

The Senate

Finance and Public Administration
Legislation Committee

Plebiscite for an Australian Republic Bill 2008

June 2009

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Recommendations

Recommendation 1

6.5 The committee recommends the establishment of an ongoing public awareness campaign on Australia's constitutional system which engages as wide a range of the public as possible.

Recommendation 2

6.7 The committee recommends that if any further process advocating constitutional change is undertaken, including that of a republic, it seek to encourage Australians to engage meaningfully in the debate.

Chapter 1

Introduction

1.1 The Plebiscite for an Australian Republic Bill 2008 (the bill) was introduced into the Senate on 11 November 2008. On 13 November 2008, the bill was referred to the Senate Standing Committee on Finance and Public Administration (the committee) by the Selection of Bills Committee for inquiry and report by 10 March 2009.¹ On 25 November 2008, the Senate extended the reporting date to 15 June 2009.

1.2 The Selection of Bills Committee stated of the reasons for the referral:
The issue of Australia becoming a republic is an extremely important one for the Australian Parliament and public. It is important that the process by which this issue is progressed now has appropriate public input and is properly scrutinised and debated.

The Plebiscite for an Australian Republic Bill 2008

1.3 The Plebiscite for an Australian Republic Bill 2008 provides for a plebiscite to be held to give the Australian people an opportunity to vote on whether Australia should be a republic.

1.4 The bill sets out one simple question: Do you support Australia becoming a republic? It requires a simple yes or no response.²

1.5 The purpose of the bill is to:

- require a plebiscite on whether Australia should become a republic in order to ensure that the Australian people have the opportunity to vote on Australia becoming a republic;
- provide for a simple yes or no question, setting out the words of the question which the electors will vote on; and
- specify that the plebiscite be held in conjunction with the next House of Representatives election.³

Plebiscites

1.6 A plebiscite is defined by the Oxford Dictionary as a:

1 On 14 May 2009, the Senate committee system was restructured and the inquiry into the Plebiscite for an Australian Republic Bill 2008 was re-referred to the Finance and Public Administration Legislation Committee.

2 Senator Bob Brown, Second Reading Speech, *Senate Hansard*, 11 November 2008, p. 32.

3 Plebiscite for an Australian Republic Bill 2008, *Explanatory Memorandum*, p. 1.

Direct vote of all electors of State on important public question, e.g. change in the constitution; public expression of community's opinion, with or without binding force.⁴

1.7 The Parliamentary Handbook of the Commonwealth of Australia notes that referendums on questions that do not affect the Constitution are usually called plebiscites.⁵ Thus, plebiscites in Australia are considered non-binding or non-constitutional referendums.

1.8 The Australian Electoral Commission notes of plebiscites or advisory referendums:

An issue put before the electorate which does not effect the Constitution is called an advisory referendum or a plebiscite. Governments can hold advisory referendums to test whether people either support or oppose a proposed action on an issue. The Government is not bound by the "result" of an advisory referendum as it is by the result of a Constitutional referendum.⁶

1.9 Two national plebiscites were held in Australia on military service in 1916 and 1917. In May 1977, 'Advance Australia Fair' was chosen through a national plebiscite as the official national song.⁷

Conduct of the inquiry

1.10 The inquiry was advertised in *The Australian* and through the Internet. The committee invited submissions from interested organisations and individuals.

1.11 The committee received 229 public submissions and 20 confidential submissions. A list of individuals and organisations that made public submissions to the inquiry together with other information authorised for publication is at Appendix 1. The committee held a hearing in Canberra on 29 April 2009. Appendix 2 lists the names and organisations of those who appeared. Submissions and the Hansard

4 *The Concise Oxford Dictionary of Current English*, Oxford University Press, Seventh edition, 1982, p.786.

5 Parliamentary Handbook of the Commonwealth of Australia, *Handbook of the 42nd Parliament: National Plebiscites*, <http://www.aph.gov.au/library/handbook/referendums/index.htm> (accessed 24 November 2008).

6 Australian Electoral Commission, *Advisory Referendums (also called Plebiscites)*, Updated 9.10.07, http://www.aec.gov.au/Elections/referendums/Advisory_Referendums/index.htm (accessed 24 November 2008).

7 Parliamentary Handbook of the Commonwealth of Australia, *Handbook of the 42nd Parliament: National Plebiscites*, <http://www.aph.gov.au/library/handbook/referendums/index.htm> (accessed 24 November 2008).

transcript of evidence may be accessed through the committee's website at http://www.aph.gov.au/senate/committee/fapa_ctte/index.htm.

Acknowledgment

1.12 The committee thanks those organisations and individuals who made submissions and gave evidence at the public hearing.

Structure of the report

1.13 The committee's report is structured as follows:

- Chapter 2 provides a brief historical overview of initiatives towards an Australian republic;
- Chapter 3 considers arguments in support of the plebiscite proposed in the bill;
- Chapter 4 considers arguments against the plebiscite proposed in the bill;
- Chapter 5 considers clause 6 of the bill; and
- Chapter 6 provides the committee's concluding comments and recommendations in relation to public education.

1.14 Many submissions and witnesses addressed the issue of an Australian republic. However, this inquiry was not a forum for wider debate on the merits or otherwise of an Australian republic. Nor was it an opportunity to compare republican models against Australia's present system of government.

1.15 The committee's deliberations are restricted to the terms of reference before it and thus the appropriateness of a plebiscite asking the question 'Do you support Australia becoming a republic?' It therefore does not address the appropriateness of an Australian republic. For this reason, the committee's report is a reflection of the evidence received from both those who support the plebiscite and those who do not.

Note on references

1.16 References to the Committee Hansard are to the proof Hansard: page numbers may vary between the proof and the official Hansard.

Chapter 2

Historical overview

2.1 There have been a number of initiatives over the past two decades towards an Australian republic. This chapter examines such initiatives, their focus and the key issues surrounding them.

Republic Advisory Committee

2.2 Then Prime Minister Paul Keating put the republic debate on the public agenda during the 1993 election campaign. Following the election, Prime Minister Keating established the Republic Advisory Committee tasked with producing an options paper on issues relating to the possible transition to a republic.¹ The options paper was to outline the 'minimal constitutional changes necessary to achieve a viable Federal Republic of Australia, without examining options which would otherwise change our way of government'.²

2.3 The report concluded that Commonwealth Constitution would need to be amended to establish the office of a new head of state, provide for the powers of the office, and provide for the Australian states (as the Queen is also head of state of each state).³

2.4 The Commonwealth Constitution specifies the composition and powers of the three arms of government: the legislature, the executive and the judiciary. Under section 128 of the Constitution, a proposed Constitutional change must first be agreed to by an absolute majority of each House of Parliament before it can be put to the electors of each state and territory. The proposal must then be approved by a 'double majority': a majority of voters in a majority of states, and a majority of voters overall.⁴

Plebiscite for an Australian Republic Bill 1997

2.5 On 26 June 1997, the Plebiscite for an Australian Republic Bill 1997 was introduced by Senator Bolkus (Australian Labor Party) and Senator Kernot (Australian Democrats) in the Senate. The bill sought to establish a bi-partisan joint committee of twelve parliamentarians to inquire into and report to both Houses on:

1 Mr M Turnbull, *The Republic Advisory Committee. A review by Committee Chairman Malcolm Turnbull*, 3 August 1998, http://www.republic.org.au/ARM-2001/history/history_rac_review.htm (accessed 19 November 2008).

2 Senate Legal and Constitutional References Committee, *Inquiry into an Australian republic*, Discussion Paper, December 2003, p. 5.

3 Senate Legal and Constitutional References Committee, *Inquiry into an Australian republic*, Discussion Paper, December 2003, p. 5.

4 Senate Legal and Constitutional References Committee, *Inquiry into an Australian republic*, Discussion Paper, December 2003, p. 5.

- a) the most appropriate question, or questions, to be submitted to the electors at a national plebiscite to ascertain the electors' views on whether the Australian Constitution should be changed to provide for a Republic with an Australian as Head of State;
- b) any other course of action likely to promote public debate about the issue of a Republic.⁵

Constitutional Convention

2.6 In February 1998, under then Prime Minister John Howard, a Constitutional Convention was held at Old Parliament House.

2.7 At the beginning of the convention, the Prime Minister stated that, if clear support for a particular republican model emerged from the convention, the government would put that model to the Australian people in a referendum to be held before the end of 1999.⁶

2.8 The Prime Minister asked of the convention three questions: whether or not Australia should become a republic; which republic model should be put to the voters to consider against the current system of governance; what timeframe and under what circumstances might any change be considered.⁷ Various proposals on a republic were discussed with a model recommended for public and parliamentary review.

2.9 The responses emanating from the convention are summarised by Professor John Warhurst:

Of the Prime Minister's three questions:

- the Constitutional Convention supported, in principle, the idea that Australia should become a republic. This resolution was carried by 89 votes to 52 with 11 abstentions,
- the Convention supported the Bipartisan Appointment of the President Model by 73 votes in favour to 57 against with 22 abstentions. While this was less than an absolute majority it was declared carried by the chair and a motion of dissent in the chair's ruling was overwhelmingly defeated, and
- the Convention voted to recommend to the Prime Minister and Parliament that this model be put to a referendum by 133 votes to 17 with two abstentions. It recommended that the referendum be held

5 Plebiscite for an Australian Republic Bill 1997, http://parlinfo/parlInfo/download/legislation/bills/s140_first/toc_pdf/97120b01.pdf;fileType=application%2Fpdf (accessed 6 May 2009).

6 Australian Electoral Commission, *1999 Referendum Report and Statistics*, Updated 9.8.07.

7 Professor John Warhurst, *From Constitutional Convention to Republic Referendum: A Guide to the Processes, the Issues and the Participants*, Consultant, Politics and Public Administration Group, 29 June 1999, pp 7–8.

in 1999 and that if successful the republic should come into effect by 1 January 2001.⁸

2.10 The model proposed by the Constitutional Convention was agreed to by both Houses of Parliament and then put to the people in a referendum on 6 November 1999.

Referendum

2.11 Two proposed constitutional changes were put to the direct vote of Australian electors at a referendum held on 6 November 1999. The first change was whether Australian voters approved the proposal to establish Australia as a republic and the second change was whether they approved the proposal to insert a preamble into the Constitution.⁹

2.12 The wording of the referendum questions was the prerogative of the Federal Government.¹⁰ The question on the republic put to electors at the 1999 referendum was whether they approved of:

A proposed law: To alter the Constitution to establish the Commonwealth of Australia as a republic with the Queen and Governor-General being replaced by a President appointed by a two-thirds majority of the members of the Commonwealth Parliament.¹¹

2.13 Nationally, 95.1 per cent of eligible electors voted in the 1999 referendum at which the question on a republic was defeated.¹² It was not carried by the majority of Australian voters, attracting 45 per cent of the total national vote and was not approved by a majority of voters in a majority of states.¹³ The preamble referendum question was also defeated, achieving only 39 per cent support. Therefore the proposals for constitutional change were not carried.¹⁴

8 Professor John Warhurst, *From Constitutional Convention to Republic Referendum: A Guide to the Processes, the Issues and the Participants*, Consultant, Politics and Public Administration Group, 29 June 1999, p. 8. See also Constitutional Convention, [2nd to 13th February 1998] *Transcript of Proceedings*, Friday, 13 February 1998, <http://www.aph.gov.au/Hansard/conv/con1302.pdf> (accessed 19 November 2008).

9 Australian Electoral Commission, *1999 Referendum Report and Statistics*, Updated 9.8.07.

10 Senate Legal and Constitutional References Committee, *The road to a republic*, August 2004, p. 4.

11 Australian Electoral Commission, *1999 Referendum Report and Statistics*, Updated 9.8.07.

12 Australian Electoral Commission, *1999 Referendum Report and Statistics*, Updated 9.8.07.

13 The Yes vote on the republic question did not achieve a majority in any state or territory except for the ACT where received 63 per cent of the vote. The lowest level of support was recorded in Queensland with the Yes vote achieving only 37 per cent of the vote. Australian Electoral Commission, *1999 Referendum Report and Statistics*, Updated 9.8.07.

14 Senate Legal and Constitutional References Committee, *The road to a republic*, August 2004, p. 4.

2.14 The 2004 Senate Legal and Constitutional References Committee report, *The road to a republic*, noted of the 1999 referendum:

The Committee received a considerable amount of evidence which suggested that lack of "ownership" was one of the problems associated with the 1999 referendum. The Committee acknowledges this evidence and considers that the Australian people should be fully consulted and involved in any process leading towards a future Australian republic. This process should be inclusive and democratic, and should engage as broad a cross section of the Australian public as possible.¹⁵

Corowa Conference

2.15 Following the defeat of the referendum, a conference met to recommend steps towards a republican form of government. The Corowa Conference of December 2001 considered 19 proposals and recommended one. The conference formally adopted a process involving a parliamentary committee, multi-question plebiscite, an elected constitutional convention and a referendum.¹⁶

Republic (Consultation of the People) Bill 2001

2.16 The same year, a private senator's bill, the Republic (Consultation of the People) Bill 2001, was introduced by then Senator Natasha Stott Despoja. The bill provided for electors to be consulted by way of a plebiscite at the same time as a general election for the House of Representatives. The bill was explained as follows:

With this Bill, the Australian Democrats are proposing to begin the process towards a second republic referendum with a plebiscite at a general election after 2001. The plebiscite would ask two questions. The first is:

Do you want Australia to become a republic?

The second is:

If most Australians decide they want a republic, do you want the opportunity to choose from different republic models?¹⁷

2.17 In her second reading speech, then Senator Stott Despoja explained the need for the first question:

The first question is designed to settle the politically motivated debate about the wishes of the Australian people. Monarchists have argued that the failure of the 1999 referendum represented a definitive rejection of

15 Senate Legal and Constitutional References Committee, *The road to a republic*, August 2004, p. 133.

16 Senate Legal and Constitutional References Committee, *The road to a republic*, August 2004, p. 23.

17 Senator Natasha Stott Despoja, Second Reading Speech, Republic (Consultation of the People) Bill 2001, *Senate Hansard*, 26 September 2001, p. 27983.

republicanism. The truth is the referendum rejected a model. It was not a rejection of republicanism itself.¹⁸

2.18 The bill was restored to the Senate Notice Paper three times where it remains. In February 2008, the Selection of Bills Committee resolved to recommend that the bill not be referred to a committee for consideration and inquiry.¹⁹

Senate Legal and Constitutional References Committee

2.19 In June 2004, the Senate Legal and Constitutional References Committee was referred an inquiry on an Australian republic. The terms of reference stated that the committee inquire into:

- (a) the most appropriate process for moving towards the establishment of an Australian republic with an Australian Head of State; and
- (b) alternative models for an Australian republic, with specific reference to:
 - (i) the functions and powers of the Head of State,
 - (ii) the method of selection and removal of the Head of State, and
 - (iii) the relationship of the Head of State with the executive, the parliament and the judiciary.²⁰

2.20 The committee's report, *The road to a republic*, made 24 recommendations. Of these, eight addressed the issues of education and awareness and the importance of Australians being able to engage in decisions about the future of the country in a fully informed manner with particular consideration given to engagement with Indigenous Australians.²¹ For this reason, the committee took the view that whilst it examined a number of republic models, the form a future Australian republic may take should be decided by Australians.²²

2.21 The committee recommended a three-state consultative process for moving towards an Australian republic involving two plebiscites and a drafting convention followed by a constitutional referendum to amend the Constitution. It recommended

18 Senator Natasha Stott Despoja, Second Reading Speech, Republic (Consultation of the People) Bill 2001, *Senate Hansard*, 26 September 2001, pp 27983–27984.

19 Senate Notice Paper, No. 44, 24 November 2008, p. 11, http://www.aph.gov.au/Senate/work/notice/snrf_044.pdf (accessed 19 November 2008). Senate Selection of Bills Committee, *Report No.3 of 2008*, http://www.aph.gov.au/senate/committee/selectionbills_ctte/reports/2008/rep0308.pdf (accessed 19 November 2008).

20 Senate Legal and Constitutional References Committee, *The road to a republic*, August 2004, p. 1.

21 Senate Legal and Constitutional References Committee, *The road to a republic*, August 2004, pp 133–136.

22 Senate Legal and Constitutional References Committee, *The road to a republic*, August 2004, p. 133.

that as the first step in the process, it was essential to establish the views of Australians on the question of whether Australia should seek to become a republic:

The Committee notes evidence that opinion polls showing majority support for an Australian republic, but supports the argument that before expending substantial resources it is important to first test this proposition in a full national non-binding plebiscite.

The Committee believes that the importance of this question for the future of Australia calls for a requirement that all Australians should have their say. The Committee therefore supports compulsory voting in this threshold plebiscite. The Committee suggest that the relevant provisions for compulsory voting could be included in the legislation that lays out the framework for the entire process.

The Committee believes that the result of this plebiscite should be determined by a simple absolute majority of voters nationally.²³

2.22 In relation to the first step in the process towards a republic, the committee recommended that an initial plebiscite take place, asking Australians whether Australia should become a republic with an Australian head of state, separated from the British monarchy. Of the initial plebiscite, the committee further recommended that:

- the result be determined by a simple majority vote (recommendation 11);
- voting be compulsory (recommendation 12);
- it be conducted separately from any further plebiscites relating to the form of a future Australia republic (recommendation 13);
- the wording of the question 'enable Australians voting YES to cast that vote ON THE CONDITION that a future plebiscite would be held, where the type of republic would be decided by a majority of Australians' (recommendation 14).²⁴

2.23 The committee recommended that, should the initial plebiscite result in a majority vote for a republic, the second step should be a plebiscite on what type of republic Australia should become whereby voters indicate a preference for the model by selecting a head of state.²⁵ The second plebiscite would include other relevant questions such as a preferred title for a head of state of an Australian republic.²⁶ The

23 Senate Legal and Constitutional References Committee, *The road to a republic*, August 2004, p. 137.

24 Senate Legal and Constitutional References Committee, *The road to a republic*, August 2004, pp 138–139.

25 Senate Legal and Constitutional References Committee, *The road to a republic*, August 2004, p. 140.

26 Senate Legal and Constitutional References Committee, *The road to a republic*, August 2004, p. 140.

committee took the view that both plebiscites where possible and should be conducted in conjunction with federal elections.

2.24 The second plebiscite, if successful, would be followed by a drafting convention where the details of the republic model would be refined and amendments to the Constitution prepared before a final and binding constitutional referendum. The drafting convention would comprise Australians with expertise in constitutional law or other recognised relevant skills appointed by the Parliament. The committee recommended that the final step in the process, the constitutional referendum, should be held to coincide with federal elections.²⁷

2.25 One of the key themes that emerged during the inquiry was the importance that Australians engage in and feel ownership over any future process and the need for an information campaign to ensure Australians are fully educated on the options that may be put to them.²⁸ Towards this aim, the committee recommended that a Parliamentary Joint Standing Committee on Constitutional Education and Awareness be established to oversee and facilitate education and awareness programs to improve the level of awareness and understanding of the Australian Constitution; and on-going education, involvement and engagement of the Australian people in discussion on constitutional matters and development.²⁹

Australia 2020 Summit

2.26 Most recently, the issue of an Australian republic was placed on the national agenda by the *Australia 2020 Summit* held from 19 to 20 April 2008. Top idea 9.1 of the summit was to:

Introduce an Australian Republic via a two stage process:

9.1.1.1 Stage One: That a plebiscite be held on the principle that Australia becomes a republic and severs ties with the Crown.

9.1.1.2 Stage Two: This is to be followed by a referendum on the model of a republic after broad and extensive consultation.³⁰

2.27 The *Australia 2020 Summit* did not specify a preferred model. Rather, the governance stream of the summit suggested that a two-stage referendum would

27 Senate Legal and Constitutional References Committee, *The road to a republic*, August 2004, p. 142.

28 Senate Legal and Constitutional References Committee, *The road to a republic*, August 2004, p. 9.

29 Senate Legal and Constitutional References Committee, *The road to a republic*, August 2004, Recommendation 2, p. 134.

30 Department of the Prime Minister and Cabinet, *Australia 2020 Summit – Final Report*, May 2008, p.307, http://www.australia2020.gov.au/docs/final_report/2020_summit_report_full.pdf (accessed 19 November 2008).

prevent a delay 'due to concern about the replacement model' and that the final model would be confirmed three to five years later. The overall objective being the achievement of an Australian republic by 2010.³¹

2.28 On 22 April 2009, the Australian Government responded to the 2020 Summit recommendations and stated in relation to the republic recommendation that:

The Government recognises the priority placed on constitutional reform by the community. The Government is committed to ongoing reform of our Constitution where appropriate and will draw on the input of the 2020 Summit in thinking about future possible proposals for constitutional change.³²

31 Department of the Prime Minister and Cabinet, *Australia 2020 Summit – Final Report*, May 2008, p. 340.

32 Department of the Prime Minister and Cabinet, *Responding to the Australia 2020 Summit*, April 2009, p. 61, http://www.australia2020.gov.au/docs/government_response/2020_summit_response_full.pdf (accessed 6 May 2009).

Chapter 3

Arguments for a plebiscite on an Australian republic

3.1 This chapter considers the arguments in favour of a plebiscite on an Australian republic and provides an overview of the key arguments in support of a plebiscite.

3.2 Advocates of the bill, including the Australian Republican Movement (ARM), argued that nearly a decade since the 1999 referendum, support for a republic is considerable and that it is now time to reconsider the question of a republic for Australia:

Nearly one decade after the 1999 referendum, support for an Australian Republic remains higher than support for our current arrangements (see Nielsen Poll, September 2008). A recent opinion poll by Essential Research also shows 52% support for Australians being given a vote on the republic within the next few years with only 24% opposing (Essential Research-Sydney: February 2009). It is now appropriate that the nation reconsiders this important national issue.¹

3.3 A number of submitters highlighted that it is timely for such a plebiscite by arguing that opinion polls have, according to Mr Andrew Donnellan, 'consistently shown strong support for a republic'. He continued:

As a delegate to the Australia 2020 Youth Summit I saw very strong support for a republic. The main Australia 2020 Summit includes republican government as part of its vision for Australia in 2020.²

3.4 Professor George Williams argued that a plebiscite would address the debate that has 'been lurking in public life for some time' and address the 'claims and counterclaims as to the popularity' of a republic:³

This is a fairly run process that would actually put that issue to bed by having a definitive outcome of all of the Australian people, if it should be on the basis of compulsory voting. It would produce either undeniable momentum for a further process to bring about a republic or it would end the issue. I think it is actually the inability to reach firm conclusions on it that is a key reason why a plebiscite is needed.⁴

1 Australian Republican Movement, *Submission 221*, p. 1.

2 Mr A Donnellan, *Submission 7*, p. 1.

3 Professor G Williams, *Committee Hansard*, 29.4.09, p. 59 and p. 61.

4 Professor G Williams, *Committee Hansard*, 29.4.09, p. 59.

A plebiscite enables public engagement with the republic debate

3.5 Supporters, including the Republican Party of Australia, maintained that a plebiscite was important to gauge support for Australia becoming a republic and served as a constructive means of engaging the public.⁵ This view was advocated by Professor George Williams and Associate Professor Andrew Lynch:

A plebiscite is the best way to re-engage with the republic debate. It would give all Australian voters an opportunity to formally indicate their support or otherwise on the transition of Australia to a republic. It should be emphasised that a plebiscite is not a binding vote and in no way replicates the constitutional purpose served by a referendum...A plebiscite as envisaged by this Bill is an appropriate way of gauging the level of support of the Australian public for a move to a republic.⁶

3.6 Ms Sarah Brasch, National Convenor of Women for an Australian Republic articulated a similar position:

...the reason why plebiscites are important is that they allow the whole community to be involved in the process for the republic. They contest ideas and propositions without binding the government. This will undoubtedly lead to a better result. The republic debate is well-suited to this form of polling to allow the best options to be put forward at a referendum. Plebiscites will allow women to fully participate in the debates and be fully represented in decision-making forums.⁷

3.7 Professor Williams further argued that a plebiscite was an important part of the republican process in which community engagement is important from inception:

I think that the value of a plebiscite is that it emphasises that a republic is about not just an outcome, and that is achieving a truly sovereign Australia, but also a process. A plebiscite emphasises a republican process—that is, one that involves Australians from the grassroots up designing the process from the beginning and being involved in determining the basic issues from the beginning. I do not think it is enough for Australians to simply have a vote at the end of the process at a referendum. They need to be involved at an earlier stage.⁸

3.8 The ARM held that a plebiscite enabled a 'full conversation' on a republic:

A staged plebiscite and referendum process allows for the Australian people to have a full conversation about the type of republic they want. It avoids

5 Republican Party of Australia, *Submission 151*, p. 2.

6 Professor G Williams and Associate Professor A Lynch, *Submission 114*, p. 1.

7 Ms S Brasch, Women for an Australian Republic, *Committee Hansard*, 29.4.09, p. 83.

8 Professor G Williams, *Committee Hansard*, 29.4.09, p. 53.

the pitfalls of the 1999 republican referendum where many of the Australian people felt their voices weren't heard.⁹

3.9 Major General Michael Keating, National Chair of the ARM, further reiterated that:

The republic issue is really about the sovereignty of the Australian people. What could be more fundamental than the people playing a central role in the discussion of options and the eventual choice of what type of republic would best suit Australia in the 21st Century?¹⁰

Community education and a clear process for national consideration

3.10 A number of submitters in favour of a plebiscite on a republic argued the importance of a clearly defined process towards a referendum entailing education and community engagement. Ms Siobhan Reeves maintained, for example, that there is a need for an 'educated response rather than a knee-jerk reaction' which required an educational campaign to explain what a republic would mean, the costs and arguments for and against such a change.¹¹ Major Gen. Michael Keating of the ARM stated in this regard:

Surveys consistently highlight Australians' lack of knowledge about constitutional matters. Before we even start this real discussion, we need to ensure that the people understand that a plebiscite is non-binding and it is at best, in football terms, a preliminary final. The referendum, of course, will be the eventual grand final.¹²

3.11 Professor Williams and Associate Professor Lynch highlighted the importance of a community process of engagement:

The plebiscite should not be the only means that Australians are given the opportunity to be involved. This issue goes to the heart of our structure of government and our national identity. Australians should certainly be given a say at the ballot box through a plebiscite, but should also be able to engage in the debate through other means. The government, prior to a plebiscite, should establish a community process by which people can debate and have their say about the question of Australia becoming a republic. This would provide an early means of debating the models that could be considered in the event of a successful plebiscite and would help to begin a grass-roots community conversation about the questions involved. This process could also play an important educative role in giving people the opportunity, such as at forums held at in cities in rural and regional areas, to listen to all arguments.¹³

9 Australian Republican Movement, *Submission 221*, p. 1.

10 Major Gen. M Keating, ARM, *Committee Hansard*, 29.4.09, p. 28.

11 Ms S Reeves, *Submission 201*, p. 1.

12 Major Gen. M Keating, ARM, *Committee Hansard*, 29.4.09, p. 29.

13 Professor G Williams and Associate Professor A Lynch, *Submission 114*, p. 2.

3.12 Reflecting on the outcome of the 1999 referendum, the ARM highlighted the importance of public consultation to ensure that any models presented for public consideration met public expectation. Major Gen. Keating stated in this regard:

...there were many avowed republicans who not only voted for the no case but supported a campaign for the no case...

They did that primarily because they did not believe in the particular model that was on the table at the referendum. That is why we have said that we want to see a stepped process and that we want the information and consultation process to be a much improved version of what preceded in 1999.¹⁴

3.13 The ultimate objective, as Mr David Latimer (who was neither in support nor against the bill) stated was about trying to 'align public sentiment with constitutional reform':¹⁵

The process that we are undertaking is trying to align what the public is expecting out of that future system and making that reflective in the final referendum, which has to take place.¹⁶

3.14 Major Gen. Michael Keating stated that whilst the ARM's own policy position was that there should be a second plebiscite to follow the proposed plebiscite with republic models for consideration before a final referendum, the primary interest of the movement is that the process should be made evident from the start:¹⁷

The ARM thinks it is vital to decide and make public the complete consideration process before embarking on it. The bill as it stands addresses only the first stage in the process and it is prone to criticism that what is to happen after the plebiscite is not clear.¹⁸

3.15 Professor Williams explained that addressing legitimate concerns about what would happen after a plebiscite could be addressed by the 'government and people involved in sponsoring the legislation' to make it clear that the plebiscite is not a vote for a republic:

This is a vote for a process and a process that would necessarily involve Australians in far more detail than even has occurred to this point.¹⁹

3.16 The ARM also emphasised that the information disseminated as part of such a public education campaign be both 'factual' and 'publicly funded' and state from the outset the difference between a plebiscite and a referendum. Major Gen. Keating held

14 Major Gen. M Keating, ARM, *Committee Hansard*, 29.4.09, p. 35.

15 Mr D Latimer, *Committee Hansard*, 29.4.09, p. 40.

16 Mr D Latimer, *Committee Hansard*, 29.4.09, p. 42.

17 Major Gen. M Keating, ARM, *Committee Hansard*, 29.4.09, p. 31.

18 Major Gen. M Keating, ARM, *Committee Hansard*, 29.4.09, p. 29.

19 Professor G Williams, *Committee Hansard*, 29.4.09, p. 57.

that a selection of persons, 'preferably representatives of each state headed by a suitably qualified person' would draft the information and disseminate it across the country:

These people would not be trying to make a case for yes or no. They would be giving the facts and giving the advantages and disadvantages of various options and making people more aware of the basic issues.²⁰

3.17 Whilst taking the view that the process of consultation should be clearly stated prior to implementation, a number of witnesses argued that the proposed plebiscite would effectively determine what action was then required, if any. Professor Williams and Associate Professor Lynch argued in relation to this point:

If a majority of the electorate does not support the proposition, this should signal the end of the debate for the time being. If, however, there is majority support for the proposition, the plebiscite will enable an appropriately focused debate on the type of republic that Australia might become. It may well be that the choice between competing models of republic is, in turn, also best resolved by a plebiscite before a proposed law for the amendment of the Commonwealth Constitution is put to the people for their formal approval in a referendum.²¹

3.18 Professor Williams continued:

As to the outcome, I think if there is a yes vote, there should be a clearly stated expectation that this will lead to further possibilities for Australians to be involved in designing the process, in choosing a model and the like. I think those matters should be left to the outcome of the first plebiscite. If it is a no vote, that clearly should end the debate. It may well return at some later time, but that would not, in my view, be for a substantial period of time. There should be no doubt that a yes or no vote does lead to a clear outcome either way.²²

3.19 Similarly, Professor John Warhurst, Senior Deputy Chair of the ARM stated:

I think the result of the plebiscite would be seriously considered by the Australian parliament and the Australian people and the decision would then be taken as to whether to proceed towards a referendum.²³

3.20 The view amongst many supporters of the bill was that Australians should be involved in the process of moving towards a republic, and should be fully consulted and engaged in that process. Mr Glenn Osboldstone argued accordingly:

20 Major Gen. M Keating, ARM, *Committee Hansard*, 29.4.09, p. 39.

21 Professor G Williams and Associate Professor A Lynch, *Submission 114*, p. 1.

22 Professor G Williams, *Committee Hansard*, 29.4.09, p. 53.

23 Professor J Warhurst, ARM, *Committee Hansard*, 29.4.09, p. 32.

I fully endorse Senator Brown's proposed process of first asking the Australian people whether they do, in fact, want to move to a republic and only then looking at the question of how to appoint a new head of state.²⁴

3.21 Major Gen. Keating of the ARM highlighted moreover, that, it was for the people and not for the ARM to determine the preferred model:

Despite our central place in the debate, we do not think that the ARM knows best about all matters republican. It is quite the opposite, really, because for several years we have been trying to get the opponents of a republic in Australia to accept that it is not the role of the ARM to tell the people of Australia or the government that the people have elected to represent them what process should be preferred and offered at the eventual referendum. These are matters which are rightly the responsibility of the government of the day and the people to decide.²⁵

Constitutional ramifications

3.22 In response to the suggestion that a plebiscite may undermine confidence in the Constitution or create a problem whereby it establishes that people want change but then, by way of a second plebiscite, establishes that they cannot agree on what the change is, Professor John Warhurst, Senior Deputy Chair of the ARM commented:

I do not think it does pose a problem of legitimacy for the Australian Constitution. It would be an example of the Australian parliament choosing to consult the Australian people and to make the parliament's own judgement on how to proceed on the basis of that consultation. I think there should be more consultation rather than less. It is clear the means by which we change our Constitution.²⁶

3.23 Professor Warhurst further stated that, rather, there was potential to improve the Constitution:

Things have changed. As a stark example, the people who wrote our Constitution believed in a white Australia policy. We have moved on from that. The situation that we find ourselves in 2009 is different to the environment in which the Constitution was written. So it is not a perfect document. It is not something that is inviolate and could not be improved. That is not to say it is not working.²⁷

24 Mr G Osboldstone, *Submission 60*, p. 1.

25 Major Gen. M Keating, ARM, *Committee Hansard*, 29.4.09, p. 28.

26 Professor J Warhurst, ARM, *Committee Hansard*, 29.4.09, p. 33.

27 Professor J Warhurst, ARM, *Committee Hansard*, 29.4.09, p. 39.

Estimated costs and timing

3.24 Women for an Australian Republic held the position that funds required for plebiscites and referendums either in conjunction with federal elections or as single events are the costs to government of an active democracy. The organisation argued:

The amounts involved are relatively small in the overall federal Budget – no referendums have been held for nearly ten years so they have commanded nothing in outlays in recent memory. Costs should not be a factor in determining the timing of the next vote/s on the Republic.²⁸

3.25 A similar sentiment was expressed by Major Gen. Michael Keating of the ARM who questioned why a certain percentage of the national effort could not be devoted to the issue of a republic at the same time as other pressing issues including the financial global crisis were addressed.²⁹ He further noted:

On the cost, improving our democracy and making the Australian people sovereign is worth the cost. In practical terms, the financial costs involved in Australia becoming a republic are the running costs of a functioning democracy. Let us be prudent, yes, but let us not try to hide inaction and a lack of national will behind a smokescreen of the almighty dollar. There will always be pressing issues for governments to consider. The parliament and the government are elected to manage all the issues of interest to the Australian people, not just a convenient or selected number of them. The majority of the Australian people want to pursue the issue of a republic. It may not be the most important issue at any time, but it still needs to be addressed.³⁰

3.26 A number of supporters of the plebiscite including Mr Andrew Donnellan, acknowledged that there are 'significant Budget pressures during this time of economic instability' but that a plebiscite should be held sooner rather than later if Australia is to achieve a republic by 2020.³¹

The plebiscite question

3.27 A number of supporters of a plebiscite suggested alternative questions to that posed in the bill. The ARM suggested that the plebiscite question be altered from 'Do you support Australia becoming a republic?' to 'Do you support Australia becoming a republic with an Australian head of state?' Of this suggestion, Major Gen. Keating of the ARM stated:

What we have in our policy position in the ARM is not necessarily the best thing, but what we are saying is that anything that makes the question

28 Women for an Australian Republic, *Submission 202*, p. 5.

29 Major Gen. M Keating, ARM, *Committee Hansard*, 29.4.09, p. 32.

30 Major Gen. M Keating, ARM, *Committee Hansard*, 29.4.09, p. 30.

31 Mr A Donnellan, *Submission 7*, p. 1.

clearer and obviates the possibility that we are thinking of being the United States, for example, helps.³²

3.28 Professor Williams and Associate Professor Lynch argued that the plebiscite question proposed should be 'simple and without elaboration'.³³ Professor Williams noted the importance of its simplicity:

I think that a plebiscite put to the Australian people should be simple, clear and fair and there should be no doubt on account of anyone who wishes to participate in the debate that it is a simple and clear and fair question lest people seek to cast doubt on the outcome. Indeed, I think one of the problems with the 1999 referendum is that it has enabled continuing debate from both sides about the legitimacy of that process. I think the value of this process in having a plebiscite is to remove that ongoing doubt.³⁴

3.29 Similarly, the Republic Party of Australia held that a straightforward question was required:

Indeed, in tandem with the next Federal election – and no later – a straightforward question needs to be put to the Australian people in a non-binding (unofficial) fashion...sort of similar to a nationwide opinion poll.³⁵

3.30 Mr Klass Woldring and others held the position that at some point in the process, multiple questions were required to get more information from the public to then enable the referendum question to be specific:

It is particularly in a plebiscite that the public mood can be gauged reasonably accurately and comprehensively but the Government need to ask multiple questions. This is extremely important especially because Section 128 of the Constitution has proven to be such a major obstacle in the way of having constitutional referendums passed in Australia.

This single question does not provide opportunity for making these points and yet they are important when it comes to formulating Referendum questions.³⁶

3.31 The ARM supported consideration of the issue of multiple questions as its National Chair, Major Gen. Michael Keating noted:

At some stage in the process, the people must be afforded the opportunity to indicate their preferences concerning the kind of republic to be considered. Exactly when this is achieved is a matter for judgement. That is why it is

32 Major Gen. M Keating, ARM, *Committee Hansard*, 29.4.09, p. 30.

33 Professor G Williams and Associate Professor A Lynch, *Submission 114*, p. 1.

34 Professor G Williams, *Committee Hansard*, 29.4.09, p. 53.

35 Republic Party of Australia, *Submission 151*, p. 1.

36 Mr K Woldring, *Submission 1*, p. 2; Professor K Woldring, *Committee Hansard*, 29.4.09, p. 55.

important that the complete intended process be transparent from the outset.³⁷

3.32 The ARM also held that whether multiple questions were asked in a first plebiscite or second plebiscite, they need to be asked in a context in which there is, according to Major Gen. Keating, 'a lot of information and education'.³⁸

3.33 Mr David Latimer held that the objective of the question was to establish the number of people prepared to support a type of model and if the question does not achieve that objective, then 'there is quite literally no point in asking it'.³⁹ He emphasised that a plebiscite was an effective means of establishing public opinion on potentially a number of questions as part of a consultation process where the public get to make the decision as opposed to a parliamentary process whereby parliamentarians make such decisions:

I need to get information from the public in general. I cannot resource that by myself so a bill such as this, changed, obviously, is going to be able to provide that. The problem with the question is that it is not really consultative. It does not give me any more information than I already have. But I definitely have questions where I would love to be able to get all 20 million voters and find out exactly what their opinion on this is, at least in terms of a majority... It is very different from the parliamentary consultation process, where parliamentarians are making decisions.⁴⁰

3.34 Mr Latimer, noted, however, that if only one question were asked, that proposed by Dr Gardner to the 2004 Senate Legal and Constitutional References Committee inquiry was the best example because it tries to address the 'blank cheque' problem. The question was, 'Do you favour Australia becoming a republic through the use of a model selected by the Australian people?'.⁴¹

3.35 The need to ask the Australian public multiple questions was also highlighted by Women for an Australian Referendum as Ms Sarah Brasch, its National Convenor noted:

The question 'Do you support a republic?', as proposed, we think should be split into a number of questions because we think it is too open-ended. We think we should take the opportunity to ask or get an indicative feeling from the voting population about what their views are on a number of aspects of the republic. But if there is to be a single question, we would prefer that

37 Major Gen. M Keating, ARM, *Committee Hansard*, 29.4.09, p. 29.

38 Major Gen. M Keating, ARM, *Committee Hansard*, 29.4.09, p. 36.

39 Mr D Latimer, *Committee Hansard*, 29.4.09, p. 43.

40 Mr D Latimer, *Committee Hansard*, 29.4.09, p. 45.

41 Mr D Latimer, *Committee Hansard*, 29.4.09, p. 46.

question to be, 'Do you support severing our constitutional ties with the British monarchy?'⁴²

3.36 Ms Brasch further emphasised that additional questions would 'convince the Australian population that they are being more thoroughly consulted in all aspects of the republic than simply being asked a single question'.⁴³

3.37 Professor Williams expressed the view that a second plebiscite would be the opportune time to present a number of models for consideration before a final referendum:

My concern about asking separate questions about the method of appointment and some of the other issues is that I see those issues as inseparable from other questions, such as, critically, the powers of any head of state. I think the danger is that we agree to a method of appointment in isolation of issues about powers, dismissal and other questions. You cannot mix and match these things. They must be very well-integrated. That is why from my point of view I would prefer to see what might be a second plebiscite on well-developed models putting all of these things together.⁴⁴

3.38 In comparison, Professor John Power (who did not support the bill) argued for the establishment of a committee such as a select parliamentary joint committee or a constitutional convention tasked with establishing a model to put to the people before a plebiscite was held:

It is that rather than presenting the electorate with a number of different models, there should be one model identified possibly by a parliamentary committee or some other body and put to the people before the plebiscites are conducted.⁴⁵

42 Ms S Brasch, Women for an Australian Republic, *Committee Hansard*, 29.4.09, pp 84–85.

43 Ms S Brasch, Women for an Australian Republic, *Committee Hansard*, 29.4.09, p. 85.

44 Professor G Williams, *Committee Hansard*, 29.4.09, p. 56.

45 Professor J Power, *Committee Hansard*, 29.4.09, p. 49.

Chapter 4

Arguments against a plebiscite on an Australian republic

4.1 This chapter considers the arguments against a plebiscite on an Australian republic and provides an overview of the key issues of contention.

4.2 Many submitters opposed to a plebiscite held that plebiscites have no set rules and are not governed by any legal process. Sir David Smith, for example, argued that the proposed plebiscite is 'constitutionally illegitimate'.¹ Mr Phillip Benwell, National Chairman of the Australian Monarchist League held that, unlike procedures for a referendum, 'there are no real conventions for a plebiscite'.² The view amongst many opponents of the bill was that plebiscites amount for this reason to an 'expensive opinion poll' with official sanction.

4.3 Other concerns raised were that the question was already put at a referendum in 1999 and defeated in all states and nationally.³ Such submitters held the view that the 1999 referendum outcome reflects contemporary thinking and a lack of demonstrated popular demand to change the Constitution in this manner.⁴ FamilyVoice Australia and Mr Tim Knapp argued that opinion polls have, in fact, demonstrated a decline in support for a republic over the past decade.⁵

4.4 A number of submitters against a plebiscite, including Sir David Smith and Mr Thomas Flynn, held that asking Australians whether they wanted a republic or not without a proposed model was tantamount to asking for a 'blank cheque' without providing the electorate with any say in what kind of republic would eventuate.⁶

A 'vote of no confidence' in the current constitutional model

4.5 A number of submitters highlighted the stability of the current constitutional system as an argument against a plebiscite and republic and raised concerns that a plebiscite would amount to a 'vote of no confidence' in the current constitutional model. Mr Tim Knapp, as one case in point stated:

There is no crisis of confidence in the current constitutional arrangement. There have been no failures in the 108-year old system of checks and

1 Sir D Smith, *Committee Hansard*, 29.4.09, p. 2.

2 Mr P Benwell, Australian Monarchist League, *Committee Hansard*, 29.4.09, p. 19.

3 See for example, Mr D Auchterlonie, *Submission 3*, p. 1; Mr H Eveleigh, *Submission 6*, p. 1.

4 See for example, Mrs A Mepham, *Submission 243*, p. 1.

5 FamilyVoice Australia, *Submission 111*, p. 4; Mr T Knapp, *Submission 76*, p. 1.

6 Sir D Smith, *Committee Hansard*, 29.4.09, p. 5; Mr T Flynn, *Submission 229*, p. 1.

balances by which Australia is governed and in which the monarchy plays such a crucial, though admittedly overlooked part.⁷

4.6 Mr Brant Rippon articulated a similar viewpoint:

We have a constitutional system where a hereditary and impartial monarch chooses a non-political, impartial Australian as Governor-General and Head of State on the advice of the Prime Minister. I believe this system is the most effective and safe way that Australia is and should continue to be governed, and has led to over a century of peace and prosperity – No political assassinations, No civil unrest, No tyranny or dictatorship. This is undoubtedly the way Australia has finished at the top of a list of the 'world's best democracies' compiled by the United Nations – report released on 18th December 2008.⁸

4.7 In relation to concerns that a plebiscite would undermine confidence in the Constitution, Mr Philip Benwell, National Chairman of the Australian Monarchist League stated:

If the simple question asked – a question which would have no fine print whatsoever – were to attain a 50 per cent plus one majority but a resultant referendum were defeated, the Constitution would remain as is but with a perceived vote of no confidence, which could well detract from its continuing effectiveness and create an unresolvable instability in our federal structure and even in our system of governance.⁹

4.8 Mr Graeme Legge articulated a similar concern:

A plebiscite would invite citizens to cast a vote of no confidence in one of the world's most successful constitutions'.¹⁰

4.9 Professor David Flint, National Convenor of Australians for Constitutional Monarchy, held the view that a plebiscite would create 'constitutional instability':

Not only unwise; it is irresponsible, because it invites a vote of no confidence in the existing system. It creates periods of constitutional instability where we do not know where we are and then leads to nothing.¹¹

4.10 A number of other submitters including Mr Bob Wright argued that a plebiscite would not only undermine the Constitution but also bypass a referendum as the only legal means of altering it.¹²

7 Mr T Knapp, *Submission 76*, p. 1.

8 Mr B Rippon, *Submission 4*, p. 1.

9 Mr P Benwell, Australian Monarchist League, *Committee Hansard*, 29.4.09, p. 20.

10 Mr G Legge, *Submission 31*, p. 1.

11 Professor D Flint, Australians for Constitutional Monarchy, *Committee Hansard*, 29.4.09, p.81.

12 Mr B Wright, *Submission 65*, p. 2. See also, Rev. Father Bozikis, *Submission 102*, p. 1.

A 'glorified opinion poll'

4.11 A number of submitters against a plebiscite for a republic held the view that a plebiscite is a 'glorified' and 'expensive' opinion poll.¹³ Dr David Phillips, National President of FamilyVoice Australia, stated in this regard:

The plebiscite would be essentially a glorified opinion poll but a very expensive one. One can conduct a very reliable opinion poll for a few thousand dollars. Why waste \$10 million on what is essentially a large opinion poll?¹⁴

4.12 Mr Brant Rippon argued that a key problem in relation to a plebiscite is that it will pass if it receives a single majority of 50 per cent plus one whereas:

A referendum is a more complex vote requiring both the majority of votes nation-wide plus the majority of votes in the majority of states. This is undoubtedly a fairer way in which to put the question to the people, and would mean that all plans for a republic would have to be laid-out on the table for the Australian public to see.¹⁵

4.13 Reverend Robert Willson argued that a plebiscite is not legally binding and cannot in itself 'decide anything'.¹⁶

4.14 Mr David Latimer (who was neither against nor for the bill) raised concerns about a 'safety culture':

My view is that constitutional change deserves a safety culture, yet it is undertaken in a political culture. Much attention is given in republican circles to the plebiscite process. Although a plebiscite has democratic legitimacy, being a political process it doesn't within itself deliver the sort of public assurance that will eventually carry a referendum.¹⁷

4.15 Mr D Auchterlonie argued that the appropriate way to change the Constitution was by way of section 128:

A Plebiscite is advisory only; the proper way to change the constitution is by Section 128 where the question is put in detail so people can see exactly what they are voting for.¹⁸

4.16 Mr Joe Tscherry also raised concerns that the 'proper process of constitutional change is set out in Section 128 of the Constitution' regarding the referendum process

13 Mr S Hayman, *Submission 75*, p.1. See also, Mr G Legge, *Submission 31*, p. 1; Mr R Overheu, *Submission 188*, p. 1.

14 Dr D Phillips, FamilyVoice Australia, *Committee Hansard*, 29.4.09, pp 64–65.

15 Mr B Rippon, *Submission 4*, p. 2.

16 Reverend R Willson, *Submission 36*, p. 1.

17 Mr D Latimer, *Submission 214*, p. 7.

18 Mr D Auchterlonie, *Submission 3*, p. 1; Mr B Rippon, *Submission 4*, p. 2.

which requires the electorate to be 'properly informed of what is proposed'.¹⁹ This view was shared by Mr Stuart Hayman who held that a referendum, as opposed to a plebiscite, would mean that 'all plans for a republic would have to be laid-out on the table for the Australian public to see'.²⁰

Potential consequences of a plebiscite

4.17 The Australian Monarchist League also highlighted the differences in process between a plebiscite and referendum and of the potential consequences if the plebiscite question were supported:

The Australian Constitution is the article which unites the six States into the federation of the Commonwealth of Australia. It is for this reason that it can only be amended by a vote of the people counted dually as a nation-wide vote and a vote in each of the states, whereas plebiscites have only hitherto been counted on a nation-wide basis. A plebiscite question therefore gives undue weight to voters in the cities of the major States and disregards our federal constitutional arrangements.

If a plebiscite question were to attain a simple majority but a resultant referendum defeated, due either to an internal lack of understanding of the consequences of the proposed change to the Constitution, or because a majority of State votes may be in the negative – the Constitution would remain 'as is', but with a perceived vote of no confidence which could well detract from its continuing effectiveness. Not only would the position of the Monarch and the Governor-General be made untenable, the integrity of the federation could be called into question and the Government itself could well find it difficult to continue.²¹

4.18 Sir David Smith held a similar view of the consequences of a plebiscite:

In the unlikely event that enough people voted for it, we would have rejected our present constitution while putting nothing in its place. We would continue to be governed by a rejected constitution while the republicans continue to argue and dither over the alternative they wish to give us. If the next republican model, when eventually it emerges, were also to be rejected by the Australian people, as well it might be, damage to our system of government and to our national psyche and self-respect would be devastated. The Australian people should not be asked to reject their constitution until an alternative is also on offer.²²

4.19 Professor John Power questioned the outcome if the plebiscite gained a majority but not a majority of states:

19 Mr J Tscherry, *Submission 34*, p. 1.

20 Mr S Hayman, *Submission 75*, p. 1.

21 Australian Monarchist League Inc, *Submission 18*, p. 1.

22 Sir D Smith, *Committee Hansard*, 29.4.09, p. 2.

Just what would be the consequences of a positive vote for a plebiscite? In particular, what would be the view of the government, if the plebiscite gained the support of the majority but did not carry a majority of States? It is hard to see how this key question could be satisfactorily answered at this stage – but without such an answer the smaller States would...be likely to come out on the negative side. And even if the plebiscite were to be carried, what then would happen?²³

4.20 This concern was shared by Mr Thomas Flynn, Executive Director of Australians for a Constitutional Monarchy:

A very large number of citizens from Tasmania could vote no in a plebiscite and still have a referendum forced upon them.²⁴

4.21 Mr John Armfield argued that unlike a plebiscite, the referendum provision contained in section 128 of the Constitution is an 'important constitutional safeguard' and achieves this by requiring that an amendment is specific; detailed in advance; and can be 'critically compared to the existing provisions that it is intended to replace'.²⁵ Mr Philip Benwell, National Chairman of the Australian Monarchist League, raised concerns that a plebiscite, by comparison, cannot convey the potential implications of constitutional change:

The holding of a plebiscite has never been used as a preliminary to a federal referendum for very good reasons. Amending the Constitution is a very serious act and should in no way be taken lightly. A simple general question in the form of a plebiscite could never in any way convey the potential implications of a proposed constitutional change, which is why the Constitution sets out in section 128 a process of amendment by designed referendum. A plebiscite, on the other hand, is terribly vague, with no set rules.²⁶

'Ambiguity' of the question

4.22 A number of submitters held the view that the plebiscite question posed in the bill is vague. Dr David Phillips, National President of FamilyVoice Australia articulated this position:

What does the question mean? The question can mean a variety of things. What does a republic mean? The word comes from *res publica*, the welfare of the public, which is the same meaning as the word 'Commonwealth', or common welfare. So it can be argued that the Commonwealth of Australia is already a republic, a crowned republic. So one, as a supporter of a crowned republic, could vote for the plebiscite and the plebiscite, even if it gained a yes vote, could be interpreted as support for the present system. So

23 Professor J Power, *Submission 119*, p. 1.

24 Mr T Flynn, Australians for a Constitutional Monarchy, *Committee Hansard*, 29.4.09, p. 73.

25 Mr J Armfield, *Submission 213*, p. 2.

26 Mr P Benwell, Australian Monarchist League, *Committee Hansard*, 29.4.09, p. 19.

the question is sufficiently ambiguous that, we believe, it cannot be unambiguously interpreted, whatever the outcome.²⁷

4.23 Similarly, Mr Thomas Flynn, Executive Director of Australians for a Constitutional Monarchy stated:

The question is 'Do you support Australia becoming a republic?' Well, we all know vaguely what that means. The word 'republic', like a lot of precise constitutional terms, is thrown about a lot. It is worth noting that Cardinal Moran, who was Catholic Archbishop of Sydney at the time of federation, described the Australian constitutional system as the most perfect form of republican government. Michael Kirby, the distinguished former judge of the High Court, has gone so far several times as to describe Australia as a crowned republic. What, then, is this kind of republic that is envisaged by the question of the plebiscite?²⁸

What republic model?

4.24 Many submitters opposed to the bill questioned the validity of the proposed plebiscite question including Mr A Fitzgerald who stated that it was 'simplistic because it does not state what kind of republic is being proposed'.²⁹ Mr Eric Lockett also raised such concerns and stated that most people's support for, or opposition to any republican proposal was 'inextricably linked to the nature of the model proposed'. He continued:

The main difficulty with the proposed plebiscite is that, to a thinking person, myself included, the question, "Do you support Australia becoming a republic" is not answerable with a simple "yes" or "no". The obvious response is, "What sort of a republic and when?"³⁰

4.25 FamilyVoice Australia argued the same point and held that the overwhelming advantage of a referendum is that the:

...exact wording of the proposed change to the Constitution must be included in the referendum bill. Consequently, the public can consider and debate the proposed change before voting, and take the likely consequences fully into account.³¹

4.26 Others voiced concerns regarding questions the plebiscite would raise in relation to a proposed republican model. Mr P Gibson argued for example:

For voters to be expected to answer YES or NO TO the proposed plebiscite question "Do you support Australia becoming a republic?", they need to

27 Dr D Phillips, FamilyVoice Australia, *Committee Hansard*, 29.4.09, p. 64.

28 Mr T Flynn, Australians for a Constitutional Monarchy, *Committee Hansard*, 29.4.09, p. 73.

29 Mr A Fitzgerald, *Submission 101*, p. 1.

30 Mr E Lockett, *Submission 113*, p. 1.

31 FamilyVoice Australia, *Submission 111*, p. 2.

know what sort of republic. If asked "Do you support being given a replacement car", a normal and logical answer would be: 'Well, what sort of car?'...

The same applies to a replacement constitution. "I need to know firstly – 'What sort of constitution?' Who knows, it might be a South American or African model or even a US one that the adjoining Canadians voted 83% not to want...³²

4.27 This position was put succinctly by Mr Philip Wood:

This plebiscite invites the people to reject the existing constitution without knowing what is to be put in its place.³³

4.28 Mr Robert Close argued along similar lines:

The question does not address fundamental issues of what will happen to the Governor-General, will the union jack be removed from the flag or what powers will the new President have and how does this effect the Prime Minister's powers.³⁴

4.29 Mr Rodger Hills argued that the proposed plebiscite question does not lead people to understand if their response to it will be used to:

- Gain a public mandate to move forward on a Republic.
- See whether support has increased or decreased since the last referendum and polls.
- Break the stalemate between Republicans and Monarchists.
- Prove to the government that the republic issue is a priority in the minds of the public.
- Determine which electorates are for or against, so political campaigning can be better targeted.³⁵

4.30 Dr Nigel Greenwood also raised the point that voters will be asked their verdict on Australia becoming a republic when 'neither the form of the republic nor the path to becoming it are specified':

The simple description "republic" of course encompasses a swag of very different political structures, including an executive president, or a so-called "non-executive" president elected by Parliament, or directly by the people, or chosen by a non-electoral process (all three having very different

32 Mr P Gibson, *Submission 8*, p. 6.

33 Mr P Wood, *Submission 38*, p. 1.

34 Mr R Close, *Submission 10*, p. 1.

35 Mr R Hills, *Submission 50*, p. 2.

implications for the relationship with the Prime Minister)...Each will create a very different Australia from the others.³⁶

4.31 Dr David Phillips, National President of FamilyVoice Australia argued that it was the responsibility of supporters of a republic to put forward a model for consideration:

Those who wish to advocate a republic really ought to accept the responsibility for working out what model they want and then convincing parliament to advance that model because we cannot do anything serious until we have a specific model to consider.³⁷

4.32 This view was also shared by the Australian Monarchist League:

We believe that the proper process would be for the Australian Republican Movement to put forward proposals for a specific model together with proof that there is overwhelming support amongst the people for constitutional change. Until this is done, we submit that it is not the responsibility of the Parliament to do the job of republican organisations.³⁸

Estimated costs and timing

4.33 A number of submitters against a plebiscite argued that the estimated cost of over \$10 million was 'unwise expenditure' particularly 'at a time of financial stress'.³⁹ FamilyVoice Australia articulated this view:

Since a plebiscite has no legal force and is not binding on the Commonwealth Government, it is effectively a large and very expensive public opinion poll. Modern opinion polling techniques are frequently used by political parties and governments and can determine public opinion on well defined questions with an accuracy of a few percent. Furthermore, this can be achieved at a cost of thousands, not millions, of dollars.

In the current context of the global financial crisis, holding an expensive plebiscite instead of conducting an opinion poll at modest cost represents an unwarranted waste of taxpayers' money.⁴⁰

4.34 Mr David Marina held that the money used and time spent (on the part of public servants and parliamentarians) would be 'totally disproportionate to any useful

36 Dr N Greenwood, *Submission 203*, p. 3.

37 Dr D Phillips, FamilyVoice Australia, *Committee Hansard*, 29.4.09, p. 67.

38 Australian Monarchist League, *Submission 18*, Attachment A, p. 1.

39 Mr D Auchterlonie, *Submission 3*, p. 1. See also Australian Flag Society, *Submission 39*, p. 1; Ms J Di Blasi, *Submission 43*, p. 1; Ms F Smith, *Submission 61*, p. 1; Mr D Suckling, *Submission 109*, p. 1; Mr N Jackson, *Submission 123*, p. 4.

40 FamilyVoice Australia, *Submission 111*, p. 1.

result of the plebiscite vote' unless the republic model was fully presented and understood prior to the plebiscite.⁴¹

4.35 Mr Brant Rippon noted that there were costs additional to the cost of the plebiscite:

There is the following national referendum, and following the result of this, numerous state plebiscites and referenda to officially convert to a republic. Total actual cost up until 2005 on proposals for constitutional change come around the \$129.8 million mark. *Predicted* costs for such things as national and state plebiscites and referenda, election information, labour and material costs to carry out the votes, Presidential elections, changes to the flag, money, military, police and other government uniforms and institutions conservatively estimate to be approximately \$2.2 billion.⁴²

Concerns regarding information dissemination and awareness raising

4.36 Mr Klass Woldring took the view that the single proposal presented under item 5 of the bill, 'Do you support Australia becoming a republic?' does not provide much:

...opportunity to gather additional relevant information. Also, it does not provide opportunities for learning, education and that the generation of media attention so that a much wider discussion can take place, as it should.⁴³

4.37 Mr Rodger Hills held the view that the proposed plebiscite question 'contains no promise of public participation, no indication that the public will be consulted in any way'.⁴⁴ This view was supported by Mr Kevin Smith who held that:

Prior to any plebiscite question there must be an extended period of open public debate on the issues of ALL constitutional and crown covenants and traditions that will be effected, compromised or eliminated or in any way restricted by the change of Australia to a republic.⁴⁵

4.38 Mr Brant Rippon held the view that the estimated \$10.5 million it would cost to hold a plebiscite should be directed into educational materials and the 'implementation of political studies as a compulsory subject taught in Australian secondary schools'.⁴⁶

41 Mr D Marina, *Submission 14*, p. 1.

42 Mr B Rippon, *Submission 4*, p. 2.

43 Mr K Woldring, *Submission 1*, p. 2.

44 Mr R Hills, *Submission 50*, p. 1.

45 Mr K Smith, *Submission 120*, p. 1.

46 Mr B Rippon, *Submission 4*, p. 2.

Chapter 5

The Referendum (Machinery Provisions) Act 1984

5.1 This chapter considers clause 6 of the Plebiscite for an Australian Republic Bill 2008 which states:

The Referendum (Machinery Provisions) Act 1984 applies to the submission of the question specified in section 5 and the scrutiny of the result of the plebiscite with such modifications as are necessary to allow the submission of the question and scrutiny of the result on the same basis as a referendum under that Act.¹

5.2 The Explanatory Memorandum notes of clause 6:

Clause 6 provides that the process for holding the plebiscite would follow, as nearly as practicable, the normal process for a referendum under the *Referendum (Machinery Provisions) Act 1984*.²

5.3 According to Professor Williams and Associate Professor Lynch, who support the proposed plebiscite, the *Referendum (Machinery Provisions) Act 1984* (the Act) is not the appropriate means of conducting the proposed plebiscite. They maintain that it is not sufficient for clause 6 of the bill to provide for 'such modifications as are necessary' to the referendum process laid down in the Act. They continued:

Although its provisions have been updated occasionally since originally enacted, the legislation requires more substantial amendment before it is next used. For example, the Act could much more effectively address the issue of public education, especially the use of modern techniques, such as online material, in order to ensure that it provides the best process for engaging contemporary Australians. In any event, that Act is not the right vehicle for a plebiscite because its terms and processes are specifically concerned with the holding of referenda complying with the legal requirements of s 128 of the Commonwealth Constitution. By contrast, a plebiscite need not necessarily meet the same structures.³

5.4 Professor Williams and Associate Professor Lynch argued for new legislative provisions to be drafted to 'clearly stipulate the process which is to be followed' given the likelihood of one and even additional national plebiscites or polls in the process of Australia becoming a republic. According to them, such provisions could be enacted either as a distinct Part of the *Referendum (Machinery Provisions) Act 1984* or separately.⁴ Professor Williams explained their position:

1 Clause 6 of the Plebiscite for an Australian Republic Bill 2008.

2 Plebiscite for an Australian Republic Bill 2008, *Explanatory Memorandum*, p. 2.

3 Professor G Williams and Associate Professor A Lynch, *Submission 114*, p. 2.

4 Professor G Williams and Associate Professor A Lynch, *Submission 114*, p. 2.

My final point is that I do not think the bill at the moment deals adequately with the need for supporting legislation to enable the plebiscite or preliminary vote to operate. The last time we had a plebiscite was either 1977 or 1917, depending on your definition. In either case, they required legislation of a kind that the referendum machinery act cannot supply. It is really directed to a constitutional referendum according to the strictures and texts of section 128. I think it needs separate legislation to actually support a plebiscite. It need not be lengthy or difficult. Indeed, you can look at legislation such as that which supported the voting in of the Constitutional Convention in 1998 as an example of how this can be dealt with easily and adequately.⁵

5.5 Australians for Constitutional Monarchy (who are opposed to the bill) also held the view that separate legislation to that of the Act was required:

Para 6 of the Plebiscite for an Australian Republic Act 2008 Bill makes specific reference to a reliance upon the Referendum (Machinery Provisions) Act 1984. We do not believe that the Act is an appropriate vehicle and that separate legislation would need to be enacted if a plebiscite is to be held, as was the case with the 1916 and 1917 plebiscites.⁶

5.6 The committee acknowledges concerns for separate legislation to support plebiscite processes. It appreciates that such concerns will continue so long as separate supporting legislation is not established in relation to plebiscites considering both a republic and potentially other issues of national significance in the future. For this reason, the committee suggests that any such initiatives in the future consider the establishment of a supporting legislative framework which details the plebiscite process to be followed.

5 Professor G Williams, *Committee Hansard*, 29.4.09, p. 54.

6 Australian Monarchist League, *Submission 18*, Attachment A, p. 1.

Chapter 6

The committee's conclusions

6.1 The Plebiscite for an Australian Republic Bill 2008 inquiry received 249 submissions from a wide range of involved stakeholders and private citizens reflecting both the level and scope of public interest in the issues surrounding Australia's constitutional arrangements and reform including an Australian republic.

6.2 The committee appreciates that the question of an Australian republic is one in which there is a wide range of views and well-established positions on both sides of the debate. However, the one issue on which there was consensus amongst witnesses regardless of their views on a republic and of the bill in question was that there is a need for greater public education and awareness in relation to Australia's constitutional system.

6.3 In light of the evidence before it, the committee recognises the importance of improving the understanding of Australia's constitutional arrangements. The committee takes the view that such awareness would, in turn, enable greater community engagement and provide for a more informed public debate about any future constitutional reform including a republic. The committee maintains therefore, that if Australians are to be active participants in making decisions about the future of the country, they need to be fully informed about the current constitutional context in order to understand the ramifications of any proposed reform including steps towards a republic.

6.4 The committee has noted the recommendations of the Senate Legal and Constitutional References Committee in relation to public education and awareness raising and specifically its first recommendation. The committee is also of the view that programs should be established to provide for general constitutional education and awareness.¹

Recommendation 1

6.5 The committee recommends the establishment of an ongoing public awareness campaign on Australia's constitutional system which engages as wide a range of the public as possible.

6.6 In response to evidence highlighting the importance of Australians being consulted and involved in any process leading towards a future Australian republic, (including the view that there was inadequate public ownership in relation to the 1999 referendum), the committee recommends that any such future process engage Australians to the fullest extent possible.

1 Senate Legal and Constitutional References Committee, *The road to a republic*, August 2004, Recommendation 1, p. 134.

Recommendation 2

6.7 The committee recommends that if any further process advocating constitutional change is undertaken, including that of a republic, it seek to encourage Australians to engage meaningfully in the debate.

Senator Helen Polley

Chair

Additional Comments

The Labor government supports an Australian republic, but not yet.

So, to avoid embarrassment, the committee has declined to make any recommendations and declined to acknowledge that I was the senator who introduced the Bill.

This is despite the 2001 Corowa Conference calling for a plebiscite, Senator Stott Despoja's 2001 Republic (Consultation of the People) Bill including a plebiscite, the 2004 Senate Legal and Constitutional References Committee recommending a plebiscite and the Australia 2020 Summit nominating the republic in its top ideas and calling for a plebiscite.

There was no opposition, even from trenchant monarchists, to Australia having another vote on the question of a republic. The only two questions are when and what form, with some monarchists preferring a referendum to a plebiscite.

There was no evidence presented which indicated that some specified future time will be better than the near future or, at least, during the next period of government if not the next election.

Questions about whether the determination should be by plebiscite or referendum were arcane and unreasonable. The preponderant view is that a plebiscite to determine the question is the right way forward.

However, some cogent reasons for having two or more questions were presented. A number of thoughtful witnesses said that multiple questions would avoid a campaign aimed to (falsely) frighten people that a "yes" vote would enable politicians to decide what form the republic should take.

Some submissions and witnesses put forward the need to have two plebiscites to ensure that people stay involved in the decision making and that there is a clear path to a referendum.

I am persuaded that following an initial plebiscite with the threshold question:

1. Should Australia become a republic with an Australian head of state?

That, if the Australian people vote yes to the first plebiscite, a second plebiscite be held. A second plebiscite would be preceded by a widespread information and awareness campaign and would include questions based on those decided by the 2001 People's Convention at Corowa (see Women for an Australian Republic submission, p2). Taking into account several other submissions, I recommend the questions in the second plebiscite be:

1. Should an Australian head of state be called:
 - a. President?
 - b. Governor-General?
2. Should the powers of the head of state be defined?
3. Should the head of state be selected by:
 - a. the Prime Minister?
 - b. a two-thirds majority of the federal parliament?
 - c. an electoral college specially elected by all voters?
 - d. direct election involving all voters?

From the answers to these questions the government can then develop republican models to take to a referendum to change the constitution.

Senator Bob Brown
Australian Greens

Appendix 1

List of submissions, tabled documents and other additional information authorised for publication by the committee

Submissions

- 1 Woldring, Mr K
- 2 Ryan, Mr G R
- 3 Auchterlonie, Mr D J
- 4 Rippon, Mr B
- 5 Altendorf, Ms A
- 6 Eveleigh, Mr F. Hugh
- 7 Donnellan, Mr A
- 8 Gibson, Mr P L
- 9 Robinson, Ms C
- 10 Close, Mr R
- 11 Bruce, Mr J
- 12 Hodgkinson, Mr H
- 13 Confidential
- 14 Marina, Mr D
- 15 MacDonald, Mr D
- 16 Hubert, Mr W
- 17 Christian Assemblies International
- 18 The Australian Monarchist League INC
- 19 Paine, Mr D K
- 20 Cook, Mr, R B
- 21 Barnett, Mr R
- 22 Buchan, Lady V
- 23 Grundy, Mr K
- 24 Patterson, Mr J E
- 25 Lloyd George, Mrs D
- 26 Finke, Mr L
- 27 Whyte, Mr J
- 28 Roy, Mr A R
- 29 Confidential
- 30 Kirchmer, Mr R
- 31 Legge, Mr G
- 32 Tscherry, Mr J

33	Confidential
34	Tscherry, Ms T
35	Masson, Ms S
36	Willson, Revd R
37	Dewar, Mr R
38	Wood, Mr PR
39	Australian Flag Society
40	Luther, Mr M
41	Forg, Mr M
42	Stone, Mr J
43	Di Blasi, Ms J
44	Bergin, Mr R
45	Kingman-Sugars, G J
46	Fahner, E
47	Holmes, Mr D & Mrs J
48	Caldwell, Mr D
49	Coombs, Ms C
50	Hills, Mr R
51	Confidential
52	Confidential
53	Confidential
54	Confidential
55	Shea, Ms J
56	Mackerras, Mr M
57	Farnik, Ms L
58	Tucker, Mr K
59	Maitland, Mr G
60	Osboldstone, Mr G
61	Smith, Miss F
62	Charig, Mr D
63	Sheahan, Mr D
64	Knox, Mr B
65	Wright, Mr B
66	Becker, Ms K
67	Rogers, Mr A
68	Wright, Mrs V
69	Horniblow, Mr R
70	Jerlstrom, Dr P
71	Fearis, Mr N
72	O'Leary, Mr S
73	Giffin, Dr M

74	Canaris, Mr M
75	Hayman, Mr S
76	Knapp, Mr T
77	Adams, Dr T
78	Tasmanian Council for Constitutional Monarchy
79	Such, Dr B
80	Prendergast, Ms A
81	Healey, Mr K
82	Salmon, Mr J
83	Oliver, Mr A
84	Lobascher, Mr B
85	Hess, Mr C
86	Hespe, F S
87	Harris, Mr A
88	Foster, Mrs D
89	Owens, Mr P
90	McKinnon, Mr B & Mrs P
91	Kirkpatrick, Mrs J
92	Moeller, Mr & Mrs P
93	Mitchell, Mr R
94	Fraser, Mr J
95	Schueller, Mr M
96	Walker, Mrs R
97	Wise, Mrs J
98	Musgrove, Ms J
99	Confidential
100	Confidential
101	Fitzgerald, Mr A
102	Bozikis, Rev. Father A
103	Confidential
104	Canaris, Ms A
105	Australian Business Party
106	Galley, Dr R
107	Confidential
108	Flynn, Mr C
109	Suckling, Mr D
110	Bennett QC, Mr D
111	FamilyVoice Australia
112	Thomson, Mr D
113	Lockett, Ms E
114	Williams, Prof G & Lynch, A/Prof A

115	Schmautz, Mr H
116	Smith, Sir D
117	Forsyth, Dr J
118	Bunyan, Dr J
119	Power, Professor J
120	Smith, Mr K
121	Confidential
122	Mildwater, Mr L
123	Jackson, Mr N
124	Pollack, Mr N
125	Dickinson-Starkey, Mr P
126	Myers, Mr P
127	Newman, Ms P
128	Ball, Mr P
129	Hammond, Mr P
130	Reedman, Mr P
131	Handley, Mr J K R
132	Confidential
133	Smith, Mr S
134	Brooker, Mr J
135	Confidential
136	Owen, Mr W
137	Wilson, Mr R
138	Young, Mr P
139	Budge, Mrs V
140	McLeod, N F
141	McGrath, Dr A
142	Herbert, G T
143	Garofali, Mrs I
144	Greenwood, The Hon J
145	Confidential
146	Elliot, Mr G
147	Lewis, Mr K
148	Harding Burns, Mr F
149	True Blue Labor
150	Martinkovits, Mr J
151	The Republic Party of Australia
152	Mannings, Mr J
153	Steele, Mr C
154	Renard, Mrs B
155	Confidential

156	Stransky, Ms P
157	Nauss, Mr J
158	Confidential
159	Sharp, Major General R J
160	Haslem, Ms J
161	Clarke, Mr & Mrs P & D
162	Name Withheld
163	Field, Ms F
164	Goodall, Mr B
165	Flynn, Mr C
166	Australian Monarchist League (Tasmanian Division)
167	Holm, Mr L
168	Wimborne, Mr B
169	Millija, Mrs J
170	Australian Monarchist League Queensland Branch
171	Rogers, Mr T
172	Ozzard, Mr P
173	Name Withheld
174	Woods, Mr B
175	Browning, Ms B
176	Cameron, Mr I
177	Pike, Mr R
178	Bolt, E
179	Dismal, Ms T
180	Rasmussen, Mr G
181	Little, Mrs B
182	Cook, Mr L
183	Browning, Ms W
184	Kennedy, Mr G
185	Bibby, Mr F
186	Rigby, Mr A
187	Kimberley, Mr G
188	Overheu, Mr R
189	Jaensch, Mr P
190	Knight, Mrs E
191	Birbeck Eaton, Mrs H
192	Stevomon, Mrs V
193	Stephens, Mr W
194	Rankin, Mr R
195	Greene-McCosker, Mrs T
196	De Fredrick, Mr & Mrs D & L

197	Frew, Mr C
198	Walker, Mr R
199	Confidential
200	Douglas, Ms J
201	Reeves, Ms S
202	Women for an Australian Republic
203	Greenwood, Dr N
204	Condron, Mr N
205	Wall, Mr N
206	Wylie, Mr J
207	Goode, Mr G
208	H.S. Chapman Society
209	Order of St. Thomas of Acre
210	Confidential
211	Kingsmill, Mr J
212	Australians for a Constitutional Monarchy
213	Armfield, Mr J
214	Latimer, Mr D
215	Confidential
216	Spencer, Mr P
217	Tyquin, Dr M
218	Peterson, Ms J
219	Sovereign People of Australia
220	McGrath, Dr F
221	Australian Republican Movement
222	Griffiths, Mr G
223	Fisher, Ms A
224	Hodges, Mr B
225	McArdle, Mr H
226	Horkan, Mr D
227	Australians for a Constitutional Monarchy – Newcastle-Hunter
228	Horkan, Mrs
229	Flynn, Mr T
230	Australian Monarchist League Victorian Branch
231	Sutton, Mr H
232	Potts, Mr D
233	Henderson, Ms F
234	Page-Hanify, Ms B
235	Page-Hanify, Mr B
236	Rice, Mr P
237	Harker-Smith, Mr A

238	Mitchell, Mr D
239	Australian Monarchist League South Australian Branch
240	Griffith, Mr C
241	Griffith, Mrs A
242	Coleman, Mr P
243	Mepham, Mrs A
244	Gibson, Mr P
245	The Real Republic Limited
246	Zoffman, Mr B
247	Buckely, Mr B
248	Drennan, Mr G
249	Rammer, Mr R

Additional information

Australians for a Constitutional Monarchy

Supplementary Information

- Answer to Question on Notice taken at 29.04.09 public hearing

Professor John Power

Documents tabled at hearing 29.04.09

- Opening remarks

Women for an Australian Republic

Documents tabled at hearing 29.04.09

- Opening statement, Ms Sarah Brasch

Appendix 2

Witnesses who appeared before the committee at the public hearing

*Wednesday 29 April 2009
Parliament House, Canberra*

Sir David Smith

The Republican Party of Australia
Mr Peter Consandine, National Executive Director

The Australian Monarchist League Inc
Mr Phillip Benwell, National Chairman

Australian Republican Movement
Major General Michael Keating, Chair
Professor John Warhurst, Senior Deputy Chair

Professor John Power

Mr David Latimer

Professor George Williams

Mr Klaas Woldring

FamilyVoice Australia
Dr David Phillips, National President

Australians for Constitutional Monarchy
Professor David Flint, National Convenor
Mr Thomas Flynn, Executive Director

Women for an Australian Republic
Ms Sarah Brasch, National Convenor
Ms Judith Brooks, Member