

1

Submission to the JSC into Norfolk Island's governmental arrangements.

Mr Chairman

My name is George Charles Smith and I live on Norfolk Island. I am a Member of the tenth Legislative Assembly of Norfolk Island. I appear here today in a private capacity. I have served on the Norfolk Island Assembly in the fifth, seventh, eighth ninth and the current one, tenth. I was first elected in 1989 and have held ministerial appointments in many different portfolios over that time.

I am appearing here today to voice my views on the current and recent inquiries into Norfolk Island. I need to say that my views are not necessarily those of my colleagues in the current Legislative Assembly.

During my time in the Assembly there have been a number inquiries into the way Norfolk Island operates with the inquiries relating to Norfolk Island's electoral systems being prominent in most during my time.

Over the past twelve years the question of how people should vote or who should vote has been raised time and again by the Commonwealth Government. The Norfolk Island people and the Government have voiced their opinions time and again with the support of referenda supporting the Government's view on, I believe, at least three times, possibly more. It has been stated every time, that Norfolk Island should be the decider in who is involved in Norfolk's electoral affairs if any change should take place at all.

A surprising fact is that each inquiry that takes place on Norfolk Island rarely supports the Norfolk Island Government's, or the community's point of view. The results almost always favour either the small minority's, or the Commonwealth's wishes.

Having said that, I need to say that I believe the relationship between the Commonwealth and Norfolk Island Governments has generally been very good, although strained at times particularly when the bigger of the two exerts pressure on the smaller one.

Norfolk Island is different, unique and perhaps even an island that is one of a kind. This island has a deep, varied and rich culture, which is recognised by those who visit here, practiced by many who live here, and envied by others.

It is not practical to think of Norfolk Island in the same way as other countries or other places. It is also not practical to even consider that Norfolk Island can *provide* everything that others do for their citizens. It is only a small place with only a few people on it - Smaller than many suburbs elsewhere, yet the Island does provide a sophisticated way of life that we mostly all enjoy.

Submission No:.....	30
Date Received:.....	15/7/03
Secretary:.....	Allemant

Norfolk Island funds almost everything and is self-contained in that sense. I don't believe that any State or Territory in Australia funds the services that we do without assistance from anywhere else. Nor do others need to deal with the three levels of governance that Norfolk Island does.

We pay all the costs associated with health services, health insurance, education services, welfare services, telecommunications, electrical supply, the airport and many other services without assistance, (although there are some exceptions).

The Norfolk Island Act 1979 has been in existence a mere 24 years, as has the Legislative Assembly. There have been ups & downs politically in that time as the Island came to grips with governing itself with the limited resources that it has had, to develop the systems we now have.

Norfolk Island is possibly the closest example you can get to an example of real democracy where the people can control their destiny by using a collective influence over the legislators. And they do. That can manifest itself at elections, at referendum, by petition or simply through talking directly with the Members of the Legislative Assembly.

It is extremely important to think years ahead in planning in a small place like Norfolk. Short-term decisions can have effects that can cause problems in the future that are not easily overcome.

There are always difficulties with that, but we do work through them, and although not every one is happy about the way it is done, we can manage quite well.

However, that does not mean that Norfolk Island is reluctant in making assessments on the way we do things here. I don't believe we are. But changes to our electoral methods are matters for the Norfolk Island Legislative Assembly to work out with the people who live here and who use the systems that are in place.

There are in my opinion changes that *could* be made to improve our electoral processes which I will get to shortly.

Turning to the matters for the current Inquiry:

If we take the question of "Should the Chief Minister be elected in a separate election"? It begs the question "What is the logic behind the question. If there was a general gripe about the current method, I am sure we would soon get the message from the community.

If it is thought that the Legislative Assembly chooses the wrong person, who knows, that a direct election may end in the same result. At least with the Assembly making the decision, there is only nine of us to carry the blame.....

If it's intention is to create a Legislature that is more akin to a local council it would show that someone is ignorant about the complexities that relate to governing Norfolk Island. The proposal to have direct election for a Chief Minister is flawed and I believe, unworkable. The position of Chief Minister on Norfolk Island is as a leader of the Government and has no additional power nor receives any more remuneration than other executive members. ~ 15 4 TITLE

The question of introducing fixed terms for the Assembly would prevent the democratic process taking place if, and when the people decide it is time for change. That proposal is unworkable on Norfolk as much as anywhere else.

It is my view that the changes we *should* make in electoral matters are as follows:

It has proven to be true that most of the Assembly terms abort before full term either due to community influence or from an unworkable situation from within.

It appears that the average effective working time for an Assembly is two years. The current legislation sets the term at a maximum of three years. Norfolk Island people are very aware politically and appear to want to see a change if an Assembly heads to the full term of three years. In the past, that has shown up as large swings in voting patterns at elections, which does ~~reduce~~ the continuity within the Legislative Assembly.
 < An

If elections were held whilst an Assembly is still effective in those first two years, I believe it could create an environment where better continuity of the membership would be achieved and create more stable government.

Voting system.

The Illinois voting system under Norfolk Island legislation allows any eligible voter to cast a maximum of four votes for a candidate from the nine votes they have. I believe that that is too many, and have the view that it should be reduced to two as a maximum. My reasoning is that fewer votes would ensure that voters would then be voting for more than just three candidates as is now possible. The result should be a more democratically elected Assembly. Electors would still have nine votes but would need to vote a little differently.

Other matters:

The other matters raised in the Inquiry are matters that should be discussed between the two Governments. Whether it be financial capacity, or administrative capacity, there is no obvious reason why a course cannot be mapped out for the island that is acceptable to both parties.

In reality though, that will only occur

1. when there is a Commonwealth Minister, or department that will *support* Norfolk Island and it's Legislative Assembly, rather than be antagonistic as occurs year after year
2. When the role of the Administrator's Office is streamlined to better reflect the role that that office now performs. Whilst the Administrator's Office is still seen by many on the Island in the terms of the way it used to be, the Legislative Assembly will always have the difficulty of competing as the Norfolk Island Authority. When hard decisions are taken on by the Assembly, some in the community favour the idea of Norfolk Island returning to the regime which had the Administrator in almost total control over the Island. It could also be argued that the on-island role of the Administrator may have now become redundant and might be better served with having a representative who visits periodically for official business.

But in all of this, as I said earlier, it is paramount to have good forward planning with a global view in mind for Norfolk Island's future.

That needs to apply to the Commonwealth as well. There are questions that I have no answer to right now:

What do they really want to achieve with Norfolk Island?

What is their long-term goal for Norfolk Island?

Do those goals agree with the Norfolk Island point of view?

Is there a goal at all?

There are a number of matters for which Norfolk Island pays for and manages, yet are still functions that are known as schedule 3 matters. They include education, immigration and others that should have been transferred to schedule 2 and become the island's full responsibility a long time ago. The request to have these matters transferred has been ongoing and with no result.

There appears to be no logical reason for most of them not to be transferred. That would certainly help to complete the self-government process as promised with the Norfolk Island Act when it was introduced.

~~(The Commonwealth has two standards where Norfolk Island is concerned. One is which suits them and the other is when it doesn't.)~~