



**HERITAGE
COUNCIL**
OF WESTERN AUSTRALIA

REGISTER OF HERITAGE PLACES

ASSESSMENT DOCUMENTATION

11. ASSESSMENT OF CULTURAL HERITAGE SIGNIFICANCE

The criteria adopted by the Heritage Council in November 1996 have been used to determine the cultural heritage significance of the place.

PRINCIPAL AUSTRALIAN HISTORIC THEME(S)

- 4.6 Developing institutions
- 5.5 Trying to make crime pay
- 7.6.5 Incarcerating people
- 8.14 Living in the country and rural settlements

HERITAGE COUNCIL OF WESTERN AUSTRALIA THEME(S)

- 102 Aboriginal occupation
- 106 Workers (incl. Aboriginal, convict)
- 403 Law and order

11.1 AESTHETIC VALUE*

The Bull Pen Shelter Shed displays aesthetic characteristics in its simple and well-proportioned form, with the largely open walling and extended eaves responsive to the climatic conditions of its location. (Criterion 1.1)

11.2. HISTORIC VALUE

The significance of the *Bull Pen Shelter Shed and Archaeological Deposits* extends beyond the existing Broome Regional Prison to reflect the histories of colonisation and incarceration (particularly of Aboriginal people) in Broome and the Kimberley. (Criterion 2.2)

The Bull Pen Shelter Shed is the only structure remaining from the 1894-1907 establishment of Broome Prison. It represents the continuous use of the site for the incarceration of prisoners in the North West since 1894. (Criterion 2.1)

The Bull Pen Shelter Shed is an example of a building specifically designed to hold Aboriginal prisoners, providing facilities considered appropriate for them at the time in a tropical climate. (Criterion 2.2)

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For consistency, all references to architectural style are taken from Apperly, R., Irving, R., Reynolds, P. *A Pictorial Guide to Identifying Australian Architecture. Styles and Terms from 1788 to the Present*, Angus and Robertson, North Ryde, 1989.

For consistency, all references to garden and landscape types and styles are taken from Ramsay, J. *Parks, Gardens and Special Trees: A Classification and Assessment Method for the Register of the National Estate*, Australian Government Publishing Service, Canberra, 1991, with additional reference to Richards, O. *Theoretical Framework for Designed Landscapes in WA*, unpublished report, 1997.

11. 3. SCIENTIFIC VALUE

Bull Pen Shelter Shed and Archaeological Deposits has scientific value as a benchmark for the treatment of Aboriginal prisoners in the North West up to the 1960s. It has the potential to be used as a research or teaching site, and has the potential to provide insight into life in the north of the state during this period. (Criteria 3.1 & 3.2)

The place has archaeological potential to reveal material evidence of earlier fabric and archaeological deposits related to the early use of the Prison and the Bull Pen Shelter Shed. (Criterion 3.2)

The wider Broome Regional Prison site may well be located on archaeological deposits deriving from use of the area prior to the construction of the Prison, given the listed indigenous sites in and around Broome including the neighbouring midden to the immediate east of the Prison. (Criterion 3.2)

11. 4. SOCIAL VALUE

Bull Pen Shelter Shed and Archaeological Deposits holds strong associations for prisoners, their families and prison officers, and provides a physical reminder of the relationship between Aboriginal and non-Aboriginal people in the North West. (Criterion 4.1)

12. DEGREE OF SIGNIFICANCE

12. 1. RARITY

The Bull Pen Shelter Shed is one of only two such prison facilities of similar design dating from the early 1900s in Western Australia which were constructed specifically to hold Aboriginal prisoners. Unlike the example at *Derby Police Gaol* which has iron grille walls, the walls of the Bull Pen Shelter Shed at Broome Regional Prison were modified with the lower section constructed in concrete. (Criterion 5.1)

Bull Pen Shelter Shed and Archaeological Deposits has a high degree of archaeological potential. The place is likely to contain rare archaeological material originating from the use of the place in the period prior to 1902 as well as the early period of the use of the Bull Pen Shelter Shed. (Criterion 5.1)

12. 2 REPRESENTATIVENESS

The Bull Pen Shelter Shed is representative of a style of incarceration for Aboriginal prisoners in the North West of the state. (Criterion 6.2)

12. 3 CONDITION

Being situated within a continually operating prison facility, the Bull Pen Shelter Shed has been well maintained and is mostly in good condition.

12. 4 INTEGRITY

The Bull Pen Shelter Shed has high integrity and continues to be used for holding prisoners. The Bull Pen Shelter Shed has remained in use since construction, with adapted functions.

12.5 AUTHENTICITY

There has been considerable development across the wider Broome Regional Prison site over the past century with the removal, replacement, adaptation, upgrade of existing structures and introduction of new facilities. The Bull Pen Shelter Shed was modified early in the twentieth century by the introduction of solid concrete in the lower section of the walls and an alteration in roof form. More recently the addition of an enclosed partition in the south-west corner of the building has reduced some of the openness of the structure but this is a lightweight structure could be removed. Overall the place has moderate to high degree of authenticity.

13. SUPPORTING EVIDENCE

The documentation for this place is based on the heritage assessment completed by Irene Sauman, Historian and Katrina Chisholm, Architect of Parry and Rosenthal Architects in June 2011, with amendments and/or additions by the State Heritage Office and the Register Committee.

Relevant archaeological information contained within the report, *Archaeological Context of the 'Broome Regional Prison (including Bull Pen)'* prepared by Dr Alistair Paterson has been incorporated into this assessment by State Heritage Office staff. The original report in its entirety has been included as Appendix 1.

13.1 DOCUMENTARY EVIDENCE

Bull Pen Shelter Shed and Archaeological Deposits is situated within the Broome Regional Prison site, which was first developed as a prison in 1894. The Bull Pen Shelter Shed, built 1902-1907, comprises a rectangular 'cage-like' enclosure with low masonry walls and metal grilles extending to a timber-framed, half-hipped corrugated metal clad roof, adjacent landscape elements and archaeological deposits. The place was used specifically for the incarceration of Aboriginal prisoners.

The wider Broome Regional Prison site is a group of single-storey structures, open-air recreational facilities and landscape elements, constructed at various periods during the twentieth century. These structures include the Administration Block, which some evidence suggests may incorporate within it part of the 1894 three-room Warders' Quarters, relocated on the site in 1902 for Gaoler's Quarters. However, no physical evidence for these early elements could be detected so the Administration Block has not been included in the curtilage. The prison site is associated with the confinement and administration of prisoners from across the North West of the state.

The tropical northern coastal districts of Australia were well populated with Aboriginal people. The water and land yielded a rich harvest of animal and plant life. The Dampier Peninsula was home to a number of groups, identified largely through language. They were the Yawuru, Djugun, Ngumbarl, Jabirrjabirr, Nyulnyul, Numanburr, Warrwa, Bardi and Jawi people, often collectively referred to as Goolarabooloo, the Salt-Water People. Although closely related through marriage and cultural ties, each group retained its distinct language and traditions and boundaries that were marked by significant trees, rocks, water places and other landforms.¹

Following European occupation and the development of pearling in the Kimberley district, Aboriginal men and women worked on the pearling luggers as divers. Many were brought to the work by force, as 'blackbirding' was common in the early years. Pastoralism also disrupted Aboriginal life, and diseases introduced by Europeans decimated their number. There was organised and warlike resistance to European occupation in the North West, in comparison to the sporadic events in the south, and a more concerted effort was made by the occupiers to quell resistance.

The township of Broome was gazetted in 1883, but consisted of only a few pearling camps in the sand hills until 1889, when pearl dealer and merchant Streeter & Co built

¹ Green, Neville 'Aborigines and White Settlers in the Nineteenth Century', in Stannage, C.T. *A New History of Western Australia*, University of Western Australia, 1981, p. 80; Tindale, Norman B., *Aboriginal tribes of Australia: their terrain, environmental controls, distribution, limits and proper names*, ANU Press, Canberra, 1974.

premises in Broome.² An official police presence was established in the town on 12 July 1890, when Constable Archdeacon was appointed officer in charge with a staff of a mounted constable and Aboriginal assistant. By 1894, the position of officer in charge was occupied by a Corporal, indicating the growth of the town. A lockup and police station were built in 1896.³

The police buildings and courthouse were located on Lots 18 and 19, on Carnarvon Street, which had been reserved for telegraph purposes in 1888. Lot 18 was designated Reserve 1287 and Lot 19, Reserve 1288.⁴ The Lockup was situated on the southeast corner of Lot 19, between the courthouse on Lot 19, and the police station and quarters on Lot 18.⁵ The building had three cells and was designed for short-term detention of prisoners prior to trial or in police custody. Prisoners who were serving long sentences were sent by ship to Fremantle.⁶

Prisons in Western Australia were under the management of the Office of Sheriff and Inspector of Prisons until the early 1900s, with the position of Sheriff and Inspector (later Comptroller of Prisons) held by Octavius Burt. The first record of a gaol at Broome appears in his Report on Gaols and Prisoners for 1894, when the place is recorded as holding 56 prisoners, many of whom were possibly relocated from Wyndham, which had a reduction of 38 prisoners that year over the previous year.⁷ Broome Prison was located on a three-acre site on Hamersley Street designated Reserve 2551, which had been gazetted for the purpose in July 1894.⁸

The early development of the Broome Prison was on an ad hoc basis. From 1894, small amounts of funding were provided from the Sheriff's Office budget for construction of timber-framed iron-clad buildings comprising a cell block of eight cells (each cell measuring 10 feet by 8 feet by 7 feet 3 inches high), a three-room dormitory for single warders, a two-room gaoler's quarters, a cook house measuring 15 feet by 7 foot 6 inches, and a bough shelter shed.⁹ In 1895-96, £500 was allocated for Derby and Wyndham gaols and £1,000 for additions at Roebourne, while Broome had £155-16-11 spent on its gaol, being the first such amount recorded in Public Works Department (PWD) annual reports.¹⁰

In 1900, a total of 79 prisoners passed through Broome Prison, with an average of 20 incarcerated at any one time. Less than half of them were Aboriginal.¹¹ Occupancy rates varied according to the pearling season, with fewer prisoners when the pearling boats were operating and more during the lay up period. In 1902, the place held 32 prisoners, with five housed in each of six of the seven available cells - one cell of the

² *West Australian Government Gazette*, 27 November 1883; Burton, Val, op cit, pp. 6-8; Bain, Mary Albertus, *Full Fathom Five*, Artlook Books, Perth, 1982, pp. 10-12.

³ For development of the police and justice presence in Broome refer to heritage assessments P294 Old Police Lockup & Boab Tree and P296 Broome Court House, and Old Police Lockup & Boab Tree Broome Conservation Management Plan and Broome Court House (former Cable Station) Conservation Plan.

⁴ *West Australian Government Gazette*, 12 January, 1888, p. 17; DOLA, Reserves Index.

⁵ PWD plans 15173, Broome Police office additions, 10 August 1910. See supporting material.

⁶ Gray, L. & Sauman, I. 'Old Police Lockup & Boab Tree, Broome. Conservation Management Plan' 2006.

⁷ Report on Gaols and Prisoners for the year 1894.

⁸ Landgate Reserve Enquiry detail, Reserve 2551.

⁹ Broome Gaol, State Records Office WA (SROWA), WAS 3054 CONS 968, Item 1907/0765, correspondence and 1904 sketch plan; Photograph of prisoners and bough shed, 1894, courtesy Battye Library 003223D.

¹⁰ Public Works Department (PWD) Annual report, 1893-94, pp. 25, 29.

¹¹ Report on Gaols and Prisoners for the year 1900, p. 1, In *Votes & Proceedings*, 1901.

eight-cell block being in use as a store room. The average sleeping space available for each prisoner at Broome was 228 cubic feet. The only space smaller was 200 cubic feet at Derby.¹² To address the overcrowding, a block of three concrete cells was added in 1902 (later female cells, not extant), adjacent to Hamersley Street, and another block of four cells (not extant) was sited in the centre of the compound in 1904.¹³

The only fence around the site at this time was of wire, with the gaol open to view from the main street. Gaoler William Paterson complained that maintaining good order and discipline in such a facility was extremely difficult. A secure fence was required, not to prevent escape, but to prevent friends of the inmates passing in whiskey, tobacco and opium.¹⁴

Following the tour of inspection of prisons by Octavius Burt in 1902, his report noted that:

Broome Gaol is not as substantial and secure as I had been led to believe it to be and is placed much too near the street. I recommended the erection of a substantial galvanised-iron fence round the premises, the addition of two concrete refractory cells, and the erection of an iron-barred shelter shed for prisoners in the gaol yard, and quarters for the gaoler.

In 1902, the three room warders' quarters was relocated to the opposite side (south end) of the site and converted to Gaoler's Quarters with the addition of a separate kitchen building. New two-room quarters for the warders were constructed by Gaoler Paterson with the aid of prison labour. Most of the labour for construction of the various prison buildings was provided by the prisoners. William Paterson also used material left over from the construction of his new quarters to build a separate cookhouse for the warders. A storeroom and office were built from recycled materials, and a Refractory Cell was constructed.¹⁵ An open timber-framed corrugated iron roofed shed had also been added by 1902.¹⁶

It was 1907 before the remainder of the works recommended by Burt were undertaken. These included the construction of an 8-foot corrugated iron fence around the prison compound, bars installed to the shelter shed to create the Bull Pen Shelter Shed, upgrading of bathroom facilities, and reconstruction of part of the original cell block, which was relocated from the edge of Hamersley Street to an alignment with the 1904 cell block more central within the compound. These older relocated cells housed the Aboriginal prisoners, while the 1904 block was occupied by the Asian inmates.¹⁷

The purpose of the Bull Pen Shelter Shed was to provide an open secure holding area for the Aboriginal prisoners during the day so that they spent less time in their cells. It

¹² SROWA, Item 1907/765, op cit, plan dated 23 March 1904; Item 1903/1523, op cit.

¹³ SROWA, Item 1907/765, op cit, sketch plan March 1904 and various correspondences 1902-1905.

¹⁴ Broome Gaol, SROWA, Item 1907/0765, op cit, Report by Gaoler William Paterson, 7 December 1904, and, Correspondence, Resident Magistrate M. S. Warton to Comptroller of Prisons Octavius Burt, 3 January 1905.

¹⁵ Broome Gaol, SROWA, WAS 3054 CONS 968, quarters for officers, Item 1902/0548 and Cook house built separately, Item 1902/144; PWD plan 12414, New cells and fencing, 8 March 1906, and doc848605 Gaoler's quarters, 9 January 1931, courtesy Department of Building Management & Works (BMW).

¹⁶ Broome Gaol, SROWA, WAS 3054 CONS 968, Item 1907/0765, correspondence and 1904 sketch plan; Photograph of prisoners and bough shed, 1894, courtesy Battye Library 003223D.

¹⁷ Broome Gaol, SROWA, Item 1907/0765, op cit, Report by Gaoler William Paterson, 7 December 1904, and, Correspondence, Resident Magistrate M. S. Warton to Comptroller of Prisons Octavius Burt, 3 January 1905; PWD plan 12414, site plan showing location of new Bull Pen, 6 June 1906, courtesy BMW.

took into account the climate, the Aboriginal lifestyle, and the security of the prison. In addition, the Conservation Plan for *P692 Derby Police Gaol (Native Shelter Shed)* notes that 'Aboriginal people who came into the Police Gaol were often 'primitive' and coped with incarceration better where association was possible'.¹⁸

Photographs show the building originally with steel bars in place of solid walls and a flat-roofed verandah surrounding.¹⁹ It is unclear when the name 'Bull Pen' came into common usage as plans indicate the place was variously referred to as 'Shelter Shed' (n.d.),²⁰ 'Native Cell' (1931),²¹ 'Native Pen' (1951),²² and 'Existing Collective Confinement' (c.1969).²³ It is probable this name developed as a colloquial term for the place, perhaps due to its open design and function being to house Aboriginal men who, in this early historical period, were often viewed as aggressive and volatile, and only in more recent times has been referred to by this name in official documents.²⁴

The need for Police and Prison facilities in Broome became a higher priority as a result of Aboriginal resistance due to the expanding cattle industry in the Kimberley. Settlers feared for their safety, which was not entirely without cause.²⁵ One source suggests the Aboriginal population of the Kimberley were 'a magnificent type, intelligent, and not lacking in bravery. They would attack and fight at the least provocation. Many of these natives were from 5'10" to 6'6" in height, very muscular'.²⁶ Similar prison facilities were built at Derby, Wyndham, Fitzroy Crossing and Halls Creek at this time.

The majority of prisoners in the North West were serving sentences of less than twelve months relating to petty theft, assault, obscene language in a public place and drunkenness. Prisoners convicted at Derby for cattle and sheep killing, and sentenced to terms of one to three years hard labour, were relocated to Broome to serve their sentence.²⁷ As discussed above the early focus of Kimberley law enforcement was the protection of pastoralists' property from traditional owners with the transgression of property laws attracting harsh treatment and sentencing. This strategy resulted in the majority of those incarcerated, as the region continued to develop, being primarily Aboriginal men. On occasion deserters from ships or pearl thieves, often Asian or 'coloured' individuals, were also imprisoned.²⁸ Due to the limited number of

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- 18 *Conservation Plan Derby Police Gaol (Native Shelter Shed)*. Prepared for The Building Management Authority December 1995 by Heritage and Conservation Professionals. p. 17.
 - 19 PWD plan 12414, site plan showing location of new Bull Pen, 6 June 1906, courtesy BMW; Photographs 2006-25 and 2006-28, courtesy Broome Museum.
 - 20 PWDWA Plan 12414 (n.d.) 'Broome Gaol Site Plan'. Copy provided to HCWA by Parry & Rosenthal Architects.
 - 21 'Broome Gaol, Block Plan Cells, Quarters and Out Offices' (1931). Copy provided to HCWA by Department of Collective Services.
 - 22 PWDWA Plan 32928 (1951) 'Broome Gaol & Quarters, Septic Tank Installations' Drawing No. I. Copy provided to HCWA by Parry & Rosenthal Architects.
 - 23 PWDWA Plan (c.1969) 'Broome Gaol Additions, Broome WA – Drawing No. 1'. Copy provided to HCWA by Department of Collective Services.
 - 24 Office of the Inspector of Custodial Services. 'Report of an Announced Inspection of Broome Regional Prison, Report No. 27, March 2005). p. 11, 19, 37, 48 & 50.
 - 25 Pilmer, Richard Henry, *Northern Patrol: An Australian Saga*, Hesperian Press, Perth, 1998, pp. 32-105, cited in HCWA Assessment Documentation for P294 *Old Police Lockup & Boab Tree* p. 3.
 - 26 *ibid* pp. 35-37, cited in HCWA Assessment Documentation for P294 *Old Police Lockup & Boab Tree* p. 3-4.
 - 27 Broome Gaol, SROWA, WAS 3054 CONS 968, warrants of commitment, Item 1901/1806.
 - 28 *From Shinju to Shinju*, a collection of articles published in the Broome News Review, 1978-79, Artlook, n.d, pp. 5-6. This information taken from Dept of Corrections annual reports cited in HCWA Assessment Documentation for P294 *Old Police Lockup & Boab Tree* p. 3-4.

'Europeans' that went through the system Broome Gaol was often referred to as the 'native prison'.²⁹

Throughout the nineteenth and the first half of the twentieth century, convicted prisoners throughout the State were expected to provide labour to help offset the cost of their upkeep. The work undertaken depended on what was required in any particular location, but generally it included public works outside the prison and housekeeping chores within it.³⁰ At Broome, in the early 1900s, the prisoners were recorded as working in the grounds of the Residency, clearing the golf links, and working on the rifle range and on the Broome jetty. Work on Dampier Terrace involved 40 Aboriginal prisoners employed on ballasting and six Asian prisoners on plate-laying for a railway siding. The Public Works Department paid the salary and allowances of the warder in charge of the work party.³¹ This work was in addition to building work at the prison and household tasks of cleaning, cooking and cutting firewood. When there were no female prisoners at the prison the men did their own laundry.

In March 1901, Broome Resident Magistrate, M. Warton, sent a telegram to Inspector of Prisons Burt requesting the transfer of fifteen to twenty prisoners to Broome from other North West gaols as he 'had lots of useful work for them which is now almost at standstill for want of men' during the pearling season. The cost of transfer of prisoners by steamer from Wyndham and back was considered economically unfeasible, but the following year twenty prisoners were transferred from Derby.³²

Aboriginal men worked in chains, connected to one another in groups of three. They wore a neck chain, which, in 1901 was the subject of correspondence between Octavius Burt and Resident Magistrate Warton. Burt was enquiring as to whether the prisoners suffered any chafing from the leather that covered the neck chain, and that 'it is held by some that the naked chain is cooler and really more comfortable'.³³ Warton claimed to have never seen any chafing or discomfort in his eight years experience of seeing the men at work or in the prison. 'Chaining by the neck gives the maximum of safety with the minimum of discomfort,' he wrote.³⁴

In response to a request for the weight of the chains, Burt was informed that the neck chain, cuffs for fastening, and each man's share of the connecting chain came to two pound two ounces (about one kilo). At night, the men were chained in groups of three or four and one in the group was connected by a long chain to the cell wall. 'When sleeping the only weight born by a native is that of the neck chain (8 oz) [250 grams], the other chain lying on the ground.'³⁵

Photos of the period indicate that Aboriginal prisoners were not always chained when out of the prison grounds. In June 1903, following the escape and subsequent recapture of six Aboriginal prisoners at Broome while out on a work party, the Inspector of Prisons directed that Aboriginal prisoners were to be chained at all times.

29 Published photograph with caption, Battye Library 77218P, cited in HCWA Assessment Documentation for P294 Old Police Lockup & Boab Tree p. 4.

30 Report on Gaols and Prisoners for the year 1900, p. 11, op cit.

31 Broome Gaol, SROWA, WAS 3054 CONS 968, Items 1909/1749, 1909/1919, 1911/0452, 1912/1963, 1912/2295, 1912/3238.

32 Broome Gaol, SROWA WAS 3054 CONS 968 Item 1902/1332, Asking for 20 prisoners be transferred.

33 Broome Gaol, SROWA WAS 3054 CONS 968 Item 1901/1780, correspondence 30 November 1901.

34 SROWA, Item 1901/1780, op cit, correspondence 30 January 1902.

35 SROWA, Item 1901/1780, op cit, correspondence 30 January 1902.

Gaoler Paterson argued that it was not possible to work the prison without 'loose natives' and that 'it would be unjust to put civilized and intelligent natives belonging to this district on the chain'. Resident Magistrate Warton did not agree and nor did his successor Graham Blick.³⁶

In keeping with the ethos of prisoners providing a monetary return, the Colonial Secretary encouraged 'tropical culture' by prisoners in the North West, resulting in the establishment in 1911 of a sisal fibre plantation at Roebourne. The Gaoler at Broome declined to be involved in the scheme on the grounds of insufficient labour and lack of suitable land. The scheme at Roebourne failed after a decade due to lack of rainfall. Despite the problems, prisoners throughout the State provided labour covering between one third and one half the cost of their incarceration.³⁷

At Broome, another method had been introduced to keep down the cost of prisoner maintenance. Under a bond entered into by owners of pearling boats, the Government was entitled to charge maintenance for members of pearling crews serving sentences for certain acts specified in the bond. What these acts were has not been ascertained, but they apparently did not cover rioting, as in January 1922 the Government had to write off a maintenance bill of £324-7-6 for the incarceration of the Japanese and Malays involved in the riots of December 1920.³⁸

By the 1920s, Broome Prison was also housing female prisoners, generally Aboriginal, but occasionally Asian or European. They were housed in the 1902 three-cell block adjacent to the prison compound entrance off Hamersley Street, and an ablution block was constructed nearby for their use. A temporary Matron was employed on the days when female prisoners were in residence. This position was usually occupied by the wife of the Prison Superintendent (formerly referred to as the Gaoler).³⁹

At some time, possibly in the 1910s or 1920s, the relocated 1894 cell block was replaced with two cell buildings of concrete blockwork. They were marked as housing European and Asiatic prisoners, while Aboriginal prisoners were assigned to the older 1904 block. The Bull Pen Shelter Shed was made more substantial with a dado height bagged concrete wall, and a new roofline over the verandah supported on steel posts. A photograph of the prison site shows that this work was done after the construction of the two new cell buildings. The PWD plan for this work has been dated at 1931 in the Department of Building Management & Works (BMW) database. The plan has a similar appearance to plans drawn in the 1900s-1910s, but that is not proof of when the work was actually carried out.⁴⁰

Little changed at the prison during the 1930s, with public works restricted due to the Depression. Broome Prison was used as the store and armoury of the 19th Australian Garrison Battalion's 'D' Company during the Second World War.⁴¹ Broome was an important refuelling place for American planes. Pearling had been suspended for the

³⁶ SROWA, Item 1901/1780, op cit, correspondence 1905.

³⁷ Report on Gaols and Prisoners for the year 1900.

³⁸ Broome Gaol, SROWA, WAS 675 CONS 752 Item 1922/0709, racial riots at Broome 1922.

³⁹ Broome Gaol, SROWA, WAS 675 CONS 752 Item 1955/0244, correspondence dating from 1922.

⁴⁰ PWD plan, Block plan, cells, quarters & out offices, undated but recorded as 1931 by BMW, doc851146, courtesy BMW; photographs 2006-28, showing the Bull Pen Shelter Shed as initially constructed, 2006-22c & 2009-892a, showing the alterations newly done, and 2009-892b, showing the Bull Pen Shelter Shed in use and the concrete dado bagged.

⁴¹ Photograph 05725, Australian War Memorial.

duration and most of the civilian population had been evacuated south, including the prisoners at Broome Prison.

Septic sewerage was installed at the prison in 1951. The PWD plan for that work, and a later one in 1960 for a new shower block and laundry, show that there had been no additional work done on the place in the preceding decades.⁴²

In 1966, a new four-cell block (extant) was added north of the Bull Pen Shelter Shed on the same alignment.⁴³ This addition was in response to an 'unprecedented' increase in Aboriginal imprisonment due to development in the North West, and the 'preference of country justices to utilise imprisonment to "clean" the streets'. Drunkenness was a major cause of arrest of Aboriginals.⁴⁴

Broome Prison was classed as a minimum security prison when prison officer David Campbell worked at the place from 1968 to 1971. He established a basketball court for the prisoners, the majority of whom were Aboriginal. If a ball went over the boundary fence, a particularly athletic inmate would jump over, toss the ball back, and jump back in. Work parties of six went out to their assigned projects unattended, and certainly no longer chained, while a bell that could be heard over the entire town summoned them back for lunch.⁴⁵

In 1970, the female prisoners were spending part of the day at the Superintendent's Quarters where they were engaged in washing, ironing and mending prisoners' clothes. Use of the Quarters for this purpose was considered unsatisfactory and improved facilities with a separate laundry and female reception area were provided within the female section of the prison site.⁴⁶ In the 1970s and 1980s, Broome Prison was the subject of various improvements and upgrading. Existing cell blocks, except for the 1966 four-cell block, were demolished and replaced c.1983. Construction of an Administration Block required demolition of the Gaoler's Quarters (1894-1902) but part of this building may have survived within the new structure.⁴⁷

Between 1990 and 2000, there were 73 escapes from Broome Prison, including three from the maximum security cell block in December 1999, and there were numerous adverse reports on the general condition of the place. In May 2000, there were 116 prisoners in the facility, which was designed to accommodate about half that number.⁴⁸ A report in 2001 recommended upgrading of the facilities, but discounted the construction of a prison on a new site. Some 60 prisoners from the Kimberley were at that time serving their sentences elsewhere due to the lack of accommodation at Broome.⁴⁹

42 PWD plan 32928, Septic tank installations, June 1951 & Laundry & shower block, August 1960, doc848312, courtesy BMW.

43 Broome Regional Prison, cell addition, PWD WA 43197, courtesy BMW.

44 Broadhurst, R. G., 'Imprisonment of the Aborigine in Western Australia: 1957-1985', an invited paper for a forthcoming publication *Ivory Scales: black Australians and the law*, edited by K. Hazelhurst, Australian Institute of Criminology, Canberra, 1986.

45 Oral history of David Campbell, prison officer, 1990, OH2230/30.

46 Broome Gaol, SROWA, WAS 675 CONS 752 Item 1955/0244, correspondence dating from 1922.

47 Broome Regional Prison, 1966-doc936297, 1976-doc851864, 1979-doc837105 & 1981/82-doc837424, Courtesy BMW.

48 *Broome Advertiser*, 10 May 2000, p. 2.

49 *Broome Advertiser*, 30 May 2002, p. 1.

In 2005, an average of 240 Aboriginal people from the Kimberley region were in WA prisons, with Broome Regional Prison having a capacity for only 112.⁵⁰

In 2009, Broome Prison underwent considerable upgrading, which included the addition of a minimum security unit in the north west corner of the site, refurbishment of existing cell blocks, an Education Precinct in the south east corner, a Medical Centre and Day Dining facility on the east side, internal refurbishment of the female section, and extensions and internal refurbishment to the Administration Block.

Incarceration of Aboriginals, male and female, has continued to increase and offences have become more serious with much recidivism. While prisoners of all backgrounds are accommodated at Broome, ninety percent of the prison population continues to be Aboriginal.⁵¹

Aboriginal sites on the Prison Reserve

A search of the Department of Aboriginal Affairs (DAA) database revealed four Aboriginal sites in the vicinity of Broome Prison. Two have been discounted as not impacting on the prison reserve. The other two sites are DAA12793 Undanda, which is known to be included in the Chinatown area, and DAA 12886 Illangarami, which covers all of Broome.

Advice from the Director of Heritage and Culture, DAA to Landcorp on 13 April 2010, in relation to the Lake Broome development area, noted that:

...registered site: DAA 12886 (ILLANGARAMI). The site is unreliably mapped and although it covers all of Broome the exact location of the heritage values associated with the site are not known... If you provide evidence that the works will not breach the Act [Aboriginal Heritage Act 1972] then a Section 18 should not be required. You can provide evidence that a breach won't occur by demonstrating adequate consultation with those who hold knowledge for the site. It is important to note that a breach of the Act may occur even if works are limited to already disturbed areas as DAA 12886 Illangarami is mythological in nature and certain activities may result in impacts regardless of whether the land had already been disturbed.

Our advice would be to commence consultation with the relevant people in order to assess the heritage values of the proposed works area. Following that consultation we would be happy to advise you further.⁵²

The informants for registered site DAA 12886 Illangarami are Mr Joe Roe and Mr Paddy Roe (Dec). For DAA 12793 Undanda, the informants are Mr Paddy Roe (Dec), Mr Ron Roe and Mr Roy Wiggan.⁵³

13. 2 PHYSICAL EVIDENCE

Bull Pen Shelter Shed and Archaeological Deposits is situated within the Broome Regional Prison site. The Bull Pen Shelter Shed, built 1902-1907, comprises a simple rectangular 'cage-like' enclosure with masonry walls around the lower half and metal

⁵⁰ Information from DCS, 2 August 2011

⁵¹ Broadhurst, R. G., op cit.; comment from Alan Sanders, DCS 2 August 2011.

⁵² Advice from the Director Heritage & Culture, DAA to Landcorp on 13 April 2010, from Shire of Broome, agenda for the Ordinary meeting of Council, 8 July 2010.

⁵³ Information provided by Lyndall Ford Heritage Information Office, DAA, 31 May 2011.

grilles extending to the timber top plate forming the upper portion, an open concrete verandah around the secured inner core with wide eaves extending to the verandah edge, a timber-framed, half-hipped roof clad with corrugated metal sheeting supported on slender square section steel columns. Landscape elements surround the Bull Pen Shelter Shed and largely undisturbed areas directly adjacent are likely to contain archaeological deposits dating to the early period of the prison's development. The Bull Pen Shelter Shed was used specifically for the incarceration of Aboriginal prisoners.

Wider Broome Regional Prison Site

The wider Broome Regional Prison site is a group of single-storey structures, open-air recreational facilities and landscape elements, constructed at various periods during the twentieth century. These structures include the Administration Block, which may incorporate within it part of the 1894 three-room Warders' Quarters, relocated on the site in 1902 for Gaoler's Quarters. The prison site is associated with the confinement and administration of prisoners from across the North West of the state. The main structures of the group include the Bull Pen Shelter Shed (c. 1907); various cell blocks (1966-2009); ablution facilities; Kitchen/Dining wing (1975); Administration block (1979, 1982-2009); Medical Centre (2009); Education Precinct (2009); staff facilities; workshops and outbuildings; Basketball Court/Exercise Area and landscaped visitor areas.⁵⁴

The Broome Regional Prison is located south of the commercial centre of the Broome township on the east side of Hamersley Street and immediately to the south of the Police Station which is at the corner of Frederick Street. *Broome Court House* is situated diagonally opposite to the northwest. The location of the prison within the township ensures a high degree of integration with the community enabling prisoners to go into the community on supervised work release, education and recreation programmes. The Broome Regional Prison site is an inverted 'L-shaped' area designated Reserve 2551, Broome Lot 2828 on Plan 92172 and includes an area of Native Title Claim across the eastern half. The prison occupies the western portion of the Reserve extending north-south along Hamersley Street with a steep embankment, concrete block retaining wall and mesh fence defining the developed and undeveloped zones of the site. The land rises steeply behind the retaining wall towards Carnarvon Street to the east, with Kennedy Hill beyond, while the prison buildings are situated on mostly level ground.

The wide verge on the eastern side of Hamersley Street accommodates visitor parking and a small number of mature trees including Boab (*Adansonia gregorii*) and Poinciana (*Delonix regia*) and consequently the perimeter fencing is set well back from the street with the prison structures barely obvious behind. The lower portion of the fence is covered with thick vegetation and although approximately one hundred metres in length, the security mesh above is largely transparent, lessening the impact of the custodial function of the place on the streetscape.

The fence is continuous along this custodial section of the prison only, which is concentrated to the north of the site. The southern portion accommodates the administrative, maintenance and support facilities of the place, requiring less security. The public entrance to the place is approximately half way along the Hamersley Street

⁵⁴ *ibid.* p. 2-3.

frontage opening onto a landscaped courtyard with playground facilities, lawn and a paved visitors' area. Tropical vegetation and various shade structures provide shelter within the courtyard, which provides a forecourt to the Administration block in the centre of the site. The new Education Precinct constructed in 2009 is located to the southeast of the site behind the Administration block and structures housing staff facilities, while workshops and covered parking areas occupy the south and west corner with some access directly from Hamersley Street.

Bull Pen Shelter Shed and Archaeological Deposits (c. 1902-1907)

The Bull Pen Shelter Shed is a simple 'cage-like' enclosure with a rectangular plan form of approximately 14 x 9.5 metres orientated in a north-south direction. The building has an open concrete verandah, around the secured inner core with wide eaves extending to the verandah edge. The lower half of the walls are of masonry construction with metal grilles extending to the timber top plate forming the upper portion. The timber-framed, half-hipped roof is clad with corrugated metal sheeting and is supported on slender square section steel columns spaced evenly around the verandah edge. The sloping planes of the roof have acquired a characteristic red-dust patina contrasting with the vertical corrugated surfaces in the gable apices which retain an original grey colouring, and may be indicative of more recent fabric. There is no evidence of the gable ventilators apparent in archival photographs of the structure. There are no gutters around the eaves which are unlined around the verandah, with rainwater run-off directly onto the ground surface or spoon drains along the eastern verandah edge.

The masonry walls appear to be of solid concrete construction and have been rendered and painted a deep red colour. The grille section above comprises steel section uprights embedded in the concrete walls with the grille frames consisting of vertical circular bars and horizontal flat sections, bolted externally. The grille and framework have been painted a cream colour.

In recent years a secured 'air-lock' has been created around the entrance at the southern end of the Bull Pen Shelter Shed, in accordance with current prison practice. The galvanised screens and gate, which extend to the verandah edge and underside of the roof, are clearly distinguishable from the earlier fabric. A second entry gate, corresponding with that shown on early plans, is located centrally within the southern core wall giving access to the Bull Pen Shelter Shed interior. Partitioning around a toilet cubicle at the southwest corner of the structure is the only division within the space which currently accommodates recreational equipment. Notes on drawings prepared for work on the prison buildings in 1981-82 indicate the metal stud walls and lining may have been introduced around this time.⁵⁵ Tea-making facilities with a cabinet and sink are located against the north wall of the toilet cubicle.

The Bull Pen Shelter Shed has a concrete floor and painted corrugated sheet metal lined ceiling which follows the external roof form with a central flat section under the ridge line. Ceiling fans with surface mounted conduiting are suspended from this central section which also features fluorescent light fittings. The concrete floor has been painted, and is worn in places with no obvious evidence of shell grit aggregate. The floor level is marginally above that of the verandah with several 'mouse-hole' like openings around the junction of floor and walls providing some drainage to the

⁵⁵ 'Broome Regional Prison, Repairs and Renovations 1981, Site Plan' Doc837424.

exterior. The toilet cubicle and tea-making facilities sit on a concrete plinth, approximately 50mm above the internal floor level.

It is likely the metal uprights, frames and grilles have been adapted at some stage and it appears that overall height of the steel section uprights may have been modified. Archival images of the structure indicate that the grilles formerly extended to ground level and that the roof initially had a gable form which extended horizontally over the verandahs.⁵⁶ It is unclear when the Bull Pen Shelter Shed modifications took place, although they are recorded on a plan dated 1931.

Other notable features of the building include the scarf joint detailing in the verandah beams and a remnant chain and manacle attached to the grille at the entrance to the structure.

To determine the archaeological potential of the place a site visit and examination of historical photographs and plans was undertaken by a suitably qualified historical archaeologist (see Appendix 1). The focus was the Bull Pen Shelter Shed and its immediate surrounds, however some analysis of the archaeological potential of the wider Broome Regional Prison site was also undertaken.⁵⁷

As discussed, the interior of the Bull Pen Shelter Shed has been modified over time. The half wall likely dates to the 1930s and the existing concrete floor, possibly laid at the same time to approximately 10cm in depth, probably overlays older surfaces. The laying of this surface over an earthen floor or other surface is likely to have preserved the existing floor surface as well as any artefacts or other features within this earlier layer.⁵⁸

The floor of the verandah surrounding the Bull Pen Shelter Shed is concrete and was also probably added quite recently. Twentieth century photographs suggest that there was previously a dirt floor at approximately 10-30cm below the current concrete surface. As for the interior of the Bull Pen Shelter Shed, if the concrete was laid directly over the existing surface there is a high probability the original verandah surface, and any artefact deposits and other features, have survived. In addition the 'sweep zones', a term commonly used to refer to the areas around doorways, often have a high degree of archaeological potential.⁵⁹

Photographic evidence indicates the area adjacent to the Bull Pen Shelter Shed's verandah was used for various activities including the congregation of prisoners and historically comprised a dirt surface with little vegetation. These activities, and the nature of the ground surface, may have resulted in the preservation of discarded or lost items and perhaps the creation of features such as pits. The surfaces adjacent to the Bull Pen Shelter Shed have in recent times been terraced for the basketball court to the east, with structures constructed to the west but former surfaces and artefacts may be preserved beneath these elements.⁶⁰

Analysis of historical plans coupled with the development sequence of recent construction across the wider Broome Regional Prison site may further clarify the

⁵⁶ Photograph 2006-25 courtesy Broome Museum.

⁵⁷ "Archaeological Context of the 'Broome Regional Prison (including Bull Pen)'" prepared by Alistair Paterson in June 2011 for Parry and Rosenthal Architects. p. 1-2.

⁵⁸ Ibid. p. 2.

⁵⁹ Ibid. p. 2.

⁶⁰ Ibid. p. 2.

nature of extant archaeological deposits and features. As discussed above, the area directly adjacent to the Bull Pen Shelter Shed may contain evidence for the use of the Bull Pen Shelter Shed while also providing evidence for former structures at the site such as a 'shelter shed' or 'shed' adjacent to the 'Old cells' (possibly c.1894). The 'Old Cells' structure shows eight cells, located north of another structure described in 1903 as 'Concrete cells, three remain'. Thus, these areas could provide material evidence of the earliest period of Broome Gaol from 1894. In addition, there was a barbed wire prison fence running east-west immediately north of the Bull Pen Shelter Shed, though this may have been removed in 1903.⁶¹

The area currently covered by the Basketball Court/Exercise Area and adjacent lawns are likely to have been levelled and subsequently built up following the removal of older structures. Historical plans indicate there were several buildings in this location. These included cells and roadway (1904) and cell blocks and a bathhouse (1907). These structures are variously described as having housed 'Asiatics', 'Japanese', and 'Coloured' (1931). Currently part of this location has existing cells (1966); and a laundry, and lavatory block. During WW2 some of these cells housed army personnel. The early cells are understood to have been demolished c.1981 and new cell blocks were built on the footings. This suggests that there may be some potential for archaeological deposits beneath these structures and in the surrounding area. Any evidence of these structures and their associated use would lie under the existing terraced area and is unlikely to be easily disturbed today unless major site works occur.⁶²

The construction of buildings after the mid twentieth century to the north and south of the Bull Pen Shelter Shed reduces the likelihood of extant archaeological deposits in these locations.⁶³

Administration block (c. 1979, 1982) **[not included within the curtilage]**

Documentary evidence suggests that the Administration block may have been developed from Gaolers' Quarters (c. 1902) at the southern end of the site with the possibility of fabric from the earlier structure being incorporated in to the current building. No evidence to verify this claim could be discerned at the time of inspection. In addition, the drawing prepared for alterations and additions of the Administration Block in 1976 appears to show a new building with offices of different dimensions to the three rooms of the Gaolers Quarters.⁶⁴

13. 3 COMPARATIVE INFORMATION

The gaol buildings constructed in the North West in the nineteenth century were iron-clad timber-framed structures. The buildings at Roebourne and Cossack were replaced with substantial brick and stone buildings, but those at Derby, Wyndham, Fitzroy Crossing and Broome continued as originally built, with reconstructions and additions as needed.⁶⁵

At Fitzroy Crossing the original police gaol, or lockup, (P696 *Fitzroy Crossing Police Group*) was replaced in the 1950s and has since been replaced with a construction on

61 Ibid. p. 2.

62 Ibid. p. 2.

63 Ibid. p. 2.

64 Compare SROWA, WAS 3054 Cons 968, Item 1902/0548 & SROWA, WAS 82 Cons 6781 Item 1971/1019.

65 HCWA database and assessment documentation; Australian Heritage Commission database.

a new site. The stone 4-cell lockup with enclosed exercise yard at Cossack, built in 1890, is an unroofed ruin, stabilised by conservation works (*P3229 Police Quarters, Lockup & Service Buildings*).

At Roebourne, two cell blocks were constructed in 1896, one for white prisoners and the other for Aboriginal prisoners. The cell block for white prisoners had four cells and an ablution facility, no ring bolts and no facility for an over-looking warden. The cell block for Aboriginal prisoners was larger, hexagonal in shape, with ring bolts, and able to be overlooked by a single warder. It is no longer used but has been restored with conservation works (*P2319 Roebourne Police Station, Gaol & Court House Precinct*).

The one remaining building of the old Derby gaol is a shelter shed with iron bars, rear and side walls clad in corrugated iron, concrete floor and a surrounding pitched verandah (*P692 Derby Police Gaol*). It is supposed to have been built c.1906-1910, so is contemporary with the Bull Pen Shelter Shed. It was built to house Aboriginal prisoners and retains fourteen of the original sixteen ring bolts intact in the floor. The building has been restored. Old Derby Gaol is classified by the National Trust and entered on the Register of the National Estate. A new regional prison is under construction at Derby, claimed to be 'the first in Australia designed, built and operated to meet the unique cultural needs of Aboriginal people'.⁶⁶

The buildings at Cossack (*P3229 Police Quarters, Lockup & Service Buildings*), Fitzroy Crossing (*P696 Fitzroy Crossing Police Group*), Derby (*P692 Derby Police Gaol*) and Roebourne (*P2319 Roebourne Police Station, Gaol & Court House Precinct*) are all entered on the State Register of Heritage Places.

The above would indicate that the Bull Pen Shelter Shed is rare as an intact example of an 'open' gaol cell purpose-built with the intention of housing Aboriginal prisoners, particularly one that is still in use within a working prison, albeit with a different function for which it was originally intended.

13. 4 KEY REFERENCES

No key references.

13. 5 FURTHER RESEARCH

Further research may provide evidence of when the alterations to the Bull Pen Shelter Shed, including the introduction of the dado height concrete wall and altered roof line, occurred.

⁶⁶ Corrective Services website, West Kimberley Regional Prison, www.correctiveservices.wa.gov.au.

APPENDIX 1 - Archaeological Context of the 'Broome Regional Prison (including Bull Pen)' prepared by Dr Alistair Paterson in June 2011 for Parry and Rosenthal Architects.

1. Summary

The Bull Pen in its current context is a historical archaeological site with:

- potential for earlier periods of construction and use of the Bull Pen to be preserved beneath existing fabric; and,
- potential for other aspects of uses of the site to be preserved in areas adjacent to the structure, particularly to the west of the Bull Pen. However, the likelihood of archaeological remains of others elements of the site to the east of the Bull Pen appears less likely given the impact of more recent fabric within the Prison.

The Bull Pen site is a significant archaeological site as:

- the Bull Pen is the oldest standing material evidence for the use of the Prison and maintains a link between early phases of the Prison and the present;
- the Bull Pen may protect material evidence of earlier fabric and archaeological deposits related to the use of the Prison; and,
- there is potential for archaeological remains of activities undertaken between 1894-1904, and later, around the Bull Pen as part of Broome Gaol and later Broome Regional Prison.

Furthermore:

- Broome Regional Prison may well be located on archaeological deposits deriving from use of the area prior to the construction of the Gaol, given the listed Indigenous sites in and around Broome including the neighbouring midden to the immediate east of the Prison; and,
- the significance of the Bull Pen extends beyond the existing Broome Regional Prison to reflect the histories of colonisation and incarceration in Broome and the Kimberley.

2. Description of archaeological potential

The following description of archaeological potential is based on the site visit and the examination of historical photographs and plans. Some of the key plans are presented in the accompanying GIS that plots the potential location of past structures over the twentieth century. The focus of this discussion is the Bull Pen, however some preliminary analysis of other aspects of the Broome Prison are also made. The location of areas of archaeological potential are included in the accompanying 'Site Plan – Area of Archaeological Potential' which has been derived from the GIS sequence.

Bull Pen

The Bull Pen (Broome Prison) is an open one-room, bagged concrete, steel-barred and corrugated iron roofed structure built 1902-1907.

Internal area: The structure has been added to over the period of its use. The current half wall may date first to the early 1930s. Raised areas such as the tiled area with sink, and the modern toilet, sit atop a concrete floor. The existing internal concrete floor of c.10cm depth appears to overlay older surfaces and partially or completely obscures low vents at the base of the walls. As such any previous hard surface or earthen floor could be preserved under the existing floor. This may extend to the survival of isolated artefacts or features such as pits if there had been an internal earth floor at any stage.

Verandah area: The outside surfaces underneath the existing roof are concrete, and these too appear to be constructed in more recent periods. Photographs from the twentieth century appear to show a dirt floor at a depth of c.10-30cm below the current concrete surface. Assuming the concrete was laid directly upon the existing surface there is a high probability of survival of the original verandah, and artefacts and features such as pits and fireplaces. The areas at the doorway(s) may reflect sweep zones and should be of particular archaeological potential for survival of artefactual material.

Immediate vicinity of the Bull Pen: The area beyond the Bull Pen's verandah has in the twentieth century had a dirt surface with little vegetation, as revealed in photographs. These images suggest various activities occurred in and around the Bull Pen including gathering of prisoners, possible sun shades using corrugated iron, areas to sit on tree limbs inserted in the yard or on sections of tree trunk. These types of activities would have resulted in discarded artefacts, foods, and the creation of features such as pits and post holes. These past surfaces appear to have been built on by a terrace for the basketball court to the east, and a range of recent structures to the west of the Bull Pen.

The construction of buildings after the mid twentieth century to the north (cell block constructed c.1966-67) and south (post 1967, before 1981) of the Bull Pen reduces the likelihood of any earlier archaeological deposits surviving in these locations.

Remainder of Prison

The Bull Pen (Broome Regional Prison) is the oldest structure on the site. The remainder of standing structures in the Broome Prison appear to be more recent.

That said, there exists potential for archaeological remains of buildings no longer standing. The areas of greatest potential archaeological significance are listed.

1. The area located around the Bull Pen may contain evidence of the use of the Bull Pen and earlier structures such as:
 - a. a 'shelter shed' or 'shed' adjacent to 'Old cells' (possibly built 1894, and in plan of Broome Gaol, 1903 and again March 1904). The 'Old Cells' structure shows eight cells, located north of another structure described in 1903 as 'Concrete cells, three remain' (see main report for construction date of 1902). Thus, these areas could provide material evidence of the earliest period of Broome Gaol from 1894.
 - b. a prison fence of barbed wire running east-west located to the immediate north of the Bull Pen and noted as to be removed in a plan of 1903.
2. The area of the current Basketball court/Exercise area and adjacent lawns are assumed to have been built up and levelled following removal of older structures.

Over time there have been several buildings here (see main body of report) including new cells and roadway (1904); cell blocks and bathhouse (1907); these are variously described as for Asiatics, Japanese, and Coloured (1931); as existing cells (1966); and laundry, and lavatory block. During WW2 some cells housed the army. The southernmost cells appear to have been demolished by 1981, and the northern two cell blocks sometime after 1981. The cell blocks were built on footings, so the potential for underfloor deposits as well as materials on and within the surrounding earth areas remains. Any evidence of these structures and their associated use would lay under the existing terraced area and is unlikely to be easily disturbed today unless major site works occur.

3. Archaeological context

Prison

The Bull Pen has the potential to inform on aspects on the Broome Regional Prison dating back to its construction. The practice of building up existing surfaces increases the likelihood of the survival of archaeological materials. Conversely, there have been many activities that may have disturbed archaeological deposits such trenches for footings and Prison services.

While none of the early structures have survived at the Prison other than the Bull Pen there remains the potential for archaeological remains of building footings and artefacts related to activities in and around these early Prison structures. These areas are marked as having high archaeological significance.

Wider context

The Bull Pen and any possible remains of earlier structures are part of a larger picture of incarceration, particularly of Aboriginal people of the region. Any archaeological materials discovered at Broome Regional Prison should be considered in relation to other gaols such as at Roebourne and Derby, and as part of the story of Broome.

4. Management guidelines

- These sites are clearly of significance to Aboriginal people and all actions should be conducted with appropriate levels of consultation with Traditional Owners and with the recognition that Broome Regional Prison was a site of incarceration for Aboriginal people from across the Northwest of Western Australia.
- The Prison should remain aware of the fact that the Prison is located next to registered Aboriginal ethnographic and archaeological sites. As such, site works could uncover archaeological materials related to Aboriginal uses of the broader vicinity, such as midden remains and artefacts.
- During intrusive site works the Prison should employ an archaeologist to assess whether archaeological deposits are present.
- In areas of higher historical archaeological significance such as the Bull Pen and area to the west and east this work should ideally occur in advance of site works as a separate stage of site assessment.