



**180th Year Celebration of the Old Courthouse**  
**and**  
**Launch of the Final Stage of Redesign**  
**of the Law Museum**

**Address by**

**The Honourable Wayne Martin AC**  
**Chief Justice of Western Australia**

23 March 2017

Attorney General of Western Australia, the Honourable John Quigley MLA, President of the Law Society of Western Australia Mr Alain Musikanth, distinguished guests too numerous to mention, ladies and gentlemen. I am greatly honoured to have been invited to address this gathering to celebrate the 180th anniversary of the opening of the building which now houses the Francis Burt Law Education Programme, and the Law Museum, and to formally launch the final stage of the redesign of the Museum.

Before going any further I would like to thank Aunty Marie Taylor for her characteristically generous welcome to country, and pay my respects to the Elders past and present of the traditional owners of the lands on which we meet, the Whadjuck people who form part of the great Nyoongar Clan of South Western Australia, and acknowledge their continuing stewardship of these lands.

### **The 1837 Building**

The building we celebrate this evening is the oldest building still standing in the City of Perth. It was designed by Henry Willey Reveley, who also designed the oldest building in the metropolitan area - the Round House at Fremantle, which was built in 1831, just two years after the Colony was founded. The Honourable Nick Hasluck AM QC, who regrettably cannot be with us this evening, wrote of Reveley's interesting life, including his association with Percy Bysshe Shelley and his opportunistic joinder of Captain Stirling's ships as they called in at Cape Town on their way to the Swan River Settlement, just after he had been dismissed from his then position, in a fascinating article published in this month's edition of Brief magazine.

The Round House was the Colony's first jail, and this building was the Colony's first purpose built courthouse - court proceedings having previously been conducted in the 'rush' church not far from here. The site on which this building was constructed was a significant site from the earliest days of the Colony, being on the bank of the river

immediately adjacent to the pier which the colonists used to travel from Fremantle to the fledging city. The steps immediately adjacent to the building have outstanding heritage value as they were the steps used to access the pier, which of course gave its name to nearby Pier Street, for many years.

The building was built adjacent to the Commissariat Store, which was located next to the pier for obvious practical reasons. It was the demolition of that building in the 1890s which provided the site for the Supreme Court building which was opened in 1903.

It will be clear from this very abbreviated history that this building, which was opened in January 1837, and this area have been associated with the administration of justice since the earliest days of the Colony. In those early days the shortage of buildings meant that most buildings were used for multiple purposes, and this building was no exception. As the Hon Nick Hasluck has pointed out in his article, the primary use of the building was as a courthouse, including the building in which the trial of 15 year old John Gaven for murder took place - he being the first European executed in the Colony following the trial in 1844. However, the building was also used as a church and as a school and, following the construction of the new courthouse in Beaufort Street adjacent to the gaol, an immigration office. Other significant events which took place in this building include a fundraising piano concert performed by Bishop Salvado, after he had walked from New Norcia to Perth for the purpose, and public meetings, including a meeting which called for convicts to be sent to the Colony when it was desperately short of labour, and another public meeting calling for representative government.

Time does not permit me the opportunity of saying more about the fascinating history of this building, which is very well documented in Nick Hasluck's article, as is Nick's personal connection to the building as a consequence of the fact that his great grandfather, Lewis Hasluck, carved the coat of arms which hangs on the wall behind the bench in a shed at the back of the family home in Collie Street, Fremantle - and the

coat of arms still bears Nick's great grandfather's signature on the reverse side.

Given the significant history of this building in the life of our State, it is entirely fitting that over the last 30 years it has housed what have become significant institutions providing information to contemporary Western Australians with respect to the law and the courts, and the legal history of Western Australia. This evening we also celebrate the 30th anniversary of the commencement of the Francis Burt Law Education Programme, the Mock Trial Competition and the Old Courthouse Law Museum. I have been honoured to serve as Chair of the Advisory Committee overseeing those various activities for almost 11 years now, and have been very pleased to observe the capacity of those responsible for presenting those important services to respond flexibly and innovatively to changes in community expectations and requirements. Rather than resting on their laurels, and rehashing the same service delivery models, each of the entities operating from this building has demonstrated flexibility, and the capacity to adapt to changing times, as a result of which each of the organisations continue to go from strength to strength.

As the President has mentioned, the number of student participants in the education programme continues to rise, as do the numbers of participants in the Mock Trial Competition, which has been and continues to be extraordinarily successful, as do the numbers visiting the Old Court Museum. These trends are a testament to the commitment and capacity of the very small but talented group who provide these services, under the diligent stewardship of Dean Curtis.

It is difficult to overstate the importance of the functions performed in this building, which serve to connect the Law Society and its members to the wider community, and to increase the information available to the community with respect to the courts, the law and legal practice. I know from my discussions with other Chief Justices in Australia and New Zealand that this facility is unique in our region, and much envied, and is one of only a few similar facilities in the world. We are very fortunate

to have this facility, and must avoid the temptation to take its continued operation for granted.

As I mentioned, we are also this evening launching the final stage in the comprehensive redesign of the Old Courthouse Law Museum. That process commenced in July 2008 and, with the benefit of a grant from Lottery West in 2009, experts in the field were engaged to prepare the overall interpretation and design plan. Subsequent years have seen the progressive implementation of that plan, and this evening I am very pleased to formally open the last stage in that process - the exhibition entitled 'From Past to Present: the Changing Face of the Law'.

When we reflect upon the history of the courts of this State since colonisation, we cannot and should not avoid confronting the tragic truth that over much of that history the courts were amongst the instruments of government used to dispossess, disadvantage, oppress and alienate the original inhabitants and their descendants. Given that tragic history, I am very pleased that those responsible for the displays in the Museum have given prominent attention to Aboriginal people and their interface with the courts created by the colonists. Included in the collection now on display are short audio abstracts of a number of Aboriginal people relating their experience as part of the Stolen Generation - a collective description for a range of practices authorised by legislation in force in this State for much of the last century and which had the effect of separating Aboriginal children from their parents. In this context I would like to particularly acknowledge and thank John Schnaars, Leonard Ogilvie, Sandra Hill, Glenys Collard, Celine Kickett, and Dr Sue Gordon AM, who gave permission for their audio abstracts to be used.

None of the things we are celebrating this evening would be possible without the continuing support of a number of people and entities. I would like to particularly mention the Department of the Attorney General for its continuing and generous support and its diligent attention to the maintenance of this important building, the Department of Education for its continuing support of the education programme, and

the Public Purposes Trust for its ongoing financial support, and I of course have already mentioned the fantastic support we have received from Lottery West in the redesign of the various displays which now comprise the Museum.

I don't want to keep you from enjoying those displays by going on any further. It only remains for me to thank you all for your attendance this evening and to invite you to now enjoy the Society's hospitality and take your time to wander through the exhibition.