



Constitutional Conventions in Australia

An Introduction to the Unwritten Rules of Australia's Constitutions
Ian Killey

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Description

Responding to the omissions of Australia's constitutions, this work explains the nature of conventions, how they arise, how they are altered, and their operation and development.

Australia's constitutions tell only part of the story. They omit or barely mention many of the essential and well-known elements of the system of government, such as the cabinet, the prime minister or premier, ministerial responsibility or the opposition.

The difference between what exists on paper and what occurs in practice arises from binding, yet unwritten constitutional rules or 'constitutional conventions'. This is a subject that has given rise to much misunderstanding but on which little has been written in Australia, despite the critical role of conventions in systems of government.

Scant attention has been given to limits upon the exercise of the broad and extensive powers that constitutions provide to governors and governors-general. Likewise, virtually nothing has been said as to how premiers and prime ministers are appointed or dismissed, or what advice a governor or governor-general is compelled to accept.

This work fills that void by explaining the nature of conventions, how they arise, how they are altered, as well as their operation and development. It will be of use to lawyers, academics, public officials, journalists and anyone who has an interest in understanding the complexities and mysteries of the unwritten rules of the Australian national or state systems of government.

About the Author

Ian Killey PSM is an experienced public sector lawyer who has advised governments regarding conventions over many years.

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