

The Norfolk Islander, 4 December 2021: Supplement

Australia's Assault on Norfolk Island: 2019-20: Procrustes Ascendant
A book by Dr Chris Nobbs and others

The following are the speech notes by the principal author for the launch of this book,
held in the Conference Room, Governor's Lodge Resort Hotel, Norfolk Island
17 November 2021

These notes are also available for download from the websites of
The Norfolk Islander and *Norfolk Online News*

Thank you Madam Chair.

This book – "Australia's Assault on Norfolk Island: 2019-20" – is the third in a biennial series on the subject of the consequences of the Australian Government takeover of the Norfolk Island in 2016.

Three comments to start:

First, any good policy – for Norfolk Island as for anywhere else – must be based on good reasons, and reasons are based on evidence. That is why in this book I have put a premium on providing references, where readers can follow up on the claims that are made.

Second, in the majority of my writings over the past six years I have specifically invited anyone interested to respond if they wanted to offer criticisms, corrections, or just discuss what I've written. In that time neither DIRD nor the Minister's office has ever taken up that invitation. [In 2016 the Department of Infrastructure and Regional Development (DIRD) held key bureaucratic responsibility for Norfolk Island, but since that time has undergone three name changes – so I'll refer to DIRD for simplicity.]

A third point is important too. In the first of these volumes I wrote that, on the evidence, "The picture that emerges is of Australian Government actions typified by arrogance, ignorance, and a lack of concern for the real interests of the Norfolk Island community". Sadly, and now with the launch of this third volume, little appears to have changed.

So the third point here is this: I do NOT suggest that every expenditure by the Commonwealth on the island since 2016 has been bad – that is not the case: witness the desalination plant brought over when the island was in drought, the seamless programme of Covid vaccination, and the hospital proposal. Some good things have been provided. That is one thing.

What my book focuses on are the strategic issues of island governance, future development, community and democracy, which is quite another.

The book itself is divided into three parts:

- first part contains my own articles, focussing on aspects of Commonwealth government activities on Norfolk Island (mainly published originally in *The Norfolk Islander* and *Norfolk Online News*);
- second part, titled "Other Norfolk voices", contains articles/letters by other Norfolk Islanders, and to which I will refer shortly; and
- a brief third part, oriented towards the future and the era of climate change, that hopefully may start a conversation about "How should one live on NI?", and consequently how it should be governed. And I will talk a bit about that too.

Part 1 of the book consists of eight chapters, of which I'll refer to a some of them:

The book opens with a chapter on *Legislative changes on Norfolk Island since 2015*, which details the continuing changes in legislation and regulation which have taken place since 2016, and which represent a continuing erosion of decision-making power in the hands of Norfolk Island residents, that being placed more and more in the hands of the Commonwealth Minister, and the Norfolk Island Administrator (either by his own office or as the Minister's delegate).

*This is now to the point where Norfolk Island residents have been reduced to the status of peasants on the estates of the Administrator. That is unacceptable, for reasons I'll come back to.

The chapter entitled *KAVHA: alive or dead?* provides a history in the evolution of KAVHA (the Kingston and Arthur's Vale Historic Area) since the 1970s. Whereas previously the Norfolk Island Government shared the management and costs of KAVHA with the Commonwealth, nowadays Norfolk Island has no management role, and only input is via individuals on sub-committees, the members of which are chosen by the Administrator.

*My major concern here has been with the failure of the Commonwealth to meaningfully implement the UNESCO World Heritage Convention's fifth strategic objective which recognises – and I quote – "the critical importance of involving indigenous, traditional and local communities in the implementation of the Convention." (end quote) In this matter the Commonwealth appears heading in the completely opposite direction.

There is a chapter on *Biosecurity and Norfolk Island* in which I set out the disorder to which this situation has descended since 2016, involving:

- ◆ overturning of well-established and reliable biosecurity processes previously in currency; and
- ◆ the failure of the Commonwealth to make proper biosecurity provision for the island's ongoing agricultural and horticultural opportunities, founded on the island's acknowledged very high biosecurity status.

Issues include: import of animals, stock feed, plant root stock, flowers and foliage; and the most pressing immediate concerns: the exclusion of Panama disease in bananas, and Varroa mite in honey bees, and the Queensland fruit fly.

*Current biosecurity requirements have been imposed on NI without discussion or evident consideration of the island's needs (as distinct from mainland Australia's needs). NI requires its own biosecurity zone, and in particular support from the Commonwealth in establishing Norfolk Island's agricultural vitality, including the establishment of Norfolk Island as an international bee sanctuary.

The *Capacity of Norfolk Island to raise revenue* is the title of a consultancy carried out for DIRD by the prestigious Commonwealth Grants Commission. The study was flawed because it did not recognise that - on account of Norfolk's extremely high freight costs - prices on Norfolk Island are not comparable with those in rural Australia.

*The lesson from this study is that bureaucrats, however academically qualified and well-intentioned, sitting at their desks in Canberra, are not all-knowing about events and circumstances on NI.

[The Case for Controlled Immigration to Norfolk Island.] The abandonment of immigration control is without doubt the most major and least discussed of all the changes introduced by the Commonwealth in 2016. Its consequences are severe:

- (i) loss of control of island population numbers, resources and economy;
- (ii) dismemberment of social structure; and
- (iii) likely major disruption of the housing market.

Furthermore there is no small isolated island in the world to which Norfolk can reasonably be compared, which has an open-door immigration policy such as that enforced on Norfolk Island, and neither does Australia itself. All these islands – as diverse as Niue, the Falklands, St Helena – currently have immigration policies very similar to that which was taken away from NI in 2016.

*The policy (or lack of it) imposed on Norfolk Island is a disgrace, the worst of all possible worlds for Norfolk Island, and in urgent need of review. Easy to do. We may recall the *Tampa* affair of 2001, when in response to the arrival of a boatload of refugees into Western Australian waters on a Norwegian freighter, it took overnight action by the Australian Parliament to excise of a number of islands from Australia's migration zone.

[2020 audit and 2021 public inquiry into NIRC] Finally you will recall that when the NI Regional Council looked like running out of money to pay its bills in 2020, the Council made a request to the Commonwealth to "engage a consultant to carry out a full independent governance and financial audit of NIRC operations". The Commonwealth duly did this, and as a result of which the Minister chose to suspend the Council, install a temporary administrator, and conduct a Public Inquiry into the management and conduct of the NIRC. The Commissioner's report is now with the Minister, and publication is awaited.

* The problem with this Public Inquiry is that the Terms of Reference were so narrowly written that all responsibility for the financial situation must lie inevitably with the Council, while the responsibilities of DIRD itself – which were substantial in my view – go completely unaccounted. This is what is called "blaming the victim", and as such it is based on prejudice.

Part 2 of the book "Other Norfolk Voices" consists of letters and articles by others:

- Mary Christian-Bailey on KAVHA
- Merv Buffett and Clare McPherson on biosecurity (which provided input for my own chapter)
- Louci Reynolds on the Norfolk Island Central School
[In November 2018 the NSW Government advised the Commonwealth that they would not renew service delivery agreements regarding the NICS beyond December 2021. Two and a half year later and four months before the deadline, the NSW Teachers Federation complained of the continuing uncertainty and the disadvantages already imposed on both students and staff for the coming year, and found it necessary to take strike action.]
- Geoff Atkinson on the emasculation of Norfolk Island criminal law
- Ron Ward on the issue of land rates
- Terrence Grube on the importance of local media, and
- Chris Magri and David Buffett on matters of democracy and self-determination.

These authors all speak with their own voices, and they bring important perspectives to this matter of the Commonwealth's conduct on Norfolk Island, and I here acknowledge and thank them all for their contributions to this book.

Overall and the future

The overall picture that I see is that what was here on Norfolk Island in 2016, and built up step by step, by trial and error, over many years, has been almost completely dismembered by the Commonwealth in its 2016 takeover, in which it has tried to reconstruct Norfolk Island in its own image.

If colonialism is the taking over of an external territory and turning its purposes to those of the metropole, then the Commonwealth's actions on NI amount to colonialism pure and simple. A remarkable phenomenon in the Pacific Region in the twenty-first century. Norfolk Island's democracy, cultural integrity and sustainable future have been its victims.

Approach imposed by the Commonwealth following the 2016 takeover is founded on the idea: "NI is same as the rest of Australia, therefore A, therefore B, therefore C, and D and E..."

This is a ruinous approach that has:

- (i) burdened Norfolk Island with an inefficient and top-heavy government and bureaucracy which the Island is now required to pay for;
- (ii) undermined the ability of the island to plan;
- (iii) and taken away the dignity and self-belief of Norfolk Islanders themselves.

It is the "zombie approach" to governance/policy – I don't know how else to describe it.

Alternative approach is to ask the question: "What are the needs of a small isolated island?" and start from there. This is what New Zealand understands, and has implemented successfully with a variety of small islands in the Pacific Region, but to which notion Australia remains deaf.

Small isolated islands require:

- . law based on common sense,
 - . law at appropriate scale,
 - . law that permits flexibility in response and transparency in process –
- and that means the ability of those on the ground to make real decisions that affect their lives.

In technical parlance Norfolk Island constitutes a system: "a functional unity with recognisable boundaries and an internal homogeneity in relation to its exterior". More specifically it might be called an eco-system.

It is a geographic and environmental ecosystem – because it is isolated by hundreds of miles of ocean in all directions, and with its own unique flora and fauna;

It is an economic ecosystem – because it is a small isolated region with an economy based almost wholly on tourism, without economies of scale, and with a unique exposure to risk;

It is a social ecosystem – with its own language, customs and mores (however battered by recent events).

Because it is an isolated ecosystem it needs to be able to self-regulate to a substantial degree.

Fitness, adaptive capacity and resilience happen on-site: that's where the majority of the relevant understanding resides. It is what economist-philosopher Friedrich Hayek referred to as "the knowledge of particular circumstances of time and place".

What made the Norfolk Island community successful in the past – as English actor and television presenter Martin Clunes perceptively observed during his tour of small islands in the Pacific and elsewhere – was that people looked out for each other, and they cherished what they had. That is what the future, and climate change, will require of us, and that is what the Commonwealth has been dismembering.

Final

I therefore challenge the Commonwealth Minister and government bureaucracy to find the intellectual and moral courage to examine closely the mess that has been created on Norfolk Island, and join with the island's representatives to, together, set a better future course for the benefit of the island and indeed for the Commonwealth's own reputation. It is a request that the Norfolk Island Regional Council has made on more than one occasion.

- Chris Nobbs

The book itself is available from The Trading Post, Norfolk Island, and from amazon.com.au

END