



Electoral Commissioner

REF: IQ21-000006

Committee Secretary
House of Representatives Standing Committee on Social Policy and Legal Affairs
Parliament House
Canberra ACT

Email: spla.reps@aph.gov.au

Dear Secretary

Question on notice: Inquiry into constitutional reform and referendums

Please find below a response to a written question on notice conveyed to the Department of Finance following its appearance at a public hearing of the Standing Committee on Social Policy and Legal Affairs on 7 October 2021.

The question has been referred to the Australian Electoral Commission for response.

I trust this information assists the Committee's inquiry into constitutional reform and referendums.

Question

What is the Electoral Commission's role in terms of educating voters about the process when a referendum is called?

Response

The *Commonwealth Electoral Act 1918* (Cth) (Electoral Act) and *Referendum (Machinery Provisions) Act 1984* (Referendum Act) enable the Australian Electoral Commission's (AEC) role in conducting referenda. Section 7 of the Electoral Act provides that it is the role of the AEC to promote public awareness of election and ballot matters, by means of conduct of education and information programs. In the context of a referendum, this includes the preparation and delivery of the Yes/No pamphlet.

Should a referendum be called, the AEC would conduct a multi-channel integrated information campaign to support the event. Neutrality and a commitment to integrity would be maintained by the AEC throughout.

The goal of an AEC referendum campaign would be to inform voters of their right and responsibility in relation to participation in a referendum; and of the electoral services to facilitate enrolment, voter turnout and formal voting. A significant part of the campaign is the management and delivery of the legislated referendum booklet to all addresses on the electoral roll.

The AEC has market research to support the requirement for an earlier educative phase to the campaign to boost understanding of referendums and their purpose.

AEC referendum public information campaign

- The AEC would conduct a multichannel integrated public information campaign to support the conduct of a referendum.
- The goal of an AEC referendum campaign would be to increase enrolment, voter turnout and formal voting at the referendum. The AEC must maintain its neutrality and commitment to integrity throughout the conduct of a referendum. This extends to the development and implementation of the referendum campaign.
- A new creative concept and materials would be required for a referendum campaign, necessitating significant work and investment of funds ahead of the referendum period. The election creative *Your vote will help shape Australia*, is associated with federal elections, with messages structured around voting in House of Representatives and Senate elections.
- The campaign would involve a range of activities including advertising, social media, public relations, community outreach, media liaison, website content and other products. A significant part of the campaign would be the legislated referendum booklet.
- Advertising would be placed targeting all primary audience groups, with a particular emphasis on young people, culturally and linguistically diverse (CALD) and Indigenous audience sub-groups. Given the diversity of the AEC's audience base, a mix of mass media channels including television, radio, online, social media, cinema, out of home and print advertising would be implemented in national, major metropolitan, regional, rural and remote media outlets.
- There are long lead times for development of an advertising campaign of this complexity. Work, with associated budget, would need to commence 12 months out to conduct developmental research to inform the campaign strategy, and to commence planning and concept development for a separate advertising campaign.
- The most recent estimate developed of the cost for the public information was approximately \$43 million (development, media placement and booklet). *Please note this would need to be refined.* This does not include costs for any referendum neutral civics campaign run by an identified lead agency.

Early educative campaign phase

- Recent developmental research conducted by the AEC has indicated there is little or no knowledge of referendums and their purpose within the Australian voting public.
- This research supports the need for a whole community communication campaign, with particular emphasis on the information needs of key audience groups, ahead of the referendum period to educate the community on the purpose and process of referendums.
- This pre-event educative campaign should be the initial phase of the referendum campaign to ensure tie in and flow through to event-based communication.
- Education of the community would also require the more detailed communication that can be undertaken in a below-the-line public relations and community outreach approaches and activities (targeting a range of audiences and stakeholders groups (including media)).

Legislated yes/no referendum booklet

- A significant deliverable is to manage the content and delivery of the legislated referendum booklet to all enrolled addresses.

- The booklet would contain the cases for and against the proposed constitution change (2,000 words per case), along with a statement showing the proposed alterations to the constitution text). It is likely to be a minimum of 20 pages.
- Translations and accessible versions of the booklet would be required. The language selection would be based on recommendations in the language review undertaken by a CALD supplier. Indigenous audio translations of the booklet would also be considered.
- The booklet would require close liaison with parliamentary representatives from the Yes and No committees.

Yours sincerely

Tom Rogers

1 November 2021