



## PRIME MINISTER

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### ADDRESS AT CAMPAIGN DINNER, ADELAIDE

I want to speak to you tonight about the referendums which Australians will be voting on in ten days time.

The success of the referendums will make a major contribution to the constitutional development of our country. They are fair, sensible and just proposals, to reform the constitution, and I am sure that they will be successful.

Many referendums in the past have been lost, often for good reason, because many of them have sought more power for Canberra. But these referendums are fundamentally different. They do not seek more power for the Commonwealth. They do not seek more power for politicians. In no way do they weaken the states. These referendums also meet two further requirements which, it is clear, are essential prerequisites for constitutional change in Australia.

First, there has been wide ranging prior consultation with all states and parties. The proposals were carefully considered at the Hobart Constitutional Convention last year, which was attended by the Commonwealth, all the states, local government, and all the major parties. The principles of all four referendums were adopted overwhelmingly by the Convention.

Second, the changes are supported on a bi-partisan basis by all the major federal parties. Each of the four proposals passed in the House of Representatives without a single dissenting voice, and all were passed by an overwhelming majority in the Senate. Every single South Australian Member of the House of Representatives and every South Australian Senator, without exception, voted Yes on all four proposals.

I am glad to have the full support of the South Australian Parliamentary Liberal Party, particularly David Tonkin and Roger Goldsworthy. We see the need to place before the people proposals for constitutional reforms which meet all these requirements, and to support the constitutional convention which was initiated - and this should be emphasised - by the states.

The four changes on which we shall be voting on 21 May are these. First, that elections for the Senate and House of Representatives should be held simultaneously. It is just plain common sense that federal elections always be held at the same time, and that the only time you have to vote in a federal election is when you have

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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 South Australia.

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 the seats. But, if there is, at the same time, an election for the Senate, in which all states are equally represented, the campaign must be extended with vigour to all six states.

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. Under the present provisions of the constitution, the two Houses are nearly always out of phase. The Senate's term is back-dated to the previous 1 July, but the term of Members of the House of Representatives dates from the time of swearing in, usually some weeks after the election. 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 its capacity to protect 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 double dissolution is not available, the only way to ensure that the Senate does face the voters, in such a constitutional crisis, is to have a normal half-Senate election. But under the constitution, that can only be held every third year. So for two years out of every three, the Senate cannot face the people to explain and justify its actions, even if every Senator desired such an election. In short, 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 this will always occur. You can do this by voting Yes to simultaneous elections on 21 May.

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. 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 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. It is a right which used to exist, but which was taken away when the two Territories were created. 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, and the outcome of referendums affect them as much as they do other Australians. Our democracy is the weaker until this essential democratic right is restored to citizens in the Territory.

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. 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 has been set up. The judges will of course remain completely independent, just like state judges, all of whom are subject to a compulsory retiring age.

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 make the constitution work better.

The polls show that all referendums have significant support in all states. 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.

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