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PRIME MINISTER

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REFERENDUM CAMPAIGN ADDRESS - GREER COMMUNITY CENTRE, BRISBANE

It is very good to be here in Brisbane again. As you know, things have been a little hectic on the travel front since the controllers strike which has brought Australian air travel to almost a complete stop.

The air controllers already earn almost twice as much as most Australians, and now they are demanding a further \$7,000 a year. Their strike is disrupting the community, and causing people considerable hardship, particularly since the strike coincides with school holidays. It has directly put at risk the jobs of over 30,000 Australians. The Government is determined to ensure that the proper process of the Arbitration and Conciliation legislation should be observed. We believe this irresponsible strike should be settled as quickly as possible on its own merits, uninfluenced by industrial action.

But what we are here to discuss today is the four referendum proposals Australia will be voting on in twelve days time. It is important that we talk about this because the success of the referendums will make a major contribution to the constitutional development of our country. It will establish whether as a nation we are willing to make constitutional changes which will introduce major and considered reforms to improve our constitution.

The men who framed the constitution over 70 years ago served Australia well. They drew up a document which has not been out-dated by the passage of 70 years, and they realised that at particular moments in time, constitutional changes would have to be made to maintain the vitality of the constitution, changes which would bring parts of the constitution into line with contemporary problems and issues. That is why they built a referendum mechanism into the constitution. It is our responsibility to use the mechanism to bring about necessary change, and this is our opportunity to show we can use referendums as the Founding Fathers intended, to bring about sensible and practical reforms which will make the constitution serve the needs of our society better.

The four constitutional referendums propose fair, sensible and just changes to reform the constitution and I am sure that they will be successful. In the past, people have tended to vote No on constitutional questions, and in many cases there was a good reason for this. Many past referendums tried to get more power for federal politicians, and more power for Canberra. They sought to weaken the states. These referendums are different.

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They do not seek more power for politicians. They do not seek more power for Canberra. They do not weaken the states. These referenda meet all the requirements Australians have set for constitutional changes.

The proposals have been carefully considered, and there has been extensive consultation about them. There was detailed discussion of the principles of all four referendums at the Hobart Constitutional Convention last year. The Commonwealth, all the states, local government, and all the major parties were represented at that convention. The principles of the four proposals were adopted overwhelmingly by the convention.

The changes are supported on a bipartisan basis by all the major federal parties. Each of the four proposals we are now supporting was passed in the House of Representatives without a single dissenting voice, and each was passed by an overwhelming majority in the Senate.

Putting the four proposals forward is evidence of our concern to bring about necessary constitutional reforms, and of our support for the constitutional convention which the McMahon Liberal Government established.

The people have to be allowed to vote on these proposals which are generally supported and which are sound. Otherwise the Constitutional Convention would be a meaningless exercise. Clearly, the issue of constitutional reform is more important than that.

The four changes are these. First, that there should be simultaneous elections for the Senate and House of Representatives. It is common sense that the elections always be held at the same time, that the only time you have to vote in a Federal election is when you have to choose Australia's Government. This proposal will maintain and strengthen the Senate. It also means we will not have to vote in as many federal elections. Otherwise we could have as many as four elections in the next four years. It is sometimes said that simultaneous elections can be achieved by bringing the House of Representatives election forward to coincide with that of the Senate. Unfortunately, that is just not practical. At the last election, two Houses were elected at the same time, because there was a double dissolution. Despite this, they are now out of phase once again. This is because under the constitution Senators' terms are back-dated to the previous July 1. The term for the House of Representatives, on the other hand, only begins when members are sworn in, usually several weeks after the election. This means that unless the constitution changed, the only way - short of continual double dissolutions - to bring the elections together would be repeatedly to cut short the term of the House of Representatives.

Far from weakening the Senate, the simultaneous elections proposal will strengthen it. In 1975 it was quite by chance that Bills which enabled the Governor General to order a double dissolution were passed, making both Houses face the people. Had the Senate not been able to do this, the people themselves, so that their actions might be judged; - and it was quite by chance that the circumstances existed permitting the double dissolution to occur - a number of Senators would not have agreed to block supply. They would not have felt they had the right

to make the House of Representatives go to an election alone - without the voters being able to pass a judgement on the Senate's actions at the same time.

The Senate's powers are great. But unless the present situation is changed, unless the Senate can face the people if it sends the House of Representatives to an election, I can foresee two alternative consequences, either of which will diminish the Senate's power and authority.

On the one hand, the Senate might refuse to check a bad Government unless there happened to exist the circumstances which would permit a double dissolution. Senators would not act because their actions could not be judged by the people at the election. This would erode the Senate's powers.

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, and bad for Australia. That is why it is important that this referendum be passed. It will preserve and protect the Senate's powers, and protection of the powers of the Senate, where all states are equally represented, means protection of the States.

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.

Our system of proportional representation for the Senate is designed to ensure that the Senate represents all sectors of the electorate in precisely the correct proportions. Yet under the constitution as it presently stands, a vacancy in the Senate can result in a complete change in the party balance. It is fundamental to our democracy that only the people should determine the balance of the parties in the Senate. Once this proposal is accepted, the people's choice will be preserved until they have an opportunity to make another choice at the next election.

The third referendum proposal is that voters in the ACT and Northern Territory should have a vote in all future referendums. This is a fundamental right all other Australians have, but which voters in the territories are denied. I know of no rational or reasonable argument for denying territorial voters this basic right. Territorial voters 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. The outcome of referendums affect them as much as they do other Australians. Our democracy is the weaker until the voters of the territories have the basic right to vote in referendums restored to them.

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The fourth and final referendum proposal is to set a retiring age for Federal justices. 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. There is thus no question of acting in breach of the existing Judges terms of appointment. This proposal is only reasonable. Most jobs have retirement ages, and for good reason. Judges are as affected by old age as the rest of us. 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 have been set up.

All four referendum proposals are fair, just and reasonable. They meet all the requirements for success. They have been extensively considered. They have the support of all major Federal parties. They do not involve more power for Canberra, they will make the constitution work better.

The polls show that all the referendums are supported by substantial majorities in all states. There is particularly strong support in Queensland, for every proposal, and Queensland have always been in the forefront of constitutional changes with a particularly strong record for supporting referendum proposals. Queensland has voted Yes on 18 of the 32 referendums since Federation - a far higher proportion than some of the southern states.

But we all know that there is no surer guarantee of defeat, than complacently believing success is assured.

To guarantee success, we should all go out and work for the referendums, by talking to people about them, by manning polling booths, by doing all we can to increase support for them. If we all do this, then I have no doubt the referendums will be agreed to by a strong majority in Queensland. And this is of fundamental importance to the referendums being passed overall.
