

# Privy Council appeal abolition challenged

A PARLIAMENTARY committee has upped the ante in the Privy Council debate by opposing Government moves to abolish the right of appeal to London.

The justice and electoral committee, chaired by Labour MP Tim Barnett, has reported back to Parliament with worries about Attorney-General Margaret Wilson's move to end appeals to the Privy Council.

"We are concerned about the potential loss of access to a pool of judges who are widely acknowledged to be among the best in the world," the report said.

But Wilson made it clear in the Dominion that abolishing the appeal was a matter of "when", not "if", and Cabinet was expected to make a decision at the end of next month.

"The only comment I'd have on that is that I've been very concerned about the lack of access to justice for many people in this country who can't afford to go to the Privy Council," she said.

Despite consultation by Wilson, a former law professor, with groups like the Law Society, Maori Council and judges, the committee remained unconvinced.

"We also note the Privy Council's advantage of being removed from what is a relatively small and isolated judicial and legal community in New Zealand," its report said.

The committee includes four former lawyers and one, ACT NZ MP Stephen Franks, said abolishing appeals to the Privy Council was a distraction from more important issues. He said it was wasting time "in an appeal to superficial sovereignty sentiments".

Committee chairman Tim Barnett, who emigrated from Britain in 1991, said his British heritage did not mean he had a closer affinity with institutions like the Privy Council.

"What I want is the best for New Zealand, but we have to recognise the constraints on any country with less than four million people."

Republican Movement president Dave Guerin said that the movement supported the Government's move away from the Privy Council, but emphasised that both legal and constitutional arguments needed to be balanced in the final decision.

He endorsed Wilson's suggestion that a Commonwealth court be established, to ensure a high standard of judiciary.

## PM welcomes Queen to the next republic

ANNOUNCING details of Queen Elizabeth's visit to New Zealand in October, Prime Minister Helen Clark has reiterated her belief that this country will become a republic.

Clark's comment caused less of an uproar than former Australian prime minister Paul Keating's similar comment when the Queen visited Australia in 1995, because there is more widespread support for republicanism now.

"I think it's simply a factor of New Zealand evolving very much its own identity, and ... no longer as oriented to what used to be known among the grandparents of many of us as 'the Old Country'," Clark said. "Over time, I'm on the public record as saying it is inevitable that New Zealand will change its constitution and become a republic."

The Queen and Prince Philip will be in New Zealand from October 12 to October 20.

• *more on Queen's visit over page*

## spoken

"Will crowds pack Wellington's Civic Square to get a glimpse of Her Majesty? And if so, will they have been bused in from Kapiti's retirement homes or will they represent the Capital's younger café-dwellers?"

— *The Evening Post on the royal visit*

"[Prince Charles] is precious, extravagant and lacking in the dedication and discipline to make a good king."

— *Prince Philip, Duke of Edinburgh*

"Miss Clark is right: republicanism is inevitable. But even those who back it — and The Post does — know the electorate has to tackle the corollaries. For example, who would be the head of state and how would he or she be chosen? ... It will have to be tackled sooner, rather than later. New Zealand is ready for it."

— *The Evening Post again*

"ACT considers the review to be a distraction from more significant issues, wasting time and resources in an appeal to superficial sovereignty sentiments."

— *ACT NZ on the Privy Council*

"If there comes a time that the country decides a distant monarchy no longer serves its need for a head of state, it might prefer an appointee of Parliament to follow the style of the Governor-General."

— *The Herald*

"Constitutional monarchy ... is deservedly doomed here because the monarch is not one of us and inherited appointments are against our principles, at least in the public sector."

— *Herald columnist John Roughan*

## Human rights complaint exposes problems

THE Government has till December 31 to comply with the Human Rights Act, with huge implications for the monarchy's future.

The act prohibits discrimination on the grounds of family status, but a government exemption means the hereditary process for appointing a head of state cannot be challenged.

The government dispensation from the act expires at the end of this year,

and there would be strong public opposition to any extension.

The difficulty posed by the exemption has been highlighted by work involved in preparing the Republican Movement's complaint to the Human Rights Commission.

The movement argues there has been a failure by government and the commission to address such discrimination, as intended by the act.

That makes a commission complaint the most appropriate way of forcing the Government to consider discrimination in the head of state's appointment.

The movement expects to work with lawyers for the Guardian newspaper in Britain. They are taking a similar case against the monarchy to court, under recently-ratified European human rights laws.

## I'll say goodbye, even though you're blue

by Paul Williams

The upcoming visit of the Queen is both ludicrous and tragic.

At one level, it's like being a child again, hiding during the visit of an awkward aunt.

At another level, I resent this fading monarch, from a failing empire, wining and dining the length of the country, no doubt being chased by Paul Holmes.

I have resolved to view this visit as a farewell tour – it's the only way to make sense of it without being appalled.

Look around Liz, admire the sights, make sure to take some snaps, you are unlikely to tour the Antipodes again.

The Privy Council is going, royal honours have been replaced, and the Lions are now the British *and Irish* Lions – and they lost.

161 years is a good whack – but 2001 is a good year to declare our intention to grow up and leave the royal family to the English.

I'm too old now to hide under my bed and I'll not be able to avoid seeing, reading or hearing about this royal visit.

So I'll probably join the crowds, thinned by age, and wave to the Queen – wave goodbye.

## Whangamomona's Republic Day

THE Republic of Whangamomona in Taranaki has been forced to deal with the problem of selecting a president ahead of the rest of New Zealand.

The town is not marking its Republic Day this year after the death of its president, Billy the Goat, at the ripe old age of 14 years.

It will instead seek nominations (due by November) for a new president, and plan for next year's Republic Day.

The republic committee's secretary,

Shona Gower, said nobody had yet put their hand or hoof up for the job.

But the next president might well be another goat, as Billy had left a great legacy of numerous offspring.

A woman president was also on the cards, Gower told the Daily News.

"We've got a woman prime minister so why not a president?"

This would of course mean more duties for the citizens of the Republic of Whangamomona, as a madam president would require regular milking.

## Queen's farewell tour welcomed

THE Republican Movement is seeking suggestions for marking Queen Elizabeth's visit in October, which it is dubbing "The Farewell Tour".

The Queen, accompanied by Prince Philip, will visit Auckland, Wellington, Christchurch and Dunedin during the eight-day tour starting on October 12.

It will be her 10<sup>th</sup> visit to New Zealand — she first came here in 1953.

Movement president Dave Guerin said he looked forward to the visit as the Queen's last one as head of state.

"I have nothing against the Queen as a person — I just think we should allow her to quietly retire, away from the burden of public scrutiny," he said.

Guerin encouraged all republicans to show courtesy and a friendly Kiwi welcome if they met the Queen.

If sufficient funds can be raised from members, the movement hopes to print small stickers with a crossed-out crown image, stick them on kiwifruit

and hand them out to pedestrians.

The kiwifruit will be accompanied by information about New Zealand becoming a republic.

The Queen's itinerary includes a welcome ceremony at Parliament, followed by a drive through central Wellington.

She will attend the consecration service of the recently-completed St Paul's Cathedral, and open the new art galleries at Te Papa.

In Dunedin she will open an Otago University building, visit the Natural History New Zealand studios, and walk in the Octagon.

She will meet and greet locals at Cathedral Square in Christchurch, before a welcome by Ngai Tahu at Rehua Marae and a visit to Burnham Military Camp.

In Auckland she will visit the Team New Zealand base and attend a garden party at Government House.