



*Launch of the Hellenic Australian Lawyers
Association Western Australia Chapter*

Address

by

**The Honourable Wayne Martin AC
Chief Justice of Western Australia**

Supreme Court of Western Australia
Friday 12 February 2016

Mr Andrew Panna QC, President of the Hellenic Australian Lawyers Association (HAL), the Hon Dr Ken Michael AC, former Governor of Western Australia, Chief Justice of South Australia, the Hon Chris Kourakis and Ms Jane McGrath, Victorian Court of Appeal Justice Emilios Kyrou, colleagues from the judiciary of Western Australia too numerous to mention, save that I feel I should specifically welcome Justice Tony Siopis and Judge Andrew Stavrianou for obvious reasons, former Crown Solicitor Mr Peter Panegyres AM, Mr Bart Kakulas QC, the Honourable Peter Katsambanis MLC, Consul for the Republic of Greece in Perth, Mr Antonios Koliadis, Mr Matt Howard SC, President of the WA Bar Association, and other distinguished guests - *kalispera*.

In addition to acknowledging our distinguished guests, many of whom have travelled significant distances to be here, I would also like to acknowledge the traditional owners of the lands on which we meet, the Whadjuk people, who form part of the great Noongar clan of south-western Australia, and pay my respects to their Elders past and present.

It is a great honour and a privilege to have been asked to speak at this launch of the Western Australian Chapter of the Hellenic Australian Lawyers, and to serve as Patron of that Chapter. Although Anglicised names can sometimes conceal a Greek heritage,¹ I can claim no such distinction. I do, however, claim three characteristics which clothe me

¹ For example, the 8th Chief Justice of Tasmania, Sir John Morris was of Greek descent.

with at least some credentials for the purpose of addressing this gathering.

First, I am Western Australian born and bred, and we are after all launching the Western Australian chapter of a national organisation. Second, I have the privilege to serve as Chair of the Judicial Council on Cultural Diversity, with the consequence that it is my responsibility to extoll the virtues of cultural diversity at every available opportunity, including occasions such as this. Third, I am a self-confessed philhellene and am therefore one of those who falls within the objects of the HAL.

My claims as a philhellene are corroborated by the stamps in my passports, which confirm visits to Greece on at least six separate occasions. It has been my great delight to travel extensively throughout Greece, and to meet many of its friendly and hospitable people. Longer ago than I care to remember, I spent almost 3 months in Greece, quite a lot of it in a charming little white-washed house overlooking the Aegean in the village of Ermioni, which is on the Peloponnese, not far from the island of Hydra. Although I have travelled through much of Greece and visited many of its islands, regrettably I have not yet had the opportunity of visiting the island which is of the greatest significance to the Western Australian Greek community, which is, of course, the island of Castellorizo. That is a shortcoming which I must address. I will return to the significance of Castellorizo later in these remarks.

All Western Australians present will be aware of the significant impact which Western Australians of Greek heritage have had upon many aspects of Western Australian life, including the legal profession and the judiciary. However, I think it is appropriate to spend a few minutes providing a brief overview of Greek migration to Western Australia, including some dark chapters which preceded the state of harmonious integration which we now enjoy.²

It seems likely that the first Greeks to reach what was then the Swan River Colony were John and Maria Barvides and their son, Petro. They arrived in March 1830, less than a year after the colony had been proclaimed. They were listed as servants to a part-owner of the vessel on which they arrived, a Mr James Rae. Mr Rae was not popular amongst the colonists, due to disputes over his debts. A little over a year after he arrived, he left for Mauritius, his creditors lamenting, presumably with the Barvides family in tow, as they were not listed in the census of the colony taken in 1837.

Between the departure of the Barvides family in 1831 and 1870, it seems likely that other Greeks would have passed through the colony from time to time. However, it seems that there is little lasting record of their presence.

Given Australia's convict history, it is entirely fitting that the first known permanent Greek settlers in Western Australia settled after

² The brief history which follows is largely taken from the excellent work of Professor Reg Appleyard and Dr John Yiannakis in *Greek Pioneers in Western Australia*; University of Western Australia Press, 2002 and of Dr Yiannakis in 'The Greek presence in Western Australia: an outline of history' (October 2002).

falling foul of the law. In January 1870, the vessel *Callixene* arrived at Albany. Despite the beauty of King George Sound, the crew were unsettled, and 10 of the 26 crew members were arrested and charged with "refusing to work" for which each was sentenced to one month's hard labour. After they had served that term, nine were charged with refusing to return to the ship and were sentenced to a further one month's imprisonment with hard labour. The ship sailed during that month taking four of the convicted seaman, but six remained, including at least three sailors of Greek origin, and possibly a fourth. Those known to be Greek were Messrs Fossilo, Julian and Floris. Fossilo married and had eight children and operated successful maritime activities out of Fremantle. Less is known about Floris, who is thought to have been involved in the fish trade, and Julian is thought to have been a pearl diver at Cossack.

The Castellorizians

Migrants from the island of Castellorizo, which is situated just off the coast of Turkey, dominated Greek migration to Western Australia over the first five decades of that diaspora. For example, in June 1916, when state police were requested to compile a 'secret census' of Greek born males (at a time when the position of Greece in relation to the first world war was somewhat uncertain), it was estimated that 66% of the males on the Western Australian list were from Castellorizo. When the general Australian census was compiled in 1933, that percentage had risen to about 89% in Perth. The descendants of those Castellorizians continue to be extremely prominent, not only within

the Greek Australian community, but within the broader community. They have held some of the most senior positions in the State, including the offices of Governor and Lord Mayor, and have populated the senior ranks of the professions, including the legal profession, the judiciary, and the public service, and have also been prominent in business and the academy.

The first established settler to Western Australia from Castellorizo bore the Anglicised name of Arthur Auguste. I assume that it was one of his descendants bearing the same name who practised as a prominent legal practitioner in Perth over many years. The first Arthur Auguste escaped from Castellorizo at a time when it was under the control of the Turks, and after some travels, settled in Western Australia, where, in due course, he established the Oyster Beds Restaurant on the bank of the Swan River in East Fremantle. Those of us who are old enough remember that restaurant fondly.

Arthur Auguste was followed by many others from Castellorizo, founding dynasties with names well known to Western Australians, including the Manolas, Michael, Kailis, Panegyres, Kakulas, Stavrianou, Zempilas and Michelides families, to mention just some. Western Australia's first Greek Australian lawyer, John Lemonis, also had origins in Castellorizo, from where his father emigrated in 1900. John graduated from the University of Western Australia in 1938, and practised until his death in 1990. He is succeeded by his son, Stephen, who conducts a successful legal practice in Perth.

The Dark Side

It would be disingenuous to pretend that Greek migration to Australia was all beer and skittles, or all retsina and backgammon. Greek migrants to this country had it tough, and were not always welcomed with open arms. Nor should it be thought that such experiences are confined to the annals of history. Justice Emilios Kyrou has recorded the privations faced by more recent arrivals in his excellent autobiography *Call me Emilios*.

It is a regrettable truth that on three occasions, Greek Western Australians have been subjected to violence and hostility by their fellow Western Australians. The first two of those occasions occurred during the first world war, when Greece's position in relation to the hostilities in Europe was uncertain to say the least, suspicion with respect to Greece's role being inflamed by the fact that King Constantine of Greece was an honorary Field Marshal in the German army and was married to the sister of Kaiser Wilhelm.

The first riot occurred in Perth on the evening of 27 October 1916 when Greek fruit barrows were overturned by uniformed soldiers (acting without authority). Later, when joined by civilians, shops and cafes associated with Greek proprietors were smashed and ransacked in Northbridge and in the city, only a few hundred yards from where we now meet. Offenders who were detected and brought before the courts only received minor fines.

Six weeks later, a significantly more serious attack on Greek property occurred in Kalgoorlie and Boulder, and which can only be described as a riot. It started with a small group attacking shops and cafes in Hannan Street, Kalgoorlie, but quickly grew. According to police reports, the crowd grew to around 2000 people in the early hours of the morning. Some travelled by tram to Boulder where other Greek property was attacked. Only two of the rioters were imprisoned. Claims for compensation made to State and Federal governments ultimately failed.

The third riot also occurred in Kalgoorlie, in January 1934 following an incident in which a man ejected from a hotel by an Italian barman fell, struck his head on the kerb and died. The riots which followed were not directed specifically at Greek Western Australians, but extended to all in Kalgoorlie of foreign extraction. Properties in Kalgoorlie and Boulder were wrecked, and 200 special constables were despatched to Kalgoorlie. Newspaper reports at the time described the atmosphere as one of war as well as reporting the death of one 'foreigner' and the wounding by rifle fire of one other 'foreigner' and four 'Australian miners'. All hotels were closed - a very significant event in Kalgoorlie. Between 30 and 40 foreigners, mostly Greeks, who lost all their possessions in the riots, travelled by train to Perth as refugees from the violence. Five hotels, a boarding house, an international club, 32 shops and 92 dwellings were destroyed, leaving 400 people destitute. Damage to property exceeded £72,000, which

was a lot of money in 1934. Eventually, modest compensation was provided by the Western Australian government.

Happily, since these dark events, the history of Greek settlement in Western Australia has been much brighter. Greece and Australia were allies in the fight against Germany during the second world war, and following that war, Greeks migrated to Australia, including Western Australia, in significantly larger numbers than ever before. Those migrants included the parents of the many Greek children who were at school with me at North Perth Primary School, along with many children of Italian heritage. Those children provided my first taste of the cultural diversity which has become, in my view, one of the great strengths of contemporary Australia.

Organisations like HAL perform a very important role in reminding us of the different threads in the cultural tapestry which is contemporary Australia. That is why I am very pleased to officially launch the WA Chapter of HAL this evening, and to serve as its inaugural Patron. *Efkharisto.*