Viva the republic? *From page 1.*

The preamble

Whilst the majority of the polled practitioners support a yes vote for the republic, sentiments about the preamble varied widely.

David Bamber, solicitor with NAALAS in Alice Springs, will vote against the preamble. "I don't think we really need one," he said.

Northern Territory University based solicitor **Matthew Storey** argues strongly against the preamble, saying he is "disappointed and appalled" that the preamble denies the judiciary the ability to interpret the constitution.

Duncan McConnel, Morgan Buckley Mildrens, says he is against the preamble because it starts with *'in hope in god'*. President of the Law Society and Barrister at James Muirhead Chambers, **Jon Tippett**, says that "a hope in god means there is no hope at all."

Concern about the preamble's treatment of Aboriginal and Torres Strait Islander people was raised as an important issue.

"The current preamble fails to properly characterise Torres Strait and Aboriginal history," said Ms Melanie Little.

Mr Tippett concurs. "We need to acknowledge indigenous people not merely honour them," he said .

Another respondent is critical of the preamble for different reasons. "No one ever thought about it [a preamble] until it was made into a political issue by politicians. Aboriginal issues should be approached in a more real and effective way."

A practitioner who wished to remain nameless will vote against the republic and against the preamble. She argues that the preamble "(a) is meaningless in any legal sense, (b) it seems to arise out of an 'ego' trip by John Howard, and (c) it can only have a divisive, if any, effect on the Australian community."

Despite these criticisms, there are those practitioners who support the inclusion of a preamble, including George Cridland, Rex Wild QC, Geoff James and **Bob Gosford**.

If we get a republic, should we abolish the title of QC?

A rousing response from practitioners to the question of abolishing the title of QC was revealing.

Most practitioners polled called for the introduction of the term Senior Counsel as is currently used in New South Wales.

'Senior Counsel is all that is needed," said **Solicitor General Mr Tom Pauling QC**.

Rex Wild QC, Director of Public Prosecutions, begs to differ. "We didn't abolish VC's on Victoria's death... Why single out QC's? It's an honour earnt - why should it be suddenly lost?" he said.

Some practitioners took the matter further. "I think we should abolish the title QC whether we get a republic or not, " said Darwin based family lawyer **Cecil Black**. "I think QC is outdated - Senior Counsel is the best expression to use."

Katherine lawyer **Graham Cole** echoed that sentiment. "We should abolish the title QC anyway," he said.

Northern Land Council lawyer and Law Society Council member, Mr Gosford, argues there is a need for recognition of merit and seniority in the legal profession, but says "it would be more appropriate to institute a Senior Counsel system."

NT votes to count

With a number of surveyed NT lawyers admitting they have yet to decide on their vote, no conclusions about the referendum can be drawn from this poll. The votes of Northern Territorians will be counted in the overall poll, but being a Territory these votes will not figure in the majority of states. What is clear is that every vote will count.

Mr McNab told the ABC Radio that "the polls are showing it's going to be very, very tight, which means somewhat oddly, that the NT votes could make all the difference."

A new preamble

"With hope in God, the Commonwealth of Australia is constituted as a democracy with a federal system of government to serve the common good.

We the Australian people commit ourselves to this Constitution proud that our national unity has been forged by Australians from many ancestries;

never forgetting the sacrifices of all who defended our country and our liberty in time of war;

upholding freedom, tolerance, individual dignity and the rule of law;

honouring Aborigines and Torres Strait Islanders, the nation's first people, for their deep kinship with their lands and for their ancient and continuing cultures which enrich the life our country;

recognising the nation-building contribution of generations of immigrants;

mindful of our responsibility to protect our unique natural environment;

supportive of achievement as well as equality of opportunity for all;

and valuing independence as dearly as the national spirit which bind us together in both adversity and success".