

LETTER to the EDITOR

Sir,

In last week's "*Islander*", Charles Blackwell referred to the "*Pages from the Past*" (that has been reminding us all of Norfolk's beginnings in 1979 of limited self-government), and suggested that **we should be "ashamed"** at Norfolk Island Government's financial failure!

Charles, the effluxion of years has obviously dulled your memory? Let you be reminded.

The Commonwealth (Cwth) 1978 Policy position for Norfolk Island, agreed by Federal Cabinet, informed the style of government intended for Norfolk Island. **Regrettably** that structure was already being unraveled BEFORE the start of the Legislative Assembly in 1979! What was supposed to have been a (nurturing) 'partnership' with 'checks and balances in place - reviews of performance etc. – eventually became anything but!!

A change in the Federal Government in the early 1980's with a new & diametrically opposed ideology, saw an acceleration in the scrapping of the 'foundation stones' of the model, and its eventual demise! {The list of the other unilaterally-made changes affecting existing revenue streams, and denied or thwarted business development opportunities, is lengthy!}

LOOKING BACK to the intended structure - the vision of Hon RG Ellicott MP's inspired **Self-Government (S-G) model for Norfolk Island crafted into the Norfolk Island Act of 1979**, and acknowledging the orchestrated dismantling of the integral parts by the Cwth Government & bureaucracy, its ultimate demise of this model was somewhat predictable!.

AND, in the process of looking back, one is reminded of some of the key reasons why Norfolk's financial position gradually waned, suffering an almost 'mortal wound' in the years leading up to the Commonwealth's forced takeover in 2015:

The Cwth's 1978 "Policy for Norfolk Island" (agreed by Cabinet) was supposed to have been a (nurturing) 'partnership' with regular reviews of performance etc., but rapidly became anything but. **Minister Ellicott had** pronounced the following core principles that had been **agreed to by NI Council**, and generally, by extension, the people of Norfolk Island: **{They were vital elements – necessary in order to proceed with confidence and greater sense of surety. Without them would have caused the Minister's "plan for Norfolk" to have foundered from the outset.}**

1. Preparedness **over time** to move NI towards a substantial measure of **S-G**. From the 1979-80 Annual Report, Ellicott in his inauguration speech on 10/8/79, said – "***I confidently expect that the power of the Assembly will be added to as envisaged by the N.I. Act 1979 leading to full internal self-government.***"
2. **N.I. not** required to be regulated by laws that apply to other parts of Australia
3. **Laws** of the Commonwealth (Cwth) **to not extend to NI unless expressly said to do so**, and then **only after consultation** with NI
4. **NI to provide Social Service benefits** "as of right", BUT, "**not necessarily at the same level as that which applies in Australia**"
5. **An Economic Feasibility Study** (recognised as being **crucial** to forward planning. E.g. Revenue needs etc., for Social Services provision etc) to be commissioned by the Commonwealth **BEFORE commencement of Self Government**.
6. **5-yearly reviews** of performance, before any further extension of powers

7. NOT in the Policy, but accepted – ***“Fishing around Norfolk Island will be conducted, one hopes, for the benefit of the people of the Island.*** Ellicott, Hansard (Cwth, p. 1644) 5/4/1979 –a sharing of ‘access’ in a form that produced revenue!

Other expectations in the transition to Self-Government –

1. That the aged infrastructure be upgraded/replaced/repaid (as per what occurred with Northern Territory transition to S -G in 1978), as well as attending to the reported (1923) risk of the Cascade Cliff; the (1956) report on contaminated underground aquifers, and the appalling condition of the island’s roads; etc., etc.
2. That the Public Service be re-structured by the Cwth to fit the new range of powers
3. That, in the interests of both NI & the Cwth, **the actual evolvement of Self Government was expected to be ‘nurtured’ by the Cwth – a partnership!**

Regrettably, at the time of the handover of powers and the inauguration of the Legislative Assembly and Executive Council on 10 August, 1979 –

1. The (Prof. Gates) Economic Feasibility Study was **NOT** released to NI Council, despite NI Councillors being made aware by Prof Gates that the Study had largely been completed, **“and the results were favourable”!** (Study NEVER saw the light of day!) In fact, a modified form – a ‘dry’ economic analysis -by Prof. Treadgold - **was not received until March 1983, almost 4 years after assuming self-government!! THUS, “up the proverbial creek without a paddle” was the unintended outcome for N.I.G.**
2. The Public Service was **NOT** re-structured
3. **NONE** of the aged infrastructure was either upgraded or replaced
4. And most regrettably, some ‘last-minute’ additions to the N.I Bill 1979 were inserted by the Cwth , e.g. **the infamous ‘kill switch’** inserted in the (now) N.I. Act (Sec. 23), which then became the ultimate over-ride of Norfolk’s authority!

In addition, by the end of the first decade of ‘Self-Government’ --

1. The Policy about laws of NI able to be different to those applying in Australia, **was reversed**. The new Policy was unilaterally changed to - ***“all Australians on NI are entitled to the same rights & benefits applying to Australians living on the mainland”***. Such change made WITHOUT consultation or agreement with NI, **despite causing quite substantial on-costs to NI**, from this policy reversal.
2. **Whereas the extension of Cwth laws to NI was, before 1979, at a ratio of 1 to 91**, at the end of the first decade **had become 1 to 14** – a seven-fold increase, placing enormous pressure on NI resources - creating mirroring NI legislation, etc., etc.
3. **No 5-yearly reviews** of performance were ever conducted by Cwth.
4. No formal access to a commercial fishery in, or proceeds from, the 200-mile EEZ, or any meaningful discussion thereon, ever occurred.
5. The realisation that NI was unlikely to be able to borrow **funding for infrastructure upgrade/replacement**, because the **Cwth legislated for it to have absolute control of all funding requirements** outside of Budget. (This was despite the recommendation of Prof.Treadgold in 1983, AND which is a standard part of commercial business).
6. **Treadgold added** – ***“Our ...belief that the economic capacity of Norfolk Island is, in broad terms, sufficient for it to be economically and financially self-supporting, with appropriate standards of government services, including social services”.*** (p.2)

Treadgold also said –“NI should seek a firm statement from the Cwth ...in relation to the Cwth’s future expenditure on and for NI”. And added, “...the purpose of this recommendation is to remove the uncertainty re future public sector finance”(p.4) And, further, **Treadgold said** – “**Future capital outlays on the (NIG’s) trading undertakings be financed wherever possible, by borrowing such capital**” (p.5)

The inevitable but substantial increase in the cost of governance arising from the renegeing of the ‘deal’ agreed with NI Council, and the enforcement of such costly changes together with the increasing impact upon the Island’s economy, and general economic outlook, eventually took its toll.

The Global Financial Crisis simply exposed the damage already done!

{Little credit has or was ever given to the many Legislative Assemblies for their valiant attempts over many years to overcome these setbacks.}

OTHER setbacks in more recent times :

- **Almost all attempts by the Norfolk Island Government since 1979 to diversify its economy with innovative new industry opportunities, were systematically thwarted by the Federal Government**
- Continuation of the Commonwealth overriding our legislation to force change!
- Insistence upon agreement with the Territories Law Reform Bill in exchange for short term funding assistance, prior to 2016!

Lastly, the many Referenda conducted under Norfolk’s Referendum Act of 1964 since the late 1970’s, all which expressed the views of the island’s electors on a range of matters - most often as a measure of our citizen’s opinion about proposed Commonwealth initiatives and forced changes --were either ignored, rejected, or dismissed by the Commonwealth as either “contrived” or “meaningless”!!

In closing, with some reflection upon this short summary of ‘hurdles’, is it any wonder that our elected officials struggled to manage Norfolk Island and its economy, effectively??

Charles, you will have now had the time to reflect upon the various governance arrangements that have spanned many decades, and will of course now be aware that governance has since the 1970’s, gone around in a full circle.

From the difficult and frustrating years up to the early 1970’s when Norfolk was governed under Commonwealth (largely remote) rule. Following successful lobbying over several years, Norfolk was granted a form of self-government, that, despite the interferences etc., & some mistakes and hiccups along the way, Norfolk’s self-governance ran remarkably well.

BUT, this was not what Canberra wanted. So, Norfolk Island was stripped of its partial autonomy in 2015, with the Island effectively returned to Commonwealth rule. Such rule that has now become a source of growing concern – greater Public Debt; rapidly rising Cost of Living; secrecy; financial stress; heartache and frustration; for a large number of locals!

Despite some welcome infrastructural expenditure and some additional services etc., the benefits are now seriously outweighed by the impact of so much **non-consulted** rule; and, the costly (and sometimes ineffective) delivery of services by a top-heavy administration, is seriously impacting upon inflation, the people, business, across the whole polity!

Correspondingly, there surely cannot be much joy as a Commonwealth employee being thrust into a divisive, critical and cynical community in these somewhat 'toxic' times, whilst trying to deliver improvements to this tiny community??

Many now believe that a better arrangement would be derived if both parties were prepared to sit as equals to mutually craft a better way forward – sooner than later, before the economy and the Island's special culture & lifestyle, are irretrievably impacted?

Yours etc.,

Geoff B. 10/12/21

p.s. Supporting evidence is available to anyone so desiring such.