



Outside St Pauls pool

UCKLUN TULL UN DEM TULL

Pitcairn News

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JULIE IN NEW ZEALAND TULL: 31 March was the last day of the old Pitcairn. 1 April 2009 brought the changes to our governance and employment structure. That United Nations White Paper brought this about and we have been under pressure to comply. A new beginning, an exciting beginning for a new and updated Pitcairn? A public party was held on 1 April 2009 in the public hall fare welling the old and welcoming the new and congratulatory messages were read out from various officials i.e. Governor, DFID, etc. Not everyone attended the party. Pitcairners are known for their healthy opinions. Some had their say and the journey to this point has been long and a little arduous. The new changes have come about without the assistance of experienced experts in this field and we sincerely hope the transition from the old to the new will be lawful, successful and peaceful. There is no Back Page in this edition as the Front Page article is Back Page-ish.

WHATS CHANGED?

First of all, Pitcairn is under Budgetary Aid and is dependent on Britain for its survival. This is my opinion on how the new structure is supposed to work.

Of Pitcairn's 53 permanent residents there are 33 aged between 16 and 65 (the regular workforce). 17 men and 16 women.

In the first box of the new chart nicknamed 'Christmas Tree' is Government of Pitcairn Islands (GPI) consisting of HMG, PIO (Pitcairn Island Office) and Council – commonly referred to as partners and partnership.

The old governance structure had the Governor sitting at the top of chart. He called the shots. He had the power to override anything at all. Contradictory to the new GPI box, while the 1970 Pitcairn Constitution remains in force the Governor, alone, still has the power to call the shots.

Previously the Island Council consisted of the following with VOTING rights, 'Island Officers' namely an elected Mayor, an elected Chairman of Internal Committee and four elected councillors plus the Island Secretary who is appointed by the Governor and one nominated member appointed annually by the Governor. In addition there are two NON VOTING members. This Island Council structure is specifically covered by Pitcairn law in the section "Local Government".

Under the new Island Council structure which is in force and operating, it seems the make up of council since the December 2008 elections is made up of the following with VOTING rights – The Mayor, a Deputy Mayor (new position), Four Councillors, all nominated and elected plus the nominated member appointed annually by the Governor. NON VOTING members are Island Secretary (voting rights removed) and the two others. Not sure how the new structure is recorded in Pitcairn law. One would assume that as the old structure is specifically embedded in law then the new structure should be as well repealing the old otherwise how is one to know what is legal and what isn't? According to my copy of the law book and that published on the Pitcairn Government website there has been no changes to the written law to cover the new make up of Council. And I have not seen any reference to any new written ordinance in council minutes.

My interpretation of the Council minutes regarding the Job Description of the new role of Deputy Mayor shows that role as being quite different to the defunct role of Chairman of Internal Committee and it appears it is not just a title change but a role change. Again shouldn't this change be covered by a new ordinance? The new job description for Island Secretary refers to the role as simply being a "clerk of the council and therefore there is no need for Governors approval". Even council questions if there should be a law change. The position of Island Secretary as covered by current law has voting rights on Council. The current law also states "Island Secretary" means, the person from time to time appointed by the Governor to hold the public office of Island Secretary. This is inconsistent with the definition of

Island Secretary under the new structure. Do we now have an illegal Deputy Mayor and Island Secretary? Do we actually have a legal Council? Do we actually know? Subject to Governors dictates council does have some power to amend some regulations of ordinances for the good governance of the islands but am not sure if they have the power to change or ignore ordinances.

On the new chart – The Commissioner appears on the same level as Mayor however during the Governors visit in March 2009 we were advised the Commissioners position will eventually disappear and the Governors Representative will become a permanent position based on Pitcairn.

Under the old structure we had an Internal Committee (IC) which consisted of an elected Chairman (CIC) and the Heads of Departments (HOD) excluding the positions appointed by the Governor i.e. school teacher, postmaster, etc. The HOD's attended monthly meetings chaired by the CIC and minutes were recorded by the Island Secretary which was presented to council monthly. The discarded Internal Committee is also covered by Pitcairn law under Local Government. The same legal questions apply here as well.

Replacing IC are four Division Managers. Each category of employment e.g. Engineering has a Head of Department who reports direct to their respective Division Manager. This now include all HOD's including the School Teacher, Doctor, Pastor, Off Island Police officer, etc as well as local employees. The four Division Managers roles are: Community Development, Operations, Finance and Economics and Natural Resources.

Four Councillors are assigned portfolios for each Division Manager.

When you see the chart of the new structure it looks impressive but perhaps a little complicated for such a small work force. It will take time for things to settle down but fortunately three of the four Division Managers are members of PDT who were/are the primary authors of the new structure, employment and job descriptions. If something doesn't work, they just need to consult themselves before ratifying any changes with council. There will be teething problems and Public Work is one such area which caused confusion when there was a question mark over which Division Manager responsibility fell under. It was decided it was Deputy Mayor as it was written in his job description. I am told that in the last Council Meeting responsibility may have changed but this is yet to be confirmed. Public Works is Pitcairn's equivalent of paying tax and is also covered by Pitcairn law.

Pitcairn needs to change their Governance Structure as it is required by the White Paper but many believe the new structure is over the top for such a small workforce where the number of employees who offer themselves to positions of authority is small. The three Division Managers who are also PDT members is an example. Another example is:

The Head of Department of Works reports to the Division Manager of Operations. He writes his monthly report for his department and hands it to his Division Manager. His Division Manager then collates the monthly reports for all of his departments and hands it to the Councillor whose portfolio is Division of Operations. The Councillor assigned to the portfolio Operations is the same person as the Head of Department of Works. So under the new structure the Division Manager of Operations is boss of Head of Department of Works and the Head of Department of Works in his role as Councillor assigned to Operations is boss of Division Manager.

Under the new structure no matter how you change things around you will most likely in most instances come across an incestuous relationship.

I didn't set out to criticize the new structure as change is necessary. But the more I read about the details the more critical I become. Those who have read previous editions of Dem Tull will know that I have been extremely critical of the lack of independent legal advice available to Council or advice from experts in this field to work alongside inexperienced members who accepted the task of writing the changes. These changes are supposed to be very important and will change the way we govern. I understand UN funding is available for this purpose. In this day and age to implement changes to the make up of council which makeup is already covered by written Pitcairn law, before the law has been formally changed, raises too many questions for me. This is the 21st century. Pitcairn has just been through the most devastating period of our history where we were ridiculed in media world wide about our laws or lack of them and our lack of understanding of what laws actually apply to Pitcairn. Our men were convicted on hastily written retrospective laws and on British laws they knew nothing about and had never had access to. I still get annoyed recalling the comment in Marks book where the current Commissioner is quoted as calling our structure medieval. At all times responsibility for our governance and laws and ensuring we are kept abreast of what laws apply to us has rested with the Governor who over the years failed us dismally. Formal employment contracts, personal grievance, health and safety in the work place conditions have all been newly written with no laws to back them up. Maybe British employment law applies but does one know what it is?

It is quite implicit that the new structure is also to bring in line employees who may not measure up to their position in one way or another. If an employee, say the school teacher or doctor, is dismissed and wish to bring a personal grievance case and hires a lawyer, what laws will be available to him or her? When they pick up the Pitcairn law book the laws will bare little resemblance to the new structure or to the conditions in their job description and employment contracts. What then? Over the last 200 years Britain allowed us to box on making our own way and allowing us to think we knew what laws applied to us, then when it came to the crunch it was the written law that applied and where there was no law retrospective laws were written to our detriment. So what's changed? Very little.

R.I.P SIMBA



Michelle tull: Shawn and I would like to let you know Simba was put to rest last night. It was very peaceful and he is free. DOB. 24/9/2000 - 29/3/2009 Simba was 8 1/2 years old. We will miss him terribly. Thank you for all your support we really appreciate it.

Julie tull: I can remember the evening when Simba left New Zealand for Pitcairn. You can see he was a large dog. Well he was also a 'stubborn stick'. When it was time for him to get in the van to go to the ship, he just lay down and would not move. When they got him alongside the ship and ready to go on board he just laid down. When they got him on board ship and he saw the steps he would have to climb he just laid down. Moving a very large immovable dog wasn't easy. Rest in Peace Simba.



RYANS 4th BIRTHDAY PARTY – Adrianna is wearing a dress again. Adrianna's second birthday was also in March but it made it into last month's newsletter. Ryan's fourth birthday were celebrated by a public party at Flatland during the month of March, and daddy Randy and mummy Nadine also celebrated their birthdays this month, but on a smaller scale. My mum was tickled pink when Nadine made a public announcement on the VHF radio inviting everyone to the party when she heard Ryan call out in the background – it's my birthday. I'm sure he received lots of presents.



Gorgeous Adrianna



Emily, Adrianna and Ryan



The Birthday Boy



Ryan with brother Brad and Kimiora in the background

CUSHANA IS GROWING FAST – 5 months old. Big sister Torika looks proud as punch holding her. Such happy photos.



TIMOTHY YOUNG TULL ABOUT - THE BOUNTY RUDDER

Well, it happens to many of us at some point. Writers block! Usually I am well prepared to write about a certain topic (I said usually, though there was at least one occasion late last year where I had to write at the last minute). Anyway, I have now sat down, listening to the Latin lyrics of "One-Winged Angel" at full volume (no wonder my neighbours hate me), a bottle full of nice dark liquid (Pepsi Max) to help me along, and my mind wandering here, there and everywhere. Last time I was this stumped, I wrote about *Bounty* relics. I might as well follow that line of thought, and write about the *Bounty* Rudder.

When the *Bounty* was scuttled on Pitcairn, she hit some underwater rocks, which tore off her rudder (and a chunk of hull), thereby saving it (so to speak) from the ravages of the fire. Sinking some distance from where the *Bounty* finally deposited herself, the rudder remained there for almost 150 years before it was recovered (c.13 feet of it) by Parkin Christian in 1935. Over the years, pieces were sold to various collectors and museums, until the remains, now just over 6 feet long, were shipped to Fiji.

Today there are parts of the rudder all over the world, yet the largest piece now rests in the Fiji Museum in Suva, where it is taken care of splendidly. One of the gudgeons today rests in Otago Museum in New Zealand, and is equally well looked after. So far, I have found 23 pieces of the rudder around the world, most of it in private hands (not counting the wooden shards and splinters sold as souvenirs). Interestingly, some items were recovered long before Parkin recovered the main portion of the rudder (two items dating to before the Pitcairners left for Norfolk). On Pitcairn, there are two large sections of rudder on display, as well as a couple of shards, which were returned to Pitcairn by Maurice Allward. It is fascinating that should all the pieces be put together you could more or less reassemble what Parkin pulled up over a century ago (perhaps more, considering the parts salvaged even earlier).

Well, enough of my fanboy ranting. I have the last three article topics all lined up, so hope you get a kick out of reading them as I got a kick out of writing them.

BITS AND PIECES

DENTIST - A dentist from NZ arrived on the Braveheart and stayed for ten days, busily checking out teeth and dentures and gums, and also doing some extensive drilling. A popular visit, for it must be over ten years since the Governor's office sent a dentist here, and it was good to make sure our teeth are safe for another ten years or so.

WEATHER - It has been unusually hot and humid, with only a sprinkling of rain occasionally, hardly enough to settle the dusty roads. Whenever ATVs are travelling the roads, a veritable sandstorm is churned up behind them, and everyone is sighing for some real rain. We have forgotten how we longed for sun and dry weather during the three weeks of rain in January when Pitcairn was almost washed away!! Still there was a day for the rainbows as Nadine discovered looking out over Adamstown from her home at Flatland.



CRUISE SHIPS - Seven Seas Mariner and Hanseatic visited during March, each with several hundred passengers onboard, and the Hanseatic passengers came ashore for sightseeing and trading. Mayor Mike Warren arrived back on the Hanseatic having joined her in Easter Island. More pictures of the cruise ships for you Herb Ford for your collection.



SUPPLY SHIP – It was four months since we last had mail and supplies, with the December ship, everyone was pleased when the Taporo arrived on Monday 6 April with fresh supplies from New Zealand, via Tahiti, there is great excitement once again. Mum is addicted to Lyles Golden Syrup which she uses as a spread on her bread and crackers. We usually send her six tins each ship. Its not enough. She ran out and when I asked if everything arrived ok she said her syrup did and she was sitting there eating it with the dumplings she had just made. Just like a kid all excitement opening parcel after parcel.

Brother and sister, **Len Brown and Royal Warren recently celebrated their birthdays.** Len turned 83 and Royal 81. Royal celebrated hers in Wellington, New Zealand where she is still here waiting for clearance from her eye operation before going back home. Len celebrated his with a public dinner at Brenda and Mikes.

THE LAST PRISONER is out of prison and is on Home Detention. What is going to happen to the prison? There are all sorts of rumours like it could be turned into tourist accommodation, tea rooms, shop. The prison is in Bobs Valley or a ditch. Another nickname is Mosquito Valley. Maybe someone will want to buy it except there are still four men on either parole or home detention and who knows we may have to lock up the odd outsider. You never know. Check out the photos. To get the fantastic views Marks wrote about you will need to chop down a lot of trees so this may not be a suitable property for the greenies. For those of you who grew up on Pitcairn remember Bobs Valley is where the “heeya” (ghost – man with no head) lives. The last photo is taken of the entrance from the Main Road where the no head man lives. HEEEEYAAA.



THE GRAVEYARD – A group has been identifying and mapping the graveyard. For those graves with no headstones or markings, plaques will be ordered and hopefully will arrive on the June ship.



NEW COVERING OVER THE VILLAGE SQUARE – With the increased number of cruise ships and those with passengers coming ashore there is increased trading at the village square. During wet weather we normally stretch tarpaulins over the uncovered part and on hot days the sun can be cruel. So they are building a roof over the remainder of the square not already covered. Some posts will be planted in the flower bed between the church and square and hopefully when it is finished the flower



bed will be replanted to the standard the late Jacob took pride in maintaining. Photo is of the square as it is today. Work is currently in progress. Next month there will be a photo of the finished product.

THE CURRENT DOCTOR won't be able to say his time on Pitcairn was sitting under coconut palm trees sipping pina colodas. Compared to others Dr Cardon has been working overtime. Gastroenteritis has swept through the island and his verdict is 'not the cruise ships fault this time'. He was the one who suspected Meraldas long term bad back condition required a specialist check. One of our women has a pacemaker in her heart. He connects her up to technology that allows outside specialists to check on its condition which means she does not need to leave the island for follow up checks. He treated the prisoner through the fright when the change in medication helped scare the living daylights out of him. He seems to be conducting inventories of the medical equipment and recommending upgrades. All we can say is thank goodness for Dr Cardon. It is budget time on Pitcairn and below I will comment on the budgets and subsidies and while the cost of having a Doctor on Pitcairn most likely gives DFID, our funders the frighteners, especially in these dire economic times, DFID or whoever pays the bills should still continue to fund a full time Doctor resident on Pitcairn.

ORDINANCES – I have read copies of Ordinances 1 – 5 of 2009 dated March 2009 and came into force 28 days later. 1 – 4 were changing the age of a child from 15 to 16 years of age in the various CAPS and Sections to do with the age of a child. It took a long time for the changes to be made. During the trials the various lawyers and judges spent considerable time arguing about what age should be used. I thought they decided on age 16. All I know it appears they have taken their time to change the law which changes actually acknowledge, today, that legally on Pitcairn, the age was actually 15. One of the ordinances was increasing the age of child benefits to 16 and stated the usual “Subject to any directions of the Governor”. The fifth ordinance is to do with alcohol in regard the sale and use of liquor in the islands.

UPDATE ON THE PROJECTS:

Firstly when DFID was on island early March they indicated that while times are tough and there are economic difficulties facing the UK they are committed to spending money on Pitcairn projects but there has to be clear clarification to explain expenditure. Absolutely.

WINDMILLS - The Governor is committed to going ahead with this but appears frustrated at the slow speed in finalizing a proposal. He is prepared to put \$1 million on the table for participants to design a power system for the island and the winner will receive the contract. 24 hour power on Pitcairn would be great to have but with the proposed increase in power prices it is a luxury most wont be able to afford.

SHIPPING – they have signed a 5 year contract with Nigel Jolly which they hoped would start running in June but has been delayed to September. It is a 44 foot vessel with room for 23 passengers and crew, 6 toilet/shower rooms and will carry four containers.

BREAKWATER – I am still pessimistic with this project however even with increasing prices making installing the breakwater highly difficult it is still on the list – so is the alternative harbor if the breakwater project fails.

No mention of the new Store, concreting the remainder of the main road to the school. But the **LANDING PROJECT** is about to commence.

BUDGETS: All prices in New Zealand currency

For **2009/2010** was discussed with DFID.

Salary changes – no \$ mentioned.

Shipping costs of \$2.1 million per annum to be subsidized by DFID.

Electricity costs will rise but significant subsidies will continue

Council and Division Managers salaries will increase to \$12.00 per hour but PDT and the policy review committee will disappear.

Phone and Internet line rental will increase.

Compare this to the cost of employing outsiders in the budget for **2008/2009**. Costs includes salary, travel and relocation costs.

The salaries of outside professionals covered under our new governance structure ranges from \$84,000 per annum to \$350,500 per annum.

Total cost of education - \$215,000

Total cost of Health - \$599,000.

Total cost of Social Worker - \$233,000

Total cost of Police Officer - \$273,000.

DFID also advised that other subsidies may be cut and freight could be one of them. Currently freight costs Pitcairners \$350 per m3. The true cost is \$1,200 per m3.

To help fund the increase in salaries due to the new structure, it is suggested that some jobs may be amalgamated. This may mean some workers may receive increased salaries and others may lose their jobs.

Harts et far des month. Ef anybody wunta tull, tulla me orn julie@customcredit.co.nz

Hooray
