Executive Summary

Background & Report Structure

This Conservation Management Plan has been prepared in the context of the proposed nomination of a series of Australian Convict Heritage sites, including Fremantle Prison, to the World Heritage List. This document provides information about the local, State and National Heritage values and potential World Heritage values of Fremantle Prison, as well as the statutory and management framework that will ensure that the local, State, National and potential World Heritage values of the place are appropriately conserved and managed, in a manner that ensures that Australia meets its obligations under the World Heritage Convention.

It is divided into eight sections as follows:

1.0 Introduction
   Outlines the intention of the plan, the methodology and the heritage listing of Fremantle Prison

2.0 The Place
   Identifies the location and provides a general description of Fremantle Prison

3.0 History
   Outlines a brief chronology, historic context and sequence of development of Fremantle Prison

4.0 Function and Physical Fabric
   Outlines the current uses, fabric and condition of the key components (by zone) of Fremantle Prison

5.0 Assessment of Significance
   Outlines the local, State, National and potential World Heritage values and the statement of significance. Graded levels of significance for the key components (by zone) are outlined.

6.0 Principal Conservation Policy
   Outlines the statements of appropriate conservation policy for Fremantle Prison

7.0 Conservation Policies for Each Zone
   Outlines the statements of appropriate conservation policy for each of the key components (by zone) of Fremantle Prison

8.0 Policy Implementation
   Identifies who is responsible for implementing the conservation policies, a prioritised list of actions and the processes for ensuring appropriate conservation outcomes.

Location

Fremantle Prison is located in Fremantle, Western Australia. It is the whole of Crown Land Reserve 24042 and comprises approximately 6 hectares of land bounded by Hampton Road to the east, Fothergill Street in the south, The Terrace to the west and Knutsford Street to the north. An aerial photograph and a map of Fremantle Prison in the context of the City of Fremantle are included as Figures E1 and E2.
Figure E1: Aerial photograph of Fremantle showing the location of Fremantle Prison (Google Maps, 2007)

Figure E2: Map of Fremantle showing the location of Fremantle Prison
Figure E3: Fremantle Prison Site Plan

LEGEND

A Gatehouse and Entry Complex
B Main Cell Block Forecourt
C Main Cell Block
D Female Division and West Work shops
E New Division
F Hospital
G Perimeter Walls
H Hampton Road Reserve
I East Reservoir and East Terrace
J Pumping Station and Tunnels
K East Workshops
L Southern End of Main Cell Block
M Development Zone
N South Knoll
P Development Zone
Q The Terrace
Description

Fremantle Prison is located on an area of land that was substantially levelled to form a terraced area overlooking the port city of Fremantle to its west. It comprises a complex of limestone buildings most of which are located within a six metre high limestone perimeter wall. The entry is located in the centre of the western perimeter wall and a series of buildings are located to either side along the front of The Terrace.

Fremantle Prison was built as a convict establishment by the British government following the decision to transport convicts to Western Australia. Designed by the first Comptroller-General, Edmund Henderson of the Royal Engineers, work began on Fremantle Prison in 1852 and was completed by 1859. Following the end of the convict system in 1886, it became a colonial prison and then, when responsibility was handed over to the Western Australian Government, it functioned as a State prison until its closure in 1991.

Fremantle Prison is one of Western Australia’s premier tourist destination and retains seventeen intact convict built structures, nine of which are located within the perimeter wall and eight just outside. A site plan is included as Figure E3.

Statement of Heritage Significance

Fremantle Prison is of local, State, National and potential World heritage significance. It is entered in the City of Fremantle’s Heritage List and West End Conservation Area, the Western Australian Register of Heritage Places and the National Heritage List.

Fremantle Prison has exceptional cultural heritage significance for the following reasons:

- it contains major evidence of the physical apparatus of an imperial convict public works establishment and of its adaptation for subsequent colonial use;
- the establishment is the most intact such complex in Australia;
- the prison is the outstanding symbol of the period in which Western Australia was developed using convict labour;
- it is a memorial to the design and supervision of the royal engineers including Jebb (surveyor general of the [English] prisons, Henderson (comptroller general of convicts), Wray (acting comptroller general), Manning (clerk of works in the royal engineer office) and to the work of the sappers and miners, artisan pensioners and, not least, the prisoners;
- the prison in its present form also demonstrates with some precision the facilities, conditions and attitudes prevailing in a major Western Australian prison - an experience rarely available to the public and made more immediate by the retention of graffiti, murals, signs, notices and recent evidence of use; and,
- the association of the persons who left their mark in its fabric or made an impact on its discipline and reputation, in particular, the governors Fitzgerald and Hampton; and, superintendents Lefroy, Stone, George and Hann; as well as the prisoners;
- the austere and monumental quality of the longest and tallest cell range in Australia set in a precinct characterised by a homogeneity of form, materials, texture and colour make it a landmark feature of Fremantle.
Conservation Policy

Fremantle Prison has been the subject of thorough investigation, analysis and consultation over the last ten years in relation to its heritage values and policies for its conservation. The policies formulated in Fremantle Prison – A policy for its conservation (Kerr, 1998) have been reviewed for this Conservation Management Plan and, where relevant, have been reproduced in their entirety or modified to reflect current approaches to conservation planning at Fremantle Prison. Additional conservation policies have also been stated.

The principal conservation policies provide for the management and care of Fremantle Prison. They address the following key areas:

• Purpose
• Policy Documents
• Conservation Approach
• Statutory Framework
• Management Structure
• Risk Management
• Maintenance and Monitoring
• Conservation of the Fabric
• Future Use
• Interpretation
• Setting
• Community Involvement
• Records and Review

Detailed conservation policies for each Zone provide specific policies for the conservation of each of the key elements of Fremantle Prison.

Policy Implementation

The Department of Treasury and Finance - Building Management and Works Division, on behalf of the Western Australian Minister for Works, through the Executive Manager, Fremantle Prison is responsible for implementing the conservation policies outlined in this Conservation Management Plan. Mechanisms are in place to monitor the fabric and to review the conservation program. These include a comprehensive framework in place for capital works, maintenance works and short-term remedial and repair works.

The following prioritised actions are essential to enable the implementation of this Conservation Management Plan.

Action 1 Arrange for this Conservation Management Plan to be endorsed by the Department of Treasury and Finance and the Heritage Council of Western Australia.
Action 2  Forward a copy of this Conservation Management Plan to the City of Fremantle for their records.

Action 3  Redefine the Advisory Committee’s terms of reference to include providing advice on matters that may influence or impact on the status of World Heritage listing.

Action 4  Prepare a consolidated Disaster Preparedness Plan to integrate and update the risk management, evacuation and safety plans already in place.

Action 5  Prepare a Collection Management Policy to ensure that the management of objects at the site continues to be carefully monitored and the acquisition of objects is appropriate to the cultural heritage values of the place.

Action 6  Prepare a Consultation Strategy to ensure that the views of key stakeholders and the community continue to be properly considered in regards to the management and care of Fremantle Prison.

Action 7  Prepare an Interpretation Plan which will include:

- strategies to increase understanding, appreciation and awareness of all the identified local, State, National and potential World heritage values
- strategies to interpret the layering of history of the place from convict to colonial and state prison that allow for a wide range of audiences
- strategies to interpret the significance of the archaeological sites
- strategies to interpret the precinct’s substantial art and artefact collection
- a program to interpret the various themes in the history and use of the place, which reveals connections to other State and National stories related to the history of Fremantle Prison
- directions on innovative interpretative approaches to telling the stories of Fremantle Prison that do not impact on the significant physical fabric
- the approach to the use of significant spaces and moveable heritage as part of the interpretation program
- exploration of the opportunities to offer interpretative experiences at venues around the State

Action 8  Liaise with City of Fremantle and relevant State government agencies to ensure that the recommendations of the Fremantle Prison Buffer Zone (2007) are implemented and that the setting of Fremantle Prison is not compromised and is enhanced where practicable.

Action 9  Establish an indexed record system for each zone that includes all documents relating to the planning, proposals and actions for each Zone.

Action 10  Prepare a programme for the preparation and updating of consolidated Conservation Plans for each Zone.
A schedule of prioritised conservation works have been identified following the physical inspections carried out for the preparation of this Conservation Management Plan.

The nature of these works is both urgent and immediate. Some future works are also identified. The preparation of consolidated Conservation Plans for each Zone (see Action 10 above) will provide more detail of the medium to long-term works required for each element of Fremantle Prison.
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Appendix D: Australia ICOMOS Burra Charter, 1999
Appendix E: Heritage Council of Western Australia’s Conservation Plan Study Brief
Appendix F: Current Photographs of Fremantle Prison
1.0 Introduction

1.1 Intention

This Conservation Management Plan has been prepared in the context of the proposed nomination of a series of Australian Convict Heritage sites, including Fremantle Prison, to the World Heritage List. A plan showing the location of these sites is included as Figure 1.

This document provides information about the local, State and National Heritage values and potential World Heritage values of Fremantle Prison, as well as the statutory and management framework that will ensure that the National Heritage values and potential World Heritage values of the place are protected and conserved. (This Conservation Management Plan assumes that if the serial Convict Heritage site nomination is inscribed, Fremantle Prison will be inscribed for the values identified in the nomination.)

It provides the context within which the local, State, National and potential World Heritage values of Fremantle Prison are appropriately conserved and managed in a manner that ensures that Australia meets its obligations under the World Heritage Convention.

Figure 1. Map of Australia showing the location of Fremantle Prison and the nominated Australian Convict Heritage Sites (Courtesy Fremantle Prison)
1.2 Heritage Listing

Statutory Heritage Listing

• *Fremantle Prison* was entered in the Western Australian Register of Heritage Places on 10 January 1992.
• *Fremantle Prison* was included in the City of Fremantle’s ‘West End Conservation Area’ in 1992.
• *Fremantle Prison* was included in the National Heritage List on 1 August 2005.
• *Fremantle Prison* was firstly included in the City of Fremantle’s Local Government (Municipal) Heritage Inventory on 14 October 2000 subsequently was in the City of Fremantle’s Heritage List on 8 March 2007.

This Conservation Management Plan has been prepared in the context of the requirements of the EPBC Act as this Act relates to both National Heritage places and World Heritage properties. In this context, the central objectives of the Conservation Management Plan are:

• to ensure the protection and management of the National and potential World Heritage values of the property/place through appropriate identification, conservation, interpretation and management;
• avoid actions that will have (or are likely to have) a significant impact on the National or potential World Heritage values of the property/place.

Within Western Australia, the terms of this Conservation Management Plan are given legal effect through the *Western Australia Heritage Act 1990* (Heritage Act).

The City of Fremantle will consider this Conservation Management Plan in the context of the *Fremantle Prison* being included as a Heritage Place in the City’s Town Planning Scheme (TPS 4) and its location within the City’s ‘West End Conservation Area Policy’ (D.G.F14).

Non-Statutory Heritage Listing

*Fremantle Prison* was classified by The National Trust (WA) on 3 October 1960.

*Fremantle Prison* was entered in the Register of the National Estate on 21 March 1978.

While these heritage lists have no statutory implications they are an important recognition of the high value that is placed on the site by the community at the local, state and national levels.

1.3 Methodology

The preparation of this report has been informed by the methodology, principles and requirements set out in:

• *Australia ICOMOS Burra Charter*, 1999
• *Conservation Plan Study Brief* (Heritage Council of Western Australia, 2002)
• ‘Heritage Management Principles’ for Management Plans (identified in the guidelines to the Commonwealth’s *Environment Protection and Biodiversity Conservation Act 1999*)
1.4 Authorship & Acknowledgements

This Conservation Management Plan has been prepared by Palassis Architects in conjunction with Godden Mackay Logan Pty Ltd, Heritage Consultants, drawing extensively on existing documentation.

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Nerida Moredoundt, Director Heritage Planning
Christopher Paterson, Director Conservation
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Sheridan Burke, Director
Mark Dunn, Historian

The Hyde Park Barracks Conservation Management Plan prepared by Godden Mackay Logan for the Historic Houses Trust (October 2007) has provided useful reference for the preparation of this report.

Fremantle Prison – A policy for its conservation, prepared by James Semple Kerr, for the Department of Contract and Management Services (2nd Edition 1998) has proved a substantive document and has formed the basis for much of the conservation policy.

Additional reference material was also drawn from the work undertaken in 2007 by the Executive Manager, Fremantle Prison for inclusion in the serial nomination for World Heritage listing of the Australian Convict Sites. The assistance of Bevan Beaver, Executive Manager, Fremantle Prison is gratefully acknowledged.

1.5 Termination

The terms defined Article 1 of the Burra Charter have been used in this Conservation Management Plan and are set out as follows:

**Place** means site, area, land, landscape, building, or other work, group of buildings or other works, and may include components, contents, spaces and views

**Cultural Significance** means aesthetic, historic, scientific, social or spiritual value for past, present or future generations. Cultural significance is embodied in the place itself, its fabric, setting, use, associations, meanings, records, related places and related objects. Places may have a range of values for different individuals or groups

**Fabric** means all the physical material of the place including components, fixtures, contents, and objects

**Conservation** means all the processes of looking after a place so as to retain its cultural significance

**Maintenance** means the continuous protective care of the fabric and setting of a place, and is to be distinguished from repair. Repair involves restoration or reconstruction

**Preservation** means maintaining the fabric of a place in its existing state and retarding deterioration

**Restoration** means returning the existing fabric of a place to a known earlier state by removing accretions or by reassembling existing components without the introduction of new material

**Reconstruction** means returning a place to a known earlier state and is distinguished from restoration by the introduction of new materials into the fabric
**Adaptation** means modifying a place to suit the existing use or a proposed use.

**Use** means the functions of a place, as well as the activities and practices that may occur at the place.

**Compatible use** means a use which respects the cultural significance of a place. Such a use involves no, or minimal, impact on cultural significance.

**Setting** means the area around a place, which may include the visual catchment.

**Related place** means a place that contributes to the cultural significance of a place but is not at the place.

**Related object** means an object that contributes to the cultural significance of a place but is not at the place.

**Associations** mean the special connections that exist between people and a place.

**Meanings** denote what a place signifies, indicates, evokes or expresses.

**Interpretation** means all the ways of presenting the cultural significance of a place.

### 1.6 Plans and Photographs

Unless otherwise noted the plans and photographs included in this Conservation Management Plan are the work of Palassis Architects (2007/2008). The photograph on the front cover was taken by Andrew Pritchard in 2008 and may not be reproduced without his written consent.

### 1.7 Key Documents and References

*Fremantle Prison* has been the subject of thorough investigation, analysis and consultation since 1990, in relation to its heritage values and policies for its conservation, which has produced the following key documents:

- this report—the *Fremantle Prison Conservation Management Plan*, Palassis Architects (Department of Housing and Works, 2007)
- *Fremantle Prison Buffer Zone*, Urbanizma, (Department of Housing and Works, 2007)
- *Fremantle Prison – Zones of Significance*, Palassis Architects (Department of Contract and Management Services, 2000)

These documents provide the context within which the local, State, National and potential World Heritage values of *Fremantle Prison* can be appropriately conserved and managed in a manner that ensures that Australia meets its obligations under State and Commonwealth legislation and the World Heritage Convention.

The policies formulated in *Fremantle Prison – A policy for its conservation* (Kerr, 1998) have been reviewed for this Conservation Management Plan and, where relevant, have been reproduced in their entirety or modified to reflect current approaches to conservation planning at *Fremantle Prison*. They are acknowledged through in-text citation. Other reference documents, which have been prepared for specific aspects of *Fremantle Prison* have also been consulted during the preparation of this Conservation Management Plan. An annotated list of the key documents and other reference documents is included as Appendix B. Cross references to these documents have been included in the relevant sections of this report.
2.0 The Place

2.1 Location and Boundaries

_Fremantle Prison_ is located at 1 The Terrace, Fremantle. It is the whole of Crown Land Reserve 24042 and comprises approximately 6 hectares of land bounded by Hampton Road to the east, Fothergill Street in the south, The Terrace to the west and Knutsford Street to the north.

Its geographical co-ordinates are S 32° 03’ E 115° 45’. It is located on a prominent rise of land overlooking the port city of Fremantle and its main entrance faces west on The Terrace. An aerial photograph of _Fremantle Prison_ in the context of the City of Fremantle is included as Figure 2.

![Aerial photograph of Fremantle showing the location of Fremantle Prison (Google Maps, 2007)](image-url)

2.2 Description

_Fremantle Prison_ is located on an area of land that was substantially levelled to form a terraced area overlooking the port city of Fremantle to its west. It comprises a complex of predominately limestone buildings, most of which are located within a six metre high limestone perimeter wall. The entry is located in the centre of the western perimeter wall and a series of buildings flank the entry along the front terrace. A site plan is included as Figure 3.

_Fremantle Prison_ includes seventeen intact convict built structures, nine of which are located within the perimeter wall and eight just outside. Refer to Figures 4 & 5 which show a reproduction of a 1857-58 plan of the convict grant in Fremantle and a plan of _Fremantle Prison_ in the context of the original convict grant boundary. Figure 6 shows the convict era structures that are still extant at _Fremantle Prison_.
Designed by the first Comptroller-General, Edmund Henderson of the Royal Engineers, the plan was based on Joshua Jebb's prison designs at Pentonville Prison (London) and Portland Prison (Dorset). Edmund Henderson adapted elements of these designs freely and in terms of a combination of cell size, materials and range form, there is nothing quite like Fremantle in England and Australia.

Within the perimeter walls, the Main Cell Block stands at the centre of the complex. It is 150 metres long and four stories high. It held 570 men – 240 in dormitory rooms (known as Association Wards) and 330 in separate cells of seven feet by four feet. Illicit artwork by a convict sentenced to transportation for forgery has survived in one of the cells. Seven separate exercise yards are located to the east (rear) of the Main Cell Block. Directly behind the centre of the Main Cell Block is the single storey Refractory, consisting of twelve punishment cells and six ‘dark cells’ with no light. The Chapel (also known as the Anglican or Protestant Chapel) is situated in a prominent position in the projecting wing in the centre of the façade. It retains murals and stencilled internal wall patterns painted by convicts. The Roman Catholic Chapel in contrast is located in a former Association Ward (northern wing) designed for communal accommodation for convicts.

The Entry Complex surrounds the entrance to the prison, in the centre of the western perimeter wall. It comprises a combined Gate House and Quarters, an entry court, and Military and Civil Guard Houses. Later additions to this complex include the Prisoner Reception, Exhibition and Visitor Centres.

The Hospital is located at the north-eastern corner of the prison compound on the upper eastern terrace. A set of Workshops within an enclosing wall occupies the south-eastern corner where convicts were trained in various trades and skills. Adjoining the western perimeter wall on the outside of the prison compound are several two-storey residences built to accommodate prison officers, the Chaplain and Surgeon which face The Terrace. Also outside the perimeter wall at the northern end of The Terrace are three adjoining residences, which were built as quarters for prison staff. The northern most one of these residences incorporates parts of an earlier guard room.

Other components of the Fremantle Convict Establishment remain evident outside the site. These include the Fairbairn Street Ramp, which extends from The Terrace west to Henderson Street, the Warders Cottages in Henderson Street, and the Knowle, located to the south-west of Fremantle Prison. (Refer Figure 5). While Fremantle Prison is linked historically with these other components of the Fremantle Convict Establishment, the nomination for World Heritage listing applies to the whole of Crown Land Reserve 24042 (only) as this is the area that has been identified through vesting in the Minister for Works in the Government of Western Australia for the purpose of ‘conservation and management of historic buildings and ancillary and beneficial uses thereto’ and has defined ownership and control mechanisms in place. (All consultation with stakeholders in regards to the nomination for World Heritage listing has been in relation to the listing of Fremantle Prison as delineated by the vesting.)

Structures, which post-date the convict era include Female Division in the north-west corner, which was expanded from the original convict service buildings and enclosed by walls, New Division to the north of the Main Cell Block and the West Workshops north of the Entry Complex.
Figure 3. Fremantle Prison Site Plan

LEGEND

1 Gatehouse
2 Entry Complex
3 No 2 The Terrace
4 No 4 & 6 The Terrace
5 No 8 The Terrace
6 No 10 The Terrace
7 No 12 The Terrace
8 No 14 The Terrace
9 No 16 The Terrace
10 No 18 The Terrace
11 No 18 The Terrace Stables
12 Contact Visits
13 Non-contact Visits
14 Main Cell Block Forecourt
15 Chapel
16 Main Cell Block
17 Refractory Cell Block
18 1 Division Yard
19 2 Division Yard
20 3 Division Yard
21 4 Division Yard
22 Female Division
23 New Division
24 Hospital
25 Eastern Reservoir
26 Pump House and Tunnels
27 East Workshops
28 Showers
29 Southern Reservoir
30 Old Canteen (Toilets)
31 West Workshops
Figure 4. Plan of the Convict Grant, Fremantle showing the buildings erected, in progress and proposed for 1857-58 (Fremantle Prison, J S Kerr, 1998, Fig 2)
Figure 5. Plan of Fremantle Prison showing the original Convict Grant boundary and remaining convict era structures (Fremantle Prison Zones of Significance, Palassis Architects, 2000)
Figure 6. Plan of Fremantle Prison showing the Convict Era Structures (1852-1859) extant in 2008.

LEGEND
- Convict Era Structures
- Post-Convict (Prison) Era Structures
3.0 History

The intention of this section is to provide an overview of the historical chronology, sequence of development and historical context to guide those responsible for the care of the place. It is not intended to provide a full analysis of the available documentary evidence. The documentation prepared by the State and Commonwealth heritage agencies and published online contains the documentary evidence to substantiate the assessed cultural heritage values.

The historical information contained in this and the following sections has been drawn from the secondary sources outlined in the references (Appendix A).

The chronology has been drawn from the published timeline on the Fremantle Prison website (www.fremantleprison.com.au) with amendments based on the detailed information contained in the existing conservation planning documents.

The information in regards to the other Australian Convict Sites has been drawn from the Australian Heritage Database (published online).

Where new historical analysis has been presented it has been duly footnoted as endnotes.

3.1 Historical Chronology

1829  Swan River colony founded in Perth with the landing of the first settlers at Garden Island, and later at Fremantle

1831  The Round House in Fremantle built to serve as place of detention, court house and place of execution; the first public building in WA

1849  Order-in-Council signed by Her Majesty in May declaring the colony a penal settlement. Funding sought to meet the 'full expenses of maintaining the convict establishment'

1850  Captain Edmund Henderson (Royal Engineers), the first Comptroller-General of Convicts in Western Australia and his clerk of works James Manning arrived in Fremantle with the first shipment of 75 (male) convicts and 50 pensioner guards and their families aboard the Scindian on 1 June

The first convict establishment was situated in premises leased from the Harbour Master of Fremantle, Captain Daniel Scott, consisting of a wool shed and other buildings which have subsequently been demolished. Convict Depots, to handle the distribution of ticket-of-leave men, were gradually established in metropolitan and country areas

1851  Work began on building the first of the Warders’ cottages in Henderson Street, Fremantle (these still exist)

Lt. Henry Wray and Edmund DuCane (Royal Engineers) arrived to work with Henderson

1852  A company of sappers and miners arrived to work as ‘instructing warders and mechanics’ and provided the necessary skilled supervision at the work face

Construction of the four two-storey houses lining the west boundary wall of Fremantle Prison began; these were to house the senior officers of the institution and were all completed by 1857

Construction of the Blacksmiths’ Shop (East Workshops)
In November the building of the Main Cell Block of the Fremantle Convict Establishment began

1853 A grand two-storey house, designed by Edmund Henderson (later to be known as ‘The Knowle’) was built slightly to the south of Fremantle Prison. He moved into it with his wife and their young son when it was completed (this became the original premises of Fremantle Hospital when that institution was founded in 1895; it still stands in the Hospital grounds)

1854-55 The entry complex comprising a combined gatehouse, entry court, military and civil guard houses with embrasures flanking an inner gate was constructed

1855 Southern wing of Fremantle Convict Establishment’s Main Cell Block opened for use when on 1 June, the first convicts were transferred from the temporary Establishment at Scott’s Warehouse

1856 Boundary walls of permanent Establishment completed

1857 The hospital built

1857-59 Clock installed in Gatehouse

1858 Guard Room built to accommodate 19 men (No. 2 The Terrace)

1859 The Carpenter Shop built adjoining the Blacksmiths’ Shop (East Workshops)

1859 Fremantle Convict Establishment officially completed on 31 December

1862-63 A small number of British convicts and their wardens originally transported to Bermuda were sent to Fremantle in 1862-63 when the Bermuda Convict Establishment was closed, in response to the free settler demand for labour in Western Australia.

1862-68 Governorship of Dr John Stephen Hampton who established a stricter and harsher regime at the Establishment, increasing the construction of public works using convict labour

1867 Government Gazette of 22 January announced that the Convict Establishment (known variously until that time as the Fremantle, Imperial and Colonial Convict Establishment) was renamed Fremantle Prison

1868 Transportation of convicts to Western Australia (and to Australia) officially ended with almost 10,000 convicts having been transported to Western Australia. The last ship carrying 280 convicts was the ‘Hougoumont’, which arrived on 9 January

1876 Colonial Convict Department disbanded

1886 Fremantle Prison and Fremantle Asylum handed over to the Colonial Government on 31 March

With less than 50 men imprisoned in Western Australia under the convict system, the British government negotiated to hand Fremantle Prison over to the colonial authorities
1888 The gallows built at Fremantle Prison - from this time on it became the colony’s only legal place of execution
1889 The north-west corner of Fremantle Prison was walled off and some extra buildings added; this became Female Division (Women’s Prison)
1890 Responsible government granted to Western Australia – first elected Government led by Sir John Forrest
1890s The Guard Room was converted to quarters and Nos. 4 & 6 The Terrace were built alongside as a duplex.
1898 Royal Commission into the penal system of the colony
1900-01 New Workshops (West) constructed at Fremantle Prison to provide increased useful occupation for the prisoners
1902 Prisons Act Western Australia established
1906-07 New Division (a new cell wing and radial exercise yard) at Fremantle Prison completed to permit a modified version of the ‘separate system’
1911 The new Labor government included cabinet ministers with penal reform platforms (the colonial secretary had served time in Fremantle Prison). These reforms included the dismantling of the separate system and the demolition of the radial exercise yard. A Royal Commission ‘into the administration and conduct of Fremantle Prison and matters incidental thereto’ initiated a number of changes and reforms at Fremantle Prison amongst which were: demolishing walls between alternate cells in the Main Cell Block to create more space in cells and erection of walls between divisions in Main Cell Block to assist in the separation of prisoners of different classes
1920 Portion of Fremantle Prison set aside as a Reformatory Prison under the Prisons amendment Act 1918 – in effect, first offenders were kept separate from habitual offenders and recidivists
1940-45 The Australian Army occupied the Prison during the Second World War, using it as an internment centre and as a detention barracks for military personnel
Post 1945 The prison returned to civil use and a variety of ad-hoc utilitarian structures in asbestos, timber, brick and metal were erected on and below the knoll terraces
1960-86 The site and its buildings were assessed, listed and classified by The National Trust of Australia (WA), as a significant part of the State’s heritage
1964 Tried and convicted for murder, Eric Edgar Cooke was hanged at Fremantle Prison. In Western Australia, he was the last man to face capital punishment (abolished in 1984)
1970 Inmates and staff of Female Division (Women’s Prison) were transferred to Bandyup Women’s Training Centre, a newly built facility in January 1970. Female Division space was absorbed back into Fremantle Prison operations, housing units such as the Prisoner Assessment Centre and the Education Centre
Title of Comptroller-General of Prisons changed to Director of the Department of Corrections on 31 August
1978 The site was entered in the Register of the National Estate

1979 Fremantle Prison Museum established in No. 16 The Terrace by the City of Fremantle and the Department of Corrections as part of the celebrations for Western Australia’s sesquicentenary

1988 Fire and riot at Fremantle Prison — on 4 and 5 of January prisoners rebelled and rioted, setting fire to 3 Division in the Main Cell Block, taking some Prison Officers hostage and making demands about conditions. Order was restored on 5 January, but not before some of the officers held hostage were injured, and extensive damage done to the part of the Main Cell Block by fire and water

This year also saw the commencement of the Fremantle Prison Conservation and Future Use project in which extensive investigations and research into the Prison site and its history and heritage potential were carried out. At the time it was the largest such project ever undertaken in Western Australia. The project reported to the State Government during 1990, recommending the prison be conserved as a significant heritage site

1991 Inmates and staff of Fremantle Prison were transferred to the new metropolitan maximum security prison at Casuarina, about 20 kms south of Perth, and Fremantle Prison closed as a penal institution

Post 1991 During 1992, after further community consultation, the prison began its development as one of the State’s major historic heritage sites

1992 The site was entered in the State Register of Heritage Places

James Semple Kerr prepared Fremantle Prison – A Policy for its Conservation, for the Building Management Authority of Western Australia

The Fremantle Prison Trust was established to consider and guide future developments at the site, and advise the Minister. The Department of Housing and Works (formerly the Department of Contract and Management Services and the Building Management Authority) manages the site on behalf of the State Government

From this time areas of the site were leased for new uses including the buildings on the Terrace for short-term residential and office accommodation; the Female Division and Western Workshops for TAFE School of Art and Design; the Prison Hospital for the Fremantle Children’s Literature Centre; the New Division for the Coastal Business Centre and a Café and Gift Centre in the entry complex

1993 The site is vested in the Minister for Works in the Government of the State of Western Australia for the purpose of “conservation and management of historic buildings and ancillary and beneficial uses thereto” (Vesting Order of the Governor of Western Australia, 21 December)

1998 James Semple Kerr updates the Fremantle Prison Conservation Policy, which becomes the guiding document for the care and future use of Fremantle Prison. A number of conservation plans are then prepared for individual buildings and the landscape setting. A draft nomination for World Heritage listing was prepared

1998-99 The Fremantle Prison Aboriginal Advisory Committee outlined plans for the Aboriginal Commemorative Memorial Project
2000  An interpretive centre was opened in the entry complex

2003  *Fremantle Prison Master Plan* was released after extensive community consultation. Initiated by the State Government in recognition of the site’s status as a cultural heritage icon of state, national and international importance and to guide its future use. The Master Plan provides an integrated framework that balances a range of compatible uses, reveals the cultural heritage significance of the site and assists in realising the potential for revenue generation that can make a significant contribution to the ongoing conservation and development of the site into the future.

2004  The Minister for Works established the *Fremantle Prison Advisory Committee* to provide advice on strategic issues in relation to the implementation of the *Fremantle Prison* Heritage site Master Plan (July 2003), which sets out the future directions for the historic site over the next 10 years and beyond, and any other matters as requested. While the Advisory Committee’s prime role at present is the implementation of the Master Plan, the Terms of Reference will be redefined to include providing advice on matters that may influence or impact the status of the World Heritage listing.

2005  *Fremantle Prison* included in the National Heritage List by the Minister for Environment and Heritage.

The *Fremantle Prison Tunnels* guided tours opened to the public.

2006  Extensive conservation work to the external fabric of the Gatehouse, the Main Cell Block and New Division was carried out.

2007  Conservation works to the external stonework of the Chapel were unveiled by the Minister for Heritage on 12 September.

Inclusion in the draft nominated serial listing of 11 sites comprising the ‘Australian Convict sites’ for potential World Heritage Listing.

2007-08  Preparation of the *Fremantle Prison Conservation Management Plan*. 
Photographic view of Fremantle Prison, c.1865 (Old Fremantle, J Dowson, 2003)

Oblique aerial photographic view of Fremantle Prison, 1935 (Courtesy Fremantle Prison)
3.2 **Historical Context**

The historical information contained in this and the following sections has been drawn from the secondary sources outlined in the references (Appendix A).

Additional and more detailed historical information can be found in the reports prepared for specific elements of Fremantle Prison (Appendix B).

Where new historical analysis has been presented it has been duly footnoted as endnotes.

**Transportation of Convicts to Australia**

Transportation to Australia (then known as New Holland) was the world’s first conscious attempt to build a society on the labour of convicted felons. Around 162,000 male, female and juvenile convicts (including children) were transported to Australia over 80 years between 1787 and 1868. This massive movement of people involved 806 ships and thousands of people to manage them. The operation of transporting and establishing the new penal colonies was a major undertaking by the British government. The scale and nature of this forced migration of convicts was an unprecedented experiment in history - then and since.

From the start of transportation until its abolition, debates raged in Britain and Australian colonies over whether the primary objective was harsh punishment to deter crime in Britain or the reformation of criminals. The differing and sometimes competing objectives resulted in an uneasy co-existence of systems to inflict severe punishment and efforts to generate reform. A diverse suite of systems and schemes evolved in the penal colonies and varied over different times and places. These included the assignment system, the gang system, penal stations, female factories, the probation system, the penal bureaucracy and systems of entitlements and privileges.

The Separate System was first established in America in 1829 and followed by France, Britain and Australia. The system reflected an important shift from the corporal punishment of the body to the psychological punishment and moral regeneration of the prisoner. Prisoners were segregated from one another so they could not learn new criminal ways and sometimes were prohibited from communicating with one another. Each prisoner was confined to their own cell where they worked during the day and slept at night. The aim was to force each prisoner to reflect on their past and think about ways to improve it. The first prisons based on the Separate System include the Eastern State Penitentiary (America, 1829), Petite Roquette (France, 1830), Pentonville Prison (Britain, 1842) and Port Arthur (1847). The Separate System was established in various forms at a number of penal stations, female factories and probation stations in Australia. This included Fremantle, Port Arthur, Norfolk Island, Coal Mines, Cascades and Darlington. Several aspects of Fremantle Prison provide physical evidence that reflect the penal principles of the ‘Separate System’, including separate individual cells one above the other, gangways and a central open space.
Convict Colonies in Australia

New South Wales (1788 – 1840)

The first penal settlement in Australia was established in New South Wales in 1788. An outpost was established at Norfolk Island shortly afterwards. Convicts were assigned to free masters to work for the duration of their sentence or on public works for the colonial authorities.

Initially there was little formal management of convicts and most found their own accommodation at night, however from 1819 onwards, large barracks were built to bring male convicts under greater control. From the early 1800s female factories were established to manage and control female convicts. Gradually, penal settlements were set up across the eastern part of the continent. Norfolk Island was re-established as a penal colony in 1824, this time as the ultimate deterrent for convicts with little hope of redemption.

Transportation to NSW was abolished in 1840, by which time it had received around 80,000 transported convicts. Thousands of convicts continued to serve out their sentences for several decades in NSW and the convict prison on Cockatoo Island continued as a place of punishment until 1869.

Van Diemen’s Land (1803 – 1853)

In 1803, a penal colony was established in Van Diemen’s Land as an extension of the New South Wales’ system. Like NSW, the majority of convicts were initially under minimal restraint and laboured during the day, mostly on public works. Between 1817 and 1824 most convicts went into private assignment and some were retained by the colonial authorities for public works. The vast majority of female convicts were placed in a female factory at Cascades where they were punished, undertook various forms of work, or stayed to have babies.

From 1840, all convicts were transported to Van Diemen’s Land. The probation system was introduced to replace the assignment system and became the main experience for convicts transported to Van Diemen’s Land. The gradual reformation of convicts through hard labour, segregation and religious instruction was the aim of the new system based at Port Arthur.

The limited success of the probation system and the growing social condemnation of transportation contributed to the abolition of transportation to Van Diemen’s Land in 1853. Around 75,000 convicts had been transported to Van Diemen’s Land and convicts continued to serve out their sentences at Port Arthur until 1877.

Western Australia (1849 – 1868)

The Swan River Colony was a free colony established by the British at the Swan River on the west coast of Australia in 1829. By 1832, the colony was officially referred to as Western Australia, and its lands were extended to include the entire western third of Australia. The fledgling colony struggled for 20 years with an acute labour shortage and slow economic progress. In 1849, transportation of convicts was introduced to assist the ailing colony with the first convicts arriving in June 1850.

Fremantle Prison was first built to house convicts who worked outside the depot during the day on public infrastructure. Convicts in Western Australia constructed roads, bridges, jetties, and many public buildings. Convicts were also hired out to free settlers for work such as agriculture and mining. A small number of British convicts and their wardens (amounting to less than one shipload) originally transported to Bermuda were sent to Fremantle in 1862-63 when the Bermuda Convict Establishment was closed, in response to the free settler demand for labour in Western Australia.
Transportation to Western Australia ceased in 1868 officially marking the end of the transportation of convicts to Australia. Almost 10,000 convicts had been transported to Western Australia, when the last ship carrying 280 convicts, the Hougoumont, arrived on 9 January 1868. Convicts remaining in the system continued to serve out their sentences in Fremantle Prison after it was passed from Imperial control to the Western Australian Colonial government in 1886.

**Fremantle Convict Establishment**

*Fremantle Prison* was built as a convict establishment by the British government in the 1850s, following the decision to transport convicts to Western Australia, with the Comptroller-General of Convicts being appointed to govern the facility. The convict workforce was spread throughout the State through the use of depots and a ticket-of-leave system for convicts who exhibited good behaviour. There were ancillary depots in North Fremantle, Freshwater Bay, Mount Eliza, Clarence, Guildford and Greenmount. There were also hiring stations located further afield in Toodyay, York, Bunbury, King George's Sound and Port Gregory.

Work began on the permanent convict establishment at Fremantle in 1852 and was completed by 1859. *Fremantle Prison*, originally constructed as a barracks for the convict workforce, was first known as the Fremantle Convict Depot and later the Fremantle Convict Establishment. It was expanded over the years to eventually house both male and female prisoners. (A plan of the Convict Grant in Fremantle is included as Figure 4).

**Fremantle Prison in the Post-Colonial Era**

In 1886, *Fremantle Prison* was handed over to the colonial Government and in 1888 the gallows were built at *Fremantle Prison* — from this time on it became the colony’s only legal place of execution.

The first female prisoners were incarcerated at *Fremantle Prison* when the north-west corner of the site was walled off and some extra buildings added in 1889. The following year, responsible government was granted to Western Australia and the colonial government appointed a Royal Commission into the penal system of the colony in 1898. One outcome of this commission was the construction of new workshops (Western) to provide increased ‘useful occupation’ for the prisoners. Following the Federation of Australia in 1901, Western Australia became a state rather than colonial government. In 1902, the Prisons Act of Western Australia was enacted and a new cell block was constructed at *Fremantle Prison* in 1907. This New Division comprising a new cell wing and radial exercise yard introduced a modified version of the ‘Separate System’.

With the election of a new State (Labor) government in 1911, changes to the prison system were introduced because the government included cabinet ministers with penal reform platforms, including the colonial secretary who had served time in *Fremantle Prison*. These reforms included the dismantling of the ‘Separate System’ and the demolition of the radial exercise yard. Other changes include demolishing walls between alternate cells in the Main Cell Block to create more space in cells and the erection of walls between divisions in the Main Cell Block to assist in the separation of prisoners of different ‘classes’.

The Australian Army occupied *Fremantle Prison* from 1940 to 1945, using it as an internment centre and as detention barracks for military personnel. Following the war, the prison returned to civil use and a variety of ad-hoc utilitarian structures in asbestos, timber, brick and metal were erected on and below the knoll terraces.
In 1970, inmates and staff of Female Division (Women’s Prison) were transferred to Bandyup Women’s Training Centre, a newly built facility 22 kms to the north-east of Perth. The Female Division space was absorbed back into Fremantle Prison operations, housing units such as the Prisoner Assessment Centre and the Education Centre.

On the 4th January, 1988 prisoners rebelled and rioted, setting fire to 3 Division of the Main Cell Block. Order was restored on 5th January, but not before some of the officers held hostage were injured, and extensive damage done to part of the Main Cell Block by fire and water. This year also saw the commencement of the Fremantle Prison Conservation and Future Use project in which extensive investigations and research into the Prison site and its history and heritage potential were carried out. At the time it was the largest such project ever undertaken in Western Australia. The project reported to the State Government during 1990, recommending the prison be conserved as a significant heritage site.

In 1991, inmates and staff of Fremantle Prison were transferred to the new metropolitan maximum security prison at Casuarina, about 20 kms south of Perth, and Fremantle Prison closed as a penal institution.

Fremantle Prison as a Heritage Site

Having been classified by The National Trust (WA) in 1960 and then entered in the Register of the National Estate in 1978, Fremantle Prison was entered in the State Register of Heritage Places in 1992 and began its development as one of the State’s major historic heritage sites.

The Fremantle Prison Conservation Policy for the Building Management Authority of Western Australia (J S Kerr, rev 1998) and the Fremantle Prison Trust was established to consider and guide future developments at the site.

From this time areas of the site were leased for new uses including the buildings on the Terrace for short-term residential and office accommodation; the Female Division and Western Workshops for TAFE School of Art and Design; the Prison Hospital for the Fremantle Children’s Literature Centre; the New Division for the Coastal Business Centre and a Café and Gift Centre in the entry complex.

In 1993, the site was vested in the Minister for Works in the Government of the State of Western Australia for the purpose of “conservation and management of historic buildings and ancillary and beneficial uses thereto” (Vesting Order of the Governor of Western Australia, 21 December 1993).

In 1998, James Semple Kerr updated the Fremantle Prison Conservation Policy, which became the guiding document for the care and future use of Fremantle Prison. A number of conservation plans were prepared for individual buildings and the landscape setting and a draft nomination for World Heritage listing was prepared. Also in 1998, the Fremantle Prison Aboriginal Advisory Committee outlined plans for the Aboriginal Commemorative Memorial Project outside the perimeter walls.

During this time guided tours were introduced at Fremantle Prison and in 2000, an Interpretive Centre was opened in the Entry Complex.

Following extensive community consultation, the Fremantle Prison Master Plan (Palassis Architects, 2003) was prepared in recognition of the site’s status as a cultural heritage icon of state, national and potential international importance. The Master Plan provided an integrated framework to guide its future use. It balanced a range of compatible uses, revealed the cultural heritage significance of the site and assisted in realising the potential for revenue generation that could make a significant
contribution to the ongoing conservation and development of the site into the future. The following year, the Minister for Works established the Fremantle Prison Advisory Committee to provide advice on strategic issues in relation to the implementation of the Master Plan and beyond and any other matters as requested.

In 2005, Fremantle Prison was included in the National Heritage List by the Minister for Environment and Heritage and the Fremantle Prison Tunnels guided tours opened to the public. By the following year, an extensive maintenance and conservation works program had been carried out including re-roofing and conservation to the external fabric of the Gatehouse, the Main Cell Block and New Division. On 12 September 2007, the Minister for Heritage unveiled the completed conservation works to the western elevation of the Main Cell Block and the facades of the Chapel.

In 2007, Fremantle Prison has been further recognised by its inclusion as a component of ‘Australian Convict sites’ nomination for potential World Heritage listing.

Fremantle Prison in the Western Australian Context

The Fremantle Convict Depot or Fremantle Prison was the centre piece of the convict system in Western Australia from the beginning of its construction in 1852 until the arrival of the final transport ships in 1868. All Imperial convicts arriving in Western Australia first passed through its doors, being processed, housed and then assigned or distributed from the Depot. The site also housed the main Imperial convict administration and workshops, from where the entire system was organised and operated.\(^1\) Residences of the Fremantle Convict Establishment officers remain standing immediately outside the walls of the main penitentiary.

Following the end of the convict system in 1886, the prison was handed over by the Imperial government to the Western Australian government who continued to use the site as a prison until its closure in 1991.

Fremantle Prison in the Australian Convict Setting

The introduction of convicts to Western Australia in 1850 represented the final phase of convict transportation to the Australian colonies and the last of the British convict colonies to be established.\(^2\) The Western Australian experience then, demonstrates the culmination of the evolution of the convict system in Australia in terms of buildings, works and philosophies. By the time of convict arrivals in Western Australia, many of the harshest aspects of the system as experienced in NSW and Tasmania had eased. Further many of the convicts had already served much of their custodial sentence in Britain prior to arrival, and instead moved through the transition to probation or ticket-of-leave quicker then their earlier eastern compatriots.

Similarities and connections between the earlier system and the Western Australian experience do exist however. The Fremantle Convict Depot, later to be renamed Fremantle Prison, demonstrates the works of the Royal Engineers and the new British prison designs as realised in the Pentonville model prison and first trialled in Australia at Port Arthur and Darlington Stations in Tasmania. A feature of the Pentonville model was the separation of prisoners into individual cells, or the Separate System, and their unobserved supervision as well as general inspection and superintendence. At Fremantle this was initially suggested to take place through the use of prefabricated iron walls separating each cell, but was eventually achieved through the use of masonry quarried on site by the convicts themselves.\(^3\)
Ironically though, the realities of the convict system in Western Australia, where many had already served their custodial period, meant that the Separate System was felt most harshly by those who re-offended or attempted escape rather than the general prisoner population. Another feature was the redemptive nature of the inclusion of a chapel into the complex. As with Port Arthur, a chapel was built into a prominent position within the main building at Fremantle.

In terms of the impact of convicts on Western Australian development, some parallels can be drawn with the earlier eastern experience. As with earlier systems, convicts who passed through the Fremantle Convict Depot were used throughout the settled districts in Western Australia for a variety of public works projects, building roads, bridges and public buildings that contributed to the overall state development. As well as the similarity of their employment, some of the officials that had been involved in the convict system in the east were to be later employed in the west. Of these the most prominent was John Stephen Hampton, Comptroller-General of convicts in Van Diemen’s Land between 1846 and 1857, and Governor of Western Australia between 1862 and 1868 during which time he took control of the Convict Department between 1862 and 1863, after which he retained an ongoing interest in convict affairs.4

The Fremantle Prison represents the closure of the convict system in Australia after nearly one hundred years of development.

**Fremantle in the International Context**

Fremantle was the last of the British Imperial convict establishments created to take convicts from Britain, placing it at the final point of the expansion of Imperial incarceration and prison development. Sites of British convict prisons and establishments can be located in North America, Bermuda, Barbados, Gibraltar, Ghana and Newfoundland. Other colonial sites, used by the British for the transportation of Indian convicts or indentured labourers are also reported in Sumatra, the Andaman Islands, the Nicobar Islands, the Straits Settlements of Malaysia and Mauritius.

Of these sites, a direct physical connection between Fremantle and Bermuda exists. When transportation ceased to Bermuda approximately 200 convicts still under sentence there in 1863 were transferred to Western Australia.

**3.3 Australian Convict Sites**

The legacy of the transportation of convicts to Australia is evidenced through numerous and widespread convict sites. Eleven of these convict sites have been proposed as part of a serial nomination for inclusion on the World Heritage list. These sites cover nearly one hundred years of convict history in the Australian context from the arrival of the First Fleet in 1788 until the final days of the convict labour system in Western Australia in the 1880s (although the final transports had arrived in 1868). The combination of places include sites of convict incarceration, places of banishment and assignment, public works constructed by convict labour, and places of government administration. They include sites exclusively for male convicts, exclusively for female convicts and places for juvenile convicts, as well as combinations of all three.

The sites proposed for serial nomination, which are described below, show both the physical and psychological development of the convict system in Australia, from its fledgling and rudimentary beginnings in Sydney and Norfolk Island to its organised and industrial endpoints in Tasmania and
Western Australia. The sites are an interconnected assemblage, each which tells its own story while contributing to the wider understanding of the system as a whole.

The Australian Convict Sites are:

- Kingston and Arthur’s Vale Historic Area, Norfolk Island
- Old Government House and Domain, New South Wales
- Hyde Park Barracks, New South Wales
- Old Great North Road, New South Wales
- Cockatoo Island Convict Site, Sydney Harbour, New South Wales
- Brickendon-Woolmers Estates, Tasmania
- Darlington Probation Station, Tasmania
- Cascades Female Factory, Tasmania
- Port Arthur Historic Site, Tasmania
- Coal Mines Historic Site, Tasmania
- Fremantle Prison, Western Australia

3.4 Sequence of Building Development

The main building campaign occurred at Fremantle Prison between 1852 and 1859 as the primary infrastructure built for the Fremantle Convict Establishment. A site plan showing the extent of buildings on the site following the end of this campaign in 1860 is shown as Figure 7.

Following the handing over of Fremantle Prison to the Western Australian Colonial government in 1886, additional building work was undertaken, including increased workshops space, a pumping station and facilities to house female prisoners as shown in Figure 8.

By 1920, further prison infrastructure including new workshops and additional accommodation for male prisoners had been completed by the State government (the radial exercise yard built in 1907 was demolished in 1911) as shown in Figure 9.

Apart from some ad-hoc utilitarian structures erected on and below the knoll terraces in the second half of the 20th century (many of which have been removed since 1991), the site has remained largely unchanged.

Figure 10 shows the Fremantle Prison as it stands today with most of the structures constructed during the convict and prison era extant.

Endnotes

2 op cit, p60.
Figure 7. Fremantle Prison structures constructed by 1860 (buildings no longer extant not shown)
Figure 8. Fremantle Prison structures constructed by 1890 (buildings no longer extant not shown)
Figure 9. Fremantle Prison structures constructed by 1920 (buildings no longer extant not shown)
Figure 10. Fremantle Prison structures in 2008
Photographic view of the Main Cell Block from the south knoll, c.1910 (Old Fremantle, J Dowson, 2003)

Photographic view of the Main Cell Block from the south knoll, 2007