**Episode 1 – Why have a referendum?**

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Kerry: This year, Australia will hold a national referendum. This referendum will ask voters if the Constitution should be altered to recognise the First Peoples of Australia by establishing an Aboriginal and Torres Strait Islander Voice.

With Australia’s last referendum being held over 20 years ago, many might not know why they’re held, or how to vote.

Hi, I’m Kerry, and in this podcast, I’ll be joined by the team from the Australian Electoral Commission to unpack the process ahead of the referendum so that you can vote with confidence.

This is an unbiased and detailed look at why the referendum is important, how you can make your vote count, and why your answer matters.

Before we crack into the nuts and bolts of a referendum, let’s start by introducing our guests. I’m joined by Meg and Alex from the AEC to look at why some countries might hold referendums and why Australia’s so lucky to have them.

Meg, Alex - thanks for joining me on the podcast.

Meg: Hi!

Alex: Hey Kerry, good to be here.

Kerry: Meg, what do you do at the AEC?

Meg: I’m a Social Media Officer.

Alex: Meg’s actually selling herself short. She is *the* Social Media Officer.

Kerry: And what about you Alex?

Alex: I’m a Media Officer at the AEC. So, I talk to journalists all day. I love jumping on the radio and talking about elections. I also do a bit of video production on the side. So, if you’ve seen AECTV on YouTube – that’s some of my work.

Kerry: Many hats. Meg, tell us, what makes Australian democracy special?

Meg: Voting is a part of Australian culture, and if my accent doesn’t give it away, I’m Canadian. I grew up in Canada. I didn’t vote in an election until I voted in Australia in a federal election, and that was also the first time that I had a democracy sausage. And I think the democracy sausage really epitomises how celebrated voting is in Australia. If you’ve ever been to a polling place, there’s staff milling around, usually there’s a BBQ or a cake stand...it takes a national event, it creates a community hub, and that’s reflected in our participation rates. Here in Australia people vote formally, in higher numbers here, and I think that’s what makes Australian democracy so special. It is so celebrated, and I think rightly so, it’s such a privilege, and I think people recognise that.

Kerry: Yeah, I couldn’t agree with you more. You know, waiting in line, meeting all the people, collecting all the pamphlets. It really does feel like a community event, and I don’t know about you, but I know that the night of a voting day, you know tuning into TV to watch that live update, it’s a bit of an event. So, I couldn’t agree with you more. On that note of community and there being lots of people who get involved, who has to vote in Australia?

Alex: So, the short answer is everyone. So, if you’re over 18 and you’re an Australian citizen, then you have not only a right, but an obligation to enrol to vote and to vote when an election or a referendum is held. That’s the universal franchise we’ve got in Australia and it’s a really, really important right that you have.

Kerry: I do wonder if you could just explain to us a little more…what exactly is a referendum?

Meg: So, a referendum is a special type of vote on whether to change the Constitution. Now, the Constitution is a very important document, a highly protected document, and it’s the rulebook for Australia. And it kind of covers everything: how courts work, when we can have elections, what kind of laws we can make. And because of that, there’s only one way to change the Constitution and that’s by the will of the people, through a referendum.

Kerry: Why would the government have a referendum? Alex, maybe you can shed some light on that.

Alex: As Meg was saying, a referendum is the only way that you can change Australia’s Constitution. So, if you want to change Australia’s Constitution – and there have been 44 previous referendums in our history, so we’ve certainly had some proposed changes in the past – the only way to do that is with a referendum. And that means a national vote, obtaining the will of the people for the change that you want to make to the Constitution. And, if it’s successful, then Australia’s Constitution changes. If it’s not, then we continue as we were.

Kerry: Could you explain what the difference is between an election and a referendum?

Meg: Well, I think a lot of Australians are confused about this one. It’s been a long time since we had a referendum, 24 years to be exact. A referendum is similar to an election but there’s some key differences. In an election, you’re electing people. So, Senators or Members of Parliament. That’s why when you get your ballot paper, it will essentially look like a big list of names, and you’ll number the boxes in order of your preference. Now, in a referendum, because we’re deciding whether to change the Constitution, you’ll get your ballot paper, but it will look like a question. Do you agree with the proposed change to the Constitution, and you’ll be writing ‘Yes’ or ‘No’. So, those are the key differences.

Kerry: So, to be clear, the election you get a whole lot of boxes and a whole lot of choices…but in the referendum it’s just a very clear ‘Yes’ or ‘No’ vote?

Meg: Yeah, that’s right. A lot of people will be familiar with getting a really long Senate ballot paper when they vote in a federal election, but in a referendum, it’ll just be one piece of paper and you have to write either ‘Yes’ or ‘No’. Yes, I agree, or no, I don’t.

Kerry: I’ve never voted in a referendum before. However, I did vote in the 2017 Marriage Law Postal Survey. So, maybe you could clear up for me…how is this referendum different from that 2017 Marriage Law Postal Survey? What is different here?

Alex: You not having voted in a referendum before, you’re certainly not alone. There’s about 6.4 million Australians who were just too young or weren’t even born yet when the last referendum happened in 1999. So, it’s certainly been a while, and we know that there’s a lot of Australians for whom this is going to be the first time. Now, you’ve mentioned the postal survey in 2017 and a lot of people still talk about this as a referendum or a plebiscite. It really wasn’t. It was in fact not even run by the AEC. So, this was a voluntary postal survey that was run by the Bureau of Statistics and it asked Australians on an optional basis, so you could choose to take part or not, whether you wanted to change the law around who could get married in Australia. Now, that law is not the Constitution. So, it wasn’t something that we could have a referendum about. The result of that postal survey was not binding, which meant that ultimately the Parliament had the final say. So, you might remember those scenes from the House of Representatives when the marriage law was finally changed and that was, of course, politicians changing the law - whereas, Australia has the final say on a referendum. So, the way that Australia votes, when this referendum’s held later in the year, will be the way that Australia goes. Our Constitution will either change or it won’t. And that will depend on your vote.

Kerry: So, just to be clear, the difference between the 2017 Marriage Law Postal Survey and this referendum is that the marriage law postal survey wasn’t binding. However, the referendum is binding…?

Alex: That’s exactly right. If I could quote my old friend Captain Planet for a moment - the power is yours!

Kerry: On the next episode of Your Answer Matters…

Alex: We’ve had eight referendums in Australia’s history that have happened at the same time as a federal election, but it’s not something that’s happened recently. So, the last election that happened at the same time as a referendum was the 1988 election…been a few years since then…and every referendum and, for that matter, every election that’s happened since has been separate.

Kerry: …we deep dive into the history of referendums. Join us then as we get you vote ready for the 2023 referendum.

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