



Objection 48

Brian Cox

6 pages

30 April 2018

The Chairman,
Augmented Electoral Commission,
Redistribution Secretariat for the ACT,
Australian Electoral Commission

Dear Chairman and Commissioners

Objection to Redistribution Committee's Proposal to Name New ACT Electoral Division 'Bean'

The point of this "objection" is to argue that the new ACT Electoral Division should be named NOTT rather than BEAN. Bean is not a bad choice, but NOTT has the better claim, especially in the ACT.

2. The Redistribution Committee (the Committee) said it was "strongly supportive" of naming a Division after each of them. The Committee also said that NOTT "is considered an appropriate name for an electoral division in the ACT". It also said it had difficulty in choosing one ahead of the other. A third candidate, Ngingeli Cullen, was also in the mix, having been shortlisted by the Committee with Nott and Bean for the naming of the new Division. So the four member Committee put the matter to a vote, the result of which was:

- Bean 2 votes
- Nott 1 vote
- Cullen 1 vote

On the basis of what it called a "majority" for Bean, the Committee selected that name. Strictly speaking, while Bean got one more vote than each of the others, he did not get a majority. By getting two votes against the others' one each he got exactly half of the four votes, which is not a majority.

3. As between Nott and Bean, there is some merit in the Committee's proposing Bean. But for the reasons given in my submission to the Committee dated 23 November 2017, NOTT has the greater claim to recognition in the ACT. Whilst I do not wish to burden members of the Augmented Electoral Commission with repetition, for your convenience, I attach a copy of that fairly short 23 November 2017 submission, as it briefly outlines the key elements of my claim that the Division should be named to commemorate the contribution of Dr Lewis Nott.

4. There are two main bases for my claim viz.:

1. On the basis of having rendered **outstanding service to their country**, Nott has a greater claim.
2. Nott was certainly a **'prominent individual who had contributed to the development of public life in the ACT'**. This concept appears to have been a factor of which the Committee acknowledged as relevant.

5. **As to 1 above:** both Nott and Bean did render **outstanding service to their country.**

Because their endeavours were so different, I understand that on this criterion it is difficult to place one ahead of the other. However, Nott finishes in front. He was the more active overall in his extended public life through his work in local government in both Queensland and the ACT and then of course, federally, as well as in the field of public medicine. Federally, after settling in Canberra following his election to the national parliament for the Queensland seat of Herbert, Dr Nott quickly saw the inequity of the disenfranchisement of the ACT community. Clearly evident was the fact that the residents of nearby Queanbeyan and elsewhere, just across the ACT border, were enfranchised at the local, State and Federal levels whereas Canberrans had none of these. It was largely because of Dr Nott's persistent and prolonged endeavours that the ACT gained a seat in the Federal Parliament, thereby completing the franchise nationally as every other place in Australia had the franchise at that time. This also led to his becoming the ACT's first elected Member of the House of Representatives. It may also be said that his work in the establishment of the A.C.T. Advisory Council paved the way for the later establishment of the elected Legislative Assembly we now have in Canberra.

6. As he achieved these things as a visionary independent, he had no party structure to support his efforts. All this followed his notable work in Queensland local government and distinguished military service in World War 1. It is of passing interest to note that as a consequence of his election in the Federal seat of Herbert he became a Member of of the first Federal Parliament to sit in the new National Capital.

7. I do not wish to be seen as diminishing Charles Bean's contribution – his was outstanding service to his country. He is however, already well-remembered; the Australian War Memorial, for the creation of which, he was largely responsible, is a continuing monument in which his name to this day features prominently. His outstanding official history of World War 1 continues to be well known and often quoted. He was awarded honorary degrees from Melbourne University and the Australian National University as well as the 1931 Chesney gold medal of the Royal United Services Institute.

8. All that said, one wonders whether Mr. Bean's name would have been advanced in 2017/18 - were this particular year -2018-not the centenary of the end of World War 1. Were it not for this coincidence, Charles Bean's name probably would not have become as much before the public eye as it has in recent times.

9. Nott's contribution was of a different kind. As mentioned elsewhere, he was a Federal Member of Parliament for a seat in Queensland, and later in the ACT after he had gained representation for the ACT - thereby completing the franchise federally for all Australian citizens regardless of where they lived. His 'contribution to the nation' in this latter sense was achieved essentially as a single handed effort driven by his vision of the public good – especially given that the ACT Advisory Council was a 'toothless tiger'. He had a vision for the future of Canberra as the Nation's Capital and saw that it was essential that its citizens, who were bound to increase in number, had representation in the Parliament. As an independent MP he was an early fighter for civil rights and social justice – concepts now taken for granted in those terms. Was he ahead of his times in this advocacy? Whilst the ACT representatives' voting rights in the House were at first

limited, Nott was not constrained in his independent interventions so far as the parliamentary proceedings allowed – i.e. he made the most of such opportunities as were available.

10. **As to 2, prominence in local life**, Charles Bean scarcely gets noticed. Beyond noting the fact that he lived in the ACT (in the Tuggeranong Homestead) to finish his work on the monumental World War 1 history, the Committee had nothing to say.

11. Nott, on the other hand, and as highlighted in my original submission to the Committee, was active and personally generous in many spheres in the ACT. I referred to his contribution in such community activities as practical relief for the needy during the Depression of the 1930s (initiating and working regularly in soup kitchens in the Causeway region), supporting ex-servicemen and women, involvement in the arts and other areas as a founder or founding member of the Canberra Philharmonic, Repertory and Horticultural societies. Such initiatives arose from a contributing citizen in a private capacity. Also, because his own medical practice was centred in the struggling Kingston/ Causeway region, much of his private medical work was done on a pro bono basis. I understand that in some cases of more desperate need the patient would emerge from a consultation with a few coins from Lewis Nott's own pocket rather than a bill.

12. Dr Nott's work locally was so diverse and well appreciated that when he died in 1951-(which was after he had ceased to be the local federal member) laudatory expressions from a wide range of the Canberra community - from the 'high ups' to less elevated people - were prolific. Comments made by members of Parliament and other leaders after his death were uniformly laudatory. Members of Parliament, Ministers, Ambassadors and many other leaders attended his funeral. Amongst those who commented publicly were:

- The Chairman of the ACT Advisory Council said "...for 25 years he has been identified with the general community of Canberra more actively than any other person...he hated injustice in any form".
- The Trades and Labour Council,
- Legacy
- Canberra Repertory Society
- National Council of Women
- Canberra Chamber of Commerce
- Canberra Hospital Board
- Christian Brothers War Memorial College Trustees
- Canberra Rural Lessees Association
- Liberal Party of the ACT
- Sir Robert Garran
- A.D. Fraser M.P. (ALP)
- Jim Fraser M.P. (ALP)
- Dr H.V. Evatt, Leader of the Opposition and former High Court Judge said 'His services to the capital of Australia must always be remembered with pride and gratitude.'

13. Such was the esteem in which Nott was held, that after his funeral service in the packed St Andrew's Church in Forrest A.C.T., the funeral procession to Canberra cemetery was estimated to be

about 1 ½ miles long. This indicates that a very high proportion of Canberra's population of approximately 23,600 at the time of his death in 1951 attended to pay their respects. These factors show that not only was he deeply respected by community leaders, but much respected and adopted as one of their own by the community at large. Clearly, the local profile and the esteem in which Nott was held were huge.

14. In this aspect of local contribution, Charles Bean, who merely lived in Canberra, scarcely competes.

15. Dr Nott, so well-known and respected in his day is probably little known to Canberrans today. Hence though there are still some here who knew him or knew of him it is unlikely that the opportunity will again arise adequately to commemorate the enduring contribution of Dr Lewis Nott in a local as well as a national sense. Recognition of Dr Nott of the kind now under consideration is especially apt for an electoral division in the ACT and fits well with Dr Evatt's concluding words (see paragraph 12 above). The one street in Canberra named after him is not enough. Moreover, there is relevant precedent for naming a Federal seat after a prominent local figure – e.g. in the case of the Northern Territory seat of Solomon (and no doubt there are others). Vaiben Solomon was a colourful and leading citizen in the Northern Territory.

16. In conclusion, I ask the Augmented Electoral Commission to accept that Dr Lewis Nott fulfils the criteria more completely than Charles Bean. To pick up on Dr Evatt's words, quoted above, it can be said that Dr Nott's service to the developing capital of the nation extends to being service to the nation.

Yours sincerely,



Brian Cox

A former Electoral Commissioner.

23 November 2017

The Chairman
Redistribution Committee for the Australian Capital Territory
c/- The Australian Electoral Commission
Marcus Clarke Street
Canberra City ACT

Dear Sir or Madam

Proposal for naming an ACT Electoral Division

As the number of seats in the ACT is being increased from two to three, I propose that one of the seats be named NOTT.

The Guidelines which have evolved for naming electoral divisions state, inter alia:- "that in the main divisions be named after deceased Australians who have rendered outstanding service to their country".

On this ground I propose that one of the ACT electoral divisions be named Nott after Dr Lewis Windermere Nott, L.R.C.S., L.R.C.P., L.R.F.P.S., who was the First representative in the then newly established Federal Parliamentary seat of the Australian Capital Territory. It was largely due to Dr Nott's own efforts that the ACT first gained a seat in the Federal Parliament.

In 1927, the year in which the Federal Parliament moved to Canberra Lewis Nott was the Member for the Queensland seat of Herbert (having won that seat in 1925 after defeating the Hon. Ted Theodore, a former Premier of Queensland). When Dr Nott lost his Herbert seat in 1928 he chose to stay in the Australian Capital Territory and Canberra remained his home until he died in 1951.

In addition to his long career in Federal Parliament, Lewis Nott had a distinguished record of service in World War 1. He was completing his Medical degree, commenced in Sydney University, at the University of Edinburgh and the Royal College of Surgeons in Edinburgh when war broke out in 1914. He enlisted immediately, rose to the rank of Captain and was made Adjutant in the 15th Battalion, The Royal Scots. He was wounded in 1916 and twice mentioned in despatches. He returned to Edinburgh to complete his medical degree, and then joined the Royal Army Medical Corps.

Following this, he returned to the state of his birth, Queensland, where he was appointed Medical Superintendent of the Mackay District Hospital. There he became involved in local government and became Mayor.

His interest in service to the community via elected office expanded from local to national government and in 1925 he contested and won the Queensland Federal seat of Herbert.

As a resident of Canberra he made notable and highly esteemed contributions to Canberra life, both professionally and in such community affairs as relief for the needy during the

Depression, supporting returned servicemen and women and involvement in the arts as a founder of the Canberra Repertory Society and the Canberra Philharmonic Society. He was Medical Superintendent of the Canberra Hospital from 1929 -1934 and also from 1941 -- 1949, 13 years in total. In between his position of Superintendent, he maintained his medical practice in Kingston, A.C.T.

As a Canberra resident, Dr Nott soon developed a keen interest in local government here. He campaigned for the creation of an Advisory Council for the ACT and served as an elected member of Council from 1935 -1949. He was the elected Chair for approximately thirteen years.

In 1949 Dr Nott, as an independent candidate, was, as stated above, elected to the Federal Parliament as the first member for the Australian Capital Territory. Thus, for some 22 years he was a widely known and respected citizen of Canberra. His link with the Federal Parliament had a unique character in that he was the only member of the House of Representatives to represent both a State and a Territory. His 21 year break in Parliamentary service (from 1928 until his return in 1949) was and probably still is a record for the Australian Parliament.

Summarising, after distinguished war service, Dr Nott first came to Canberra as an early parliamentarian from Queensland. He quickly developed such an affinity with Canberra that he decided to live in the then truly "bush capital" and did much work towards developing Canberra into the city it is today.

Conclusion: So my proposal is based on two key elements :-

First is his qualification in meeting the above quoted guidelines for naming electoral divisions, and

Second, because it is entirely appropriate that his outstanding contribution to Canberra and its community in the early days eminently qualifies him for recognition in the way I propose.

Yours faithfully

Brian Cox

Former Australian Electoral Commissioner.