

Committee Secretary
Senate Finance and Public Administration Committee
Department of the Senate
PO Box 6100
Parliament House
Canberra ACT 2600

Dear Sir,

Submission relating to Plebiscite for An Australian Republic Bill, 2008.

1. If this Bill is passed, the plebiscite is carried, and it is then decided to hold another referendum on whether the Australian people want a Republic it seems that the referendum question would not relate to whether the people want a change to the present constitutional structure but simply to what kind of republic they want. Either the referendum question would rely on the Bill (Act) to assume that the people reject the present system and would either be offered only one kind of republic or they would find two or more kinds of republic pitted against each other. The offer of only one kind of republic could be structured to comply with the requirements of section 128. However, it would be extremely difficult to structure competitive types of republic in the same referendum and still comply with section 128.
2. Whether the referendum question is singular or competitive, the Plebiscite for an Australian Republic Bill (Act) is irrelevant and an outright waste of money and administrative time and effort, because the referendum itself would determine whether the people want a republic. Why have duplication?
3. Australia's present constitutional structure is republican in operation. If I were to vote "yes" to the question in clause 4, I could well be declaring satisfaction with the present democratic system and that I want no change. If I were to vote "no", I might well be expressing dissatisfaction with the present democratic system and be opting for change towards a totalitarian regime. In other words, the question is ambiguous and confusing.
4. The proposal in the Bill gives the impression of some kind of trickery or "hidden agenda". Such a Bill should not be presented, let alone supported.
5. If this Bill is passed, it might produce a period of constitutional instability.
6. There is no provision in the Constitution for a plebiscite. Although it might not be illegal to hold such a vote, it would certainly be confusing, particularly for people who do not really understand what a plebiscite is.

I shall be grateful if your committee will take my comments into account.

Yours faithfully,

David Mitchell