



PRIME MINISTER

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ADDRESS AT ROCKHAMPTON REFERENDUM CAMPAIGN

It is very good to be in Rockhampton again in the last week of the referendum campaign.

Across Queensland, and across Australia, support for all four referendum proposals is strengthening, and I am confident that they will be successful on Saturday, because they are fair, just and sensible, and because they will make a major contribution to constitutional development of our country.

They are not like many other referendums which were initiated solely by Canberra and which sought to increase Canberra's power. They come from the 1976 Hobart Constitutional Convention in which all State Parliaments, the Federal Parliament, and local government were represented. They were supported at the Convention in which the States had 72 of the 92 votes and the Commonwealth had only 16.

Anyone who says that these referendums are to increase the Commonwealth's power at the expense of the States should try to explain away this basic fact. The Commonwealth had only 16 delegates to the Constitutional Convention. The States had 72. The Convention overwhelmingly supported the principles behind all four proposals.

The Queensland Government will have to waste even more of the taxpayers money on misleading anti-referendum advertisements if it is to have any hope of explaining this fact away, and I do not believe the people of Queensland will be misled or frightened by deceptive advertising.

It was not just the Convention that supported the changes. All the major federal parties support them on a bipartisan basis. Each of the four proposals passed in the House of Representatives without a single dissent, and all were passed by an overwhelming majority in the Senate. On 21 March, a majority of Queensland State National Party MPs supported all four proposals. Unfortunately they have somersaulted since. But the National Party organisation is firmly behind the referendums, and some distinguished Queensland statesmen and women - Sir Gordon Chalk, Dame Annabelle Rankin and Sir Charles Adermann, have put themselves behind the referendum.

Queenslanders have traditionally taken a leading role in constitutional reform, voting in favour of referendums on no less than 18 of the 32 referendums since Federation - a far higher proportion than some of the southern states. I feel confident that by Saturday night that figure will be increased to 22.

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We deplore the Queensland Governments use of public money to run an intensive advertising campaign against the referendum. The A.B.C. provides equal time for publicising both sides of the case. Two hours for the Yes case to be put and two hours for advocates of the No case to put their views. No Federal funds are being spent on advertising the Yes campaign. Yet the Queensland Government is spending huge amounts of taxpayers funds to mount an advertising campaign which grossly distorts the facts.

We all know that Joh Bjelke-Petersen put the interests of Queensland first when he fought against the Labor Government's attempts to invade areas of States rights. And we applaud him for this. But his opposition to these referendums is completely unjustified. The only way it can be explained is that having once - justifiably - got on the anti-Canberra horse, he finds it difficult to get off. And this is tragic.

These referendums are our opportunity to use the amending process the Founding Fathers built into the Constitution, to ensure that the Constitution which we are all rightly proud of is strengthened and continues to serve the needs of our nation.

The first of the four referendum proposals is for simultaneous elections for the House of Representatives and the Senate. The simultaneous elections proposal was supported unanimously at the Convention. Those in favour included Mr. Knox, Mr. Hewitt, Mr. Lickiss, Mr. Porter, Sir Charles Court, and not least, Mr. Bjelke-Petersen. Every representative of the Queensland Government supported the simultaneous elections proposal just seven months ago at the Constitutional Convention. And this support was not surprising.

They have a question to answer, why did they change. When we passed the legislation for this referendum we had every reason to believe that Mr. Bjelke-Petersen and the Queensland Government were completely behind the legislation. They had voted for it at the Convention.

It is just plain common sense that Federal Elections always be held at the same time - that you should only have to vote in a Federal Election when you have to choose Australia's Government. This proposal means we will not have to vote in as many Federal Elections. It will also protect the less populous States like Queensland. When there are separate elections for the House of Representatives, political leaders are tempted to confine their campaign to New South Wales and Victoria, which have over 60% of House of Representatives seats. But if the Senate, in which all States are equally represented, is elected at the same time, the campaign must be fought vigorously in all six States and the views of the people of the smaller States are much more influential.

Some have said that this referendum is unnecessary - that simultaneous elections can be achieved by bringing the House of Representatives election forward to coincide with that of the Senate. But that is neither practical nor a desirable method of achieving simultaneous elections. Unless the Constitution is changed, the only way to bring the elections together would be repeatedly to cut short the term of the House of Representatives. The three year term is however already

relatively short - one of the shortest Parliamentary terms in the democratic world. Further reducing it would damage good Government. Most importantly, this proposal will maintain and strengthen the Senate and the protection it gives the States. If this proposal is not passed, the future of the Senate will ultimately be put in jeopardy.

It was quite by chance that in November 1975 when the House of Representatives was dissolved, bills existed which created the circumstances permitting a Double Dissolution of both Houses. Had Liberal Senators not been liable to face the people themselves, so that their actions might be judged, a number of them would not have agreed to block supply. I, myself, would never have sought the blocking of supply from a Senate that would not itself have also faced the people of Australia. The Senators attitude was soundly based because if any House of Parliament were to send another House to the polls, while not itself being judged by the people, it would not survive.

If you subscribe to the fundamental principle that the Senate should not be able to force the Government to the polls unless the Senators themselves face the voters at the same time, the Constitution must be changed to ensure that this will always occur. You can do this by voting Yes to simultaneous elections on 21 May.

Unless the present situation is changed, I can foresee two alternative consequences. The Senate might refuse to check a bad Government unless there happened to exist the circumstances which would permit a Double Dissolution. Alternatively, if Senators were to make the House of Representatives go to an election without facing the people themselves, then there would be a public outcry against the Senate which could lead to the Senate's powers being restricted or abolished. Either of these alternatives would be bad for democratic government, bad for the States, bad for Australia. That is why it is important that this referendum be passed. A No vote on May 21 is a vote for the ultimate destruction of the Senate and one of the world's best constitutions.

The second referendum proposal is that whenever a Senator dies or resigns, he will be replaced, for the remainder of his term of office, by a Member of the same party. This will guarantee that your choice of parties for the Senate cannot be altered by accident or design. Under the Constitution as it now stands, a Senate vacancy can completely change the party balance. It is fundamental to our democracy that only the people should determine the balance of the parties in the Senate. Again, this is of particular importance to the less populated States because it is the Senate in which all States are equally represented. The importance of this cannot be understated, and the example Evan Adermann put to me last night brings it home. He often travels home from Canberra with almost all the Queensland Senators. What would happen, he asked, if the aeroplane were to be involved in a tragic accident? Would the people of Queensland - of any state - be content to make the party affiliation of their Senators depend on some State Government observing a convention that might be breached by considerations of political advantage. Constitutions are supposed to make laws for this sort of situation - not allow it to depend on the political calculations of State Governments. Once this proposal is accepted, the peoples choice will be preserved until they have an opportunity to make another choice at the next election.

The third referendum proposal is to give voters in the Australian Capital Territory and Northern Territory the basic right to vote in all future referendums. This is a fundamental right all other Australians have. I know of no rational or reasonable argument for denying it to Territorial voters. They have the same obligations as other Australians. They pay taxes, they are obliged to observe the laws of the Commonwealth, they vote for Members of Parliament and the outcome of referendums affect them as much as they do other Australians. Restoring this right will strengthen Australian democracy.

The fourth and final referendum proposal is to set a retiring age for Federal Judges. High Court justices would retire at 70 and the retirement age for other Federal Court judges would be determined by Parliament. The proposal does not affect the terms of judges already appointed to the Bench. Most jobs have retirement ages, and for good reason. Judges are as affected by old age as the rest of us. In Queensland the judges retiring age is set at 70. Opposition to the same retiring age for Federal judges certainly cannot be based on any view that this adversely affects Queensland's judicial system. It is only fair that after the age of 70 responsibility should be handed over to younger people. This is even more important now that the new system of Federal Family Courts has been set up.

All four referendum proposals are fair, just and reasonable. They have been extensively considered. They have the support of all major Federal parties. They do not involve more power for Canberra. They will strengthen the Senate and ensure that it can better look after the interests of the State. They will make the Constitution work better.

The polls show that all referendums have substantial and influential support in all States. Support for the four proposals is increasing in Queensland, despite the expensive and futile attempts to distort the proposals. But those people who think the referendum propositions should be passed, cannot afford to be complacent. The referendums will not pass themselves.

All people who care about constitutional and political reform in this country have a responsibility to work for the referendums. If we all do this, then the referendums will be passed, and we will have a Constitution which serves Australia's needs more effectively.
