

PART 3

JUSTIFICATION FOR INSCRIPTION

The *Australian Convict Sites* are nominated under criteria (iv) and (vi) for their outstanding universal significance as:

- an exceptional example of the forced migration of convicts – an important stage of human history (criterion iv); and
- a significant example of global ideas and developments associated with the punishment and reform of the criminal elements of humanity during the Age of Enlightenment and the modern era (criterion vi).



3.A JUSTIFICATION

The Australian Convict Sites represent the outstanding universal values of the great suffering of many millions of criminal offenders and political dissidents as well as the hopes of the Age of Enlightenment to rehabilitate the criminal elements of society.

The forced migration of convicts was inextricably intertwined with several other significant global phenomena that preceded, coincided with or followed it. These include: the intercontinental migration of indentured labourers, enslaved peoples and free peoples around the world; the anti-slavery and anti-transportation movements; and the drive by state powers to establish a more rational and humane treatment of the criminal elements of society following the Age of Enlightenment. The advent of transportation and penal colonies had an impact on, and were influenced by these world changing events. The *Australian Convict Sites* manifest important elements of these global developments.

Criterion (iv)

Collectively, the *Australian Convict Sites* are an outstanding example of an architectural ensemble which illustrate a significant stage in human history, that of the forced migration of convicts. Through these buildings the *Australian Convict Sites* demonstrate the main features of the global systems of transportation and convictism. These were:

- use of transportation as a strategic tool to expand the home state's spheres of influence. Many state powers used convicts to build new colonies in order to expand their economic, military and political influence across the world;
- use of transportation by nation states as a mechanism for the control of law and order. The establishment of penal colonies to punish criminal offenders and deter crime in the home state was an immediate and long-term objective of transportation systems; and
- use of transportation by state powers to reform the criminal elements of humanity. Penal systems were introduced to rehabilitate criminals into productive citizens and integrate them into the new colonies or for their return to the home state.

Table 3.1: *Australian Convict Sites* illustrating the key elements of the forced migration of convicts.

CRITERION (IV) THEMATIC ELEMENTS SITE	EXPANDING GEO-POLITICAL SPHERES OF INFLUENCE	PUNISHMENT AND DETERRENCE	REFORMATION OF CONVICTS
KAVHA	✓	✓	✓
Old Government House			✓
Hyde Park Barracks			✓
Old Great North Road	✓	✓	
Cockatoo Island	✓		
Brickendon–Woolmers	✓		✓
Darlington			✓
Cascades	✓	✓	✓
Port Arthur	✓	✓	✓
Coal Mines	✓	✓	
Fremantle Prison	✓		✓

Over many decades, state powers pursued this mixture of economic, political and penal objectives and were generally able to achieve broad compatibility between them. While the dual goals of punishment and reform occurred simultaneously throughout the convict era, the emphasis often shifted as governments gave greater attention to one goal over the other. The history of convictism exhibited a pattern of peaks and troughs with alternating periods of increased efforts to rehabilitate convicts and periods of more severe punishment. Nevertheless, punishment and reformation continued to be pursued concurrently. See Appendix D.

Criterion (vi)

The *Australian Convict Sites* are of outstanding universal significance for their association with global developments in ideas and beliefs about punishment and reform of the criminal elements of humanity in the modern era.

These included:

- consolidation and expansion of the transportation system as one of the dominant models of punishment of crime by European powers in the 19th century;
- emergence of new forms of punishment including the shift from corporal punishment to psychological punishment, and the development of segregated prisons for female and juvenile criminals; and
- influence of transportation on the rise of national penitentiary system in Europe.



Leaving family and homeland behind, convicts start their journey to a foreign land.

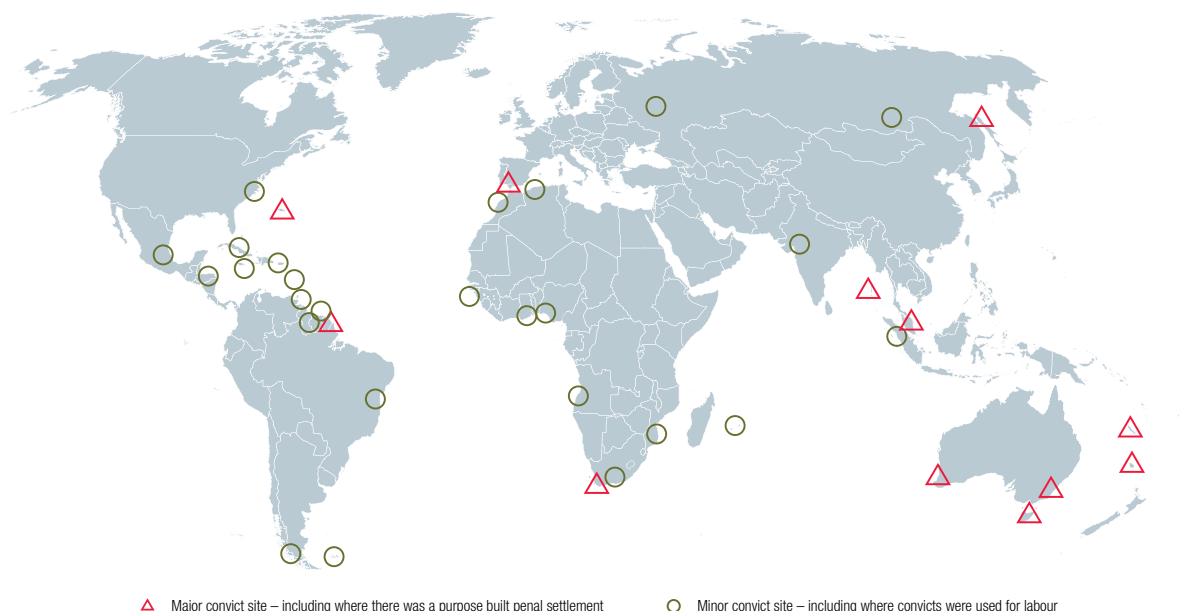
Reproduced courtesy of: Allport Library and Museum of Fine Arts, State Library of Tasmania.

Table 3.2: *Australian Convict Sites* associated with key elements of penology developments in the modern era.

CRITERION (VI) THEMATIC ELEMENTS	PENAL TRANSPORTATION AS DOMINANT MODEL	SHIFT IN THE PUNISHMENT OF CRIME IN MODERN ERA FROM PUNISHING THE BODY TO PSYCHOLOGICAL PUNISHMENT	INFLUENCE ON EMERGENCE OF NATIONAL PENITENTIARY SYSTEM
SITE			
KAVHA		✓ 'separate system'	
Old Government House	✓		
Hyde Park Barracks	✓		
Brickendon-Woolmers		✓ assignment system	
Darlington		✓ probation system	
Old Great North Road	✓		
Cascades		✓ female factory system	
Port Arthur		✓ 'open air' panopticon, 'separate system' and segregated boys prison	
Coal Mines			✓
Cockatoo Island			✓
Fremantle Prison		✓ panopticon design prison and 'separate system'	✓

Criterion (iv)

An outstanding example of a type of building or architectural or technical ensemble or landscape which illustrates a significant stage in human history



The transportation of convicts to Australia, more than 160,000 male and female convicts, represented the largest forced exile of citizens at the behest of a European government in modern history.⁹⁷

The *Australian Convict Sites* are of outstanding universal value as a representation of the era of penal transportation. Convictism was one of the three major forms of intercontinental forced migration in world history. Slavery and indentured labour were the other main types. Convictism had similarities to these forms of forced migration but there were also several unique elements. Forced migration falls within the priority thematic areas of the 'movement of peoples' and 'settlement' under UNESCO's *Global Strategy*. This strategy aims to increase the representation of places on the *World Heritage List* that demonstrate these and other globally important thematic areas.⁹⁸ Several properties demonstrating slavery and indentured labour are inscribed on the *World Heritage List*. No places have been inscribed for convictism.

The forced migration of convicts to penal colonies had a significant impact on global developments from the 'early modern' to the 'modern' period. In contrast to the forced migration of slaves and indentured labourers, penal transportation was a new epoch for punishing crime in the world. Prisoners convicted of criminal offences were transported to penal colonies as a new form of punishment that lasted for several centuries. Penal transportation had an important influence on the political, economic and military development of many European nation states and empires during this period. It played an important role in



1880. A group of slaves chained together travel to be sold at a market.

Reproduced courtesy of: Special Collections, John D. Rockefeller, Jr. Library, The Colonial Williamsburg, Va.

the colonisation process as convicts formed the vanguard to settle and develop new and existing colonies around the globe. Sometimes convict labour was instrumental in replacing enslaved peoples following the abolition of slavery. Transportation is an important part of world history, as an example of the subjugation of one part of humankind by another. It inflicted immense suffering on the lives of several million convicts, ex-convicts and their families. Yet penal transportation also ushered in an era of enlightenment and hope for the criminal elements of humanity. Unlike slavery, convictism was associated with the uplifting elements of human history. Transportation offered unprecedented

opportunities for prisoners to build new lives free of crime for themselves and their descendents in a new colony. This was not the case for most slaves.

The transportation of convicts to penal colonies was a global phenomenon predominantly from the 17th to the 20th centuries.⁹⁹ The forced migration of more than one million British, French, Spanish, Portuguese, Russian and Indian convicts to America, Australia, the Straits Settlements (Singapore, Penang and Malacca), Mauritius, Bermuda, Gibraltar, French Guiana, Sakhalin Island and the Andaman Islands was a major feature of intercontinental migration.¹⁰⁰ The figure swells to two and a quarter million if the forced migration of Russians to Siberia is included although only some of these were convicts.¹⁰¹ This was an important stage of human history paralleled only in the Atlantic and Indian Ocean slave trades and the shipment of Asian indentured labour to South Africa, the Mascarenes and West Indies. The *Australian Convict Sites* typify the period of penal transportation during the 18th and 19th centuries. Australia became an emblem for several European nations, signalling the success of the transportation system as an effective tool to punish and reform criminals and to carve out prosperous colonies. France and Russia sought to emulate Australia's success by establishing penal colonies in French Guiana, New Caledonia and Sakhalin Island (see Part 3.C).

The *Australian Convict Sites* comprise an unparalleled range of architectural ensembles that provide strong physical evidence of British transportation in the Australian context. These include: administrative, military, industrial and penal structures and ruins; rural estates where convicts worked; convict-built public works; and the spatial layout and placement of buildings and other structures at each of the sites. The sites demonstrate all the major phases and elements of transportation and penal systems in the colonies which involved: a voyage to a distant place; banishment and dislocation from homeland and family; and the changing nature of penal systems designed to discipline, punish and reform convicts.¹⁰² The *Australian Convict Sites* are the only surviving places in the world today that illustrate all of the significant features of convictism and are fully protected under comprehensive legislative frameworks. They also

demonstrate unusual features of convictism including diverse and complex penal systems as well as exceptional experiments to punish and reform convicts.

The *Australian Convict Sites* are directly associated with vast collections of convict materials that have no equivalent in the world.¹⁰³ The collections comprise: artefacts; official documents that record the regulation of convict lives in extraordinary detail; personal narratives; paintings and sketches; poetry and ballads; and fictionalised accounts of convict life.¹⁰⁴ These materials evoke the experience of the forced migration of convicts and greatly enhance our knowledge of this important stage of human history.¹⁰⁵ They constitute a globally unique convict-centred perspective of the processes associated with both transportation and the penal regime in Australia.¹⁰⁶ They uniquely capture both the dark and sombre side of humanity as well as its uplifting and enlightening aspects.¹⁰⁷ The most significant collections are housed at Hyde Park Barracks, Port Arthur and KAVHA.¹⁰⁸ In 2007, some of Australia's convict records were listed on the *UNESCO Memory of the World Register*.¹⁰⁹

The *Australian Convict Sites* are an outstanding representation of convictism in terms of the nature and scale of the transportation system, the penal colonies and convict systems in Australia (see Part 2.B and Part 3.C).

Transportation as a strategic tool to expand spheres of influence

The transportation of convicts to penal colonies was used by European powers to expand their geo-political spheres of influence from the 17th to the 20th centuries. Transportation fundamentally altered the political, military and economic 'face' of the globe during this period. The *Australian Convict Sites* are a representation of this phenomenon during the 18th and 19th centuries. A wide range of architectural ensembles demonstrate this important element of convictism. These include convict-built structures and ruins of penal stations, a female factory, agricultural estates worked by convicts, a colliery, lime kilns, grain silos, a salt mill, brickworks, dockyards, a road and public buildings.



The first fleet arrives in Sydney Cove in 1788 carrying 759 convicts plus guards, their families and civil officers.

Reproduced courtesy of: National Library of Australia, J Allcott, The first fleet in Sydney Cove January 27, 1788, pic-an7891482.



1930s painting showing convicts disembarking at St Laurent du Maroni, French Guiana, by convict artist Francis Lagrange.

Reproduced courtesy of: Yvan Marcou.

The transportation of convicts to Australia was 'the greatest penal experiment of all time'¹¹⁰, 'such a novel and vast undertaking'.¹¹¹

Britain, France, Spain, Russia and Portugal used convicts to establish new settlements to expand their political, military and economic influence around the world. Typically, penal colonisation involved taking possession of (or expanding previously acquired) territories, resources, harbours and trade routes and at the same time, denying them to rival powers. Convicts were an important tool used by nation states to expand their geo-political power through the creation or expansion of overseas colonies, increased trade within their empires and naval strength.¹¹² Convicts were often a critical part of the colonisation process and frequently complemented or replaced other bonded labour: slaves from Africa particularly after the abolition of slavery; and indentured servants from Europe and Asia.¹¹³ Convicts formed a vital cheap, controllable and replenishable workforce. European powers used them to establish new colonies, expand existing colonies or bolster struggling colonies across Australia, South-East Asia, the Indian and Pacific oceans and South America.¹¹⁴

Britain was a key player in this process. Penal transportation was an important element of the expansion and consolidation of the British empire from the late 18th century to the mid 20th century (see Appendix C and D). The establishment of the first penal colony at Sydney Cove, followed by outposted settlements and other colonies around the continent was partly driven by Britain's colonial ambitions.¹¹⁵ Superpower rivalry between Britain and France (and sometimes with the support of Spain and/or the Netherlands) influenced Britain's initial decision to transport convicts to Botany Bay.¹¹⁶ In establishing a penal colony in Australia, Britain sought to forestall other European powers, particularly France. France had a strong interest in deploying transportation to exploit rich resources in a new penal colony and sent naval expeditions to Australia.¹¹⁷ France and the Netherlands were developing trade links with the East Indies and China, and Britain was in danger of being squeezed out of the region. Britain had ambitions to use its fleet to expand into Asia, South America and the Pacific Ocean to fill the power vacuum left by the declining Spanish and Portuguese empires.¹¹⁸ A colony in Australia would help exclude British rivals from the vast sea space of the western Pacific and the Indian Ocean. Australia had enormous potential for providing ports, provisions and materials including valuable naval stores for Britain's Royal Navy and East India Company which operated increasingly in the region. A penal colony at Sydney Cove was seen as an economically viable way of developing a major trading and naval base in the Pacific. British convicts were transported to VDL to curb French ambitions in the region.

The transportation of convicts to further Britain's colonisation ambitions exhibited features that were typical of global convictism and had several exceptional elements. Convicts and emancipists were instrumental

to the colonisation process in Australia. They played a critical role as the primary engine of the labour force and in populating the new colonies. Convicts were the first European peoples to migrate and settle in a continent that later became the Commonwealth of Australia.¹¹⁹ When convicts first arrived, there was no European infrastructure: no roads, bridges, means of communication, churches, public or private buildings, farms, gardens, parklands or resource 'development'. Britain transported convicts who were particularly well suited to empire building. Male convicts were mainly young and physically fit and many were skilled in various trades.¹²⁰ Most female convicts were in the optimum age bracket for marriage and for bearing and raising children. Many women also had domestic service skills. At different times during the convict era, the demands of building new colonies and the need to integrate convicts into the new societies subsumed the other aims of transportation, particularly the deterrence of crime.

A new 'European' society was created and spread across most of the Australian continent through the efforts of male and female convicts, ex-convicts and their families. Their numbers and skills produced high levels of economic growth and development.¹²¹ Male convicts were in the frontline constructing infrastructure, clearing the land, developing natural resources and forging the first European settlements in lands previously unsettled apart from some areas of Aboriginal occupation.¹²² The entire original infrastructure of the NSW and VDL colonies – the roads, bridges, public buildings and churches – was constructed and sometimes designed by convicts. Most of the first



Convicts Mary Proctor and husband William Fitches formed a mutually beneficial relationship during and after their sentence of transportation.

Reproduced courtesy of: Dixon Galleries, State Library of New South Wales.

significant infrastructure in WA was built by male convicts. Unlike many other penal colonies, female convicts played a major role in creating a flourishing colony. Female convicts contributed to the population growth and the future labour force, as well as to the economic development of the colonies working as domestic servants, producers of manufactured goods, laundresses and seamstresses.¹²³ They were also an important civilising force particularly for family formation and to curb homosexuality in the colonies. The British government's concerns about homosexuality are outlined under criterion (vi).

Australia was the only place in the world where convicts and ex-convicts were the major driving force in creating vibrant penal colonies that later became a nation. In only a few decades, NSW and VDL made the transition from penal colonies into vibrant, comparatively free-market colonial economies and societies. WA was transformed from a struggling free colony where collapse was imminent into a prosperous economy following the establishment of the penal colony. Norfolk Island was converted into a flourishing island settlement for the Pitcairn community. This transformation of the penal colonies is documented individually and collectively by the nominated sites. Convicts in other parts of the world were unable to create thriving penal colonies (eg French Guiana and Angola largely due to harsh environmental conditions and high mortality rates) or were not the main driving force of the colony's success (eg New Caledonia).

Australian Convict Sites

KAVHA, Brickendon–Woolmers, the Old Great North Road, Cacades Female Factory, Port Arthur, Coal Mines, Cockatoo Island and Fremantle Prison are significant examples of the use of transportation to extend the military, political and economic influence of Britain (see also Part 2, Part 3.C and Appendix D).

KAVHA is a material record of the use of convicts as a geo-political tool by Britain. Norfolk Island had strategic military importance for its harbour, potential naval resources (pine and flax) and as an outpost of the colony of NSW to avert French colonial ambitions in the region. These were significant factors underlying Britain's decision to establish a penal colony at Botany bay and the subsequent outpost colony at Norfolk Island. In 1787 Lord Sydney instructed Governor Phillip to establish a penal colony on Norfolk Island 'to prevent it being occupied by subjects of any other European power.'¹²⁴ The harbour, pier and outbuildings continue to function as a port and a number of pine trees survive from the convict period. The layout and the majority of the penal colony's structures are still visible today.

Brickendon–Woolmers constitute a significant material record of the vital role of assigned convict labour for the economic development and expansion of the colonies. Convicts made up the majority of the rural labour force in NSW and VDL up until 1840. Approximately 100 male and female convicts were assigned to the estates



KAVHA was established as an outposted penal station of NSW in 1788 to expand Britain's military, political and economic influence.

each year playing an important role in their establishment and expansion. Male convicts constructed houses, farm buildings and structures, undertook land clearance and crop production, and worked as blacksmiths, tanners, bricklayers and agricultural hands. Female convicts worked primarily as domestic servants and sometimes worked alongside male convicts during harvesting. There are two homesteads that contain the living and working quarters for female convicts. The agricultural and pastoral work undertaken by male convicts is illustrated by convict built barns, woolsheds, stables, blacksmiths shops, granneries, coachman's cottages, bakers cottage and worker's cottages. The landscape retains other key convict features such as the field systems, hedges planted by convicts for use as fencing and clay drainage pipes made by convicts.

The Old Great North Road has tangible physical evidence of the use of convict labour in empire buildings. It was part of an ambitious road works program to expand settlement to the north, south and west of Sydney using several thousand convict labourers. The road system comprised a total of 500 kilometers of road and took 14 years to complete.¹²⁵ Two surviving sections of the Old Great North Road are an exceptional testimony to the important role of convict labour in the development of infrastructure and the expansion of the colony of NSW. The site is described fully in Part 2.



1830s painting looking along the Old Great North Road. Hard labour was used to not only punish re-offending convicts, but to expand the penal settlement.

Reproduced courtesy of: National Library of Australia, W Gauci, Road near Portland Head, New South Wales, pic-an8538709.

Cascades is a testament to the survival and prosperity of the colonies for the benefit of Britain through the efforts of female convicts. Many convict women were housed and undertook work in female factories around the colonies while awaiting assignment or as a punishment for breaches of rules. They worked as task workers producing clothes, carding and spinning textiles (wool and linen), processing wool blanketing fabric, laundering and needlework.¹²⁶

Cascades was a significant place for manufacturing textiles and supplied yarn to many places across VDL including for use in the fulling house at Darlington Probation Station. In a two-month period in 1843, Cascades produced

2,500 pairs of trousers and 165 blankets.¹²⁷ The labour of female convicts in the factories was significant in reducing the financial cost of the penal colony. Cascades was an important place where many female convicts were assigned to free settlers or male convicts (as their wives). Female convicts and family formation were vital as a civilising force that held the colonies together. The site is detailed at Part 2.A and 2.B.

Port Arthur evolved into a major maritime and industrial complex through the efforts of male convicts. As evidenced through its unique and important tangible remains, convicts played a major role in the construction of roads and buildings (including signal stations and a timber railway), quarrying, brick making, clearing land, felling timber, grinding wheat and manufacturing products. Convicts produced critical supplies for the colonies including worked stone, sawn/milled timber, shoes, clothes, ironmongery and wheat, and some were exported to Britain.¹²⁸ At the original large Granary and Flour Mill (four-storeys and 70 metres wide) convicts produced up to 18 bushels of flour per hour.¹²⁷ They provided the human power for the treadmill along with the waterwheel to grind the wheat. Over 160 ships and boats were built at Port Arthur before 1844.¹²⁹ Evidence of the convicts' shipbuilding work is reflected in a harbour complex which includes the lime kiln, dockyard and cottages of the master shipwright and clerk of works. The waterfront area was also used for loading goods produced by convicts.



1854 drawing of Port Arthur showing convicts pulling a cart (foreground) and a work gang marching back to prison (right). The semaphore station (back, right) was used for the surveillance of convicts.

Reproduced courtesy of: National Library of Australia, Etablissement penitencier de Port Arthur, Terre de Van-Diemen, pic-an8864286.



HMS Galatea in Fitzroy Dock, Cockatoo Island. Convicts significantly contributed to the construction of the dock enhancing Britain's naval influence in the Pacific.

Reproduced courtesy of: Mitchell Library, State Library of New South Wales.



A government gaol gang, some in chains, in Sydney NSW in the early 1800s.

Reproduced courtesy of: National Library of Australia, A Earle, A government jail gang, Sydney N.S.Wales, pic-an6065451.

The Coal Mines has extensive evidence of the use of convict labour for the economic advantage of Britain. Convicts were used to extract and cart coal, a resource that was vital to economic development of VDL. The main convict station and coal mine site were built using convict labour. Convicts also worked above ground on a network of tram roads and jetty termini, cutting timber for the workings, blacksmithing and tailoring. The site provides exceptional physical evidence of the use of transportation to expand the economic and political influence of Britain. The site is described fully in Part 2.

Cockatoo Island shows substantial physical evidence of the use of convict labour as an instrument of colonisation and to enhance Britain's naval influence. The penal station was a significant source of convict labour that contributed to infrastructure development and food production. Convicts excavated around 20 silos from sandstone cliffs on Cockatoo Island at a time when NSW was experiencing acute food shortages. The silos were designed to hold around 140 tonnes of grain as store provisions for future use in the colony.¹³⁰ Convicts quarried the sandstone cliffs on the island to extract sandstone blocks for the buildings of the penal station, as well as harbour works around the Sydney foreshore. The availability of convict labour was an important factor in deciding to locate a naval establishment for the colony at Cockatoo Island. The naval base was used to dock and repair ships of the British Royal Navy. Around 20 structures survive at Cockatoo Island including several silos and the dockyard (see Part 2).

Fremantle Prison is a compelling expression of the use of transportation to transform WA into a viable economy and colony for the economic and political benefit of Britain. Fremantle Prison is a massive complex that was built by convicts over several years. All convicts transported to WA spent time at the prison and many worked outside during the day on public infrastructure. Convicts constructed roads, bridges, jetties, buildings and other important public works such as a new government house. Convicts were also hired

out to free settlers in country areas to undertake significant agricultural and mining activities critical to the development of the colony.¹³¹ In 1855, Governor Fitzgerald reported to a House of Lords committee in Britain that convicts had saved the colony.¹³² Fremantle Prison is a remarkable architectural ensemble and one of the largest surviving convict prisons in the world today.

Transportation as a mechanism to deter crime

The *Australian Convict Sites* exemplify European powers' shipment of criminals to penal colonies to punish them and deter criminal activities in the home state during the 18th and 19th centuries. Deterrence typically entailed banishment of criminals to distant penal colonies and subjugation under a repressive penal environment with various corporal and psychological punishment regimes. The nominated sites are representative of these features and are powerful reminders for the world of the great suffering inflicted on one part of humanity by another during the convict era. They include structures and ruins of penal stations, a convict-built road, a colliery, prisons with underground and solitary cells, military and convict barracks, industrial complexes, administrative buildings and officers' cottages.

Transportation was an important tool for deterring crime and maintaining law and order in the home state of the major European powers. The *Australian Convict Sites* are an outstanding example of this aspect of convictism. Rapid population increases, high unemployment and the emergence of a perceived new 'criminal class' were threatening to Britain, France, Spain, Portugal and Russia. The Industrial Revolution led to large-scale unemployment, social and economic dislocations and a rapid increase in criminal activities. The streets and countryside of many nations were frequently home for unemployed vagrants, 'rogues' and 'vagabonds'. Also, rudimentary local prisons and prison hulks often bulged with criminals and conditions were severe. These conditions were perceived to be a 'breeding ground' for rebellious political activists in the future and an increased potential threat to ruling elites.¹³³ There were also public demands from the Age of Enlightenment onwards for criminals to be treated more rationally and humanely. European powers increasingly used transportation to penal colonies as a system of social and political control to manage these pressures.¹³⁴ This was a major new development in the punishment of crime from the pre-modern era, replacing the use of execution as the dominant form of punishment (see criterion vi). As noted earlier, deterrence was only one of the major driving forces of penal transportation and frequently came into conflict with the goals of colonisation and reformation. Sometimes tensions were irreconcilable. Also, there are variations in historical studies about the severity of penal systems and colonies, ranging from 'relatively mild' through to 'brutalising'.¹³⁵

Forced exile was a traumatic experience for most convicts, both physically and mentally. In the Australian context, the 25,500 kilometre sea voyage to Sydney Cove took up to eight months in the early period and was greatly feared by convicts. This made it the longest and most dangerous voyage (as perceived by convicts) in the history of penal transportation.¹³⁶ Philanthropic reports contain accounts of the heartache of many broken families; children and parents were separated, mostly for life.¹³⁷ Most convicts were exiled permanently from their home, country and culture to a foreign world inhabited by native peoples, unknown terrain and wildlife and devoid of European 'civilisation'.¹³⁸ Like several other colonies, the vast majority of convicts sent to Australia did not return home and many convicts experienced exile as 'a terminal punishment', 'a sort of death'.¹³⁹ Convict 'love tokens' (pennies converted by convicts into messages to loved ones) and tattoos on convicts' bodies have been described by historians as 'tiny gravestones' recording convicts' distress and pain, of 'obliterated loves, hopes and lives'.¹⁴⁰ On the other hand, some convicts (such as juvenile convicts) exhibited a certain bravado or resignation to transportation or welcomed it as an opportunity for a new start.¹⁴¹

The *Australian Convict Sites* illustrate the repressive environment that operated in most penal colonies around the world. Subjugation and violence were features of the convict system in Australia (although the extent and degree varied across place and time), and there were cases of extreme brutality.¹⁴² Physical and psychological violence was an everyday feature of penal life for many convicts.¹⁴³ Subtle and pervasive systems of surveillance humiliated, intimidated and controlled convicts.¹⁴⁴ All convicts were either threatened with, received or witnessed harsh punishments.¹⁴⁵ Up until the 1820s, flogging was the main punishment and was often given for relatively minor breaches of the rules or through bad luck.¹⁴⁶ Sometimes excessive floggings led to serious illnesses or death.¹⁴⁷ The punishment also inflicted psychological pain causing terror, humiliation and degradation. Every male and female convict (1787–1817) knew they could be flogged for misdemeanours and many



'Transportation to NSW is intended as a severe punishment, applied to various crimes: as such must be rendered an object of real terror to all classes of the community ... the great end of punishment is the prevention of crime ...'

Bathurst's instructions to Commissioner Bigge.

Reproduced courtesy of: Archives Office of Tasmania, NS1014-1719.

'Bloody code'

- stealing horses or sheep
- destroying turnpike roads
- cutting down trees
- pick-pocketing goods worth more than one shilling
- being out at night with a blackened face
- unmarried mother concealing a stillborn child
- arson
- forgery
- stealing from a rabbit warren

The 'Bloody code' was the name given to the English legal system from the late 17th century to the early 19th century. The above are some of the crimes carrying the death penalty in the 18th century. Most sentences were later reduced to transportation to America, Australia and other British penal colonies.

Convict love token dating to 1797, with engraved illustration of convict with pipe c.1810-1820.

Reproduced courtesy of: Penelope Clay, Powerhouse Museum.

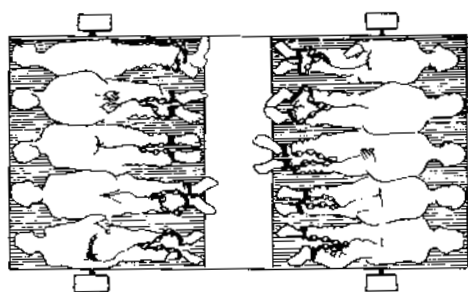
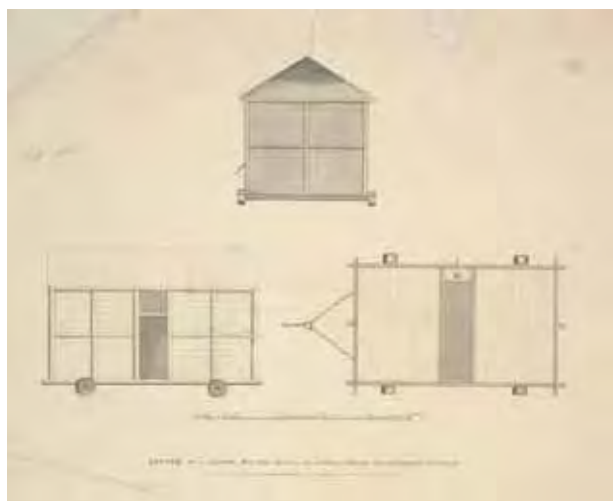
were routinely forced into musters to watch floggings taking place. Contemporary commentators, many associated with the anti-transportation movement such as distinguished historian and penal philosopher Alexis de Tocqueville, likened the extensive use of flogging in Australia to the treatment of slaves in Africa and America.¹⁴⁸ De Tocqueville denounced Australia's punishment practices as a penal code 'based on blood and torture': 'Can it be that in the 19th century, and in a nation in the van of civilisation, men are made to submit to treatment worthy of savage countries and barbarous times?'¹⁴⁹ Pervasive surveillance regimes and psychological punishments are outlined in Part 2B and criterion (vi).

Arduous and hazardous labour schemes were a feature of all penal colonies and are illustrated by the nominated sites. In the Australian context, male convicts were compelled to clear land, construct public works and undertake agricultural work.¹⁵¹ Convicts sentenced to road gangs or penal stations



'The pain was most harrowingly intense ... it could only be likened to the sensation of having furrows torn in your flesh with jagged wire, and ere they closed filled up with burning molten lead running in streams of fire down your back.'¹⁵⁰ Convict James Tucker.

Reproduced courtesy of: Archives Office of Tasmania, 30-2720.



Pre 1849 sketch of a mobile wooden box used to accommodate road gang convicts at night. Two tiers of ten convicts were chained throughout the night.

Reproduced courtesy of: Top: Mitchell Library, State Library of New South Wales. Bottom: © J S Kerr. *Design for convicts*, Library of Australian History, Sydney, 1984, page 63.

were given harsher jobs such as road building, logging, quarrying and mining. Some convicts were forced to work in irons, hobbled with shackles linked with a chain to their belt, and many slept in mobile boxes. The gang system was expanded significantly in NSW and VDL to render transportation more of a deterrent following the Bigge report. Most female convicts worked as domestic servants for private masters or were put to work in a 'female factory'. Assignment was a harsh experience for some convicts and the system was condemned as a form of slavery by anti-transportation advocates in Britain, America, France and Australia.¹⁵² They alleged the system functioned like a lottery, as the fate of convicts was dependent on the character of the individual 'master'.¹⁵³ While most masters were neither brutal nor benevolent, many convicts faced a degrading servitude at the hands of domineering, cruel or violent masters. Female convicts were especially vulnerable to sexual abuse in private homes.¹⁵⁴ Many became pregnant, were punished in a female factory and their babies were forcibly removed after a few months.¹⁵⁵

Australia's convict system formed part of global debates on the effectiveness of transportation in deterring crime. Notwithstanding diverse views, the alleged success of the convict system in Australia influenced governments in France and Russia to establish transportation systems for the first time (see criterion vi).

Australian Convict Sites

KAVHA, the Old Great North Road, Cascades, Port Arthur and Coal Mines are outstanding examples of the significance of transportation as a deterrent to crime in Britain. The sites are also described in detail in Part 2.

KAVHA is an exceptional testimony to the use of transportation to deter crime in Britain. A second penal settlement was established at Norfolk Island following the Bigge Inquiry into British transportation to Australia. It was designed to revive the fear of transportation and deter crime in Britain and the colonies. Convicts were sent to Norfolk Island for life and had no hope of escape. The treatment of convicts was intended to instil fear in Britain and the colonies. Official reports and individual commentaries documented excessive floggings, solitary confinement and accounts of convicts preferring death to a life sentence on Norfolk Island. The incidence of suicides, revolts and executions was far higher than at other penal stations in Australia and the severity of punishment was comparable to some of the harshest penal settlements in other parts of the world (see Part 3.C). Norfolk Island gained an international reputation as a 'hell on earth' which helped to validate the alleged effectiveness of the transportation system in deterring crime.¹⁵⁶ In recent times, Norfolk Island has been described variously as: an Australian Alcatraz; a prototype for concentration camps; and as brutalising as Devil's Island penal colony.¹⁵⁷

Key features that illustrate this are the Crank Mill, Convict Barracks, the New Gaol, the Police Office, the Civil Hospital and the Cemetery (see Part 2.B). The Crank Mill was installed to punish incorrigible convicts rather than for economic purposes. Two ironed gangs (48 convicts in each) were used to crank heavy machinery to grind 20 bushels of maize per day in strict silence. More efficient and productive labour devices were not utilised as the advancement of the economy was deemed secondary to the goal of severe punishment. The Convict Barracks was a place where thousands of convicts faced near starvation, arbitrary or severe punishment, physical violence, death (including



The Crankmill at KAVHA was used to punish up to 96 convicts at one time.



1826 painting showing road gang convicts, some in chains, breaking stones and carrying water supervised by a soldier. Convict at centre shows marks from flogging on his back.

Reproduced courtesy of: National Library of Australia, N Earle, View from Mount York, pic-an2818287.

at the hands of other convicts) or suicide. Convicts were vulnerable to sexual abuse, particularly young boys locked up with over 100 men at night without any protection. The original three-storey building accommodated up to 1,000 convicts in two tiers of hammocks, one above the other. One building was used as a courtroom to try capital offences and was the scene of trials for murder and convict uprisings (1834, 1846). The underground solitary 'dumb' cells in the New Gaol illustrate one of the most extreme forms of psychological punishment at the penal station.¹⁵⁸ Convicts were lowered through a trapdoor into cells with one metre thick stone walls and no doors or windows. They remained in darkness and silence day and night as if buried alive.¹⁵⁹ The Civil Hospital was a place of harshness and severe overcrowding. The 1834 uprising started at the hospital. The Police Office functioned as a courthouse where convicts were sentenced to flogging, iron gangs, prison terms or solitary confinement. Hundreds of convicts died at Norfolk Island and some of their graves survive in the Cemetery including the graves of convicts killed or executed for their part in the 1834 uprising and a mass burial ground for convicts executed after the 1846 mutiny.

Port Arthur provides outstanding tangible evidence of the harsh punishment of convicts particularly by brutal forms of hard labour. Lieutenant-Governor Arthur believed that the combination of hard labour, unremitting surveillance and 'the absolute weariness of life' made it a place of terror.¹⁶⁰

Convicts were forced to undertake some of the worst forms of hard labour such as: timber felling, quarrying and road building in gangs; working as 'human engines' for the railway; and grinding wheat.¹⁶¹ Gangs of 30 convicts were like a giant centipede carrying enormous logs weighing around 1,000 kilograms that could crush them to death. A variety of harsh punishment regimes were employed during the life of the penal station.¹⁶² Conventional forms of punishment such as flogging, solitary punishment and working on a treadmill focused mainly on physical pain and



1852 drawing showing a convict powered tramway. Convict manpower was sometimes used instead of animal labour to deliberately subjugate convicts.

Reproduced courtesy of: Allport Library and Museum of Fine Arts, State Library of Tasmania.

suffering. From the mid 1840s, there was a shift towards psychological forms of punishment (see criterion vi). The penal station had a reputation for terror 'worse than death' and was greatly feared and dreaded by male convicts.¹⁶³ The experiences of officials and visitors, shocked by the severity of discipline and 'unbearable cries' emanating from the penal station, were recorded in reports.¹⁶⁴

Port Arthur is a unique landscape comprising a suite of convict-built structures and ruins and a large collection of convict materials. Key features include: the Granary which later became the Penitentiary; the Separate Prison; the Isle of the Dead; and the archaeological collection. Around 60 convicts provided the human power for the treadmill in the Granary which was brutal work akin to climbing a never-ending stairway. The Penitentiary housed convicts wearing chains (weighing between six and 13 kilograms) in individual cells measuring 2.2 metres by 1.3 metres. It also housed better behaved convicts in the dormitory who were not chained. The Separate Prison was the place where refractory convicts and convicts undergoing probation were subjected to new forms of psychological control. Strict regimes of silence were inflicted on convicts at all times including during compulsory religious instruction in the chapel. Separate stalls ensured convicts could not see each other and the only voice they heard was that of the chaplain. Two 'dumb cells' were used to enforce more severe punishment. The Isle of the Dead was a burial ground for an estimated 1,000 convicts in unmarked graves on lower ground segregated from free people.¹⁷⁰ A collection of movable cultural heritage items, artefacts, photographs, slides, plans, archaeological data and databases also record the harsh treatment of convicts.

The Old Great North Road is a testament to the transportation of convicts to an alien land and the severe punishment of male convicts. The site was part of a major road building program in NSW, designed to implement the Bigge Inquiry's recommendations to make British transportation to Australia a more effective deterrent to crime. From 1826 re-offending male convicts were sentenced to road gangs to construct massive new roads in regions not previously settled by Europeans.¹⁶⁵ Convicts undertook hard labour in gangs in extremely raw and rugged terrain in distant and sparsely settled locations. The environment was particularly harsh for convict workers who were used to the milder environs of their homeland. Convicts died or were seriously injured due to the harsh nature of the work, diseases, physical punishments or attacks from other convicts. The two road routes in an isolated bush setting that make up the site provide a rich evocation of the harsh punishment of convict road builders. Key features include massive sandstone retaining walls, gutters, culverts, an intricate drainage system, a sandstone quarry, a stockade, a stone hut and convict graffiti. There is also evidence of discarded sandstone blocks where the first road route was abandoned at Finch's Line. Abandonment was a common practice that greatly demoralised convict workers (see Part 2).

Cascades is an important symbolic expression of the harsh treatment of convict women and girls in female factories as a deterrent to crime. This was an important objective of the female factory system. Head shaving was widely used in the factories despite authorities' concerns that it would be detrimental to efforts to reform female convicts.¹⁶⁶ Women greatly feared head shaving. It caused humiliation, was experienced as a disfigurement of their person and led to several riots.¹⁶⁷ Head shaving was investigated in several government inquiries and reports.¹⁶⁸ Female convicts at the factory also experienced new forms of psychological punishment such as cellular isolation. In addition, severe conditions including compulsory early weaning of babies, contributed to the high infant mortality rate at Cascades.¹⁶⁹ Key surviving features at Cascades are outlined at Part 2 and under criterion (vi) below.

The Coal Mines is an example of a penal station that was promoted as a place of extreme punishment to deter crime in Britain. Convicts laboured in underground mines in stifling conditions, hauling baskets of coal or pushing carts to transfer the coal.¹⁷¹ The operation of the coal mine and the penal station are evident in the layout and physical remains including the main mine shaft, boiler, mine sump (or exploratory shaft), archaeological materials associated with mining activities, barracks and officers' quarters, separate apartment cells and solitary punishment cells. Solitary cells built underneath the separate apartment cells were used to punish convicts. Four underground cells were built inside the mine, each measuring 1.06 metres by 1.98 metres by 2.13 metres high with a 40 centimetre wide sleeping board. The cells were unlit and there was little ventilation. This punishment was like being buried alive and was greatly feared by convicts even though it was seldom used.¹⁷² The cells within the mine are not visible as the mine is no longer accessible.



Late 1800s photograph of Cascades Female Factory showing the yards surrounded by the perimeter wall.

Reproduced courtesy of: Archives Office of Tasmania, NS1013-1453.

As a means of making men outwardly honest, of converting vagabonds, most useless in one country, into active citizens of another, and thus giving birth to a new and splendid country, it has succeeded to a degree perhaps unparalleled in history.

Charles Darwin 1836¹⁷³

Transportation to reform the criminal elements of humanity

Alongside the goal of deterrence, European governments used transportation to detach criminals from negative influences in their country and reform them in distant penal colonies.¹⁷⁴ This formed part of a more general global movement to reform criminal offenders from the 18th century onwards (see criterion vi). The *Australian Convict Sites* are a compelling manifestation of the drive by European powers to reform criminal offenders and aspirations to rehabilitate them as free citizens of society. The sites embody these universal ideals and hopes for the criminal elements of humanity during this important stage of human history. Key features include churches, chapels, school rooms, chaplains' cottages, convict buildings used to segregate convicts into classes and buildings where pardons and concessions were granted to convicts.

Many penal colonies around the world established varying types of reformatory schemes. These included labour systems to inculcate industriousness and moral regeneration, classification schemes to encourage good behaviour, concessions, female migration schemes and pardons to partially or fully free convicts before they served out their

sentence. Australia, as typified by the nominated sites, had the most extensive and innovative suite of reformatory schemes of all the penal colonies (see Part 3.C). Australia's reformatory machinery included: labour schemes; the assignment system; the probation system; reward and entitlement schemes; religious instruction; the 'mark system'; female factories; special 'prisons' for convict boys; and the 'separate system' (see Part 2.B and criterion vi).¹⁷⁵ Australia was the first to establish several of these systems and often provided a blueprint for other penal colonies.¹⁷⁶ There were also several periods of intensive reform efforts such as during the governorship of Governor Macquarie and Commandant Maconochie.¹⁷⁷

Education and labour were important vehicles to foster moral redemption, rehabilitation and integration into the Australian colonies.¹⁷⁸ A large proportion of the convict population received some form of elementary education or trade training while serving their sentences. This included many assigned convicts, boys at Point Puer, women at the female factories and men in probation and penal stations. Education was generally limited to literacy skills so convicts could read the Bible but it was also an important part of their religious and moral instruction. Some chaplains set up small schools for convicts to read religious materials.¹⁷⁹ Male convicts across the colonies were given work to build



The Roman Catholic Chapel at Fremantle Prison. A separate chapel built for Church of England convicts is also located in the Main Cell Block. Religious instruction was a key element in the reformation of convicts.



Artwork from the cell of a convict transported to Fremantle Prison for forgery.

Reproduced courtesy of: Fremantle Prison Collection.

on existing skills or learn new ones. They could also earn wages which helped their transition from 'bond labourer' to 'free worker' and many became economically independent. While opportunities were more limited for female convicts, many secured freedom or a degree of financial security and protection through 'marriage' and assignment to their husbands.¹⁸⁰ A small number of female convicts earned a living as self-employed seamstresses, midwives or milliners or helped husbands run small businesses or farms. Successful male and female convicts were held up as role models for other convicts.¹⁸¹

Religion was an integral part of the penal system in Australia and played a critical role in the reform of the convict population.¹⁸² This was an exceptional aspect of Australia's convict system compared with other penal colonies. Religion played a role in a small number of other penal colonies and even then was only a minor part. Key features in Australia included: the construction of churches and chapels for the use of convicts; employment of chaplains at penal stations responsible for the moral improvement of convicts; compulsory attendance at church services; reading of prayers by authorities and 'private masters' and distribution of Bibles.¹⁸³ Separate churches or rooms were often provided for convicts from different religious denominations. Religious observances were often an essential part of the daily lives of most convicts including those undergoing secondary punishment.¹⁸⁴ Attendance was rigidly enforced and non-attendance was a punishable offence.¹⁸⁵ Under the probation system, convicts were required to commence and end each day with prayers and attend two divine services on Sundays.¹⁸⁶ Clergymen were critical cogs in the penal machinery, expected to be knowledgeable about the character of each convict. They were required to sign all key documents that could lead to the rehabilitation and freedom of individual convicts including applications for family members to be sent from Britain, tickets-of-leave, special privileges and pardons.

Many penal colonies established incentives to encourage good behaviour and integration into society. Australia was at the end of the spectrum in creating relatively good material conditions and economic and legal rights for convicts (notwithstanding variations over time and place) compared with free people of their social class. Entitlements and rewards designed to encourage rehabilitation included: increased rations; recruitment to responsible positions such as overseers or clerks; granting land and other privileges; and granting pardons to free convicts before they had served their full sentence.¹⁸⁷ Convicts had important legal rights not generally available to convicts in many other penal colonies or free workers in Britain.¹⁸⁸ Australia's penal colonies were governed by British law unlike arbitrary military regimes in most other colonies.¹⁸⁹ Convicts could make charges against their 'master', petition the governor on any matters regarding their detention and release, and sue to protect their property.¹⁹⁰ Those under government service or assignment could not be punished without a court order unlike free workers in Britain who could be given corporal punishment by employers.¹⁹¹ Convict women had greater legal protection from ill-treatment by their husbands than free women and could lodge complaints of mistreatment.¹⁹² Most convicts had a higher standard of accommodation, rations, medical services and working conditions than free workers in Australia and Britain or indentured labourers in other parts of the world.¹⁹³ The majority of convicts in Australia were released before serving out their sentences and went on to become free and law abiding members of the colonies.¹⁹⁴

Australian Convict Sites

KAVHA, Old Government House, Hyde Park Barracks, Darlington, Fremantle Prison, Brickendon-Woolmers, Cascades and Port Arthur are significant examples of the use of transportation to rehabilitate criminals. The sites highlight both the representative and unique elements of the Australian colonies and are described in more detail in Part 2.

KAVHA provides a significant record of an exceptional reformatory system during the Maconochie period. Maconochie introduced an inventive 'mark system' of rewards to encourage convicts to become industrious and responsible through moral and practical lessons. Transportation sentences were converted into indefinite sentences and convicts became personally responsible for the length of their sentence.¹⁹⁵ Marks were earned for hard work and good behaviour, or deducted for bad behaviour.¹⁹⁶ The environment of the convict improved in stages as he learned the moral lessons of the system and his behaviour improved. Convicts could progress through classes: separate imprisonment (first class); social labour through the day and separate confinement at night (second class) and 'social treatment' ('group therapy') both day and night (third class). In third class, groups of six convicts were set up to work and 'mess' together to teach social responsibility and mutual dependence. Each convict was responsible for the marks



Unlike in many other penal colonies, Commandant Maconochie allowed all convicts except rebels to be commemorated in death and given gravestones, and many of these remain.

of the others as well as his own: if one convict lost marks, all convicts in the group lost marks; and if one convict won marks, all convicts in the group won marks.¹⁹⁷ They were also given blue jackets and other clothing not permitted to the other classes, to further 'raise their spirits, revive their self-respect and confirm their good purposes.'¹⁹⁸

Under Maconochie, the penal station operated as a civilised community despite being populated by some of the most serious criminals and devoid of free settlers. He walked and talked amongst the convict population to show confidence in them and exhort them to industriousness and good conduct.¹⁹⁹ Every convict was given a plot of rich soil to give a sense of property rights. Vegetable and fruit gardening classes were set up to encourage cultivation and trustworthy convicts were permitted to establish small settlements with gardens in the bush.²⁰⁰ Maconochie brought many educational resources with him to the penal station (such as encyclopedias, technical/craft magazines, musical instruments and sheet music) to promote rehabilitation.²⁰¹ A school was set up with monthly tests and prizes.²⁰² Music therapy was important for teaching collaboration and discipline and involved singing in church, playing in a band and copying or reading music.²⁰³ The first churches were built on the island during Maconochie's rule.²⁰⁴ Convicts made up the entire police force and were responsible for the maintenance of order on the island.²⁰⁵ Harsh punishments were abolished and the loss of marks was the main form of punishment (except for violent crimes) and convicts were entrusted with certain freedoms.²⁰⁶ Maconochie instituted a policy on commemoration to allow all convicts (except rebels) to be given headstones, giving dignity to the dead.²⁰⁷ Maconochie's penal experiment was successful with a low recidivism rate and a productive and orderly convict population.²⁰⁸

Most of the surviving features of the penal station at KAVHA were there during the time of Maconochie and several other sites are strongly associated with his reformatory efforts. Government House was Maconochie's official residence where he made important decisions



Chapel at Brickendon Estate built by convicts for their sole use.



'In memory of John Butler who was executed on the 22 of Sept. 1834 for the mutiny on this island. Aged 28 yrs'. KAVHA, Norfolk Island.

including about the operation of the 'mark system'. It has been restored to its 1830s condition, a few years prior to Maconochie's period. Buildings constructed by convicts during Maconochie's term of office include two churches, several officers' houses on Quality Row and the Double Boatshed.²⁰⁹ The Protestant Chapel in the compound of the Prisoners' Barracks housed the convicts' library of around 500 books.²¹⁰ The Catholic Chapel was built in the same compound but does not survive. The Commissariat Store (converted into a church in 1874) is fitted out with several features from the two churches including the pulpit, altar rail, pews, table and chairs. The Cemetery is strongly associated with Maconochie's reforms. Several elaborate convict graves reflect his reforms that allowed convicts to commemorate death.²¹¹ There is also a grave reputed to be that of a convict who died as a consequence of an overzealous application of the 'mark system'.²¹² The graves of convicts killed in violent clashes involving knives illustrate Maconochie's reforms that permitted the use of knives at meal times.²¹³

Old Government House is an important symbolic expression of convicts' progression from subjugation to freedom, as well as Governor Macquarie's reformatory regime. It was one of the places where governors granted tickets-of-leave, pardons and other privileges to convicts. Macquarie introduced ground-breaking measures that enabled many convicts to be treated with greater leniency, humanity and liberality. His vision was to create a penal colony that would be a sanctuary for convicts, to raise them from their subjugation, reward good behaviour

and rehabilitate them, so they could be integrated into civil society with the same rights as free men.²¹⁴ His emancipationist policy was based on the redemption and social regeneration of the convict population. Macquarie told convicts of his faith in regeneration and that past errors would be absolved.²¹⁵ During his governorship, convicts were eligible for remissions after serving specified periods and a large proportion of convicts in the colony were granted pardons and tickets-of-leave.²¹⁶ Macquarie periodically dispensed with flogging or set limits on the number of lashes for magistrates imposing sentences.²¹⁷ He appointed a number of convicts and ex-convicts to prominent positions of trust and authority, granted land to ex-convicts and recommended that ex-convicts be eligible to serve as jurors.²¹⁸ The idea spread that the penal colony 'belonged' to convicts and their descendants.²¹⁹ The orderly functioning and flourishing of the colony during a period of rapid growth in the convict population is evidence of the success of the Macquarie era. Macquarie's reforms were far ahead of his time in the world in terms of the treatment of both convicts and criminal offenders more generally.²²⁰ His radical measures generated widespread opposition in Britain and the colony, particularly about privileges conferred on convicts and their impact on the goal of deterring crime.²²¹

Macquarie spent considerable periods at Old Government House where he conducted colonial business which affected the lives of convicts and ex-convicts. Major works still evident today were undertaken to allow Macquarie to use the house as a base to travel around the expanding penal settlement at Parramatta. While residing at Old Government House, Macquarie considered convict applications for tickets-of-leave, pardons and grants of land and livestock. He also invited ex-convicts to functions at the house to demonstrate his commitment to his emancipation policies and provide a role model for free colonists. Old Government House has been restored to represent the Macquarie period and contains original colonial furniture from the convict era. See Parts 2.A and 2.B.

Hyde Park Barracks also provides physical evidence of Macquarie's reformatory regime. Macquarie appointed convict architect Francis Greenway to design and oversee construction of the first male convict barracks in the heart of the NSW colony. Greenway was granted a pardon at the opening of Hyde Park Barracks and became a symbol of the 'Age of Macquarie' for his striking convict-built monuments across the colony.²²² Hyde Park Barracks reflected Macquarie's commitment to the Enlightenment ideal of deploying convicts for civic architecture for the betterment of convicts and the new society. Convicts were assigned to government work parties during the day and returned to the barracks in the evening. They built many prominent buildings in Sydney such as St James' Anglican Church and the General Hospital. Self-sufficiency was encouraged at the barracks and many convicts worked in the bakeries, kitchens or garden plots. Overseers of the work parties were usually convicts appointed because of their good record (see Part 2.A).



1830s painting of Governor Macquarie greeting guests at the front of Old Government House.

Reproduced courtesy of: National Library of Australia, Government House at Parramatta, pic-vn3510483.



c.1871 photograph showing convict-built Hyde Park Barracks (right). Convicts also built the former general hospital (left) and St James' Church where the photograph was taken from.

Reproduced courtesy of: Mitchell Library, State Library of New South Wales.



Francis Greenway, convict architect who designed Hyde Park Barracks and other notable public works. See page 40.

Reproduced courtesy of: Government Printing Office collection, State Library of New South Wales.

Darlington chronicles the key features of the probation system including the classification scheme and the important role of education, religion, training and work. Convicts progressed through three classes according to their behaviour: well-behaved convicts moved up the classes receiving privileges and better treatment; unruly convicts were demoted to lower classes or placed in solitary confinement. A regime of moral redemption through education and religious instruction was a critical aspect

of the station. Most convicts attended school for two hours every weekday and all convicts went to prayers twice a day as well as two divine services on Sundays.²²³ Convicts undertook work to develop good work habits and learn skills or consolidate existing skills. Structures and ruins that illustrate these features are: Convict Barracks (for convicts in the second class), Separate Apartments (for convicts in the third class), School Room (also used as a Roman Catholic Chapel), Protestant Chapel, Clergyman's Quarters and Religious Instructor's Quarters, Bakehouse/Clothing Store, Convict Barn, Oast House and Hop Kiln, Miller's Cottage, Convict Workshops, Brickfields, Visiting Magistrate's Quarters and Solitary Cells. The unchanged landscape reflects the important relationship of each of the buildings to one another under the probation system (see Part 2).

Fremantle Prison and Brickendon–Woolmers are compelling expressions of the pivotal role of religious instruction and regeneration through labour. Chapels and churches were built in prominent locations at the sites. Fremantle Prison had a separate chapel and church for Roman Catholic and Anglican convicts and two Chaplain's Residences. Physical evidence of the provision of training and work is evident at the Bakehouse, Cookhouse and Laundry and East Workshop at Fremantle Prison. Brickendon–Woolmers has extensive evidence of the reform of convicts through the assignment system and religious instruction (see Part 2).

*For all its flaws (and one cannot imagine a prison system without defects) the assignment system in Australia was by far the most successful form of penal rehabilitation that had ever been tried in English, American or European history.*²²⁴

Cascades and Port Arthur, which illustrate special regimes for female convicts and convict boys, are outlined below under criterion (vi).



Miller's Cottage and mill ruins at Darlington where convicts laboured under the probation system.

Criterion (vi)

Associated with events or living traditions, with ideas or with beliefs, with artistic literary works of outstanding universal significance

The *Australian Convict Sites* are closely associated with penal philosophies and practices of outstanding universal significance. The forced migration of criminals to distant colonies formed part of a global debate about the punishment and reformation of criminals during and after the Age of Enlightenment. There was a close interrelationship between the phenomenon of convictism and penal reform movements in Europe advocating the establishment of national penitentiary systems based on rational Enlightenment principles. Australia was an important 'player' in this broader movement. Convict settlements and systems had a significant impact on ideas about the punishment and reform of criminals during this period. They blended ideas of penology, religion, social planning and freedom to produce influential developments in penal practice. These developments included: establishment of an 'open air panopticon'; the use of criminals to create a new society in a continent that went on to become a new nation; the shift away from physical punishment to new psychological regimes to discipline, punish and reform criminals; and the segregation of and development of purpose-built institutions for female convicts and juvenile convicts. These developments were some of the first of their kind in the world and the nominated sites are representative of these global developments. The *Australian Convict Sites* are important 'monuments' to the history of ideas about the punishment of crime and the reformation of prisoners (including political dissidents) in Europe and America during the modern era.



The Age of Enlightenment influenced the shift from the punishment of the body to more humane regimes to punish and reform the mind of the criminal in the name of 'progress'.

Reproduced courtesy of: Hales Gallery London. Artist Adam Dant.

*The mood and temper of the public with regard to the treatment of crime and criminals is one of the most unfailing tests of the civilisation of any country.*²²⁵

Winston Churchill 1910

Transportation as a dominant model for the punishment of crime in the modern era

The large-scale introduction of transportation by the major powers in Europe from the 18th century, typified by the *Australian Convict Sites*, was a significant development in the punishment of criminal offenders. Prior to this, incarceration in a prison or execution were the dominant forms of punishment for men, women and children convicted of 'serious' crimes in Europe.²²⁶ Execution was designed to inflict extreme punishment to deter crime, to deliver final judgement by God and to shame the criminal and their family. Particularly harsh methods were sometimes employed to maximise suffering and deterrence. In Britain judges could order felons to be dissected and hung in chains, while in France dissection, burning and hanging were sometimes combined.²²⁷ In addition, prisoners sentenced to incarceration in a prison faced brutal violence and severe conditions that often led to their death.²²⁸ Minimal attention was given to reforming prisoners. Despite the human misery of transportation, it offered many convicts a chance to start new lives. Transportation had an influence on the significant reduction of the incidence of executions across the European world.²²⁹



Public hangings were the main way of punishing serious crime in the 18th century, often a public spectacle as an example to others.

Reproduced courtesy of: Museum of London.

'Australia is the penal colony that we can cite as a model, by reason of its choice of locale, the efforts which prepared its colonization and the success that crowns it each day.'

French official, 1845²³⁰

The success of the Australian experiment in developing a new society through the efforts of criminals formed an important part of penology debates. It had an impact on transportation becoming one of the dominant models for punishing crime in Europe from the late 18th to mid 19th century. The *Australian Convict Sites* are representative of this significant global development. Australia was seen as the most ambitious example of convict transportation in world history.²³¹ During this period, parliamentary debates and philosophical, political and historical works studied the Australian convict model.²³² Debates were particularly

extensive in Britain and France but they also took place in Russia. These focused on the effectiveness of transportation in deterring crime and rehabilitating criminals and whether governments should attempt to replicate the success of Australia. The French government came under pressure from different quarters to introduce either penal transportation or a national penitentiary system along the lines of America.²³³ France sent a study mission to Australia and penal reformers, philosophers and politicians examined the Sydney Cove model.²³⁴ The model was debated and compared with the emerging new national penitentiary systems in America and Europe.²³⁵ Many argued that the Australian experience proved it was possible for France to solve the problems of deterrence and reformation and create a flourishing new colony.²³⁶ Writings by de Tocqueville figured prominently in these debates, arguing against transportation and the Australian model.²³⁷ Russian writers also drew on the economic success of Sydney Cove in advocating the transportation of criminals to a new penal colony at Sakhalin Island.²³⁸

Australia had an important impact on penal developments in France and Russia.²³⁹ France, one of the major European powers at the time, decided to copy the Australian blueprint by establishing her first penal colonies in French Guiana (1852) and New Caledonia (1853).²⁴⁰ Russia also drew on the Australian model when establishing its first penal colony at Sakhalin Island using transported convicts (1857) (see Part 3.C). The spread of transportation and penal colonies would have been greater if Britain had not exerted pressure on other state powers (such as Germany and Austria) not to pursue Britain's path.²⁴¹ The alternative of a domestic penitentiary system was adopted by only a few state powers and did not become a widespread global development until after the abolition of British transportation to Australia (see 'Abolition of transportation and rise of national penitentiaries' below).



1930s painting showing convicts labouring on Île Royale, French Guiana, by convict artist Francis Lagrange.

Reproduced courtesy of: Yvan Marcou.



By the early 1820s convict labour had formed the backbone of an established and prosperous community in NSW.

Reproduced courtesy of: Mitchell Library, State Library of New South Wales.

Old Government House, Hyde Park Barracks and Old Great North Road are strongly associated with the transportation of convicts to the first Australian penal settlement at Sydney Cove. Old Government House was an important command centre for the penal colony of NSW where governors made important decisions on the operation of the penal colony. Also, around 100 convicts were housed in huts at Old Government House and undertook agricultural work critical to the survival of the colony during its struggling early years. Hyde Park Barracks was the first convict barracks in Australia and represents the early control and management of convicts. It was strategically located in the heart of the penal settlement to secure convicts at night to improve law and order, and to better utilise convict labour on public works. Old Great North Road illustrates the use of convict labour to expand into new frontiers and the success of the colony. The sites are outlined under Part 2 and criterion (iv) above.

“What am I to do on that little rock at the end of the world? ... No, I will not go to St Helena. Botany Bay is better than St Helena. ... I prefer death to St Helena.”

Admiral Keith describing Napoleon receiving the news he was to be exiled to St Helena, off Africa, 1815.²⁴²

Influence of the Enlightenment on the punishment of crime

The Age of Enlightenment had an important impact on the development of reformatory schemes in several British and French penal colonies including Australia, New Caledonia, French Guiana, the Straits Settlements and the Andaman Islands. A wide range of schemes were introduced to classify, segregate and rehabilitate convicts and integrate them into the colonies or their home state (see Part 3.C).²⁴³ Many of the practices reflected the application of Enlightenment ideals to treat criminals more humanely and secure their reformation. The nominated sites are an exceptional representation of this development in Europe.

The first penal colony in Australia was a landmark in European history as an experiment in Enlightenment principles and is exemplified by the *Australian Convict Sites*.²⁴⁴ Contemporary debates about the punishment of crime in Britain and other parts of Europe coincided and intersected with ideas from the Enlightenment. Debates by penal reformers, parliaments and the public focused on replacing corporal punishment for crimes with new constraints on liberty. The form this should take ‘became one of the great social issues of the Western world’.²⁴⁵ Following the great revolutions in France and America, penal reformers saw Australia as potentially another great agent of the Enlightenment in an English guise.²⁴⁶ Australia provided

“From the lowest division in a penal establishment with several distinct classes ... the convicts are constantly engaged in a movement upward or downward, according to their good or bad conduct. ... [A]lthough the greater proportion of the population consists of the dregs of human society in England, nevertheless a degree of order and industry prevails everywhere which surprises the visitor.”

Austrian aristocrat, Baron Charles von Hugel commenting during his visit to Port Arthur penal station in 1833.²⁵⁵

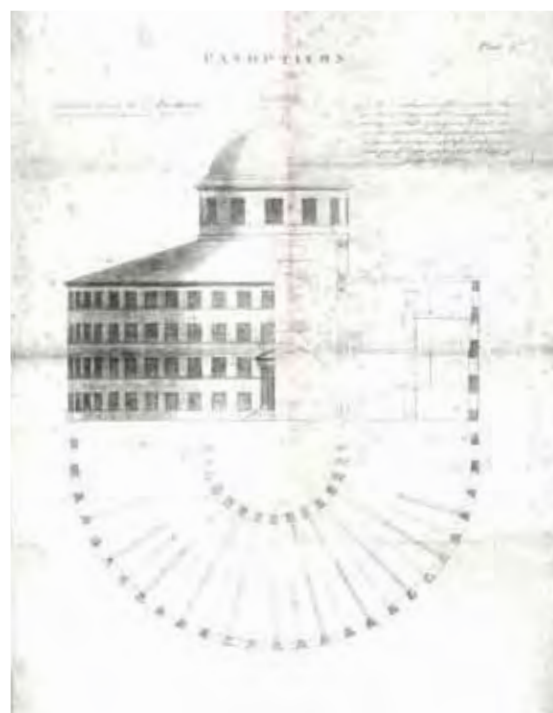
an exceptional environment in which to experiment with penal practices and use criminals to carve out a new society drawing on Enlightenment ideas. It was seen as a vast ‘virgin’ continent not yet developed by Europeans with only a small Aboriginal population and no existing European institutions or traditions.²⁴⁷ ‘Botany Bay’ was like a penal laboratory that could realise the Enlightenment’s great promise of the improvement of human nature.²⁴⁸ ‘Habitual criminals’ transported to a new situation and exposed to the right influences could be turned into good and useful citizens. Penal reformers argued that using criminals to improve the land and do other constructive work would bring about the moral, intellectual and material progress of criminals.²⁴⁹ The Australian born offspring of the first generation of convicts, in good health and with a regular mode of working life, were seen as the first evidence of the Enlightenment’s possibilities. This transformation was posited against the ‘habitual criminality’ of a segment of the British population, particularly children and juveniles and in the city of London.

Penal reformers in Britain and Australia advocated Enlightenment ideas and were relatively successful in influencing reformatory schemes in the colonies. The *Australian Convict Sites* represent this drive to achieve a more rational and humane treatment of convicts. The sites demonstrate special regimes to discipline and reform convict boys and female convicts, the probation system, Maconochie’s ‘mark system’ (Norfolk Island) and exceptional episodes of reform (eg the governorship of Macquarie in NSW and Arthur in VDL). Enlightenment principles blended with and were broadly compatible with penal objectives and religious ideals.²⁵⁰ Common goals for disciplining and reforming convicts and creating a new society included moral education, sobriety, industry and prosperity.²⁵¹

The *Australian Convict Sites* reflect elements of a new era in the punishment of crime identified by French philosopher Michel Foucault.²⁵² From the 18th century, new ‘disciplinary technologies of power’ emerged which saw a shift away from the physical punishment of the criminal. Offenders were increasingly controlled through new regimes of science, ‘rational’ institutions and record systems. Penal transportation to colonies was one manifestation of this new phenomenon. Australia, with its diverse and complex systems, is an exceptional example of this development and is exemplified by the nominated sites.²⁵³ Penal colonies in Australia evolved into highly developed machinery comprising multifunctional systems

and places where the scientific and psychological control of the criminal became the major focus. Penal stations, female factories, probation stations and barracks for male convicts typically included an administrative centre with record systems, dormitories or apartments to house convicts, places of work for convicts, a school room, a church/chapel (or room for moral instruction) and prison or solitary cells for refractory convicts. Foucault identified France’s *Colonie Agricole de Mettray* as marking the start of this new era but there were earlier examples in the penal colonies in Australia such as Parramatta Female Factory and Point Puer.²⁵⁴

The shift from corporal punishment to the psychological punishment and moral regeneration of the prisoner was an important development in the punishment of crime during the 19th century. Penal colonies around the world formed part of this global development which is illustrated by the *Australian Convict Sites*. In the Australian context, key characteristics of this development are new modes of surveillance and control of convicts using record systems and penal practices (such as Arthur’s ‘open air panopticon’), the female factory system, segregated regimes for convict boys and the ‘separate system’ (see Part 2.B and below).



1787 design for Bentham's Panopticon.

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Governor Lachlan Macquarie's vision was to create a penal colony as a sanctuary for convicts, to raise them from subjugation and integrate them into free society.

Reproduced courtesy of: Mitchell Library, State Library of New South Wales.



Alexander Maconochie's ideas for the more enlightened treatment of convicts greatly reduced cruel punishments and degrading conditions and restored their sense of dignity.

Reproduced courtesy of: Michael Maconochie, from John Clay *The Maconochie Experiment* London 2001.



Lieutenant-Governor Arthur's system was designed to bring convicts back into free society through industrious work and moral regeneration.

Reproduced courtesy of: Dixon Library, State Library of New South Wales.

'[Religious instruction] will always close with prayer, and, occasionally with a judicious exhortation – when once the convicts have minds to be worked upon, a deep sense of the weight of punishment will follow, and I hope also a feeling of shame will be engendered, which will be of the utmost importance in leading to reformation.'

Lieutenant-Governor Arthur, 1834.²⁵⁶

Lieutenant-Governor Arthur's 'open air panopticon'

The establishment of 'open air' prisons in a number of distant penal colonies was an important development in the punishment of crime in the modern era.²⁵⁷ The *Australian Convict Sites* are an exceptional manifestation of this development. Enlightenment ideals and religious beliefs underpinned the establishment of penal colonies in Australia that operated as a 'kind of open air panopticon'.²⁵⁸ The sites are directly associated with these ideas. Arthur outlined his principles on the rational management of prisoners in several pamphlets to challenge advocates of national penitentiary systems such as British penal reformer Jeremy Bentham and his 'panopticon' model.²⁵⁹ Arthur blended Enlightened penology with the operation of the transportation system. He believed a penal colony provided the best environment for implementing a classification system to discipline and reform criminals in a way that could not be achieved behind the walls of Bentham's model penitentiary. The best way to bring about long lasting rehabilitation was to create a system based on order and discipline, combined with moral and religious instruction. Arthur's system was designed to foster industrious work and moral regeneration within the penal colony, and bring convicts back into the realm of free civil society.²⁶⁰ Ex-convicts would continue to work productively as agricultural labourers in the colony, unlike ex-prisoners from British penitentiaries.

Arthur established a Benthamite-like surveillance system over the whole VDL colony transforming it into 'a kind of open air panopticon'.²⁶¹ Pervasive social control was created across the colony by administrative rather than physical means. The colony was divided into nine police districts which became the governor's eyes and ears to ensure the treatment of convicts was calibrated according to their progress along the path to rehabilitation.²⁶² A vast network of 'spies' gathered information for colonial authorities about convicts' behaviour. Magistrates' reports maintained an exacting surveillance over the relations of private 'masters' and their assigned convicts.²⁶³ Arthur governed the convict population as rational individuals and gave them palpable choices to make them think and reflect on their crimes and behaviour.²⁶⁴ This was a shift away from forms of punishment based on the chastisement of the body towards scientific penal practice and psychological punishments. Arthur's classification system aimed to reach the minds of convicts in more subtle and complex ways. A greater range of punishments was introduced for infringements of rules, and flogging was limited. Convicts were expected to reflect on their behaviour during punishments such as the treadmill which provided 'solitary confinement through hard labour' and road gangs where convicts were not permitted to talk.²⁶⁵ Moral improvement was encouraged through religious instruction and granting tickets-of-leave for good conduct. In 1833, Arthur claimed that VDL had become 'one large penitentiary'.²⁶⁶



Arthur's 'open air' panopticon involved a line of guard dogs at the only entrance to Port Arthur (foreground) and a network of semaphore signal stations (back, right), 1840s.

Reproduced courtesy of: Allport Library and Museum of Fine Arts, State Library of Tasmania.

Port Arthur and Brickendon–Woolmers are tangibly associated with Arthur's penal ideas and practices. Port Arthur penal station, named after Governor Arthur, was intended to be a model penitentiary that would punish and reform convicts. Structures such as the Church, Point Puer and the Commandant's House used by Commandant Booth (1833–44) strongly reflect Arthur's ideals. Arthur laid the foundation stone of the Church in 1836. Convict boys from Point Puer worked on the Church as part of their training in stonemasonry. Convicts were kept under constant surveillance through a network of semaphore signal stations which surrounded the penal station and guard dogs at Eaglehawk Neck. Other important features of Port Arthur and Point Puer are outlined under Part 2 and criterion (iv). Brickendon–Woolmers also demonstrates Arthur's ideals for the scientific control and religious reformation of convicts. During Arthur's governorship, private masters were expected to be exemplary role models for their assigned convicts. Arthur personally selected free settlers most likely to foster rehabilitation of their convicts and examined each convict's record before granting tickets-of-leave.²⁶⁷ See criterion (iv) and Part 2 for details on the convict features of the sites.

Alexander Maconochie and the 'mark system'

Alexander Maconochie's ideas for the more enlightened treatment of prisoners are exemplified in the *Australian Convict Sites*.²⁶⁸ Maconochie was a former prisoner of war and fervent penal reformer strongly influenced by Enlightenment theories.²⁶⁹ He wrote several publications

before and after his appointment as Commandant at Norfolk Island.²⁷¹ In 1839, Maconochie developed a visionary scheme for a penal transportation system based mainly on rewards and rehabilitation known as the 'mark system'. A penal colony offered a form of moral re-education for criminals *within society* unlike the insular penitentiary with its reliance on silence and segregation of prisoners.²⁷² Maconochie believed that human behaviour was driven by a desire to maximise pleasure and minimise pain. Criminals would be managed and reformed through persuasion under Maconochie's scheme, by giving them marks to 'make' them good rather than restraining them while bad.²⁷³ The fate of every prisoner was to be placed in their own hands and under the moral guidance of administrators in charge of them.²⁷⁴ Ideally, corporal punishment and physical coercion would become unnecessary.²⁷⁵ Maconochie argued that cruelty debased both victims and the society, and that punishment should not be vindictive but designed to reform the prisoner.²⁷⁶ The 'mark system' shifted the focus of penology away from punishment and was far removed from the prevailing ideas and practices of the time. Maconochie's ideas challenged other penal theorists, such as Bentham, who advocated a system of punishment in domestic penitentiaries.²⁷⁷

Maconochie's ideals, exemplified in the *Australian Convict Sites*, were influential within the global debates and practices of penology. The radical nature of Maconochie's system at Norfolk Island (1840–44) generated intense opposition in Britain and Australia leading to his dismissal after only

*'Nobody in Britain or America, let alone penal Australia, had tried such therapies on convicts before. [Maconochie's] idea of prison as a moral hospital would not win full acceptance until well into the 20th century. The details of Maconochie's system – that prisoners should have direct access to the commandant, through an ombudsman, for instance, or that officials should take a personal interest in individual convicts – were a century ahead of their time.'*²⁷⁰

four years.²⁷⁸ A British Deputy Commissioner protested that Norfolk Island ‘bore no more resemblance to a penal settlement than a playhouse to a church.’²⁷⁹ Many contemporary observers concurred with Maconochie’s claim that ‘I found the island a turbulent, brutal hell, and left it a peaceful, well-ordered community.’²⁸⁰ Maconochie’s scheme also had a wider influence and became part of the global discourse on the punishment of crime in the modern era, as well as penal practices in several countries.²⁸¹ Most elements of the ‘mark system’ were implemented in Fremantle Prison (1850s) and in England (1849–51).²⁸² In addition, the American Prison Association’s *Declaration of Principles* (1870) reflected Maconochie’s radical ideas on reformation and how to achieve it. The introduction of the indeterminate sentence in Britain in the 1850s also owed much to the legacy of Maconochie’s system.²⁸³ KAVHA and Fremantle Prison are a testimony to Maconochie’s influence and are described in detail under criterion (iv) and Part 2.A.

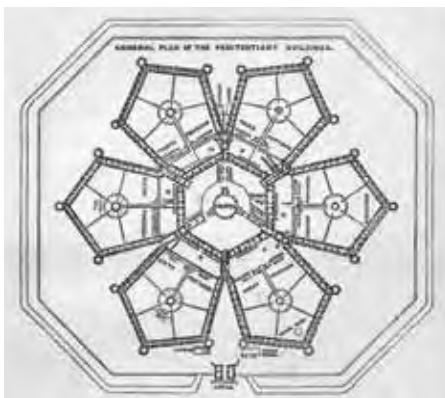
Development of segregated institutions for female prisoners

The establishment of segregated prisons in Europe and America, influenced by Enlightenment ideas, was an important development in the punishment of crime in the 19th century.²⁸⁴ Several penal colonies separated male and female convicts but only Australia and the Andaman Islands established purpose-built penal institutions for female convicts. The *Australian Convict Sites* is a significant example of this development. Female convicts were vital to the success of the penal colonies in Australia as a civilising force (see criterion iv). Special penal practices for managing convict women figured centrally in penology debates, government inquiries and reports in Britain and the colonies over many decades.²⁸⁵ Enlightenment advocates argued that no state power could inflict brutality on female convicts and still be considered to be ‘enlightened’.²⁸⁶ A system of female factories created an all-encompassing regime of ‘disciplinary punishment’ which resembled new forms of punishment outlined by Foucault (see ‘Lieutenant-Governor Arthur’s open-air panopticon’ above).²⁸⁷

The factories were multifunctional institutions serving as self-contained communities: housing for convict women and girls awaiting placement as domestic servants or marriage partners; a prison for refractory convicts; a workplace; a place of training and reform; a lying-in hospital; and a nursery for infants of convict women. Special measures were put in place to inculcate feminine norms of behaviour while certain punishments were abolished as they undermined this.²⁸⁸ The factories established a more extensive mode of control over women convicts compared with male convicts.²⁸⁹ The behaviour and morals of female convicts were subjected to intense surveillance to transform them into productive domestic workers and ‘good’ mothers in the colony. Female convicts in the factories were the first in Australia to experience the classification system, indeterminate sentences and cellular isolation.²⁹⁰ The early introduction of these systems reflects the importance Britain and colonial administrators attached to managing female convicts in special ways.

Australia was one of the first places in the world to establish purpose-built institutions for the punishment and reform of female prisoners. Cascades is representative of Australia’s system of female factories. Parramatta Female Factory was the first institution established specifically for female prisoners in Australia (1818) and one of the first in the world. Cascades Female Factory was built in 1828. Several countries set up institutions to discipline and punish women and girls prior to this date but most of these were ‘reformatories’ for destitute and unruly females who were not convicted of crimes (see Part 3.C). Australia’s system of female factories predated prisons for female offenders including Mount Pleasant Female Prison in America (1835), Brixton, Fulham and Millbank in Britain (mid 1850s) and a female factory in the Andaman Islands (c.1900s). Parramatta Female Factory only partially survives and would not currently meet the integrity thresholds.²⁹¹

Cascades illustrates Australia’s unique system of female factories during the convict era. There were nine female factories around the penal colonies of NSW and VDL. Cascades comprises three of the original five compounds



1812–21 plan of Millbank Penitentiary, London.

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c.1828 Chapel in Yard 1, Cascades Female Factory where behaviour was the key to progression to freedom.

Reproduced courtesy of: Archives Office of Tasmania, NS1013-45.



Prisoners under the 'separate system' at Pentonville Prison (right) and Port Arthur (left) were subject to a rigid regime of discipline and total silence. Caps and face masks ensured anonymity to prevent communication during their daily exercise.

Reproduced courtesy of: (left) National Library of Australia, F Mackie, The chain gang mustered after a days work (cropped), pic-an4767719 (right) © General Research Division, New York Public Library.



Child's leather shoes made by a convict at Point Puer, Port Arthur.

Reproduced courtesy of: Queen Victoria Museum and Art Gallery, Launceston, Tasmania.

of the original Cascades Female Factory surrounded by stone perimeter walls. It includes a Matron's Cottage, foundations of separate apartments and other archaeological materials. Yard 1 was first used to incarcerate the three classes of female convicts for whom behaviour was the key to progression. In Yard 3, female convicts were kept apart in separate apartments and were allowed to exercise outside their door under supervision and in silence.²⁹² Yard 4 housed convict women and their infants. The Matron's Cottage overlooked the nursery yard allowing surveillance of women and their infants. The site is outlined at Part 2.

Development of separate prisons for juvenile prisoners

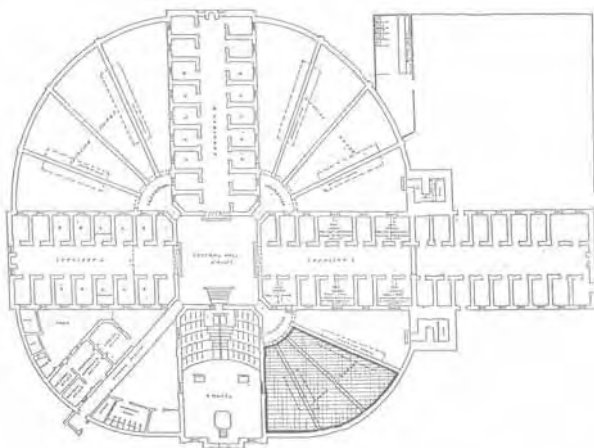
The segregation of juvenile criminals in special purpose-built institutions was a significant development in the 19th century.²⁹³ The *Australian Convict Sites* are an important example of this development. Australia was one of the first places in the world to establish separate prisons for young male criminals and became a model for other countries. Young male convicts were first segregated from the adult convict population at Hyde Park Barracks and were housed

at Carter's Barracks from the late 1820s. There are no remains of Carter's Barracks today. Arthur established Point Puer in 1834 to detach 'convict boys' from the corrupting influence of hardened adult convicts and rehabilitate them into constructive colonial citizens.²⁹⁴ The first exclusively juvenile prison in the world was La Petite Roquette in France (Paris, 1830). Point Puer was the first juvenile prison in the British empire, followed by Parkhurst Prison in Britain (1838). Another major juvenile institution was the Colonie Agricole de Mettray in France (Tour, 1840).²⁹⁵ British administrators were influenced by the example of Point Puer when they established Parkhurst Prison (see Part 3.C).²⁹⁶

Arthur's ideals were well ahead of his time in the world. Point Puer was a purpose-built prison for 'convict boys' that aimed to change their 'immoral' habits and create productive workers through a system of segregation, classification, elementary education, trade training, religious instruction and labour.²⁹⁷ Strict regimes of work, discipline and punishment were designed to bring about regeneration. Boys undertook various forms of work such as brick making, boat building and cutting stone and timber, and some worked in convict gangs. The daily routine typically involved commencing and ending each day with a prayer meeting, morning and evening lessons in literacy, numeracy and trade training, and clearing land, growing vegetables or working as tailors and boot makers for most of the day.²⁹⁸ Beatings or solitary confinement were used to punish boys who infringed the rules. Today, Point Puer is an archaeological site with important physical evidence of the juvenile prison. The site is detailed as part of Port Arthur in Part 2.

The 'separate system'

Following the Enlightenment Age, the growth of scientific penology influenced the establishment of the 'separate system' in Europe and America. This was a significant global development in the punishment and reform of criminals in the modern era. Convictism formed a part of



c.1870 plan for the Separate Prison at Port Arthur. Each convict was confined to their own cell where they worked during the day and slept at night.

Reproduced courtesy of: Conservation study of the model prison at Port Arthur for National Parks and Wildlife Service, Peter Cripps for Conservation Services Hobart.

this experimentation and trialling of new ideas. Elements of the 'separate system' were established in some penal colonies such as the Andaman Islands, French Guiana and New Caledonia. Several penal stations and prisons in Australia introduced the 'separate system' and the *Australian Convict sites* are a manifestation of this global development.

The 'separate system' was heralded as a way to reshape the character of convicts in the absence of distracting influences. The first prisons based on the 'separate system' include the Eastern State Penitentiary (America, 1829), La Petite Roquette (France, 1830), Pentonville Prison (Britain, 1842) and Port Arthur (1847).²⁹⁹ Prisoners were segregated from one another so they could not learn new criminal ways and 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 on it. In the Australian context, an 1847 pamphlet argued that solitary confinement through the 'separate system' at Port Arthur and KAVHA was 'a great improvement upon the barbarous and ill-regulated prison system which is founded upon no principle, and has no enlightened objective.'³⁰⁰

The Separate Prison at Port Arthur, the New Gaol at KAVHA and Fremantle Prison provide physical evidence of the 'separate system'. Port Arthur's Separate Prison established a rigid regime of discipline and silence. Orders were given by the sound of a bell or a hard clap. Convicts were let out of their cells for certain duties during the day but were still subjected to total silence. Silence was enforced during their daily exercise in a separate yard where their faces were covered by a mask with eyeholes. Convicts were also marched to church services in silence and convicts were segregated in separate pews while listening to the service. The features of the separate system at Port Arthur, KAVHA and Fremantle Prison are outlined under criterion (iv) and Part 2.



The 'human centipede', Port Arthur, 1836. The inhumane treatment of convicts in the penal colonies was one of the driving forces for penal reformers arguing for the abolition of transportation.

Reproduced courtesy of: National Library of Australia, PIC/7816/37 Album 226.

Abolition of transportation and rise of national penitentiaries

The rise of national penitentiary systems in Europe was influenced by the cessation of transportation to Australia. The *Australian Convict Sites* are associated with these global debates and developments. The *perception* that the first colony in NSW had failed was an important contributory factor that led eventually to the cessation of transportation by the British government.³⁰¹ Throughout the 18th and 19th centuries, governments in Europe debated whether the transportation system was an economically viable or effective way to punish criminal offenders and deter crime. The alleged ineffectiveness of British transportation to Australia and the moral depravity of the penal colonies were recurrent topics of public and philosophical debate in Europe and the colonies.³⁰² Penal reformers advocated the introduction of a national penitentiary system with rational forms of penal management in Britain to replace the 'deficient' transportation system. The British government came under increasing domestic pressure to limit the financial cost of transportation and to ensure the more humane treatment of British prisoners consistent with Enlightenment ideals.³⁰³ It was argued that transportation and important features of Australia's convict system were fundamentally at odds with the British empire in the post Enlightenment age, particularly following the abolition of slavery (1834). Critics denounced the assignment system as a new form of slavery and cited the 'failure' of the penal colonies to build reputable societies, evidenced by the alleged widespread incidence of crime, homosexuality, drunkenness and sexual depravity. After eight decades of transportation, the British government decided that it was no longer a viable system for the British empire and replaced it with a national system of state operated prisons throughout Britain. This had an important impact on the punishment of crime across the global landscape. After this time, the only transportation



to continue within the British empire was the small-scale shipment of convicts from India to the Andaman Islands (1858–1910; 1932–38). There were few other new or significant episodes of transportation established by other major European powers except for France which continued to transport convicts to French Guiana (1852–1938) and New Caledonia (1864–97).

Cockatoo Island, the Coal Mines and Fremantle Prison are a symbolic expression of important stages in the abolition of the British transportation system to Australia. Cockatoo Island provides physical evidence of the last years of the penal colony of NSW and the abolition of British transportation to its largest and most significant colony in Australia (1840). The Coal Mines is representative of the perceived failure of the transportation system with the alleged moral depravity in the Australian penal colonies. The Coal Mines was cited as a place with a high incidence of homosexuality like many other penal stations around the colonies. This was an issue of grave concern for the government and the public in Britain. Fremantle Prison represents the final expression of the cessation of the British transportation system to Australia and the end of the forced migration of British prisoners to any new penal colonies in the world. Cockatoo Island and Fremantle Prison also mark the final stages of the transportation system and transitional arrangements for its continuation for several decades. From the late 1840s, many convicts spent time in British prisons before being transported to the colonies as 'exiles'. Cockatoo Island, the Coal Mines and Fremantle Prison are outlined in Part 2.

Celebrations for the abolition of transportation to VDL, 1853.

Reproduced courtesy of: Allport Library and Museum of Fine Arts, State Library of Tasmania.

Above right: Medal to commemorate the cessation of transportation of convicts to VDL in 1853.

Reproduced courtesy of: Graeme Broxam.



Cockatoo Island provides physical evidence of the last years of the penal colony of NSW and the abolition of transportation to NSW in 1840.

Reproduced courtesy of: Sydney Harbour Federation Trust. © Photographer Uri Auerbach.

3B: STATEMENT OF SIGNIFICANCE



The *Australian Convict Sites* are of outstanding universal significance as the prime example of the forced migration of convicts and for their association with ideas and beliefs about the punishment of crime during the modern era. The series of sites are the only surviving examples in the world today that reflect these outstanding universal values and are fully protected under a comprehensive management system.

A number of sites represent the first of their kind, or one of the first, in the world. The 11 sites comprise a diverse array of architectural ensembles with more than 200 convict structures, ruins and archaeological remains. There are structures for housing, confining and managing convicts (penal stations, female factories, a juvenile prison, underground and solitary cells, barracks, stockades, hospitals and churches), convict-built infrastructure (roads, dockyards, a colliery, crank mills, kilns and brickworks), agricultural properties, government houses and penal administrative buildings.

The *Australian Convict Sites* are of outstanding universal value as a broad representation of the transportation of convicts to penal colonies around the globe. Convictism is one of the main forms of forced migration, along with slavery and indentured labour. As noted in Part 3.A, the forced migration of convicts bears important similarities to and differences from these other forms. Penal transportation is an important stage of human history that ushered in a new era in the punishment of crime in the world from the early modern to modern period. From the 17th through to the 20th centuries, the forced migration of convicts affected the development of many nations and the lives of several million convicts and their descendants. The nominated sites are a manifestation of individual suffering and subjugation of one part of humanity by another. They also evoke the universal impulse of nation states and penal reformers following the

Age of Enlightenment to bring about the transformation of the criminal elements of society. The *Australian Convict Sites* are a compelling expression of these outstanding universal values. The world's major European powers transformed the criminals of their societies into instruments of colonisation and empire building. Convictism was an important global development that contributed to the rise and consolidation of the world economy and spread of multi-ethnic societies during the modern era. The flow of people and labour played a significant part in the world economy particularly during the 19th century. This movement of peoples contributed significantly to the growth and decline of world powers, particularly the British empire. These developments are fully represented by the nominated sites.

The *Australian Convict Sites* are unparalleled as the best surviving examples of the forced migration of convicts. They reflect the common elements of convictism during the modern era as well as a number of features that are unique in the world. Typically, convictism involved: the use of convicts to extend the geo-political influence of the home state; the transportation of prisoners to penal colonies to deter crime in the home state; and the reformation of convicts. Each site represents one or more elements of Australia's integrated and diverse convict system which included assignment, gangs, probation, female factories, surveillance regimes, entitlement and reward schemes and penal stations. The series of sites illustrates the typical cycle of convicts in the colonies who experienced many of these systems from the time of their arrival until their emancipation or death (see Part 2.B and Appendix B).

The scale of transportation to Australia was far greater than any other penal colony in the world in terms of numbers sent, duration of the journey and area settled.

The transportation of over one million prisoners and destitute Russians to Siberia during the 18th and 19th centuries is an outstanding example of forced migration. However, it is not representative of the key elements of the forced migration of convicts (see Part 3.C). The 80 year duration of transportation to Australia was the longest in the history of convictism. Australia is the only example of convicts making a major contribution to European settlement and development of a continent that later became a nation. Convicts and ex-convicts were the primary instrument of colonisation across Australia unlike many other penal colonies where convicts complemented free workers, indentured labourers or slaves. Australia's convicts populated the colonies, shaped the social fabric and developed the first buildings, churches, roads, bridges, farms and industrial works across vast spaces. Convicts comprised the vast majority of the first European settlers and the colonies remained dependent on convict and ex-convict labour for more than a generation after the end of transportation.³⁰⁴ The nominated sites demonstrate exceptional regimes to rehabilitate convicts which were a central element of Australia's convict system. Australia's innovative systems were amongst the first of their kind for managing and rehabilitating female, male and juvenile convicts. Many of the nominated sites illustrate unique systems to discipline and reform juvenile convicts and female convicts, as well as the reformatory achievements under Governor Macquarie, Lieutenant-Governor Arthur and Commandant Maconochie.

The *Australian Convict Sites* are of outstanding universal significance for their association with ideas and beliefs about the punishment and reform of criminals in the modern era. The system of penal transportation intersected with philosophical ideas and other global developments in the punishment of crime following the Age of Enlightenment. The drive to establish national penitentiary systems was a major force. The transportation system and these broader penology developments influenced one another and affected the course of the punishment of crime during the 18th and 19th centuries. The nominated sites provide extensive physical evidence of these pioneering ideas and developments. The sites are representative of the spread of penal transportation around the globe. Australia's penal colonies had an important impact on France and Russia. Both nations sought to replicate Australia's success when deciding to establish their first penal colonies in New Caledonia, French Guiana and Sakhalin Island.³⁰⁵ The *Australian Convict Sites* are a symbolic representation of this influence. The spread of transportation had an important influence on the decline of execution as the dominant form of punishment of 'serious crimes' in the modern era.³⁰⁶ Penal transportation subsequently became one of the dominant models of punishment in Europe from the late 18th to mid 19th century.

The nominated sites are a compelling expression of the dominant use of the transportation system to punish and reform criminals during the 19th century. Spanning nearly 100 years, the sites reflect the shift from corporal punishment to the psychological manipulation of the mind. The nominated sites illustrate French philosopher Michel Foucault's notion of disciplinary punishment. Several sites provide important evidence of the classification of prisoners, the 'separate system', the ticket-of-leave system and the indeterminate sentence system. The *Australian Convict Sites* provide physical evidence of significant new ideas and penal practices including segregated prisons for female prisoners and juvenile prisoners and the 'separate system'.

The *Australian Convict Sites* are closely associated with the decline of the transportation system and rise of national penitentiaries. This was a significant development in the punishment of criminals in the modern era. The nominated sites typify the demise of penal transportation as a major tool of criminal justice. Australia was strongly associated with the decline of the transportation system, as Britain was plagued by ongoing allegations of slavery-like practices and moral contagion in her colonies. The theory and practice of the system began to crumble as penal reformers exerted pressure on the British government for supporting a system akin to slavery at the very time that slavery was being abolished across the world. The abolition of transportation to the Australian colonies was an important contributory factor leading to the emergence of a national penitentiary system across Britain. Britain, the largest global power in the world at the time, introduced a national penitentiary system modelled on the new penitentiaries in America. The demise of transportation across the British empire had a significant impact on the geo-political makeup of the globe. The large-scale movement of British criminals to new and existing penal colonies ceased by the late 19th century with some minor exceptions. European powers no longer had a ready-made convict force to fulfil their empire building ambitions, and penal colonies evolved into places of free settlement.

The *Australian Convict Sites* demonstrate the outstanding universal values outlined under criteria (iv) and (vi) and are protected to a high level under a comprehensive management system. They are the pre-eminent convict sites among the more than 3,000 convict sites around Australia. The nominated sites are unique in the world as a representation of convictism and for their association with penal developments in the modern era. No other comparable series of sites survives in the world today that typifies these outstanding universal values and is protected for future generations with comprehensive management systems.

3C: COMPARATIVE ANALYSIS



From left to right: Convict Establishment Dockyard, Bermuda © Bermuda Maritime Museum. Concession Building, New Caledonia © Max Shekleton. Cellular Jail, Andaman Islands © Andaman Softwrights. Île Royale Prison Camp, French Guiana © Yvan Marcou. St George's Church, Penang © Anoma Pieris.

Australia as an outstanding example of global convictism

The *Australian Convict Sites* are unparalleled in the world today as an outstanding example of the forced migration of convicts. The sites' extensive physical remains represent all of the important aspects of convictism, are in good condition and are protected by comprehensive management regimes. The nominated sites stand out globally in terms of the scale and nature of the transportation system and establishment of penal colonies. British transportation to America predated transportation to Australia but was not typical of convictism and there are no known surviving convict sites. Russian transportation to Siberia was an unusual form of forced migration and is not the best representation of convictism (see 'Convict sites in Russia' below).

The *Australian Convict Sites* represent one of the earliest and largest examples of forced migration of convicts during the 18th and 19th centuries. Transportation to Australia was far greater than transportation to other places in terms of numbers sent, duration of journey and area settled. Approximately 166,000 male, female and juvenile convicts were transported to Australia over an 80 year period (1787–1868). This was two to three times the number of convicts transported to any other penal colony in the world. The next largest were French Guiana (around 70,000 to 90,000) and North America (50,000).³⁰⁷ The journey to Australia was also the second longest, initially taking up to eight months over 25,500 kilometres.³⁰⁸ The longest distance was from France to New Caledonia which took around four to six months over 31,300 kilometres.³⁰⁹ The 80 year duration of transportation to Australia was also the longest in the history of convictism. The closest to Australia in terms of longevity was French Guiana where convicts were received over two periods totalling 69 years (1852–67; 1883–1937). Most other penal settlements were small islands and the scale of convictism was also much smaller when compared by numbers, duration and size of undeveloped land mass.³¹⁰ Penal transportation around the world facilitated colonisation and convicts made significant contributions to the physical establishment of the place. Australia is the only example of male and female convicts making a major contribution to European settlement which led to the development of a continent and a nation.

The nominated sites comprise architectural ensembles that uniquely illustrate all of the key elements of convictism. Convict sites in the Andaman Islands and New Caledonia are the only other places in the world that demonstrate all elements. In addition, the *Australian Convict Sites* reflect the unusual demographic composition of the convict population and British authorities' exceptional efforts to discipline and reform convicts. Convict women and juveniles formed a significant minority of the convict population in Australia, unlike most other penal colonies.³¹¹ No other penal colonies undertook reformation to the same degree or level of complexity as Australia. Australia was one of the first places to introduce a classification system, tickets-of-leave and cellular isolation and was the only place to introduce the 'separate system'. Unlike other penal colonies, Australia introduced special systems to manage convict women and juveniles including one of the first purpose-built female factories and one of the first juvenile male prisons. These important developments were linked to broader philosophical debates and practices about the punishment and reformation of crime in the modern era.

The nominated sites can be compared with important convict sites in Singapore, Malaysia, Bermuda, the Andaman Islands (India), New Caledonia, Russia and French Guiana which manifest some of the key features of convictism. Some penal colonies had unique elements such as 'segregated' systems for convicts from different racial and religious backgrounds. However, there are no surviving sites that reflect this. The physical remains of some of the sites are limited, their state of conservation is sometimes poor and minimal protection is in place for several of the sites. Until recent years, the long-standing shame and rejection of the convict origins of a country (known as the 'convict stain') saw the destruction of many convict buildings. The *Australian Convict Sites* can also be compared with World Heritage properties that illustrate the forced migration of slave and indentured labour. In addition, they are also compared with non-convict prisons in Britain, Europe and America.

The rest of Part 3.C provides a comparative analysis for important sites that demonstrate the forced migration of convicts and key developments in penology during the modern era. The analysis is based on extensive studies of convict sites and non-convict sites around the world undertaken by international experts in 2006 and 2007 (see Appendices C and D).

Criterion (iv) Forced migration of convicts

Table 3.3: Sites illustrating the key elements of the forced migration of convicts.

CRITERION (IV) THEMATIC ELEMENTS	GEO-POLITICAL SPHERES OF INFLUENCE	PUNISHMENT AND DETERRENCE	REFORMATION
SITE			
Russia	<ul style="list-style-type: none"> ✓ Trans-Siberian Railway ✓ Kara Valley Gold Mines ✗ Sakhalin Island (no known surviving sites) 	<ul style="list-style-type: none"> ✓ Trans-Siberian Railway ✓ Kara Valley Gold Mines ✗ Sakhalin Island (no known surviving sites) 	
Singapore and Malaysia (known as ‘Straits Settlements’ during convict era)	<ul style="list-style-type: none"> ✓ ‘Istana’ Government House ✓ Government House (Penang) ✓ St Andrew’s Cathedral ✓ St George’s Church 		✗ No surviving sites
Bermuda	<ul style="list-style-type: none"> ✓ Convict Establishment Dockyard 		
Andaman Islands	<ul style="list-style-type: none"> ✓ Administrative Headquarters ✓ Presbyterian Church ✓ South Point Barracks 	<ul style="list-style-type: none"> ✓ Viper Island Jail ✓ Cellular Jail 	<ul style="list-style-type: none"> ✓ Cellular Jail ✓ South Point Barracks ✗ Administrative Headquarters
French Guiana		<ul style="list-style-type: none"> ✓ St Laurent du Maroni Transportation Camp ✓ Île Saint-Joseph Prison ✓ Île Royale Prison Camp ✓ Île du Diable Convict Camp 	✗ No known surviving sites
New Caledonia	<ul style="list-style-type: none"> ✓ Administration Building ✓ St Josephs Cathedral ✓ Commandant’s House ✓ Water Reservoir 	<ul style="list-style-type: none"> ✓ Camp Est ✓ Île Nou Main Prison ✓ Ouro Prison Complex 	<ul style="list-style-type: none"> ✓ Concession Building ✓ Communards Cemetery ✓ Fort Térémba
America	✗ No known surviving sites	✗ No known surviving sites	

The *Australian Convict Sites* can be compared with important sites in Russia, Singapore, Malaysia, Bermuda, the Andaman Islands, French Guiana and New Caledonia. While a large number of convicts were transported to America, there are no known surviving convict sites and it is not a significant representation of the phenomenon of convictism.³¹² Britain handed over responsibility for convicts to ‘shippers’ to transport convicts who on arrival were sold in lots to individual masters. There was virtually no penal machinery for managing, punishing or reforming convicts who worked mainly as field hands on plantations. This system of forced migration did not have the features typical of convictism and was more akin to slavery (see Appendix C).

Use of transportation to expand geo-political spheres of influence

Significant convict sites in Russia, Singapore, Malaysia, Bermuda, the Andaman Islands and New Caledonia are representative of the use of transportation to expand the economic, military and political influence of European powers.

‘Convict’ sites in Russia

The Trans-Siberian Railway (Moscow to Vladivostok, 1891–1916) and Kara Valley Gold Mines (Nerchinsk, 1850s) are significant examples of Russia’s use of penal transportation and other forms of forced labour to expand her empire. More than one million Russian criminals and societal ‘deviants’ were transported to distant locations in Siberia, other parts of Russia and Sakhalin Island between the late 16th century and 1917. They were put to work on mines, agricultural production and construction of infrastructure including roads and railways. Coal production at Sakhalin Island was important for supplying the Siberian flotilla and the Pacific fleet of the Russian Imperial Navy, as well as the port of Vladivostok.³¹³

The Trans-Siberian Railway is an outstanding site partially built by convicts and other exiles between 1891 and 1916. The railway traverses almost 7,500 kilometres between Moscow and Vladivostok in the Russian Far East. It is the longest railway structure in the world. The railway expanded and enhanced communication routes across the vast continent of Russia. It also facilitated agricultural and economic development via access to the Pacific Ocean.



View of the Trans-Siberian Railway, Russia.

Reproduced courtesy of: David White / Alamy.

Convicts formed only a small proportion of the railway builders as most of the construction was undertaken by soldiers and dissidents. Kara Valley Gold Mines were excavated by convict and non-convict exiles during the 1850s. The site was originally a complex of four mines but minimal known remains of the penal station survive today.³¹⁴

These sites demonstrate the contribution of convict labour to Russia's economic and political development. However, the sites are not an outstanding representation of this element of convictism. Convictism typically involved the use of transportation and convict labour to expand the empires and geo-political influence of the major powers to new or existing colonies *outside* their home state. The railway and mine sites are both located within the Russian state and there are no known surviving convict sites that reflect the coal production at Sakhalin Island. Also, the distant colonies in Siberia comprised many exiles who were not convicts and were not representative of most penal colonies that were mainly made up of convicts (see 'Use of transportation to punish criminals and deter crime' below and Appendix C).

Convict sites in Singapore and Malaysia (Straits Settlements) (1790–1860s)

Several convict-built sites in Singapore and Malaysia represent the use of transportation to penal colonies to expand Britain's geo-political influence. These include: Government House (Penang, 1790); Government House, now Istana (Singapore, 1869); St Andrew's Cathedral (Singapore, 1862); and St George's Church (Penang, 1818).³¹⁵ Approximately 20,000 Indian convicts transported to the Straits Settlements played an important role in the colonisation process. A small number of female convicts were also sent to the colonies but played a relatively minor role.³¹⁶ Convicts were used for large projects such as quarrying stone, felling timber, clearing land and hunting tigers, making bricks and construction of government offices, churches, houses, barracks, roads and bridges.³¹⁷

Government House in Penang is a substantial two-storey brick mansion that housed the Governor's Office and Council Chambers. The house survives in highly original condition although there have been extensive additions.³²¹⁸



St Andrew's Cathedral, Singapore.

Reproduced courtesy of: Anoma Pieris.

Government House (Istana), its grounds and auxiliary residences were constructed by convicts for the first governor of Singapore. Originally, the house was a Neo-Palladian style building dominated by a central three-storey 28 metre high tower block with two-storey side wings featuring Ionic, Doric and Corinthian style colonnades. The buildings and grounds were much damaged during the second world war, and the house was renovated substantially and expanded in the 1990s.³¹⁹ St George's Church is a Georgian Palladian style brick structure with large Grecian columns at the entrance. It was damaged during the second world war and considerable changes and restoration work were undertaken in 1864 and 1948 which included replacement of a flat roof with a gabled roof. The site is listed on Malaysia's *National Heritage Register*.³²⁰ St Andrew's Cathedral is a Neo-Gothic style building constructed solely by convicts using high quality convict-made bricks. Subsequent additions include the north and south transepts.³²¹

The sites at Singapore and Malaysia demonstrate the important role of male convicts in empire building and construction of infrastructure. However, the sites are not an outstanding example of the geo-political influence of transportation. The scale of infrastructure development was substantially smaller in the colony compared with Australia and female convicts played a minimal role in the colonisation process (see criterion iv). Also, some of the structures were only partially built by convict labour and others have been extensively altered. Sites that illustrate other important aspects of convict labour such as hunting tigers, building roads and bridges or quarrying have not survived with the exception of a small number with inadequate integrity or authenticity. For example, convict-built roads have undergone major changes such as asphalt resurfacing.

Convict site in Bermuda (1824–63)

The Convict Establishment Dockyard (1824–63) is an important site that demonstrates the British government's strategic use of penal transportation.³²² Around 9,000 convicts provided the major labour force for the dockyard and new fortifications at other parts of the archipelago. Convicts constructed all major stone buildings at the dockyard over four decades. The naval base created the lynchpin for strategic imperial operations in the north-west Atlantic and Caribbean to contain the navy of a new major power, the United States of America. Convicts built Bermuda into the 'Gibraltar of the West' which was critical to the economic development of Bermuda.³²³

The dockyard is extensive comprising intact convict-built fortifications and buildings over approximately 7.3 hectares. Surviving structures include the Mast Stores, Docks, Boat Slip, Warehouses, Officers' Houses and Breakwaters. Adjacent to the dockyard are the Commissioner's House (1820s), the Casemate Barracks (1840s) and the Great Eastern Storehouse (1850s) with its two towers. All of the buildings are constructed from limestone quarried from the dockyard. The major buildings of the site come under the legislative protection of the Bermuda Government and the Bermuda Maritime Museum.

The site demonstrates the use of transportation to enhance Britain's naval and political power and the contribution of male convicts to infrastructure development. The dockyard was an important naval base for Britain. However, the colony's overall geo-political influence was not as significant as Australia's. The number of convicts, the size of the penal colony and works undertaken and surviving were all substantially smaller and less significant in terms of the

geo-political significance for Britain. Unlike Australia, enslaved peoples, indentured labourers and free labour were instrumental in developing public works prior to the transportation of convicts to Bermuda.³²⁴ This diluted the overall importance of the use of penal transportation and convict labour in the colonisation process.

Convict sites at Andaman Islands (1858–1910; 1932–38)

Several significant convict-built structures at the Andaman Islands represent the use of transportation to expand Britain's economic and political influence. These include the Administrative Headquarters (Ross Island, 1858–1942), Presbyterian Church (Ross Island, 1860s) and South Point Barracks (Port Blair, c.1858). India, while under British colonial rule, transported around 40,000 convicts to a penal colony at the Andaman Islands over two separate periods totalling 58 years.³²⁵

Convict labour was used for empire building through development of the new colony, resulting in a well-fortified and provisioned British outpost in the middle of the Bay of Bengal. The islands provided a sheltered port for ships and a place from which to control busy shipping lanes. Male convicts were used to clear jungles, undertake agricultural work and construct infrastructure such as roads, churches and convict barracks.³²⁶ Some convicts worked in enclosed agricultural areas.³²⁷ Around 2,000 to 4,000 female convicts were sent to the colony (from early 1860s–80s), to encourage marriage and increase the population growth of the colony while also curbing prostitution and homosexuality. A large proportion of the convict population in the second convict period were political prisoners from the nationalist protest



Commissioner's House, Bermuda.

Reproduced courtesy of: Bermuda Maritime Museum.



Great Eastern Storehouse, Bermuda.

Reproduced courtesy of: Bermuda Maritime Museum.

movement in India which threatened the economic and political stability of Britain's colonial enterprise.³²⁸

The Administrative Headquarters originally comprised a suite of around 30 convict-built structures. Ross Island was the administrative command centre for the penal colony. Surviving fabric today includes the ruins of the Administrative Offices and Barracks and the plinth of the original brick Chief Commissioner's House. These are in a poor condition but there have been recent preservation works.³²⁹ The Presbyterian Church is an elegant stone building which originally had Burma teak interiors and etched Italian glass windows. Only the walls of the church have survived and it is also in poor condition. South Point Barracks housed female convicts who worked during the day on tasks such as cleaning and grinding wheat at work sheds. The barracks is a simple two-storey timber structure with tin roofing. However, the surviving structure has been modified, partitioned, repaired and encroached upon following closure of the penal colony. It is currently used as government accommodation and has been altered since the convict era.³³⁰

The Andaman Islands sites are an important representation of the role of male and female convicts in establishing a new colony off the coast of India. The banishment of political dissidents from the nationalist protest movement helped to consolidate the British colony of India. However, the surviving convict fabric is far less extensive than the *Australian Convict Sites* and its significance is not as great in relation to this aspect of convictism. Penal transportation to this small group of islands was of a much smaller scale and geo-political importance compared to Australia and other penal colonies. Transportation was not used to curb the geo-political ambitions of other major powers (see criterion iv). Also, female convicts played a more

marginal role in the colonisation process at the Andaman Islands compared to female convicts in Australia. Only a small number of sites have survived at the Andaman Islands and these are mainly in ruins and in a poor state of conservation. The barracks for male convicts under the 'associate system' and most of the other substantial penal buildings have not survived.³³¹

Convict sites at New Caledonia (1864–97)

There are a number of important convict-built sites at New Caledonia that demonstrate the use of transportation to expand France's geo-political spheres of influence. These include the Administration Building (Nouméa, 1880), Saint Joseph's Cathedral (Nouméa, 1887), Commandant's House (Île Nou, c.1883) and Water Reservoir (Nouméa, 1877). Over 22,000 French convicts were transported to New Caledonia and played an important role in the development of the colony.³³² The transportation of approximately 4,500 political prisoners (known as 'Communards') involved in the Paris Uprising (1871) was an important tool for 'cleansing' Paris of the great threat from 'revolutionaries'.³³³ Paradoxically, the French government had a vision that Communards would act as 'emissaries' for the expansion of French civilisation into the south-western Pacific.³³⁴ Convicts were used to build roads, clear land, dredge swamps and undertake a variety of tasks for colonial authorities and free settlers. From the 1870s, a small number of female convicts (including volunteers) were sent to the colony to marry convicts or free settlers.

Nouméa was the centre of administration for the penal colony. The Administration Building is a two-storey brick building around 27 metres long with a modern metal gabled roof. The Commandant's House is a rendered stone and brick one-storey building around 24 metres long. St Joseph's



Presbyterian Church, Ross Island, Andaman Islands.

Reproduced courtesy of: Andaman Softwrights.



Water Reservoir, Nouméa, New Caledonia.

Reproduced courtesy of: Max Shekleton.



St Joseph's Cathedral, Nouméa, New Caledonia.

Reproduced courtesy of: Max Shekleton.



Commandant's House, Nouméa, New Caledonia.

Reproduced courtesy of: Max Shekleton.

Cathedral is Gothic style with two 25 square metre stone and timber towers. It took a team of convicts 10 years to construct the cathedral. The Water Reservoir is a large convict-built stone and brick structure with a pointed arch access. Water was diverted from the nearby Yahoué River to supply the penal settlement. All sites are in excellent condition.

The sites illustrate the role of convicts in furthering France's colonial ambitions. However, New Caledonia was a relatively small group of islands and the contribution

of convicts was not as significant as the contribution of British convicts to the development of penal colonies across Australia.³³⁵ Free settlers played a major role in the establishment and expansion of New Caledonia. They were the first to establish the colony (1853–63) and, unlike free settlers in Australia, made up a substantial proportion of the population throughout the convict period.³³⁶ Female convicts comprised less than three percent of the total convict population and played a very limited role.³³⁷ The scale of colonisation in Australia was far greater than in New Caledonia in terms of numbers, the use of convict labour, the scale of infrastructure and expansion into the frontiers of the continent. Penal transportation to Australia was a major phenomenon that contributed to the European development of a continent that eventually became a nation. This was not the case in New Caledonia (see Appendix C).

Use of transportation to punish criminals and deter crime

Sites in Russia, the Andaman Islands, French Guiana and New Caledonia are important representations of transportation to punish criminals and deter crime in the home state.

Convict sites in Russia (17th to 19th centuries)

The Trans-Siberian Railway and Kara Valley Gold Mines illustrate the harsh punishment of Russian 'dissidents' and convicts. More than one million Russian criminals and societal dissidents were subject to mass exile to distant locations in Siberia, other parts of Russia and Sakhalin Island (1869–1905) between the late 17th century and 1917. They were subjected to a harsh journey overland of more than 8,000 kilometres, or a long sea journey to Sakhalin Island without any hope of return. They were forced to undertake severe forms of labour and often worked in chains. Harsh punishment included hard labour in logging camps, mining and road construction. The Tran-Siberian Railway and Kara Valley Gold Mines sites are outlined under 'Use of transportation to expand spheres of influence' above).

These sites are not the most representative of the use of transportation to deter crime. With the exception of Sakhalin Island, Russian transportation did not have the main elements that were typical of the forced migration of convicts. The vast proportion of the 'prisoner' population were transported to villages or colonies *within the state of Russia* and were not convicts. Rather, they were disruptive elements of society such as homeless, mentally ill or physically disfigured persons who were banished to Siberia under orders from landowners or village assemblies. These 'prisoners' did not commit crimes and were not charged or sentenced. Around 30,000 to 40,000 convicts were transported to Russia's first penal colony at Sakhalin Island between 1869 and 1905.³³⁸ However, there are no known sites that have survived at Sakhalin Island. Unlike most penal colonies, there was minimal penal administrative machinery or systems to discipline, control and punish

individual prisoners or deter crime in the metropole. While some prisoners were incarcerated in prisons or barracks there is no surviving fabric to illustrate this.

Convict sites in Andaman Islands (1858–1910; 1932–38)

Viper Island Jail (Viper Island, 1867–1947) and the Cellular Jail (Port Blair, 1910–43) are important sites representing the use of transportation to deter crime in India. The penal colony at the Andaman Islands was renowned as a place of harsh punishment. It aimed to deter criminals and political dissenters. The nationalist protest movement in India threatened the economic and political stability of Britain as a colonising nation.³³⁹ Recalcitrant convicts in the colony were subjected to flogging, solitary confinement and physical torture.³⁴⁰ The death rate was high and many convicts were executed after failed escape efforts.³⁴¹

Viper Island Jail was used to confine up to 200 male convicts throughout the convict era.³⁴² Until 1910, convicts were subjected to solitary confinement and harsh work at the prison. After 1910, the prison became an important place for secondary punishment. Originally it comprised a two-storey building with solitary cells, lock-ups, stocks, gallows, whipping stands and other prison buildings such as the Superintendent's House.³⁴³ Today, the gallows is the only surviving substantial structure and has recently undergone restoration.³⁴⁴ There are also ruins including plinths and dilapidated walls of several prison buildings and overgrown gardens, wells and roads at the site of the original Superintendent's House.³⁴⁵ Overall, the site is in a poor state of conservation.³⁴⁶

The Cellular Jail had a reputation as an extremely severe place of punishment during the second phase of transportation to the colony. Convicts were initially kept in solitary confinement for six months and faced repressive disciplinary regimes.³⁴⁷ Originally, the prison was a massive three-storey structure with seven wings housing 698

back-to-back cells radiating from a central watchtower.³⁴⁸ The prison was based on Bentham's panopticon design. The site was substantially destroyed in an earthquake (1941) and an invasion during the second world war. Only three of the original wings survive. The Cellular Jail is one of the largest surviving prisons used for convicts in the world and functions today as a public museum. The site is a 'National Memorial' protected under government legislation.

The Andaman Island sites demonstrate the use of transportation to deter crime but do not provide as comprehensive physical evidence of this important element of convictism as the nominated sites. There is minimal fabric at the Viper Island Jail, with only the gallows surviving, and less than 50 per cent of the Cellular Jail remains. Also, the Cellular Jail did not open until almost 50 years after the establishment of the penal colony and was used primarily for political prisoners involved in the nationalist protest movement in India. Only a very small number of convicts (approximately 500–700) were incarcerated at the prison over a short period of a convict era (10 years).³⁴⁹ By contrast, the *Australian Convict Sites* have remarkable landscapes, convict structures and collections that comprehensively depict many of the key aspects of the punishment of convicts during the convict era. Tens of thousands of convicts were incarcerated at the Australian sites. Appendix C provides detailed information on the penal systems at the Andaman Islands.

Convict sites at French Guiana (1852–1938)

Convict sites at French Guiana are a compelling expression of the use of forced migration to deter crime in France. Sites include: St Laurent du Maroni Transportation Camp (1858–1946); Île Saint-Joseph Prison (1859–1946); Île Royale Prison Camp (Île Royale, 1884); and Île du Diable Convict Camp (known as Devil's Island, 1852–1946).³⁵⁰ The penal colony was reputed to be 'the most notorious prison colony the civilised world has ever known' and 'a plague on the face of civilisation'.³⁵¹ Around 70,000 to



Panopticon design radial wings of the Cellular Jail, Andaman Islands.

Reproduced courtesy of: Andaman Softwrights.



Gallows, Viper Island, Andaman Islands.

Reproduced courtesy of: Andaman Softwrights.

90,000 convicts were transported there from France and other parts of the French empire.³⁵² The majority of the convict population died at the colony as a result of the severe climate, rampant diseases, escape attempts and brutal treatment.³⁵³

St Laurent du Maroni Transportation Camp was the main prison complex at St Laurent, the primary place of detention for convicts at the colony. The camp was an enormous convict-built prison complex with capacity to confine up to 2,500 convicts. The prison is a one-storey brick building approximately 6.1 to 7.6 metres high.³⁵⁴ Ruins of 16 barracks that each housed up to 80 men are extant.³⁵⁵



Île Saint-Joseph, French Guiana.

Reproduced courtesy of: Yvan Marcou.



Cells, Île Saint-Joseph, French Guiana.

Reproduced courtesy of: Yvan Marcou.

The Quartier Disciplinaire compound was the cell block for condemned convicts and an adjoining yard was where the guillotine stood. The buildings are in reasonable condition but have minimal management and protection. The prison is currently being renovated for tourism.

Île Saint-Joseph Prison was used for solitary confinement for periods of six months to five years. The prison originally comprised 52 cells, two dungeons and an infirmary. A total of 400 convicts were incarcerated in the prison during the convict era. Ruins of the solitary cells with a surrounding wall and entrance gate survive. The site is overgrown with large vines and other foliage.

Île Royale Prison Camp was the detention camp for the most dangerous convicts in the colony.³⁵⁶ The camp comprised a Prison with 58 cells and eight dungeons, administration buildings, Guard House, Guards' Quarters, Guards' Mess Hall and the Lighthouse. The Lighthouse was used as a semaphore tower to communicate with the mainland and islands. Many of the original buildings remain but most are in a poor state of conservation. The Guard House and Lighthouse are overgrown with foliage. Several buildings were recovered during recent restoration work. The Guards' Quarters have been completely renovated and are used for overnight accommodation. The Guards' Mess Hall has been completely refurbished and now houses a small hotel.³⁵⁷

Île du Diable (known in English as Devil's Island) Convict Camp was the primary site of detention for political prisoners and was also a leper colony. The barracks for political prisoners, a convict cemetery and quarters for Captain Alfred Dreyfus (a famous political prisoner) have survived.³⁵⁸ The remains of the guards' quarters are in various states of disrepair.³⁵⁹ In the early 1990s renovations were undertaken on Captain Dreyfus's quarters.³⁶⁰ The island is largely inaccessible to the public.

The French Guiana sites are an outstanding testimony to the severe treatment of convicts to deter crime in France. However, the sites are in a generally poor condition with minimal management systems.

New Caledonia (1864–97)

Camp Est (Île Nou, 1867), Île Nou Main Prison (1864); and Ouro Prison Complex (Île des Pins, 1870s) are significant sites at New Caledonia that represent the transportation of convicts to deter crime in France. Convicts were transported to four main penal settlements at Île Nou, Presqu' Île Ducos, Île des Pins and Îlot Brun and the journey from France was the longest journey in terms of distance travelled in the history of convictism. Convicts faced brutal forms of corporal punishment such as hard labour, flogging and use of thumbscrews, as well as psychological punishments including solitary confinement. Convicts were classified and those who misbehaved were forced to do two or three times the labour of the other classes in double leg irons.³⁶¹ The sites reflect some of these features.



Gaol at Ouro Prison Complex, Île des Pins, New Caledonia.

Reproduced courtesy of: Max Shekleton.



Bakery, Île Nou, New Caledonia.

Reproduced courtesy of: Duncan Marshall.

Camp Est was a prison for convicts at Île Nou which was the primary place of detention for convicts in the colony. Convicts undertook harsh labour in a quarry for a nearby lime kiln. The site has extensive remains of the stone buildings despite demolition of many of the original buildings. It continues to operate as a general prison and is listed as an 'Historic Monument'. Île Nou Main Prison comprises extensive structures and remains including the Prison Dock, Prison Dock Office, Commandant's House, Overseers' Lodgings and Prison Bakery. The bakery is a rectangular structure measuring 38 metres by 9 metres with four ovens and a large storeroom. The surviving buildings of the site are all in excellent condition. Ouro Prison Complex, located at Île des Pins, was used to incarcerate over 2,000 prisoners convicted for political crimes during the Paris rebellion (1871). It comprises a suite of prison buildings including cellular blocks and water tower. The buildings are in a poor condition except for the water tower which has been restored.

The sites are an important representation of the harsh punishment of convicts. However, many of the prison buildings at Camp Est were demolished in the 1930s and management systems are not yet in place for Île Nou Main Prison.

Use of penal transportation for the reformation of convicts

Andaman Islands convict sites (1858–1910; 1932–38)

The Cellular Jail (Port Blair, 1910–43), Administrative Headquarters (Ross Island, 1858–1942) and South Point Barracks (Port Blair, 1860s) illustrate some aspects of reformatory schemes at the Andaman Islands penal colony. From the beginning, the colony was based on the classification of convicts and various schemes operated during the convict era.³⁶² Under the 'self-supporter system', convicts were placed into classes for a fixed period. They could progress or be demoted based on their behaviour. For sustained good behaviour, convicts could earn a ticket-of-leave, become colonisers and gain concessions.

The Cellular Jail illustrates some aspects of the classification of convicts. On arrival at the colony, convicts were incarcerated in the prison for approximately six months. After this convicts were moved to barracks under the 'associate system' where they worked in enclosed agricultural areas and returned to the barracks at night. There are no surviving sites that illustrate the 'associate system'. The Administrative Headquarters and South Point Barracks represent measures to encourage marriage and integration into the colony. Female prisoners were recruited on a voluntary basis from India (c1860) to promote marriage and act as a civilising force for male convicts (see Appendix C). South Point Barracks was used to house female convicts while they were waiting to get married. The Administrative Headquarters was a place where convicts could apply for family members to be sent from India under the family migration scheme. The three sites are outlined at Appendix C.



Female convict accommodation at South Point Barracks, Port Blair, Andaman Islands.

Reproduced courtesy of: Andaman Softwrights.

The sites are not the best representation of this element of convictism. The Cellular Jail provides a limited record of only one aspect of the classification scheme (ie newly arrived convicts) and there are no sites that illustrate the other classes ('chain gang' class, 'associate prison' class and 'self-supporter' class), tickets-of-leave or the concessions scheme. In addition, the schemes for female convicts were not as large-scale, long-term or as comprehensive as those that operated in the penal colonies in Australia (see criterion iv and Appendix C).

Convict sites at New Caledonia (1864–97)

Significant sites at New Caledonia that demonstrate France's use of transportation to reform prisoners are Fort Térémba (Moindou, 1877–97), the Concession Building (Bourail, 1870) and Communards Cemetery (Île des Pins, 1871). The colony had many similarities to Australia including the complex balancing of competing objectives and regimes to punish and reform convicts. The moral regeneration of French prisoners was a key goal of penal transportation for France.³⁶³ The penal colony would provide the optimum conditions to transform convicts into future colonists in a new agricultural society. A classification system was established where convicts could progress through three classes before being granted a 'ticket-of-leave'. Well-behaved convicts were also given concessions.

Fort Térémba is an extensive complex built by convicts to house colonial authorities and 200 convicts. Convicts undertook skilled work and crafts, were taught skills and could attend church. Originally, the fort comprised brick Overseers' Barracks, a brick Convict Prison, timber and straw Convict Barracks, Telegraph Post, brick Water Tank, Chapel, School and various workshops including bakery, brickyard and lime oven. A brick wall enclosed several of the buildings. The fort became a prison in 1885. Several structures have not survived such as the convict barracks and a number of workshops. Extensive renovations have been undertaken on the other surviving structures including reconstruction of the wall (1984, 1989 and 1996–2000). The Concession Building was a place where well-behaved convicts could be granted various concessions including accommodation, land grants and free food, clothing and hospital care. The site is a large rectangular brick building approximately 20 metres by 8 metres. Île des Pins was the primary settlement for political prisoners known as Communards. The French government aimed to reform Communards and transform them into 'the emissaries of civilisation' on New Caledonia.³⁶⁴ There were various communes where Communards were free to live and work but there are no surviving remains apart from Ouro Prison Complex and the Communards Cemetery. The cemetery contains unmarked graves of 188 Communards and illustrates informal burial rights accorded to convicts to commemorate the death of fellow convicts. The site was restored in 1968 and is regularly maintained.

The sites are significant examples of France's vision to rehabilitate convicts. However, the *Australian Convict Sites*



Fort Térémba, Moindou, New Caledonia.

Reproduced courtesy of: Duncan Marshall.

are a more notable testimony to this important element of convictism.³⁶⁵ The sites at New Caledonia reflect a much later phase of convictism and were able to benefit from the Australian blueprint. New Caledonia was established 75 years after the first colony at NSW and the French government and penal reformers had the advantage of studying the Sydney Cove model for many decades (see criterion iv). The scale of the convict system was much smaller and regimes to manage and control convicts were not as complex or diverse as those in Australia (see Part 2.B and Appendix B). Various classification schemes at New Caledonia provided differential conditions and treatment for convicts but there were fewer systems and none were as innovative as the systems established in Australia. The most ambitious scheme at New Caledonia, the granting of land and other concessions, operated for only around five years (1884–89). Also, there were no special regimes to reform female convicts. The suite of sites typifying reformation is not as extensive or as well protected as the *Australian Convict Sites*. Several of the convict structures at Fort Térémba have had unsympathetic restoration work.

Summary

The sites outlined above are important manifestations of the forced migration of convicts. However, they do not provide a broad representation of the elements that typify convictism. Also, the physical remains of the sites are generally far less extensive than in Australia due to the prevalence of the 'convict stain'. In Australia, it is now many years since the 'convict stain' was seen as something to be concealed and today there is a strong recognition and embracing of Australia's convict origins.

The Russian sites are a good example of the use of forced labour to expand Russia's geo-political power and to punish prisoners and unruly sections of the population.³⁶⁶ However, they are not representative of the key elements of convictism.

Russia did not establish colonies with the typical penal machinery that existed in most other episodes of penal transportation. Also, there are no sites which reflect any kind of reformatory impulse.

Public works sites in Singapore and Malaysia are important examples of the use of convict labour to further Britain's colonial ambitions. While punishment and reformation were important aspects of the penal colonies at the Straits Settlements, there are no surviving sites that represent these elements. Formalised reformatory schemes and the segregated penal system for convicts from different racial or religious backgrounds are outlined at Appendix C.

Bermuda Dockyard Convict Establishment is an exceptional example of the use of convict labour to expand the economic and naval power of Britain. The dockyard is an outstanding complex of convict-built naval infrastructure. However, the penal colony was not representative of the other key elements of the forced migration of convicts. Apart from hard labour there were no formal penal systems in place to discipline, punish or reform convicts. Female convicts were not transported to Bermuda and male convicts were not permitted to remain in Bermuda on completion of their sentence.³⁶⁷

French Guiana has a suite of convict structures that demonstrate penal transportation to further France's geo-political ambitions and to deter crime in France. The sites are highly evocative of the harsh treatment of convicts. However, they are in a generally poor state of conservation and there are no management systems to protect the sites. In terms of the colonisation impulse, the sites are not as notable as the nominated sites. The scale of colonisation was much smaller, convicts produced little of lasting value and the colony was largely a failure.³⁶⁸ France's vision to establish a new agricultural society and transform prisoners into an agricultural labour force was not realised due to the severe environmental conditions, high mortality rate and inadequate penal management. Also, French Guiana does not have any surviving sites that demonstrate

the rehabilitation of convicts.³⁶⁹ The penal system at French Guiana is outlined at Appendix C.

The Andaman Islands have important sites that reflect many of the key elements of the forced migration of convicts. The sites are significant examples of the use of transportation to expand Britain's geo-political influence and to deter crime. The empire building aspect was substantially smaller in scale and confined to a small group of islands. It also began 70 years after transportation to Australia. In addition, the sites that represent the reformation of convicts are not as notable as the *Australian Convict Sites* as they illustrate minor elements of the reformatory impulse.

A significant number of convict sites at New Caledonia illustrate all of the key elements of the forced migration of convicts. However, transportation occurred much later and the scale and nature of the penal colony and systems were less extensive than in Australia. Importantly, New Caledonia drew on convict systems established in Australia which provided a blueprint for the colony. Also, New Caledonia was first established by free settlers, and female convicts did not play a significant role in the colony. While there are important sites that capture the reform of convicts, the reformatory measures were not as extensive as in Australia (see Appendix C). Overall, the state of conservation of the sites is generally good but there are minimal management systems in place to protect them into the future.

World Heritage properties for other forms of forced migration

The *Australian Convict Sites* can be equated with World Heritage places which are outstanding examples of the forced migration of slaves and indentured labour. The properties represent various important aspects of the subjugation of one part of humankind by another. While there are fundamental differences between the three types of forced migration (slavery, indentured labour and convictism), there are also significant similarities of the various types of forced migration (see Appendix C).



Robben Island, South Africa.

Reproduced courtesy of: UNESCO.



Cape Coast, Ghana.

Reproduced courtesy of: Bernard Jacquot, UNESCO.

The Island of Gorée (*World Heritage List* 1978 inscribed under criterion vi) is an example of slavery. The island was the largest slave trading centre on the African coast. The site is an outstanding complex of buildings including 'La Maison Des Esclaves', a two-storey structure surrounding a central courtyard built by the Dutch in 1776. The ground floor has small cells and slave quarters and the top portion spacious rooms. At the back of the house, 'the door of no return' opens into the Atlantic Ocean; almost 20,000 slaves passed through this door. The site also includes the elegant houses of the slave traders. The site has undergone substantial renovations and today operates as a museum.

The Forts and Castles of Ghana (*World Heritage List* 1979 inscribed under criterion vi) are outstanding examples of the slave route along the coast of West Africa and European fortified trading posts. Some of the 32 forts and castles illustrate the experience of both slavery and convictism. Elmina was Portugal's West African administrative centre between c1500 and 1637 and became the centre of a thriving trade in gold, ivory, slaves and convict labour. It is a vast rectangular 9,011 square metre fortification and the earliest known European structure in the tropics. An unknown number of Portuguese convicts were transported to colonies in West Africa between the 15th and 19th centuries. Convicts were incarcerated in Fort Coenraadsburg or some of the forts and castles that survive along the coast of Ghana. The government did not play a role in the management of the convicts and the experience was more akin to slavery than convictism. Convicts were sold and traded in lots to different owners and there were no systems to control, discipline or reform convicts. Forced labour was extremely hard and the mortality rate high.

Robben Island (*World Heritage List* 1998 inscribed under criteria iii and vi) is an outstanding example of the history of banishment, imprisonment and suffering associated with the development of the South African region (17th to 20th century). Throughout its history the island was settled by transportation and it is most famous for its 20th century imprisonment and punishment of apartheid

political prisoners. The original settlement does not survive materially but the site includes abandoned slate and lime quarries in which prisoners worked dating from the 17th century. The surviving convict-built fabric includes the Commissioner's House, Medical Superintendent's House, Barracks, Anglican Church, Graveyard and Vicarage dating from the early 19th century Dutch East India Company/ British settlement. Also, there are a lighthouse in the south of the island, ruins of the Old Jail, a church built and used by lepers and some leper graves.

The Stone Town of Zanzibar (United Republic of Tanzania) (*World Heritage List* 2000 inscribed under criteria ii, iii and vi) has great symbolic importance in the suppression of slavery. Zanzibar was one of the main sea-borne slave-trading ports in East Africa. The site retains its urban fabric and townscape virtually intact and contains many fine buildings that reflect its diverse culture. Around 600,000 men, women and children were walked in chains from interior villages on the mainland to be packed horizontally into ships for the crossing to Zanzibar, from where they were farmed out for labour. The site of the public slave market on the east side of the town remains. Many slaves worked on Zanzibar's clove plantations and performed many other functions in the local economy.

The Aapravasi Ghat (1834–1920) (*World Heritage List* 2006 inscribed under criterion vi) is an important example of one of the greatest migrations in history of almost half a million indentured labourers from India to Mauritius between 1834 and 1920. Around 1,500 convicts were sent to Mauritius between 1815 and 1837.³⁷⁰ The Aapravasi Ghat was built on the site of the immigration depot that first received indentured labourers. The site comprises a cluster of three adjoining stone buildings dating from the 1860s and includes the entrance gateway and hospital block, immigration sheds, service quarters and a wharf wall and steps. The remaining buildings represent less than half of what existed in the 1860s.

Like these World Heritage properties, the *Australian Convict Sites* are a powerful testimony to a different type of forced migration and human settlement. Like the World Heritage places, the nominated sites bear physical evidence of the forced migration experience (banishment, harsh treatment and forced labour) including: colonial administration; prisons; and barracks and depots where convicts were housed, distributed, worked and punished and built new lives in their place of exile. The *Australian Convict Sites* also illustrate convictism as a distinctive type of forced migration with many unique features that are of outstanding universal value. Unlike slavery and indentured labour, the state had responsibility for the punishment and reformation of prisoners and an ongoing commitment to the establishment and expansion of the penal colonies. The reformation of the criminal elements of society was not a feature of the other types of forced migration. The *Australian Convict Sites* are of outstanding universal value for their association not only with the subjugation of one part of humanity by another, but also for the reformation and emancipation of the world's criminals.



Island of Gorée, Senegal.

Reproduced courtesy of: Malick M'Baye, UNESCO.

Criterion (vi) Global developments in the punishment of crime

Table 3.4: Sites associated with key elements of penology developments in the modern era.

CRITERION (VI) THEMATIC ELEMENTS SITE	PENAL TRANSPORTATION AS DOMINANT MODEL	SHIFT IN THE PUNISHMENT OF CRIME IN THE MODERN ERA FOLLOWING THE AGE OF ENLIGHTENMENT	INFLUENCE OF PENAL TRANSPORTATION AND RISE OF NATIONAL PENITENTIARY SYSTEM
Convict sites			
Andaman Islands	✓ Administrative Headquarters	✓ South Point Barracks ✓ Cellular Jail ✗ Female Factory (site has not survived)	
Strait Settlements	✓ Istana Government House		
French Guiana	✓ St Laurent du Maroni Transportation Camp	✓ Île Saint-Joseph	
Non convict sites			
Britain		✓ Brixton Prison ✓ Parkhurst Boys' Prison ✓ Pentonville Prison ✗ Fullham Female Prison (site has not survived) ✗ Millbank Prison (site has not survived)	✓ Pentonville Prison
America		✗ Mount Pleasant Female Prison (site has not survived) ✓ Eastern State Penitentiary	
France		✗ La Petite Roquette Children's Prison (site has not survived) ✓ La Colonie Agricole de Mettray	
The Netherlands		✗ Spinhuis (site has not survived)	
Russia		✗ Spinning House (site has not survived) ✗ Tel'minsk Linen Factory (site has not survived)	

The *Australian Convict Sites* can be compared to a number of places associated with global developments in the punishment of crime in the 19th century. Convictism intersected with other global developments in penology such as special prisons for females and juveniles and the 'separate system'. The penal transportation system influenced broader penal developments while at the same time, penology impacted on the penal transportation system and penal practices in the colonies. The nominated sites are the only examples from the convict era that demonstrate all of the key aspects of this intersection. The following section compares the *Australian Convict Sites* with important convict and non-convict sites associated with ideas and beliefs about the punishment of crime in the modern era.

Penal transportation as dominant model of punishment

Several convict sites in French Guiana, the Andaman Islands and Singapore demonstrate the large-scale expansion of transportation. The key sites are the St Laurent

Transportation Camp (French Guiana), Administrative Headquarters (Andaman Islands) and Istana Government House (Singapore). The key features of these sites are outlined above and at Appendix C. While a substantial number of convicts were transported to these colonies, the scale of transportation (such as number of convicts, size of the colony) and achievements of convict labour were not as notable as in Australia. None of these penal colonies exerted an influence on major state powers or the spread of penal transportation. This was in contrast to Australia which influenced to copy the Sydney Cove model. French Guiana was important in terms of the number of convicts, duration of the colony and providing a harsh deterrent. However, the penal colony was ultimately unsuccessful as it was plagued by disease, death and economic failure. In comparison with the *Australian Convict Sites*, the convict sites are not the most remarkable example of large-scale penal transportation.

Shift in the punishment of crime in the modern era following the Age of Enlightenment

Development of segregated prisons for female prisoners

Australia was one of the first places in the world to establish purpose-built institutions for female prisoners, typified by the *Australian Convict Sites*. Cascades Female Factory can be compared with a female convict barracks in the Andaman Islands (South Point Barracks) and a women's prison in Britain (Brixton Prison).

South Point Barracks (1860s, Port Blair) and the Female Factory (1860s, Port Blair) were two places for convict women at the Andaman Islands. Little is known about these structures or their purpose. South Point Barracks housed female convicts who worked during the day at work sheds. Today the barracks serve as accommodation for government servants. The surviving structures have been modified, partitioned, repaired and encroached upon following closure of the penal colony. The Female Factory was a workplace for convict women awaiting marriage but there are no remains of the site.

The world's first prisons for female prisoners were established in America, Britain and Europe. The world's first purpose-built 'prisons' for women included: the Spinhuis (Amsterdam, 1645), the Spinning House (St Petersburg, prior to 1723) and Tel'minsk Linen Factory (1827–39).³⁷¹ However, these institutions functioned more as workhouses for poor and disruptive women (such as females who could not be kept by parents or husbands, prostitutes and drunks) rather than prisons for female criminals, and there are no

surviving remains.³⁷² The first segregated prisons for female criminal offenders were Mount Pleasant Female Prison (America, 1835), Brixton Prison, Millbank Prison and Fulham Female Prison (Britain, mid 1850s).³⁷³ All of these were demolished in the late 19th and early 20th centuries with the exception of Brixton Prison. Brixton Prison was a four-storey building that held around 800 female prisoners. It was based on a polygonal plan surrounding a central octagonal watch tower. The prison has undergone substantial modifications and today functions as a male prison.

Development of segregated prisons for juvenile prisoners

The nominated sites can be compared with special prisons established for juvenile offenders in Britain and Europe during the 19th century. Important segregated prisons for juvenile boys included La Petite Roquette Children's Prison (France, 1830), Parkhurst Boys' Prison (Britain, 1838) and La Colonie Agricole de Mettray (France, 1840). There are no surviving convict sites for juvenile convicts apart from Point Puer in Australia.

La Petite Roquette Children's Prison (France, 1830) was the first purpose-built juvenile prison in the world and was designed to punish and reform juvenile offenders through labour. It was constructed on a radial design with four wings extending from a central watch tower. The prison was demolished in the 20th century. Parkhurst Boys' Prison was a large elegant house that incarcerated and taught trades to around 100 boys. The prison drew on the philosophy of discipline and punishment practised at Point Puer.³⁷⁴ Parkhurst Boys' Prison survives today but has undergone significant modifications.



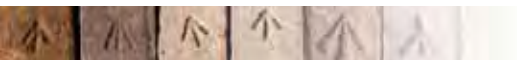
Her Majesty's Prison, Brixton, London, Britain.

Reproduced courtesy of: English Heritage. NMR.



Her Majesty's Prison, Parkhurst, Isle of Wight, Britain.

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1842 photograph showing a view of Pentonville Prison, London, Britain.

Reproduced courtesy of: Mary Evans Picture Library.

La Colonie Agricole de Mettray is a complex of 10 separate boarding houses on two sides of a central square surrounding a church. Each house accommodated approximately 40 boys. One floor was used as a workshop and the upper two floors were used as dormitories and refectories. Boys were rehabilitated through hard labour and punishment such as solitary confinement. Many of the original buildings are extant. Today the site is used as a rehabilitation and medical centre and is not open to the public.³⁷⁵

Development of the 'separate system'

The nominated sites can be compared with convict prisons at the Andaman Islands and French Guiana and prisons in Britain, America and France. The Australian penal colonies, typified by the *Australian Convict Sites*, are the only example of the establishment of the 'separate system' during the convict era. However, the Andaman Islands and French Guiana introduced classification systems and cellular isolation, and built panopticon design prisons. The Cellular Jail (Andaman Islands) and Île Saint-Joseph (French Guiana) typify these features and are outlined above ('Use of transportation to deter crime'). Prisons that introduced the 'separate system' include Eastern State Penitentiary (America, 1829), La Petite Roquette Children's Prison (France, 1830) and Pentonville Prison (Britain, 1842). Eastern State Penitentiary was the first prison in the world designed to implement the 'separate system'. It was designed by John Haviland along a radial pattern



c.1850s juvenile prisoners sleeping in hammocks in a dormitory at La Colonie Agricole de Mettray, France.

Reproduced courtesy of: Mary Evans Picture Library.



Front entrance of the Cellular Jail, Andaman Islands.

Reproduced courtesy of: Andaman Softwrights.

containing isolation cells. The prison was decommissioned in the late 20th century and functions today as a museum. Pentonville Prison was designed to hold up to 520 prisoners who were constantly observed, compelled to remain silent and exercised and ate alone. The prison comprises a central watchtower with five radiating wings, each with three storeys. This structure remains intact and continues to function today as a prison. La Petite Roquette Children's Prison was based on the separate system but no longer survives (see above).

Influence of penal transportation and rise of the national penitentiary system

Australia is one of several sites of outstanding universal value that are associated with the rise of the national penitentiary system in Britain and Europe. Pentonville Prison (Britain, 1842) is a significant representation of the national penitentiary system established in Britain from 1842 until the late 1800s. The prison is outlined above. The *Australian Convict Sites* are the best representation of the impact of penal transportation on the rise of the national penitentiary system in Britain. The Australian colonies had the greatest impact among all the penal colonies on the British government's decision to establish a national penitentiary system in Britain. It was the Australian experience that was at the forefront of Britain's concern about her reputation as a major power in the post Enlightenment period. Negative reports about the poor state of several other British penal colonies also had an impact on Britain's global reputation. A number of reports identified a high incidence of homosexuality in the Straits Settlements and the failure of schemes to integrate female convicts into the colony. However, there are no known convict sites that reflect this.



Eastern State Penitentiary, Philadelphia, America.

Reproduced courtesy of: Albert Vecekra, Eastern State Penitentiary Historic Site.

3.D Statement of integrity and authenticity

The *Australia Convict Sites* have a high degree of integrity and authenticity and meet the requirements of the *Operational Guidelines to the Implementation of the World Heritage Convention*. The major issues that relate to integrity and authenticity are outlined in the statements below. More detailed information on each of the sites is outlined under Parts 4 to 6 and each site's management plans (see Appendix I).

3.D (I) Statement of integrity

The *Australian Convict Sites* are an example of the forced migration of convicts and of global ideas and developments associated with the punishment of crime during the 18th and 19th centuries. The 11 sites are necessary to provide a complete representation of all of the significant elements which together express the outstanding universal values. Each of the sites and its respective elements are essential to understanding the distinctive character of convictism and penology, and the 11 sites are the best examples of surviving structures and landscapes. Each site possesses a different mix of elements. Collectively, the surviving fabric and landscapes demonstrate the relationship between the elements and enable a full understanding of the forced migration of convicts and global developments in penology during the modern era.

The conditions of integrity of each of the sites and their elements of wholeness and intactness fulfil the requirements in the *Operational Guidelines*. The outstanding universal value of the *Australian Convict Sites* lies firmly in the integrity of the buildings, structures, ruins, archaeological remains and landscapes and the continuing relationship between the sites and their settings. The boundaries of each of the sites are based on historical spaces and enclose landscapes that have a high degree of integrity. The nominated areas fully represent the key elements that are necessary to convey their heritage significance. The buffer zones protect the relationship between the sites and their settings that contribute to their World Heritage values.

Collectively, the physical evidence represents the outstanding universal values of the sites. There is a high level of intactness of the fabric and settings. The sites have been managed for heritage conservation purposes or their continuing function for many decades and some for up to 90 years. Each is a record of the development of conservation practice across Australia over that period. The convict structures and their significant features are generally in fair, good or excellent condition. The condition of structures at some of the sites is typical of buildings that are 150 years old and have been disused and exposed to environmental pressures (particularly fire and rain) for several decades.

Table 3.5: Summary of elements of the *Australian Convict Sites*

ELEMENT SITE	CRITERION IV			CRITERION VI		
	EXPANDING GEO- POLITICAL SPHERES OF INFLUENCE	PUNISHMENT AND DETERRENCE	REFORMATION	TRANSPORTATION AS DOMINANT MODEL OF PUNISHMENT	INFLUENCE OF ENLIGHTENMENT: SHIFT FROM PUNISHMENT OF BODY TO MIND	INFLUENCE ON EMERGENCE OF NATIONAL PENITENTIARIES
KAVHA	✓	✓	✓		✓	
Old Government House and Domain			✓	✓		
Hyde Park Barracks			✓	✓		
Brickendon– Woolmers	✓		✓		✓	
Darlington			✓		✓	
Old Great North Road		✓		✓		
Cascades	✓	✓			✓	
Cockatoo Island	✓					✓
Port Arthur	✓	✓	✓		✓	
Coal Mines		✓				✓
Fremantle Prison	✓				✓	✓



Above: Fremantle Prison in 1859. Below: Fremantle Prison operated as a prison for 136 years and was converted to a heritage conservation site following its decommissioning in 1991.

Reproduced courtesy of: (top) National Library of Australia, H Wray, Convict prison, Fremantle, W. Australia, pic-an5758270.

The lack of continual care was partly the result of popular beliefs about the ‘convict stain’ which were prevalent around the world. Several buildings at Port Arthur including the Penitentiary were damaged by major fires in 1895 and 1897. Many of the original structures at Cascades have not survived. Nevertheless, the remaining physical fabric and the setting provide a good representation of the main features of Australia’s system of female factories. These features include: the site’s strategic and severe physical location at the bottom of a valley hidden from town; the surviving high perimeter walls; the division between subsequent yards showing the evolution and expansion of the female factory and the role of segregation of classes; the Matron’s Cottage that oversaw convict women and their infants; and rich archaeological remains including solitary cells, the nursery for convict babies and convict artefacts.

Other minor integrity issues relate to components of some of the sites that have undergone changes to their functions and minor reconstruction and development. These issues are being addressed through management plans and are outlined below. Development has not affected the internal integrity of the sites and the visual integrity of the landscapes has been maintained. The characteristics and constituents of each of the sites have been retained (see 3.D ii below).

All elements of the sites that contribute to their heritage significance have been identified and management policies developed to conserve their significance into the future. Comprehensive policy regimes and legislation protects each site at a local, state/territory and national level from any future activity that could adversely affect its National

Heritage or proposed World Heritage values regardless of where that activity occurs. Rigorous management plans are in place at each site to ensure the integrity of fabric and heritage values are preserved. All sites are subject to regular maintenance and monitoring programmes to control the impact of adverse effects of development, neglect or deterioration (see Parts 4 and 6).

3.D (II) Statement of authenticity

The *Australian Convict Sites* fulfil all the criteria for authenticity in relation to World Heritage properties set out in *Operational Guidelines* and the *Nara Document*. As outlined in Parts 3.A, 3.B and 3.C, the *Australian Convict Sites* have a high degree of authenticity as the only surviving suite of convict sites in the world today that cover all of the key features of convictism and major developments in penology in the modern era. The sites retain the form they had during the convict era with minor exceptions regarding a limited number of features for some of the sites (detailed below).

Each site retains substantial standing structures and works with high individual authenticity of materials and design. Conservation of the sites has been in accordance with best practices, with attention to traditional methods, skills and materials. These have been supplemented by modern methods only where absolutely necessary to stabilise the original fabric. All of the sites have comprehensive management plans in place which contain policies to protect their authenticity.

The authenticity of the *Australian Convict Sites* has been maintained to a high degree as a result of minimal adaptive re-use (as outlined above), preservation of the original function for many decades after the convict era and/or evolution into heritage sites. The structures and landscapes are part of a long continuing history. For many of the sites the continuing use of the original function was maintained for 130 to 155 years. The plateau area of Cockatoo Island continued as a gaol until 1908–09, while the dock and associated buildings continued their ship repair role until 1991. Today, Cockatoo Island is a heritage site. Brickendon–Woolmers have been farming estates



Old Government House retains extensive evidence of its formal government use from 1788 to 1857.



The well preserved underground cells at the Coal Mines show a high degree of integrity and authenticity.

associated with six generations of the Archer family for 190 years. Fremantle Prison operated as a prison for 136 years and was converted into a heritage conservation site upon being decommissioned as an operating gaol in 1991. Old Great North Road continued as a road for public use until 1978 when it became a heritage site for use as a pedestrian pathway within Dharug National Park. KAVHA retains several of its original functions. The convict-built landing pier is an important aspect of the site and is still in operation today. Old Government House retains extensive evidence of its formal government use from 1788 to 1857. It then operated as a boarding house until 1970 when it became a museum with occasional vice regal use. Hyde Park Barracks provided accommodation for immigrants (until 1887) and a variety of government offices/law courts (until 1979) and has operated as an historical museum since 1984.³⁷⁶ Today, all of the sites operate as heritage sites to transmit the heritage significance to the Australian community and international visitors. Port Arthur has operated as an historic site for tourists for over 40 years, and prior to that was an informal tourism village for nearly 100 years. Several buildings at the sites operate as museums including: a room of the Asylum, the Commandant's and Junior Medical Officer's Houses and Trentham Cottage at Port Arthur; the Pier Store, Commissariat Store, Foreman of Works Quarters and Surgeon's Quarters at KAVHA; the Matron's Cottage at Cascades; and Woolmer's Homestead and outbuildings at Woolmer's Estate.

At a small number of sites, individual buildings or landscape features have been adapted to new uses. The main buildings that have changed their functions are: the Bakehouse and Store at Hyde Park Barracks (used as administration offices and a café); the Convict Chapel at Woolmers (converted to an apple packing shed); the Convict Barracks at Cockatoo Island (used as air-raid shelters during the second world war) and at KAVHA, the Commissariat Store (used as a church since 1868, now a museum and archives office), the Old Military Barracks (used by the Legislative Assembly) and the Stipendiary Magistrate's Quarters (converted to a golf clubhouse). A small number of buildings at some of the sites are used for short stay accommodation such as Workers' Cottages (Brickendon–Woolmers), Convict Barracks (Darlington) and some Colonial Authorities' Residences (Fremantle Prison). These re-uses have maintained the significant fabric of the sites. The physical structures, exterior of the buildings and their setting remain true to their original form. Also, the changes have contributed to sustainable practices that facilitate the on-going care and conservation of the sites. Other examples include the removal of a staircase at Hyde Park Barracks and the addition of modern kitchen and bathroom facilities in some buildings at KAVHA and Cockatoo Island.

The low level of development and reconstruction work contributes to the high level of authenticity of the *Australian Convict Sites*. All of the sites retain the spirit of the convict era to a very high degree. There has been minimal urban or rural development within close vicinity to the sites

except for those located close to the urban heart of the colonies. KAVHA, Port Arthur, Coal Mines, Old Great North Road, Darlington, Old Government House and Brickendon–Woolmers are located within landscape settings that have changed little since the convict era. KAVHA is an exceptional landscape that evocatively captures the atmosphere of the convict experience. Development has been virtually non-existent except for a handful of isolated small buildings which are not intrusive. Old Great North Road has survived in virtually its original setting and state, and has a strong sense of place and character. To visit the site is like stepping back into the convict days. Some development has taken place at Darlington such as the construction of cement ‘silos’ in the early 1900s. However, the silos are located away from, and do not impact on, the main convict precinct. Hyde Park Barracks, Cockatoo Island and Fremantle Prison were prominently located within their urban settings and this relationship has been retained.

Reconstruction work has been undertaken on some buildings, generally using traditional materials and in accordance with original documentation or other evidence. Several convict structures at KAVHA such as the Officers’ Quarters, Old Military Barracks and the Stipendiary Magistrate’s Quarters have been restored to varying degrees. The Officers’ Quarters were significantly rebuilt following a fire in 1970. Traditional materials were used consistent with original plans. Some re-roofing works to officers’ buildings have used different materials from the original ones or the roof alignment has been slightly altered. These works are unsympathetic but do not affect the potential

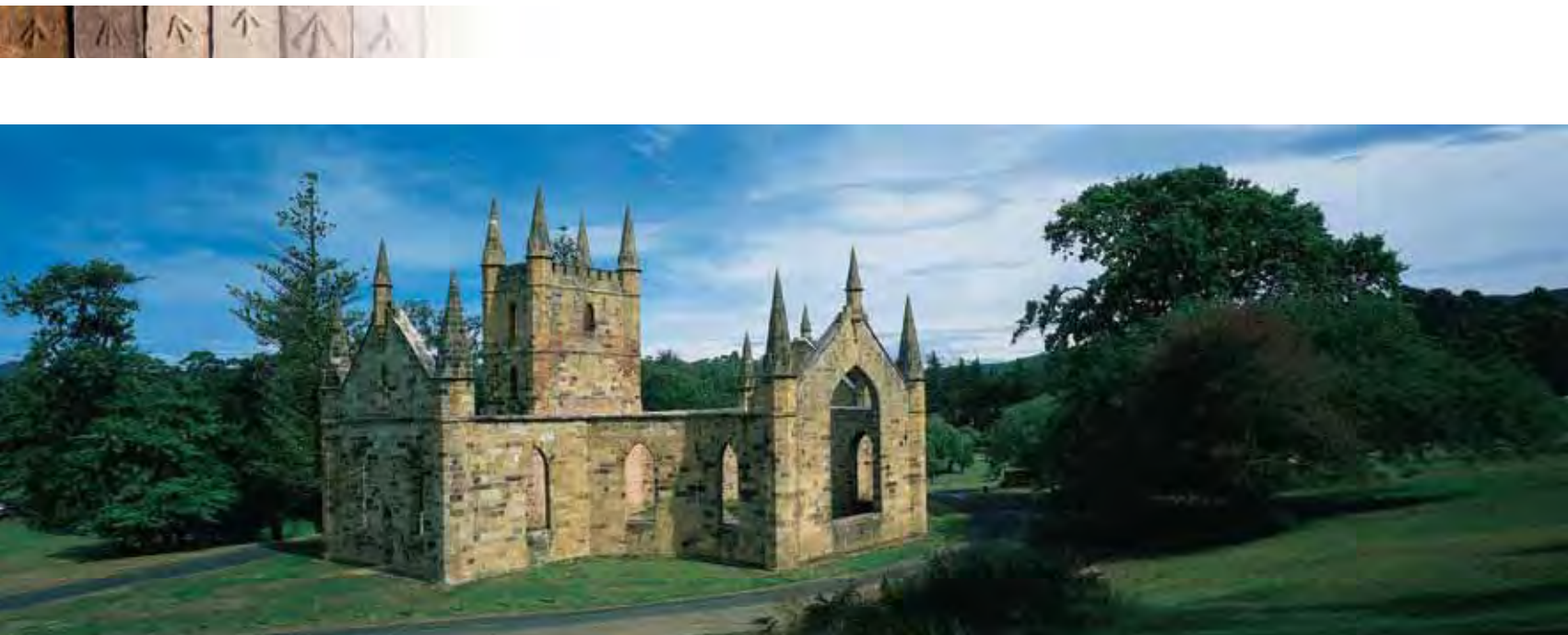


Brickendon–Woolmers have been farming estates associated with six generations of the Archer family.

World Heritage values of the site. The Matron’s Cottage at Cascades has been sympathetically extended and altered, retaining its original 1850s features and character. In some cases, works have been necessary to conserve or preserve the surviving fabric.³⁷⁷ A significant proportion of the bricks that make up the exterior of Hyde Park Barracks have been reversed to expose their least weathered surfaces. This was done for conservation purposes to prevent deterioration of the bricks. In addition, a small number of buildings at some of the sites have been altered as a result of their evolving functions. The Engineer’s and Blacksmith’s Shop



Old Great North Road continued as a road for public use until 1978 when it became a heritage site.



1837 Church, Port Arthur.

Reproduced courtesy of: Port Arthur Historic Site Management Authority.

on Cockatoo Island had another storey added in 1913 in alignment with the dockyard function. Overall, these are minor elements within the sites that do not impinge on the heritage values of the individual sites or the series.

Minor intrusive works have taken place at some sites but these are minimal and management policies are in place to remove or alter them. At Cockatoo Island, the concrete additions in the north-east corner of the convict barracks courtyard and verandah structures will be removed to recreate the original space. The Visitor Centre at Cascades is intrusive and not in harmony with the convict era remains. The potential impact is minimal due to its location in an area of low archaeological significance.³⁷⁸ Nevertheless, policies are in place under the management plan for the removal of the Visitor Centre. Paintwork has not been in accordance with original plans and traditional materials have not been used for a small number of buildings at some of the sites including several officers' buildings at KAVHA. These minor restoration works do not affect the potential World Heritage values.

The *Australian Convict Sites* are exceptionally well documented. The sites have the longest and most continuous recorded history of any convict sites in the world. Australia's convict history is the subject of extensive and diverse research and publication. Detailed original

documentation includes written and pictorial records of the design, layout and construction of the buildings, structures and landscapes. These records provide extensive information on the sites' form and design, materials and substance, use and function, techniques, location and setting and spirit. This documentation makes it possible to know the nature, meaning and history of each site to an exceptional degree. The remaining fabric and records are credible sources of information thus ensuring the authenticity of the sites' heritage values. The strength of the relationship between the physical components and the associated documentary evidence provides a strong basis for evaluating and demonstrating the authenticity of the heritage values. The extensive documentary evidence from multiple sources has a strong alignment to the physical fabric of the sites. The documentary record is identified in bibliographies and management plans, and forms a fundamental basis for policy and decision-making. The records are subject to active, long-term conservation in reputable archives.

Policies and other measures are in place to build a multidisciplinary and community consensus on the heritage values of the sites. These promote an understanding and knowledge of the heritage values to ensure the material safeguard, presentation, restoration and enhancement of the *Australian Convict Sites* (see Parts 4 to 6).