**Episode 6 – Mythbusting**

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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.

In today’s episode, I’ve had a bit of a look online to see what some of the most common misconceptions are around referendum…and believe it or not, there’s actually quite a few.

Meg and Alex are here with me again, and I want to see if you guys are up for a little bit of rapid fire mythbusting…?

Meg: Absolutely!

Kerry: So, first myth is – you can have a referendum to change any law…?

Meg: That’s actually not true. We only have referendums when we want to change the Constitution, and the Constitution of course is Australia’s rule book. How we change the Constitution is actually detailed within the Constitution and that process is a referendum.

Kerry: Cross that one off the list. Here’s another one – the most recent referendum we had was about same sex marriage…?

Alex: This one is an absolute classic – it comes up so often – it’s come up every day just about since 2017, which is when the same sex marriage postal survey happened. I say postal survey because it was a postal survey, it was not a referendum, it was not a plebiscite, it wasn’t even run by the AEC. It was actually run by the [Australian] Bureau of Statistics. The reason for that – there are many and varied reasons, but it was all about changing the law – the federal law around who can get married, rather than changing the Constitution, and of course the only reason you’d have a referendum is to change the Constitution.

The AEC did help out a little bit with providing the electoral roll to the Bureau of Statistics etc., but that was the limit of our involvement – very much not a referendum.

Kerry: Yeah, that is a common one that I’ve seen around. Here’s another common one that I’ve seen – you’ll only be able to vote by post…?

Meg: Yeah, I think because of the postal survey that we had recently that Alex just spoke about, a lot of people think that the referendum will be the exact same, but in the referendum, you’ll be able to vote in all the same ways that you can vote in a federal election. So, that’s pre-poll voting two weeks before voting day, postal voting, and also overseas voting, if you’re overseas.

Alex: So, you *can* vote by post, but you don’t have to. There are lots of other ways to vote too.

Kerry: Okay the next one’s a juicy one on my list, and I think it’ll help a lot of people with maybe their own misconceptions. It’s not compulsory to vote at a referendum…?

Alex: So, that is a really important one to be across. So, it *is* compulsory to vote at a referendum, just like a federal election. If you don’t vote, you’ll be contacted by the AEC to ask why not. We’re all citizens. We all have a responsibility to turn up and vote.

Kerry: Alright, so remember to get down and vote people! Next one – you need to enrol to opt in to vote at a referendum…?

Meg: Ooh, that’s a good one. That one’s actually not true. Here at the AEC, we use the same roll for referendums that we do for federal elections. So, if you’re enrolled to vote at a federal election, we’ve got you covered for a referendum as well.

Kerry: Next one ties in kind of with the one I just asked you. A lot of people seem to think that enrolment takes ages…?

Alex: Well, I’ve got some really good news for those people – it’s actually easier than it’s ever been to enrol online. Just visit aec.gov.au, enter some details on the website, you can either check your enrolment is up to date, or enrol for the first time, or of course you can update that enrolment if you have moved house. And a really exciting announcement that we’ve done in the last six months or so is that we’ve actually rolled out the Medicare card for proof of identity for enrolling. So, in the past when you’ve had to enrol you’ve needed to provide a driver’s licence number or a passport number. Now you can actually use your Medicare card number as well, and the really important thing about that is everyone has a Medicare card number. If you’re eligible to vote in Australia, you are eligible to have a Medicare card. So, you’ve got one sitting in your wallet. You’ve got one maybe on file with your doctor. And you can always just put those details in, enrol to vote and Bob’s your uncle, you’re all set. If you’re not on the roll or if you haven’t updated your details in a while, visit aec.gov.au – it couldn’t be simpler.

Kerry: So, people listening – no excuses. Okay – next one. You need a two thirds majority to pass a referendum…?

Meg: So actually, what you need is what’s called a double majority, and that’s a majority of voters nationally and a majority of voters in four out of the six states. And when we say majority, we’re talking simple majorities, which means 50 per cent plus one vote of the vote.

Alex: I think where the two thirds majority comes from is actually, we get a lot of American TV shows and movies here in Australia, and that’s part of their system for changing their Constitution. You need a two thirds majority when something passes Congress. It’s not relevant here in Australia. It’s the double majority that you need for a referendum.

Kerry: Alright, another misconception – and actually I’ve seen this one online a lot also – we only have referendums when the government doesn’t want to make a decision…?

Alex: Nothing could be further from the truth in this one. So, if you want to change the Constitution then your only option is to hold a referendum and to seek the will of the people for the endorsement on the change that you want to make.

Kerry: Another one here about the Government actually. The result doesn’t matter because the Government doesn’t have to act on it…?

Meg: Let’s debunk that one straight away. Whatever the result is, it’s binding, and that’s part of the process outlined in the Constitution. Whether we say ‘Yes’, whether we say ‘No’, the government absolutely has to carry that out.

Kerry: The next one is one that I hadn’t really thought about. If you test positive for COVID, can you vote by phone?

Alex: Yeah, look, this is a complicated one and it ties back to the way that we ran last year’s election. At the last election we did have a change to the laws that allow us to run the election to allow us to offer voting by phone for people who had tested positive for COVID. Now, things have somewhat changed since then, and that legislation is not in place anymore and what that means is that telephone voting has reverted to its previous availability which is for people who are blind or have low vision or for people who are stationed in Antarctica.

So, if you test positive for COVID before the Wednesday before voting day, that means you’re still eligible to apply for a postal vote. If you do decide to visit a polling place, what we’d request is some safety precautions on your part, so wear a mask and minimise your contact points in the polling place.

Kerry: Alright guys, you’ve done really well. We’re at the last one on the list. If you don’t understand the topic, you shouldn’t vote…?

Meg: If you’re feeling overwhelmed about the debate and kind of the information that is being thrown at you, just remember to stop and consider – consider the information that’s coming at you and who it’s from. And consider what *you* want to say. What we want is your honest answer on that paper. It doesn’t matter what other people are saying.

Referendums can be about big issues and the fact that you’re getting nervous about it, or thinking about which way you want to go, is actually already participating in the process. The good news is that we’ve made the process really simple and straightforward for you. So, when you show up at a polling booth, you’ll be handed a sheet of paper – the ballot paper – and you’ll be asked to write ‘Yes’ or ‘No’. And that’s okay if you make a mistake – you can bring along someone actually that can help you out, or you can ask one of our polling staff.

Kerry: On the next episode…

Meg: Disinformation is a technical term for information that someone deliberately shares despite knowing that it’s incorrect. We’ll also talk about misinformation, that’s false information that’s shared with good intentions – someone might not know that it’s incorrect, but they share it anyway.

Kerry: …we’re unpacking disinformation, and the role that the AEC play in combating it. That’s next time, on Your Answer Matters.

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