

**Gertie's Law  
Episode 5 - A Place of Reverence**

**Concert actuality**

*Thanks to everyone for coming along to the sixth of our lunchtime concerts...*

**Greg Muller**

Every few months there's a concert in the Supreme Court Library.

**Concert actuality**

*"We're going to kick off today with Daniel Macpherson, now Daniel is associate Justice Ierodiconou's Associate..."*

**Greg Muller**

Court staff and legal professionals gather to either listen or play. They're called Lyrical Lunchtimes. And it sounds great in here, under the decorated high dome ceiling in what's been described as "the most beautiful room in Melbourne."

**Justice Priest**

I think the place drips with history - it's a marvellous building. I love it.

**Justice Taylor**

I think the building is wonderful. It's quirky, it's odd. It has to be said, it's freezing in winter, but it contains such history, I think it's rather charming.

**Greg Muller**

The trial division in the Supreme Court's an imposing building. All that 19th century stonework and polished cedar panelling. Narrow corridors, really high ceilings with grand chandeliers and ornate plasterwork. It makes you nervous.

And that was the exactly the feel they were going for when it was built - in 1884. Even the art, mostly portraits of stern looking men in big leather chairs looking down from under their wigs.

And the statue of lady justice with her sword and scales. The effect of the original building is to communicate the authority - even fear - of the law.

But things have changed a lot in that last few decades, and as the system changes so too does the art and the architecture.

Gradually, this 19th century heritage building is looking and feeling more like it belongs to a 21st century justice system.

I'm Greg Muller. This is Gertie's Law.

**Carmel Arthur**

I was in awe of the Supreme Court.

**Greg Muller**

Carmel Arthur first walked up the steps of the Supreme Court as a victim of crime after her husband was murdered. She had never been involved in the justice system before.

**Carmel Arthur**

The first impressions were that it was this beautiful majestic building. I found it really intimidating, too. I also found the hierarchy of the court really interesting, where the judge

## **SUPREME COURT OF VICTORIA**

would sit. So, you know, completely elevated. And then where the jury would sit, which would be a different level to the judge but higher than what the defendant would be.

I felt that it was a place of reverence. This really beautiful place that I trusted would deliver what I needed it to deliver for me.

### **Greg Muller**

Justice Macaulay has been a judge here for almost ten years.

### **Justice Macaulay**

When I invite people to come into this building and we just walk down the corridors and you see those lovely long corridors with the lamps and the red carpet and the white walls, they are just taken by the ambience, and if you take people into the library you just see their sense of awe, and it's a good thing not to lose that sense of awe about this building.

But, look, modern architecture reflects different priorities, I think, to what there was 140 years ago now. You look at the modern buildings and it's all about space and light and welcome. You look at this building, it's more closed and dark and austere, and I think it was designed to ensure people sensed a degree of "I'm in a place of authority here and I had better abide by it".

### **Greg Muller**

Criminal Judge, Justice Champion.

### **Justice Champion**

Court architecture is really important, because it's symbolic. And you can see the power and the symbolism of this court when you walk into the courtroom and just look at what's around you. There's an enormous amount of history that sort of ekes out of the walls at you.

### **Justice Dixon**

The building is a beautiful piece of heritage architecture that reflects the notions of the relationship between built structures and justice that applied in the 19<sup>th</sup> century where fear was an important emotion.

### **Greg Muller**

That's Principal Judge of the Common Law division, Justice Dixon.

### **Justice Dixon**

This court has a series of small doorways that create the impression of moving in through a doorway into an inaccessible space where you get dealt with. Once you're in a courtroom you are met with architectural design that, if you look at it for a moment, is very similar to that of a church.

Everything takes place at a different level. The judge is up at a particular level. The judge is up at a particular level, the witnesses are at a different level, the jury is at a different level. And if you look at the arrangement of a church you see a very similar use of different entry points, of different levels, all designed to reinforce respect for authority and for authoritative forces.

And the basic principle that was being employed there was to draw the power of the church and the power of religion to ensure that people behaved properly in courts, they told the truth and the disputes to be resolved or the criminal charges to be determined could be done so in a more efficient way.

## **SUPREME COURT OF VICTORIA**

A lot of that 19<sup>th</sup> century appeal to control through religion and belief doesn't work anymore. That – that doesn't carry a great deal of weight in – in society.

Although courts have recognised for a long time that people don't stand in the witness box in fear of eternal damnation if they lie, so that there are different techniques for working out where the truth lies.

### **Greg Muller**

Is it good to be fearful if you're here?

### **Justice Dixon**

Argh, yes. I'm not sure that fear is the correct emotion that I'd go for now. You certainly don't want to be relaxed and comfortable and feel that you can get away with things. And I think that modern architecture actually doesn't permit that kind of response to it, but there is a need for the occasion to be represented as being one of particular importance where it is important that you do the right thing.

### **Greg Muller**

Justice Macaulay again.

### **Justice Macaulay**

Yes, I think people should feel a degree of anxiety and nervousness in any courtroom. It's serious business and if people feel that they can take or leave the authority of the court as they choose, then the task of the court is made that much more difficult, so I think casualness, over-familiarity between the bench and practitioners and witnesses can, in a sense, break down the serious function that the court is trying to perform, and that is to ascertain forensically what happened.

So, we want the tools – and in part the aura of the court is one of those tools – with which to try and get to the best approximation of truth that we can.

### **Greg Muller**

Should you be scared if you're in front of the Supreme Court?

### **Justice Champion**

I've thought about this a lot and my response to that – and it probably differs from a lot of people – but my response is, yeah, I want to be shaking at the knees when I walk into the Supreme Court.

### **Greg Muller**

Justice Champion.

### **Justice Champion**

I want the feeling to be momentous. It's difficult, because I want it to be welcoming for the public to come in, to understand what justice is doing, but we're dealing with really important cases, really big cases. I know as a barrister whenever I walked into the Supreme Court, you know, you get this sense of awe as you walked in and you would start to shake at the knees. I want that to happen. You know, I don't want people to feel scared, but I want people to understand that this is really serious business.

### **Greg Muller**

Of that there's no doubt. And there's no confusion either as to who's in charge.

## **SUPREME COURT OF VICTORIA**

In the main criminal courtrooms - the judge's dominance is accentuated by a grand elevated wooden canopy. Behind the judge is the Coat of Arms of the United Kingdom, the Royal Arms, the one with the lion and a unicorn.

And if you look around there's hints to how long these courtrooms have been used. For example the knock at the start of each court session comes from a little wooden hammer hanging from a piece of string at the judge's entrance.

And there are hundreds of small indentations in the wood panelling from where it's been banged - in the same spot - for more than 100 years.

It's quite an intimidating building - is that as it should be?

### **Justice Whelan**

Well, that's certainly why it was built the way it was.

### **Greg Muller**

Appeal Court Judge, Justice Whelan.

### **Justice Whelan**

The older the courtrooms you go into, the more intimidating they are, and that was sort of 19 century way. The more modern ones you go into, the benches get lower and lower and the whole atmosphere becomes more congenial, I suppose.

### **Greg Muller**

Some people who have worked here a while develop a love hate relationship with the building.

Justice Lex Lasry.

### **Justice Lasry**

A bit of both - a bit of both - I love the fourth court in Melbourne. I've sat in there a lot and I've appeared in there a lot. I think that court is primarily imposing. I think that's a benefit.

I don't think people – you know, I think when you're dealing with serious crime welcoming is less important than imposing and serious, and I – the courts do serious business. The atmosphere should be serious. I know from the point of view of victims and other civilians who come to the court that can be a problem, but I think we do serious work, we should sit in circumstances that emphasise the seriousness in what we do.

### **Greg Muller**

Chief Justice, Anne Ferguson

### **Chief Justice Ferguson**

I don't think you should be scared no matter that it is the Supreme Court building. You should be coming here as a place where you're going to – if you're in the case yourself as a party, you're going to get a fair hearing and justice is going to be delivered. I – I don't want people to associate that with fear.

I think that your authority and your respect is earned by what you say and do, not how you appear or what title you have, and not the physical environment that you're working in.

The architecture of this, if you go into the courtrooms, is very hierarchical. So the judge is always positioned in the highest position in the courtroom. That's not always appropriate any longer in our society, to have that hierarchical architecture.

## SUPREME COURT OF VICTORIA

In the more modern courts you don't get it in the same way. The judge is still slightly elevated but not to the extent that you have in this court. And there's a practical reason for having some elevation so the judge can see what's going on in all of the courtroom, but as I understand it the architecture of this court was very much, everybody had a position and it was a hierarchical position.

### **Greg Muller**

The trial building at the Supreme Court was completed in 1884 - at the height of the gold rush. Indeed, previously on this site were vaults in which miners would come into town and store their bullion.

Those vaults are now part of the underground cells - more on those later. Architectural historians describe its style as 'Academic Classical. In a recently published book on the Supreme Court called, 'Judging for the People', the building is described like this:

*The columns that support the dome in the courtyard speak of Greek democracy and Roman law. It's derivative of other great legal temples and has echoes of the Old Bailey and the Four Courts in Dublin - yet it is unique to Melbourne - a reminder of that unparalleled decade of growth and excess, the land boom era of the 1880s."*

So how did the Supreme Court end up looking the way it does?

### **Joanne Boyd**

Well, it was complicated, like everything about this place, it was complicated.

### **Greg Muller**

Joanne Boyd is the archives manager at the Supreme Court.

So they decided on this end of town, and it's great because it's on a hill. It's on a high point. If you think about it, everything falls away. You go down Lonsdale Street and down – so here we are upon the hill, and then they have this – they eventually have a competition to design the building. So they advertised that in the government gazette.

### **Joanne Boyd**

So then they decided – I think they always decided it had to be stone. It wasn't going to be brick, and the funny thing in Melbourne is that we've got more blue stone. The sandstone of this building actually was imported from Tassie and there's a stone enquiry during the building of this building, because the stone wasn't right and it, they were importing it from Tassie and I think the quarry ran out and a whole range of things. Anyway, but the design competition, well, that's a doozy, isn't it?

### **Nicole Lithgow**

It is. So the design of public buildings was decided by a competition and the entries they got back were judged anonymously.

### **Greg Muller**

Court archivist, Nicole Lithgow.

### **Nicole Lithgow**

However, there was one in particular that stood out. It was in the academic classical style.

It was the design that actually won and a judge in the competition was a guy by the name of A.E. Johnson. He worked for the Public Works Department. The problem was that A.E.

## **SUPREME COURT OF VICTORIA**

Johnson was very close associates with a gentleman by the name of Smith who had put in the design. So ultimately Johnson chose his own design.

### **Joanne Boyd**

Well, when it came out, it was really big news, because the Public Works Department was already in strife at that stage for being corrupt, or – not, you know – awarding building projects to their mates and things like that.

### **Nicole Lithgow**

It caused such a kerfuffle that there was, in 1873, a Royal Commission “to enquire into the system adopted by the Public Works Department in reference to contracts and the execution of public works, and generally to report on the department itself”. So it was a fairly serious set of allegations. However, this is the building that we got.

### **Greg Muller**

So in 2019, does this court still work?  
Justice Champion.

### **Justice Champion**

The basic architecture remains the same and is really important. I wouldn't change the structure of the courtroom: the judge's bench, the dock, the jury box, the barristers and the public. I think that formula is tried and tested. I wouldn't change that formula, but it needs updating to the modern era.

### **Justice Taylor**

I think the building is wonderful. It's quirky. It's odd. It has to be said, it's freezing in winter, but it contains such history. And although it's not a modern court in the sense of there are rooms off corridors and you have to walk miles, I think it's rather charming.

### **Greg Muller**

That's criminal Judge, Justice Taylor.

### **Justice Priest**

One gets a very great sense of history I think if you walk through the stone corridors. I just think the place drips with history. And I think – it's a marvellous building. I love it.

### **Greg Muller**

Appeal court judge, Justice Priest.

### **Justice Priest**

This room we're sitting in, you know, look around. Again, you get a sense of history and tradition, I think. That's what – you ignore the scurrying mice.

### **Stephen Hehir**

Okay. We will go down. This is the entrance that we will use here. Just be careful of the stairs. They're very small. It's not too bad down there. We've got the lights and everything on. I've opened it up but, yes, just be very careful going down. Okay? Don't hurt yourself. Someone has turned the lights off.

### **Greg Muller**

There's one area in this court which is often talked about but rarely seen. The underground cells, or dungeons. Indeed it took me a few months of asking before Tipstaff, Stephen Hehir agreed to take me down.

### **Stephen Hehir**

## SUPREME COURT OF VICTORIA

So they used to bring the prisoners down here. They would bring them in, lock them up. You would have something like 15 to a cell.

So you imagine, if you've got 15 people, they would probably be shackled. The staff are here with these guys, of course – and the conditions are pretty bad. There's no air conditioning. There's no heating.

### **Greg Muller**

It must have been a very unpleasant place, it's dark, it's dingy, and back then, with the smell of the sewerage, and gas.

### **Stephen Hehir**

There's no natural lighting, of course. So they would have used gas.

There's no sewerage. There's no running water. It's pretty ordinary conditions. Occ Health and Safety wasn't a big feature in those days.

There are some photographs on the glass there of different people that have been occupying the cells at different times.

There's Frank Deeming. Deeming was found guilty of killing his wife in Windsor in 1891. He was hung in 1892. There's Squizzy Taylor there. Squizzy was shot in 1927, but before that he had a bit of a criminal history. He would have been down here at different times.

There's also Frances Knorr. There's a picture of her. She was executed after being convicted of baby farming. Illegitimate children would often be given to single women or couples who would promise to look after them in return for cash. They then would sometimes abandon or kill the children. Numerous infants were found buried in the gardens of two houses that Frances had rented. She went to the gallows in 1894. She was only 23.

And speaking of the gallows, there's an image there of a hangman, William Walker. In 1893, Frances Knorr was condemned to death. Walker's wife threatened to leave him if he executed a woman and nine days before Nor was due to hang, Walker was found dead, he'd had cut his own throat.

When your time came to go to court, you would be brought out of the cells and there used to be spigots in the wall here where prisoners, if they were playing up, could be restrained, or if you were really being a bad boy, they would put this around your waist. That's an original belt, and there was a little metal ring on the back and they would attach you to the wall, so that you couldn't play up too much, and restrain you until you were ready to go.

The constable would come down and say, "You're ready to appear in court." They'd bring you down here. This is what they call prisoner's walk.

So if you were brought down here ready to go to court, they'd stop you here at the entrance to the dock, and there's a very steep, narrow little winding staircase here. You'd be stuck here with your constable. You're probably in shackles and you can see, as they're talking away upstairs, you might be standing here for some time. And you will notice on the wall here that they've either used their shackles or whatever metal object they've been restrained with to carve their initials or different comments they might have made.

### **Greg Muller**

And while the offenders were scratching their name in into the stone at the entrance to the narrow spiral staircase which leads to the dock in court four - upstairs in the courtroom the journalists were busy doing the same thing in the press boxes.

**Actor**

“Barry Richards - The Age, 1960”

“Bowlan - ABC – 1990”

“CJ Dowe - The Argus”

“Jayde Vincent - Nine News”

“Gerrard - 1938”

**Greg Muller**

It’s a tradition which still goes on today.

**Joanne Boyd**

Well, it’s mainly the classic, “I was here” type idea. So you’re getting journalists, and sometimes they’re owning up to which company or paper or whatever. So there is the Argus and the Age.

**Nicole Lithgow**

It’s usually their name and their publication and then a year.

**Greg Muller**

It’s just a history of court reports for a hundred years

**Nicole Lithgow**

That’s right.

**Joanne Boyd**

Yeah.

**Nicole Lithgow**

That’s right. And they got bored.

**Joanne Boyd**

And God knows it can be boring during a trial.

**Nicole Lithgow**

It can be boring. So they would scratch their names in.

**Actor**

“*The Runt*”

“*H. E. Scholl. Star - 1933-4-5*”

“*Snake Tyrone*”

**Nicole Lithgow**

It becomes part of the living history of the court and it becomes a very interesting part of it and it becomes just part of the life and breath of the court itself. So it would be a shame to remove it. It’s – these rooms, these walls have seen a lot of very interesting things and I think it’s a shame to remove all evidence of that.

**Greg Muller**



## SUPREME COURT OF VICTORIA

And it's not only journalists. In the upstairs public gallery of one of the main criminal courts - supporters of the accused on one side:

**Actor**

*"Leon is innocent"*

*"Leon is amazing - We love him."*

**Greg Muller**

And on the other side:

**Actor**

*"Leon is a [Bleep]"*

*"Leon is a [bleep]"*

*"Leon is a Looza"*

**Greg Muller**

That's loser with a 'z'!

Imagine the tension in the court that day. Both camps - eyeing each other off across the room - scratching away.

Also in court four - the main criminal court - someone's carved an accurate and detailed handgun into the wood. A lot of care's gone into this - whoever did it knew their way around a gun that's for sure - and it would have taken them a while. There's got to be a story behind that.

Perhaps the most distinctive feature from the outside is the dome. This sits above the library.

**Dr Sue Reynolds**

I'm Sue Reynolds, I'm a library historian, and my PhD was on the library of the Supreme Court of Victoria.

All right. Let's go in.

And we've crossed the carriageway and we're entering the library through the doors marked "Library. Private. No Admittance".

**Greg Muller**

And why does it say that?

**Dr Sue Reynolds**

Well, it says that because originally only people admitted to practise law in the Colony of Victoria who paid their admission fees to the library were allowed to use this library.

**Greg Muller**

When did it open to the public?

**Dr Sue Reynolds**

Slowly, over the years, and really only in the 20<sup>th</sup> century and the 21<sup>st</sup> century. So, originally, you had to ask permission to come in. Now, you can just come in and staff will say, "Just have a look."

**Greg Muller**

## SUPREME COURT OF VICTORIA

Justice Redmond Barry loved libraries. He was instrumental in setting up the Melbourne Public Library, Carlton library, Parliamentary library and the Law Library, here at the Supreme Court.

### **Dr Sue Reynolds**

Well, we're entering the most beautiful room in Melbourne, as the former late Chief Justice John Harber Phillips said when the library was refurbished in 1999. And so we're in a big, circular space, but it's under an internal dome – a false dome. So the dome you can see from outside is not the dome that we're looking up at now, and in-between the external dome and the internal dome are various rooms and things going on up there.

### **Greg Muller**

Just to our left, there's a sign of all the librarians here since 1866.

### **Dr Sue Reynolds**

Yes. 1866 is what the board says but, in fact, John Schutt was appointed in 1865. He was the librarian for 54 years. And there has only been six librarians, because all of them served for a very long time, except, perhaps, Mrs Goodwin, who was only the librarian for six years.

### **Greg Muller**

Cynthia.

### **Dr Sue Reynolds**

Cynthia, yes. And when she stepped down they made a new rule that said only a man – underlined – of the law was to be the librarian.

### **Greg Muller**

I wonder what Cynthia's time here would have been like.

### **Dr Sue Reynolds**

Well, it's a little bit hard to know, because the minute book has been – pages have been taken out over the argument over her appointment.

### **Greg Muller**

All around the circular building are portraits - all looking at you when you stand in the middle. Mostly men with big beards in wigs in big leather armchairs.

### **Dr Sue Reynolds**

Well, most of the portraits are Chief Justices from the Supreme Court of Victoria, or the Colony of Victoria as it was originally. They started with the portrait of Sir William à Beckett, which was donated to the old Supreme Court by a Member of Parliament, who wanted to honour the judges as he had seen in England.

### **Greg Muller**

Now, as you walk in, almost directly in front, is the largest portrait. Who's that?

### **Dr Sue Reynolds**

That is the very long-serving librarian, John Schutt, and he – you can see, he's resting his hand on a pile of books. He was very well-regarded. He was very learned.

### **Greg Muller**

And next to that portrait is one which stands out equally, actually, for different reasons.

### **Dr Sue Reynolds**

## SUPREME COURT OF VICTORIA

Yes. That's the portrait of the former Chief Justice Marilyn Warren. Perhaps one of the reasons is because she was the first female Chief Justice. She is dressed in civil robes, without a wig, she's looking straight out, and it's unframed.

So one other portrait of real note is of William Barak who was a leader of the Wurundjeri people in Victoria, and Chief Justice Warren asked that this portrait be placed in the library. So an image from a 19<sup>th</sup> century painting, a digital image, was made, and that's what you see here framed just as it would have looked, though, in a very elaborate 19<sup>th</sup> century-type frame.

### **Greg Muller**

And despite this library being only 135 years old. There are books here which date back to the middle ages.

### **Dr Sue Reynolds**

One of the display cases has got the oldest book in the library. It's called Statham's Abridgement, and its 1490, so it was printed in the very early days of printing.

### **Greg Muller**

What are some of the other ones?

### **Dr Sue Reynolds**

There's 50 16<sup>th</sup> and 17<sup>th</sup> century books. One, in particular, is called Cowell's The Interpreter. And all copies of that book were ordered to be burned in England because it was a list of definitions, and the King didn't agree with the definition of "king" or "parliament" or "prerogative". But we have a copy here in this library. There's one that has been described as the filthiest book ever printed, and that book is Petronius. And there's a copy here in this library.

### **Greg Muller**

Can I ask you why it's the filthiest book?

### **Dr Sue Reynolds**

I think there's a lot of sexual references and that kind of thing. Yes. It's just hidden away here.

In the room that's called the Classics Room are some books that are not law books, and I think they were sort of imposed on the colonies by the supplier in England. And, so, we've got the History of Wine, the History of Magic, the Young Lady's Handbook, held by the library at a time when young ladies couldn't come to the library because they couldn't study law, so they couldn't be admitted. There's Fairy Mythology, which has the first use of the word "leprechaun". My favourite is one called the Lobster written by Thomas Huxley, who was Aldous Huxley's uncle. But at the front of that book it says you should read it with a lobster in your hand.

Redmond Barry contended that they were all law books and books either side of the law.

So history literature, natural science mechanical, arts so it's very eclectic, and Barry actually justified legal practitioners having wide-ranging books to read because nothing is beyond what a lawyer should know.

### **Greg Muller**

So if we were to pull one of the books off – now, I understand there's a seal in them.

### **Dr Sue Reynolds**

## **SUPREME COURT OF VICTORIA**

Yes – yes. On the front of each book is stamped the motto of the library, which is, “Nolumus leges Angliae Mutare” and that motto means, “We don’t want to change the laws of England.” That motto comes from the 13<sup>th</sup> century in England, where the barons and the King were arguing over the powers of the King, and the King said a similar statement in a much longer document.

**Greg Muller**

So that’s stamped on every book here. Whose decision was that?

**Dr Sue Reynolds**

Redmond Barry’s.

Right so we’ll go up to the more modern bit. So where we’re going is up into this space between the internal dome and the external dome which has been used for many different things over the years.

Toilets were a big feature when the courts were built in the 19<sup>th</sup> century, and this library was known for good sanitation then and now.

We’re now inside the dome, one of the modern reading rooms that was created, and we can go up further where there are little porthole windows, if you want to go up there.

**Greg Muller**

Sure. So what was this area before it was renovated?

**Dr Sue Reynolds**

It was used to sequester juries. So up until the 1960s when female jurors were allowed to be jurors the male jurors were accommodated here in beds, and you were only excused from being on the jury if you had a heart condition because there was 67 steps. So we’re now up higher, and you’ve got lovely views out these porthole windows.

**Greg Muller**

And this is all open to the public, this whole area.

**Dr Sue Reynolds**

Yes. This is like a secret. People don’t come up here.

**Greg Muller**

There’s two main sculptures here. Two watching women of the court. And better than anyone - they show how much justice has changed in 100 years.

There’s Gertie of course, or Lady Justice. Up high, looking over the main entrance. In one hand clutching the scales of justice and in the other a sword.

Then there’s Louisa.

Hi, Clive – how are you going?

**Clive Murray-White**

Good, nice to see you again.

**Greg Muller**

In 2009, sculptor Clive Murray-White had a visitor to his Gippsland studio.

# SUPREME COURT OF VICTORIA

## **Clive Murray-White**

That's the outdoor studio, I work, basically out in the bush with a little cover over me. Large lump of marble on the trailer.

## **Greg Muller**

Clive was asked to provide a sculpture for the newly renovated courtyard. The area was being used as a car park for judges and the decision was made to turn it into public space.

## **Clive Murray-White**

Well actually it was initiated by Justice Osborn whose wife had told him to have a relaxing time after a difficult case in Sale. And she suggested bring him around to my studio, give him a cup of tea and he sees this sculpture and says the judges had decided to make that courtyard in the back and they thought that they wanted a sculpture. He saw Louisa. And said that's what we want for our courtyard.

How they explained it was they had made this courtyard because the court was a stressful place for people who had to visit it.

And I kind of thought it would be nice to have the head set in a kind of seating way so that people who were being a bit stressed could sit and have a little friend with them.

## **Greg Muller**

Justice Osborn remembers it well.

## **Justice Osborn**

Well, the courtyard was a cobbled courtyard and was used as a judges' car park, and we created an attractive and calm space, but it didn't have a particular feature or focus.

## **Clive Murray-White**

That was the germ of the idea that sculpture went out to do a job of helping calm people. I often like sculptures to do jobs.

## **Greg Muller**

A functional role for the work.

## **Clive Murray-White**

A functional role and very practical – you know – you can sit there, there was this rather nice marble girl.

This idea that a sculpture can do those sorts of things for people. In truth you can also touch it. Very few people actually get the opportunity to touch a marble sculpture and the nice thing about certain surfaces in marble is that they're almost like smooth as a baby's bottom, and that tactile experience has an effect on people too. I mean if you can actually stroke something – it's a calming – it can be a calming experience.

By the time they launched it, whoever gave the opening speech managed to say they had managed to drag justice down from the, on high, you know how justice is usually stuck up on top of a building with a blindfold and sword and the scales of justice, and by the time they opened it they had kind of seen that they had actually brought justice down to the people's level, and she was serving people at their level and not an authoritarian symbol. And I like that a lot.

## **Justice Osborn**

## SUPREME COURT OF VICTORIA

And the Chief Justice christened it “Louisa as Justicia”, that is, as the female embodiment of justice. And she sits there – she sits down at ground level, so that people relate to her directly, rather than looking up at her above the doorway.

### **Clive Murray-White**

It becomes a focus for a thought that the Supreme Court judges had which is humanitarian, rather than some of the perception that we have of the law as being remote and hard. This was a beautiful idea.

### **Justice Osborn**

She also reflects an internal figure, in the sense that it’s a contemplative figure. It’s not a figure confronting the world; it’s a figure reflecting on the world around it. It’s not some 19<sup>th</sup>-century copy or other copy of a Classical figure; it’s a modern depiction of a complex, thinking female.

### **Greg Muller**

And remember, we heard in episode one - it remains a mystery how Gertie got her name - But we do know who Louisa is.

### **Clive Murray-White**

I mean Louisa is a real person. It’s very funny, I told Louise that she was in the court and she thought she was never very law abiding

### **Greg Muller**

She was going to end up in the Supreme Court one way or another

### **Clive Murray-White**

That’s right, she said that. (laughs)

### **Greg Muller**

What do you want people to get from it?

### **Clive Murray-White**

Oh I think in the simplest thing and it’s a very unpopular answer for artists these days, but as for a touch of beauty in their lives. Artists tend to try too hard to be ugly and confrontational I think I like to put a bit of beauty into people’s lives. Yeah, a touch of beauty will do.

### **Greg Muller**

Gertie’s Law is produced by the Supreme Court of Victoria. Please rate and review if your podcast app allows.

And a reminder, we’re preparing an episode where we’d like you to send in a question for a judge.

So if there’s a burning question you want to put to a Supreme Court judge, send them either as text or even better, as an audio file to [gertie@supcourt.vic.gov.au](mailto:gertie@supcourt.vic.gov.au).