our constitutional democracy the effort is made, and made again reasonably soon. If experience has taught us anything, again, it is that the time to act on these matters is not when there is a crisis looming and emotions are running high, but rather when the sky appears relatively cloudless.

From The Whitlam Phenomenon The Australian Fabian Society 1986 Publisher: McPhee Gribble/Penguin Books

## **Response to our 'roadmap'**

In our last quarterly newsletter we outlined our proposed "roadmap" for achieving constitutional reforms including an Australian republic. Retired political scientist and author Klaas Woldring provides his response and canvasses some of the obstacles and issues involved in achieving changes to the Australian Constitution.

The creation of a republic may seem far from the public's mind right now given the problems fixing the pandemic.

However, that also provides opportunity to reflect on governance issues. Just thinking about what kind of president we should have, as has been the principal preoccupation of republicans thus far, represents a dated and inadequate approach.

Australia's adversarial political culture, a direct result of the single member district (SMD) electoral system is in fact a primary reason why updating the existing Constitution has failed so often.

This adversarial situation makes it very clear that constitutional amendment referendums have little chance of being approved unless the major parties agree.

Thus, at the outset we can establish that there are at least three main factors which have prevented the updating of the colonial Constitution:

1. Clause 128, requiring a national majority as well as a majority in a majority of states (four out of six), a condition the smaller states demanded in the 1890s.

2. The adversarial two-party system itself – a result of the current SMD electoral system.

3. The constitutional requirement that only federal politicians can propose federal constitutional amendments.

Attempts to facilitate amending the existing Constitution, as Prime Minister Gough Whitlam attempted in 1974 (by proposing to amend Section 128) have failed.

A second serious attempt to have four separate proposals approved in 1988 also failed.

Australia has moved on but trust in the constitutional and political systems has declined significantly.

Lack of education on governance systems and the Constitution is an additional handicap.

The issue really has now become: What kind of Republic? There is much more to be fixed than a directly or indirectly elected of head of state.

Certainly, it should also be a republic in which the Indigenous people are fully recognised.

The failure to even put the Uluru Statement to a referendum surely is the limit.

It also would be a great reform if we were to have competent government ministers selected by a democratically elected government from the entire society. Currently, they are chosen only from a pool of government MPs.

A sovereign people can rewrite their entire constitution, even in one go. Only the people and their genuine representatives, elected in a democratic fashion, can do that. That is the essence of sovereignty.

But first we have to grasp the basics of why we are in this predicament and outline possible strategies generating a widespread desire for the changes to be made.

Attempts to facilitate amending the existing Constitution, as Prime Minister Gough Whitlam attempted in 1974 (by proposing to amend Section 128) have failed. A second serious attempt to have four separate proposals approved in 1988 also failed.

Recently, the Real Republic Australia, originally started by the late progressive Mayor of Brisbane Clem Jones and now headed by David Muir, has proposed a new strategy to combine constitutional renewal and the achievement of a republic.

This proposal deserves serious consideration. There can be no doubt that the process of achieving major constitutional change is the key to success and rapid recovery. Piecemeal tinkering has failed for 120 years.

The process suggested by the Real Republic is explained in "A Roadmap to Reform". The group does not start with a clean (constitutional) sheet but argues for significant ongoing reform by by means of a series of popular Australian Constitutional Assemblies.

An example is provided by the Constitutional change process in Ireland, used in 2012.

The Real Republic group proposes that each Australian Constitutional Assembly be required to report to the Speaker of the House of Representatives who would also be administratively responsible for their operation through the Department of the House of Representatives.

However, through the proposed Assembly process any government, or individual elected MPs or party wishing to have their say can do so by making a submission to or appearing as a witness before Assembly members.

The Real Republic Australia says: "The Assembly model offers the best chance to avoid partisan politicking of the type that has bedevilled previous efforts at constitutional reform. At the conclusion of an Assembly, a federal government will need to justify its decision to support or oppose any Assembly recommendations – recommendations which will essentially reflect the view of the wider Australian community."

The group also proposes some major desirable changes of their own:

- fixed four-year terms for both houses of parliament
- synchronised terms for both houses of parliament
- addressing the nexus between the upper and lower house and cutting Senate numbers
- a casual vacancy system for the House of Representatives
- constitutional recognition of local government, and
- a fairer process for changing Australia's Constitution.

However, the Irish Parliament is elected on the basis of proportional representation, single transferable vote (STV)



similar to the Australian Senate.

Thus, smaller parties achieve proportional representation quite unlike in the Australian House of Representatives which is elected on the SMD electoral system.

Unless this changes one must expect that constitutional amendment proposals from a popular Australian Constitutional Assembly (as recommended) will tend be treated in the context of that adversarial political culture and fail again.

The answer here is NOT to vote for independents in the current system, as is being argued, but to change the electoral system!

This is where the problem lies.

Ideally, we should begin with a proper proportional electoral system (party list). The Greens favour that and this would make constitutional change, Irish style, achievable.

Conceivably, at the next federal election they may well take seats from both the Coalition and the ALP and have the balance of power federally.

That could break the vicious cycle.



Klaas Woldring has authored several books including

- **Beyond Federation**
- Yes, we can... rewrite the Australian Constitution, and
- How to improve Australia's Democracy: Breaking the Vicious Cycle!

# Lawmakers vote 25-0 for republic

The Parliament of Barbados has voted unanimously to pass a Bill making the Caribbean island nation a republic from 30 November.

MPs voted 25-0 to support the Constitution (Amendment) Bill to deliver a republic.

Prime Minister Mia Mottley said the law was a "simple but functional Bill" that made "the clear statement that we want to be in control of our affairs as a republic".

Ms Mottley said the Bill:

- revoked a 1966 Order in Council of Her • Majesty granting Barbados independence,
- made provision for a citizen of Barbados to be head of state, and
- changed the oath of allegiance from an oath to Her Majesty to an oath to the state of Barbados.

She said the Bill ensured continuity in all other aspects of the functioning of the state of Barbados including public offices, appointments and commissions.

It is expected that current Governor-General, Dame Sandra Mason, will be nominated by both Prime Minister Mottley and Opposition Leader, the Reverend Joseph Atherley, to be the nation's

#### Long connection

The change by Barbados to become a republic will formally bring to an end the role of a British monarch as its head of state.

The island was claimed for King James I of England when English settlers landed there in 1625. Its first settlement was named Jamestown, now called Holetown.

The Barbados Independence Act 1966 was passed by the British Parliament granting independence from 30 November 1966.

first President and would take office from the existing

Prime Minister Mia Mottley Independence Day, 30 November.

Opposition Leader, the Reverend Joseph Atherley, said he supported a move to a republic but also questioned the legality of the method used by the government.

"I've spoken to a number of legal people who hold very strongly to the view that it is inappropriate for the Barbados Parliament to seek to undertake an action that results in what we perceive to be the revocation of an Order in Council of the UK Parliament. Can the Barbados Parliament revoke an Order in Council of the UK Parliament?" Mr Atherley asked.

"We expose ourselves to legal challenges brought pursuant to or consequent upon any action that we take as a people under the Constitution if it is proven we got it wrong."

He also opposed the timing of the Bill, saying it was "the wrong moment" to make the move while Barbados fought the COVID-19 pandemic.

Mr Atherley did not name the legal experts he referenced and was accused by government MPs of "opposing for the sake of opposing".



#### **KEY FACTS:**

- **Capital** — Bridgetown
- Population - 300,000
- Area 430 sq km •
- **Bi-cameral Parliament of Barbados** (pictured above) with five-year terms.
- House of Assembly of 30 elected members
- Senate of 21 members appointed by the Prime Minister (12), Governor-General (7), and Leader of the Opposition (2)
- The Constitution of **Barbados** was adopted at independence in November 1966
- The Constitution may be amended by an Act of Parliament passed by both houses.

### A new name for the nation's police

The Royal Barbados Police Force will be one of her nation's first institutions to undergo a name-change once a republic is in place.

Attorney General and Minister of Legal Affairs, Dale Marshall, said the new name – Barbados Police Service – would reflect the fact that it was "no longer be the police force of the Queen" but "our country".

Mr Marshall also said the new name would move away from the concept of police using "brute force" to a name reflecting their service to the community.

Mr Marshall foreshadowed other name-changes.

He said a number of statutes would need to be changed, mainly those with reference to the Governor-General and the word "royal".

But while not all changes would take place immediately, a mechanism had been put in place to make the transitions.

He said to save parliament making numerous individual changes, the Constitution (Amendment) Bill provided for the President to make orders based on government advice over the next three years to change any legislation and regulations referencing the Governor-General and the Crown.

### **Our newsletter**

Constitutional Conversation is published quarterly by the Real Republic Australia.

It aims to foster public debate about potential changes to the Australian Constitution including a republic with a head of state elected directly by the people of Australia.

The Real Republic Australia was founded by Brisbane's longestserving Lord Mayor, the late Clem Jones (1918-2007) and a number of other delegates to the 1998 Constitutional Convention held in Canberra and who advocated for an Australian republic

with a head of state elected directly by Australian voters.

In line with his wishes, the Real Republic continues to campaign for a republic based on the direct-election model with support provided by the Clem Jones Group.

**Editor: Lindsay Marshall** lindsay@clemjonesgroup.com.au PO Box 8198 Woolloongabba Qld 4102





Republic Australia

The Real