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OPINION: City has a decorated court history

Justice Stephen Estcourt



MOMENT IN TIME: A picture from the first sitting the in Launceston Supreme Court - the third oldest in Australia.

The Launceston Supreme Court first sat in 1824 – making it the third oldest behind Sydney and Hobart. Tasmania's first Chief Justice, Sir John Lewes Pedder, took his seat on the Supreme Court of Tasmania on May 10, 1824.

He first sat in Launceston in September of that year, which makes Launceston the location of the third oldest continuously serving court in Australia. Only Hobart and Sydney are older.

The court was conducted in a Wesleyan chapel in Paterson Street until 1834 when a new court building was constructed further along Paterson Street, near the Technical College. That building was occupied until the Court moved to its present site in Cameron Street almost 100 years later in 1930.

On the inauspicious date of Friday, June 13, 1930, *The Examiner* trumpeted:

“Today at 3.30pm the new Supreme Court building in Cameron Street will be opened with due ceremony and the old building in Paterson Street, which is believed to have done duty for nearly 90 years, will be permanently vacated. Many members of the Bar, representatives of public bodies and institutions will attend the official opening today, and tonight at 7 the Northern Law Society will hold a dinner at the Brisbane Hotel.”

At that time Justice Harold Crisp, who presided at the official opening of the new building, was acting Chief Justice and administrator of the government while the Chief Justice, Sir Herbert Nicholls, was absent due to illness. The four senior members of the Bar then living, whose association with the old courthouse went back to the 1870s were in order of their seniority, Mr Charles Hall, Brigadier-General W Martin, M W Croft and Mr G W Waterhouse.

The coat of arms, the origin of which *The Examiner* reported was "shrouded in the veil of time", was removed from the old court building, where it had been in position since at least the 1870s. It was installed in the newly opened Cameron Street courtroom behind and slightly above the judge's seat.

The Cameron Street building consists of two parts. One section, in which the main courtroom is located, was that which was constructed in 1930 and the second storey above it was added later, in 1983.

The other part, which mainly houses the Court's Launceston District Registry, is older and is named Struan House. It was built by James Robertson in 1870-1871 as a residence. Robertson came to Van Diemen's Land from Scotland in the 1820s and became wealthy in various mercantile endeavours. He married Mary McDonald from Glengarry in 1833.

Struan House was one of Launceston's most prestigious dwellings. It looked down a bank to the Tamar, and the view and the beautiful gardens were uninterrupted by the highway that now exists. By the time it was built Robertson was over 70 and he died only a few years later. His widow lived in the house until she died in 1891.

In that same year, it was refurbished and used as a residence for the Governor during the Tasmanian Exhibition. From 1893 the building was converted for use as a private maternity hospital and nursing home. In 1929, it was acquired by the Tasmanian government for use as part of the Launceston Supreme Court.

The adjacent building in which the court is located was constructed in 1929 and opened in June 1930, as noted, was a single storey building.

The courtroom itself remains largely as it was when it was first built.

In 1932, a combined magistrates court and police station were constructed on the western side, of Struan House. That building was demolished to make way for the extension of Wellington Street and the police moved into the existing police building further east along Cameron Street fronting onto Civic Square. That building was constructed in the early 1970s.

The magistrates moved to the current Magistrates' Court which was built in the 1960s. By 1980 the Supreme Court buildings needed refurbishment. As part of that process, the second storey was added at the Cameron Street end of the court building.

At that time what had been a second small courtroom in the upstairs part of Struan House became a judge's chambers and a new and larger second courtroom was built on the eastern side of that section of the complex. The extension and renovations were officially opened by the then Chief Justice, Sir Guy Green, in 1982. The complex remains largely now as it was at that time.

The main court, Court 1, downstairs is the principal court, mostly used for criminal trials, but also on occasion for civil trials. As for the upstairs court, Court 2, the reverse is true. It is mostly used for civil trials but sometimes, when needed, as an extra criminal court, or in the current pandemic, as a COVID 19 safe jury room.

Struan House also housed the offices of the Law Society legal aid scheme and law library until 1991 when the Law Society moved to Staffordshire House in Charles Street.