



Centre for Research in Public Sector Management
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Committee Secretary
Joint Standing Committee on the National Capital and External Territories
Department of the House of Representatives
Parliament House
Canberra ACT 2600

Joint Standing Committee on the
National Capital and External Territories

Submission No: 11

Date Received: 6/6/05

Secretary: 

Dear Committee Secretary

1. We see from the item about your Committee at p.47 of the May 2005 issue of *About the House* that the Committee is seeking further submissions relating to its inquiry into Norfolk Island governance. We assume this means that the closing date for the receipt of submissions advised in the relevant website page has been extended.

2. For nearly 30 years we, the undersigned, have been concerned with questions relating to the governance of Norfolk Island as a unique territory with a distinct history and culture. We have written on this subject, and in 1992 we presented carefully researched conclusions to the Government of Norfolk Island. Each of us has relevant experience in the consideration of public administration and the forms of government appropriate to different kinds of state and community. (*Our qualifications are listed in more detail below).

3. We have read the report on Stage One of your current inquiry, *Quis custodiet ipsos custodiet?*, and now seek to offer comments which we hope may prove helpful to your Committee both in its second stage inquiry and more generally.

4. We enclose with this submission the following items we have had a hand in producing. We believe these are relevant and that your Committee members may not be aware of them:

- Copy of a *Current Affairs Bulletin* article written in 1977, at the time of the Nimmo Report on Norfolk Island.
- Copy of our 1992 consultants' report to the Government of Norfolk Island, prepared when the issue of attaching the island to a Canberra electorate was first raised.
- A 2001 issue of the journal *Public Organization Review* containing a special symposium on the Governance of Small Jurisdictions, in the preparation of which one of us was involved.

5. Our position may be briefly stated:

(i.) We were critical of the Nimmo Report's view because we considered that the political, social and economic position of Norfolk Island was vastly different from that of mainstream Australia, and that efforts to absorb Norfolk Island into the general governance arrangements of mainstream Australia were inappropriate from numerous points of view.

(ii.) Where Norfolk's own governance arrangements were actually threatening to Australia's interests (as in the development of tax-haven arrangements) they needed to be controlled, but otherwise, we believed, it was greatly preferable to adopt a

mainstream stance that was tolerant of diversity and showed due respect for the historical and cultural differences that made Norfolk society so distinctive.

(iii.) We believe that it did much credit to the Commonwealth government and parliament that the Norfolk Island Act that followed the Nimmo Report was much more liberal than that Report had suggested.

(iv.) We are still basically of this view, but are distressed by the evidence of malpractice published in your *Quis custodiet* report, and accordingly we support your recommendations designed to ensure the operation of proper accountability and due process measures within Norfolk Island's own governing institutions.

(v.) **HOWEVER, we cannot support the electoral recommendations that have been proposed, and particularly that which seeks the incorporation of Norfolk Island within the electorate of Canberra. The principal reasons for our objection (spelt out in more detail in our 1992 consultants' report) are that there is no identifiable 'community of interest' between the two communities, and that weight of population numbers would ensure that the interests of Norfolk Island would receive entirely inadequate attention in the Parliament under such an arrangement. We believe the current electoral arrangements are satisfactory, and that they should not be further tampered with.**

(vi.) We also wish to reiterate our belief, expressed in our earlier statements, that relevant policy-makers should be more prepared to consider Norfolk as a governmental and social unit which bears significant similarities to other small states and quasi-states around the world, of which there are many. We see little evidence that this perspective is being taken into account; if the Committee is interested in exploring such connections further – and obviously we hope it is – we would be very happy to share relevant reference materials currently available to us.

Yours sincerely,

Philip Grundy Roger Wettenhall

* Roger Wettenhall is Professor of Public Administration Emeritus, and Visiting Professor, Centre for Research in Public Sector Management, University of Canberra, and former Editor of the *Australian Journal of Public Administration*. He has written extensively on the governance of islands and small states.

Philip Grundy OAM was formerly Deputy Director of the Australian Institute of Urban Studies and subsequently Vice Chairman of the ACT Division of that Institute. In those capacities he was especially interested in ideas of flexible approaches to government, especially in local government and distinctive communities.

Philip Grundy was co-editor (with Justice R. Else-Mitchell) of and contributor to the territorial study *Canberra: A People's Capital?* (1988); both the authors of this submission were co-authors of the book reporting on the ACT's transition to self-government *Reluctant Democrats* (1996); and Roger Wettenhall was co-editor (with Professor John Halligan) of and contributor to *A Decade of Self-Government in the ACT* (2000).