



OUTLINE OF EVIDENCE OF PETER SHARP

DESCENDANTS' DAY HEARING

2 SEPTEMBER 2024

I BACKGROUND

1. My name is Peter Sharp. I have spent most of my life on Wurundjeri, Boonwurrung or Wadawurrung lands, south of the Great Dividing Range and surrounding Port Phillip Bay. These lands were cared for by the Kulin nation for thousands of years and never ceded. I pay my respects to their Elders past, present and future.
2. I was born in 1951 in the then British Colony of Southern Rhodesia, where my father was also born. As a small child in Rhodesia, I had a close relationship with several Ndebele domestic and farm workers, and recall their warmth, humour, intelligence and humanity even though we shared only a few words of each other's language. For the first six years of my life, I experienced a tiny colonial white settler society ruling the much larger Indigenous population.
3. My family moved to Melbourne in 1958 when I was aged six, and I recall that it was cold and wet with big stone buildings, and all the people were white, so I thought we were in England. For the next six years at least, I saw only white people.
4. My mother was born in Melbourne, and her maternal grandfather was Alfred Deakin, Australia's second Prime Minister. Deakin was born in 1856 in George Street Fitzroy in the newly self-governing British Colony of Victoria. In 1863, his family bought some land in South Yarra and had their house moved there, near the north-west corner of what is now Fawkner Park, a traditional meeting place for Boonwurrung people in the bush just a short walk from their house.
5. A story within my family is that as a seven-year-old, Alfred preferred spending time with the Aboriginal people in Fawkner Park rather than going to school which was just a short walk in the other direction.
6. In this outline, I quote sources that use the racist language of the time. I do not intend to cause any offence through the use of that language, but I consider it important to accurately reflect the source material.

II EARLY CONNECTION AND RESEARCH INTO ALFRED DEAKIN

7. When I was a small child, my mother hardly ever mentioned our connection to Deakin. One of my middle names is Deakin, but my parents never explained the meaning behind the name, and I never knew about the connection to Alfred Deakin until we were in Australia.
8. When I first visited the holiday house built by Deakin and his wife after I arrived in Australia, my grandmother told me about her father Alfred Deakin, and the house was full of photos of him and other politicians. I must have been told many times that he was the prime minister, but as a seven-year-old child it didn't mean much to me.
9. For either my 18th or 21st birthday, my grandmother gave me a copy of Deakin's two-volume biography by J. A. La Nauze, which was published in 1965. I didn't read it in full until I was around 25, and I did so out of a feeling of duty as a grandson.
10. My learning and understanding more about Alfred Deakin came about in 2018, when I was given a new biography published in late 2017, 'The Enigmatic Mr Deakin' by Judith Brett. Had I

not been given it and had the family connection, I probably would not have chosen to read it (political biographies of former politicians is not usually of interest to me).

11. Years earlier in 1989, I had witnessed Archie Roach perform his song 'Took the Children Away' which tells his personal story of being taken from his parents and told it was 'for a better life', when it wasn't. I wondered what the true story was and where it all began. When I read the 2017 biography, I was struck by the following paragraphs:

"Deakin's other significant legislative initiative during 1886 was to sponsor the Aboriginal protection Amendment Act, requested by the Board for the Protection of Aborigines ... The 1886 amendment differentiated between the treatment of people of full and mixed Aboriginal descent..."

"This had terrible consequences for Victoria's indigenous people, breaking up families and kinship groups on racial criteria that they themselves did not observe, and it was the beginning of child abductions by the state."

12. As soon as I read those paragraphs, I thought 'this is the Stolen Generations'. The last place I expected to have found this was within my own family history. I wanted to dig into it further and since then, I have done around five years of personal research into primary sources, including Deakin's personal journals and original Hansard documents. All of this information was publicly available.

III MY RESEARCH IN RELATION TO ALFRED DEAKIN

13. The paragraphs below reflect what I have learned from my research over the past 5 years, and my review of publicly available public records – particularly in relation to Alfred Deakin's role in the introduction in 1886 of amendments to the *Aboriginal Protection Act 1869 (Vic) (1869 Act)*.
14. I am not a qualified historian, however I have done quite extensive private research. My opinions set out below are based on my review of publicly available materials and primary sources. I am happy to be corrected if there is evidence showing facts to the contrary.
15. It is well documented that Deakin had considered that Aboriginal people in Australia would 'die out'. Based on my research, Deakin would repeat this line – but he would also say this was a great pity, and that it was despite everything being done to prevent it. His writings include, for example:
- "In another century the probability is that Australia will be a White Continent with not a black or even a dark skin amongst its inhabitants. The aboriginal race has died out in the South and is dying out fast in the North and the West even where most gently treated"*.
16. I believe that perhaps by as early as 1883, Deakin realised that a 'White Australia' was not possible unless active steps were taken. It was not going to happen passively (as the number of Aboriginal people were beginning to recover and at that time were actually increasing, largely due to increase in the mixed-heritage population).
17. In 1884, the Board for the Protection of Aborigines (**Board**) presented a request to the Chief Secretary of Victoria, Graham Berry, to amend the 1869 Act with the proposal that the younger (under 35) able-bodied, mixed heritage population, termed "aboriginal half-castes" in the 1869 Act, should "be told" to leave the reserves and earn their own living (whereas under the 1869 Act the reverse was the case, they were forbidden to leave reserves to work without a certificate of permission).
18. Following the election on 5 March 1886, Deakin was appointed as Chief Secretary of Victoria and became responsible for Aboriginal policy. I believe this was a very significant moment and that Deakin saw the Board's request and an opportunity to ensure that the number of people recognised as Aboriginal in Victoria could be drastically reduced and then would continue to decline.
19. By 29 March 1886, just over two weeks after taking office as Chief Secretary, Deakin directed his office to immediately begin to prepare a draft Act (**the Bill**), the first of which, handwritten, is dated 12 April 1886. This was draft Act was the *Aborigines Protection Act 1886 (Vic) (1886 Act)* and operated as an amendment to the 1869 Act.

20. It is important to note that the 1869 Act deemed “aboriginal natives of Australia” and “aboriginal half-castes” to be “aboriginal” under the Act. However, the Bill presented to Cabinet and to the Board proposed to amend the 1869 Act so that those termed “aboriginal half-castes” were to be forced off the reserves if they had not turned 35 by 1 January 1887. They were still termed “aboriginal half-castes” but, after a certain date, they were no longer deemed “aboriginal” under the draft Act, and therefore not eligible to receive rations, blankets or clothing, nor to reside on any reserve or even associate with those deemed “aboriginal”.
21. On 3 June 1886, a single proof of the draft legislation was printed, considerably reworded and contained eleven clauses, including two which described harsh penalties for breaches of regulations. The term “aboriginal half-caste” had been replaced by “half-caste”. In the drafts up until this point, the terms “aboriginal half-caste” or “half-caste aboriginal” had been used consistently. In my view, this emphasises that the intent of the legislation was not just to deny the mixed heritage population the right to government support or the right to live on or enter a reserve. It was to deny them any claim to Aboriginal identity at all. The alteration of “aboriginal half-caste” to “half-caste” closed any possible loophole that might have enabled a claim.
22. On 23 June 1886, Deakin tabled the single proof of the draft bill without any comment or notice of its second reading. The bill was introduced as an Act to amend the 1869 Act, titled “An Act to provide for the Protection and Management of the Aboriginal Natives of Victoria”. This title gave no indication of what radical changes it contained.
23. The Hansard on 7 October 1886 shows Deakin referring to comments made by the honourable member for Mandurang, Mr Brown, that the Aboriginal people were:
- “... very properly described as a nearly extinct race and therefore the expense attending their maintenance should become less and less. There was at the present moment a Bill on the table under which the State would get rid of the maintenance of half-castes...”*
24. After having made all haste to prepare the Bill and table it in June 1886, Deakin chose to delay its second and third readings till the very last item of business for the parliamentary year. I wonder whether this tactic was to ensure that there would be no opportunity for debate if he could avoid an adjournment.
25. Late at night on 15 December 1886, Deakin finally addressed the second reading of the Bill. The members only received the four-page printed Bill shortly before Deakin began his speech. There were 12 clauses and within them 15 different regulations. The language was complex and convoluted, for example:
- “...but when used elsewhere than in this and the next succeeding section the term shall unless the context requires a different meaning be read and construed as excluding such half-castes as under the provisions of this Act are deemed to be aboriginals.”*
26. Deakin’s speech took about two minutes. No-one would have expected his speech to be so short. To read the text of the Bill quickly would take at least three times that and to comprehend the Bill properly would take much more time and several readings at least. While I am not an expert on these matters, my view is that this appears to have been a deliberate, well-planned tactic.
27. In introducing the Bill, Deakin emphasised it was carrying out the recommendations of the Board. He stated that it “provided for the licensing out of half-castes by the Board, so that they might be educated to earn their own living”. Nowhere in the text of the proposed amendment was there any mention of licensing out. What the Act was doing was legally forbidding those “half-castes” under the age of 35 to remain on the Reserves or receive support because they were no longer deemed “aboriginal”. It seems extraordinary to me that Deakin did not make mention of the central element of the legislation, which altered the definition of who was deemed to be “aboriginal” in Victoria. I wonder whether this was a well-planned tactic. There was also no mention of the powers to remove half-caste children.
28. This legislation, which was to have such devastating effects and ongoing consequences which can never be reversed, was passed in under ten minutes.

29. From my research, I believe that Deakin was a key force that drove the 1886 Amendment to its final form from behind the scenes to enable his long-term vision and ideal of White Australia. In my view, he maintained his image of being high principled by appearing to be only doing the will of the Board. But, as he showed in the way he struck out clauses in the final session, he was the one who could determine the final form of the Act. I believe that it is possible that some of the draft clauses (which were removed during the session) may even have been inserted with the intention to divert attention from the main content and give an impression of benevolence and compromise.
30. Based on my research, I believe that Deakin's manipulation of the legislation, from its drafting to its passage into law, worked to perfection. The single most important part of the new law being the redefinition of persons deemed Aboriginal in Victoria. On top of that, the Act was seen as being entirely attributed to the Board, which appears to continue to be to this day.
31. To my mind, the 1886 legislation is the beginning of the Stolen Generations. It was the first Act of its kind in any jurisdiction, and it was adopted by all the others in due course - similar legislation was adopted in principle by Queensland in 1897, Western Australia in 1905, New South Wales in 1909, South Australia in 1910 and the Northern Territory in 1911. As Patrick Wolfe writes in 'Traces of History - Elementary Structures of Race' published in 2016:
- "The 1886 Victorian Act marks the legislative onset of the Australia-wide policy of Aboriginal child abduction, coordinated in 1937 but administered individually by the separate states, the victims of which would come to be known as the Stolen Generations. Despite its ostensibly selective nature – the preferential targeting of lighter-skinned children – the policy was clearly aimed at the elimination of Aboriginal people as a whole."*
32. Based on my research, Alfred Deakin's name was not mentioned again in connection with the "Half-Caste Act" for 103 years. For example, neither the first biography of Deakin published in 1923 by Walter Murdoch, who had known and worked with him, or the extensive two-volume work by J. A. La Nauze in 1965, even mention the words 'Aborigine' (being the language used at the time) or 'Aboriginal'. In my research, the earliest mention I have found is in Bain Attwood's "The Making of the Aborigines" published in 1989. He quotes Hansard and The Argus as his references but no other sources.
33. Deakin continued in his political career with his reputation for being a supporter of Aboriginal rights intact instead of being recognised as the executive power that enabled the "most draconian legislation of its time", as Richard Broome termed it. It also means that over the 103 years historians, students, even the generations of Aboriginal people affected by the policy and Deakin's own descendants did not associate him with this profoundly destructive legislation or, in fact, with Aboriginal policy in general.
34. I believe that now after nearly 140 years, the evidence shows that Deakin played a key role in ensuring that the critical element of the 1886 Act was to categorically deny any Aboriginal people of mixed heritage the right to be recognised as Aboriginal and, furthermore, to forcibly deny them contact with those deemed Aboriginal, thereby destroying their culture, kinship and language.
35. It is also important to say that I believe Deakin's role in the Half-caste Act has remained hidden for so long because that is exactly as he intended. I believe that the evidence shows that he intended it never to be known and disguised his hand in every way he could.

IV REFLECTIONS AND IMPORTANCE OF TRUTH-TELLING

36. I do not feel shame or guilt at being a descendant of Deakin, but I do feel ashamed of being part of the culture that has never questioned the lies we were told.
37. The real shame I would feel is if I did not tell the truth now that I have discovered it in my research.
38. It needs to be shown that the attempt to eliminate Aboriginal people, beginning with the so-called 'Half-Caste Act', was totally deliberate and enforced by laws specifically designed to drive down the numbers of people able to identify as Aboriginal.

39. It needs to be told that it all began in the Parliament of Victoria, and it needs to be told because the full story has been hidden for so many years.
40. I hope that by telling the truth now I can in some way offer something to the long process of recognising what has been done to First Peoples and restoring what they know has been taken from them by violence and dishonesty.