



# Free Vote versus Plebiscite

A free vote in parliament is the appropriate way to deal with marriage equality, not a plebiscite. Here's why.

## Why a free vote on marriage equality?

A free vote is where individual politicians are allowed to vote on a law any way they feel is appropriate, and are not bound by the policy of their party. Sometimes it is called a free vote.

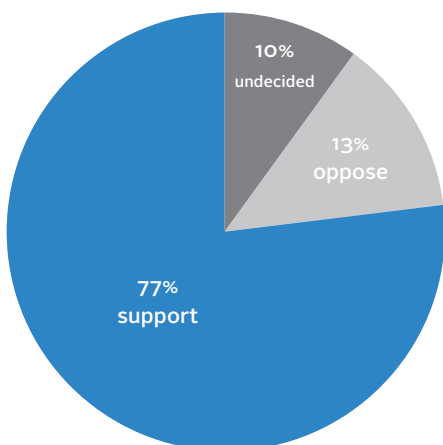
Polls show 72% of Australians support marriage equality (Crosby Textor 2014). So do a large number of politicians in both major parties. However, the Coalition does not yet allow a free vote on marriage equality. This means front-bench members of The Coalition must vote against marriage equality, even though this is against the wishes of the majority of Australians, and, for many politicians, against their own conscience.

## A free vote is preferable to a plebiscite because...

A plebiscite will cost at least \$160 million whereas a free vote costs nothing. A plebiscite will become a platform for hatred and division. We elect politicians to make laws, not handball them back to voters. Issues that raise religious and moral concerns are almost always resolved by free votes in parliament, not plebiscites. A plebiscite is not binding so the issue will have to return to Parliament anyway, at which point there should be a free vote. There is more community support for a free vote than for a plebiscite, especially when voters are aware of the cost of a plebiscite.

## Is there support for a free vote?

Yes. Research conducted by Crosby Textor in 2014 found that 77% of Australians believe there should be a free vote on marriage equality. Support for a plebiscite is 67% until voters are aware of the cost when it plummets to 43%.



Since 2015, all leaders of Australia's major political parties have publically stated their personal support for marriage equality: Malcolm Turnbull (Liberal), Bill Shorten (Labor) and Richard Di Natale (Greens).

## Supporters of a Coalition free vote

- Jeff Kennett, fmr Victorian Liberal Premier
- Nick Greiner, fmr NSW Liberal Premier
- Colin Barnett, current WA Liberal Premier
- Will Hodgman, current Tasmanian Liberal Premier
- Australian Psychological Society

## Are marriage laws usually decided on a free vote?

Yes. Before 2004, all legislation related to marriage was subject to a Coalition free vote. This included the Matrimonial Causes Act 1959, the Marriage Act 1960, the *Family Law Act 1974* and the *Family Law Amendment Act 1983*.

## What about gay law reform?

At a state level the Coalition has traditionally had a free vote on gay law reform, from the decriminalisation of homosexuality to parenting rights for same-sex couples.

Federally, the Coalition had a free vote on a motion in favour of the decriminalisation of homosexuality (October 1973) and the *Human Rights (Sexual Privacy) Act* overriding Tasmania's anti-gay laws in 1994.

## Aren't Coalition free votes limited to life and death issues?

Clearly, Coalition free votes are not limited to life and death issues. They are common in regard to marriage and to gay law reform. Indeed, the Coalition has allowed free votes on everything from compulsory voting to the construction of new parliament house. Free votes are a Coalition tradition.

## Won't a free vote provoke a hateful campaign by opponents?

Those opposed to marriage equality will campaign strongly against it regardless of whether there is a free vote.

A free vote is less likely to give a platform to prejudice than a plebiscite. A plebiscite will lead to well-funded anti marriage equality campaigns, which will likely include high profile