

Burnie Court's important place in history

Justice Stephen Estcourt



Perspective: The view from the bench in the Burnie Supreme Court. Picture: Supplied.

Given that the first Chief Justice of the oldest Supreme Court in Australia, Sir John Lewes Pedder, sat in Launceston as early as September 1824, it is without doubt that, as an itinerant court, the judges of the Tasmanian Supreme Court visited Burnie from the time the North West Coast emerged as an important centre and the port town of Emu Bay was founded in 1827.

By the 1870s the Court sat in the police court building in Wilson Street. It is clear that by the turn of the century judges were visiting Burnie, at least to deal with civil cases.

In the North Western Advocate and Emu Bay Times for 15 April 1909, it was reported that the repairs ordered at the "Burnie Court House are now completed, and the building looks quite spick and span".



Apparently the exterior had been painted, and the roof and spouting "seen to", while the inside of the building and the various offices had been painted and papered.

The same newspaper again reported on the inadequacy of the court building as early as 9 March 1917 noting that - "For over 40 years justice has been dispensed in the old wooden building at the southern end of Wilson Street, Burnie, and the need for a new Court House has on more than one occasion been exemplified. Whether it, be for police, judges legal profession, witnesses, the press, or public - the accommodation is nothing short of disgraceful for a town of the size of Burnie."



The need for a new court house at Burnie was again exemplified during a subsequent sitting of the Supreme Court, when five important cases were listed for hearing, extending over several days. There were about ten visiting lawyers and ten witnesses. Witnesses were compelled to stand on a small verandah. They were apparently requested to leave this during the hearing of cases, owing to the noise and the probability of overhearing the evidence of witnesses through the window, which had to be opened owing to the badly ventilated courtroom.

It seems that within another five years the town got its wish and the new Burnie Police Court was opened on the site of the old one on Saturday 19 July 1930. The new court house was a single-storey building, behind the main building, with entry from the side, and also by a corridor through the main hall. It contained retiring rooms for judges, jury and counsel. With the exception of the tiled roof, all of the materials used in the buildings were Tasmanian.

After the opening of the new court building criminal sittings were commenced in Burnie. Justice Ewing having died in 1928 and no new Launceston based judge being appointed until Justice Green in 1950, Nicholls CJ and Justices Crisp and Inglis Clark Jnr visited on circuit. The "new" court building was to stay in service for only forty years as Burnie was the first beneficiary of Chief Justice Sir Stanley Burbury's plans for the modernisation of the Court.

In 1970 the existing Alexander Street court complex was opened by Sir Stanley. A feature of the new courtrooms was their design "in the round", as a prototype for the new court rooms in Hobart five

years later. That is, the official part of the Supreme Court room is circular, with its furniture and fittings especially made to keep the round concept. The public end of the room is squared. The advantages of the USA inspired round court over the traditional layout are that it gives participants in any legal case a clearer view of the room, and the acoustics are better.

The 164 room building was constructed by North-West Contractors (Burnie) Pty Ltd for a cost of \$800,000. The ground floor features a wide front entrance divided by columns faced with off-form concrete and the columns were separated by an ornamental screen. Decorative features included the extensive use of Tasmanian myrtle, terrazzo on the floor of the main building and Ben Lomond granite on the western elevation. On 17 March 1970, the day following the official opening the Advocate newspaper covered the "GREAT OCCASION FOR THE COAST". Sir Stanley and Lady Burbury were photographed on the bench on the new Supreme Court courtroom with the Governor Sir Edric Bastyan.

Seated in the judge's chair, beneath the Coat of Arms, hand carved from Queensland Beech, Sir Edric declared "It's so comfortable I could go to sleep." Perhaps not the best feature of the bench from a judge's perspective.