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# KELLY PAPERS



PROV H2114 Ned Kelly

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## Location

PUBLIC RECORD OFFICE VICTORIA, 99 SHIEL STREET NORTH MELBOURNE, MELBOURNE CITY

## Municipality

MELBOURNE CITY

## Level of significance

Registered

## Victorian Heritage Register (VHR) Number

H2115

## VHR Registration

March 8, 2007

## Heritage Listing

Victorian Heritage Register

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## Statement of Significance

Last updated on - March 15, 2007

What is significant?

The Kelly Historical Collection held by the Public Record Office Victoria consists of a large collection of government documents relating to the bushranger Ned Kelly (1855-80), who is among the best known of Australian historical figures. His life has been recorded in film, novels, biographies, histories, songs, art, exhibitions and documentaries, and such phrases as "as game as Ned Kelly" have been incorporated into everyday language. Pursued by police for robbery and murder, Ned Kelly was finally captured after a gun fight with police at Glenrowan. His gang members died during the siege and Kelly himself was later hanged at the Melbourne Gaol on 11 November 1880. The documents in the Public Record Office also relate to other members of the Kelly gang and the Kelly family.

How is it significant?

The Kelly Historical Collection is of historical and social significance to the State of Victoria.

Why is it significant?

The Kelly Historical Collection is historically significant for its ability to document relations between Ned Kelly and the Kelly gang and family with the colonial government of Victoria from the late 1870s.

The Kelly Historical Collection is historically and socially significant for its association to Ned Kelly, whose story has played a significant role in Australian culture since the 1870s.

## Permit Exemptions

### General Exemptions:

General exemptions apply to all places and objects included in the Victorian Heritage Register (VHR). General exemptions have been designed to allow everyday activities, maintenance and changes to your property, which don't harm its cultural heritage significance, to proceed without the need to obtain approvals under the Heritage Act 2017.

**Places of worship:** In some circumstances, you can alter a place of worship to accommodate religious practices without a permit, but you must **notify** the Executive Director of Heritage Victoria before you start the works or activities at least 20 business days before the works or activities are to commence.

**Subdivision/consolidation:** Permit exemptions exist for some subdivisions and consolidations. If the subdivision or consolidation is in accordance with a planning permit granted under Part 4 of the *Planning and Environment Act 1987* and the application for the planning permit was referred to the Executive Director of Heritage Victoria as a determining referral authority, a permit is not required.

Specific exemptions may also apply to your registered place or object. If applicable, these are listed below. Specific exemptions are tailored to the conservation and management needs of an individual registered place or object and set out works and activities that are exempt from the requirements of a permit. Specific exemptions prevail if they conflict with general exemptions.

Find out more about heritage permit exemptions [here](#).

### Specific Exemptions:

**General Conditions:** 1. All exempted alterations are to be planned and carried out in a manner which prevents damage to the fabric of the registered place or object. General Conditions: 2. Should it become apparent during further inspection or the carrying out of works that original or previously hidden or inaccessible details of the place or object are revealed which relate to the significance of the place or object, then the exemption covering such works shall cease and Heritage Victoria shall be notified as soon as possible. Note: All archaeological places

have the potential to contain significant sub-surface artefacts and other remains. In most cases it will be necessary to obtain approval from the Executive Director, Heritage Victoria before the undertaking any works that have a significant sub-surface component. General Conditions: 3. If there is a conservation policy and plan endorsed by the Executive Director, all works shall be in accordance with it. Note: The existence of a Conservation Management Plan or a Heritage Action Plan endorsed by the Executive Director, Heritage Victoria provides guidance for the management of the heritage values associated with the site. It may not be necessary to obtain a heritage permit for certain works specified in the management plan. General Conditions: 4. Nothing in this determination prevents the Executive Director from amending or rescinding all or any of the permit exemptions. General Conditions: 5. Nothing in this determination exempts owners or their agents from the responsibility to seek relevant planning or building permits from the responsible authorities where applicable.

#### STANDARD EXEMPTION : CONSERVATION

The conservation, research or analysis of a registered heritage object does not require approval by the Executive Director pursuant to the *Heritage Act 1995*, where the activity is performed in accordance with the accepted standards, policies and procedures of the Public Record Office Victoria.

#### STANDARD EXEMPTION : MOVEMENT OR RELOCATION

The temporary relocation, movement or external loan of a registered heritage object does not require permit approval by the Executive Director pursuant to the *Heritage Act 1995* where the activity is performed in accordance with the accepted standards, policies and procedures of the Public Record Office Victoria.

Construction dates	1877,
Heritage Act Categories	Registered object,
Other Names	NED KELLY PAPERS,
Hermes Number	14253
Property Number	

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## History

### History

(provided by the nominator Public Record Office, Victoria)

The infamous Victorian bushranger Ned Kelly has had more written about him than any other Australian. Kelly's influence on Australian history radiates far beyond the events that made him the highest profile Australian bushranger. Through his crimes, the Victorian government's response to them and the various positive and negative views held about him by Australians at large, Ned Kelly has had an immensely significant impact on the course of Australian history.

The Kelly papers held by Public Record Office Victoria (PROV) are the primary documentary evidence, and provide detailed factual information for anyone interested in researching Ned Kelly, his gang members, family and supporters. The hundreds of official Kelly papers at PROV are the largest and most intact collection of historic documents related to the subject. They are an irreplaceable documentary heritage.

Among the contents of this unique documentary collection are the earliest reports that exist about various events in the Kelly saga. For instance, Constable Thomas McIntyre's report of the shoot-out at Stringybark Creek, and the telegrams describing the Kelly gang's appearance in armour at Glenrowan. The documents are authenticated through their status as official records, and many are formally sworn statements to magistrates. These documents are therefore essential to disentangling myth from reality, and to understanding other collections of 'Kellyana' based on later material.

These documents were used as evidence in the 1881 Royal Commission on the Police Force of Victoria which reviewed the operations of the Victorian police at the time of the Kelly outbreak. The Royal Commission's Report was presented to both houses of Parliament. The Royal Commission exposed police incompetence and corruption and helped change the way the Victorian police force was administered and operated. It instilled in the Victorian force a tradition of public accountability and self-examination which exists to this day. It helped create one of Australia's finest police forces.

The documents offer a great deal of detail of the life of the bushranger gang, what they did and how they avoided the police. They also provide details of the relationship between the Kelly gang and the police. The deeds as recorded of the Kelly gang are still considered a major event in the history of Victorian policing. The official police documents provide the most intact record of the police train trip to Glenrowan, the siege and their alarmed reaction to the gang dressed in the suits of armour. The gang's shooting of three policemen remains the highest number of Victorian police killed at one time. After 125 years, the shootings continue to be a touch stone for the force.

Much debate still surrounds the treatment Ned Kelly received at his trial and whether he should have even been tried for murder. The police statement taken from Constable McIntyre in the 'Kelly papers' is a primary resource for investigating this allegation. The Kelly court records are important in the reassessment of the justice or otherwise that Ned received at his trial.

The 'Petitions for Reprieve' document provides evidence even in 1880 of the popularity of Kelly and the support he had.

The collection of documents includes originals or contemporary copies of every public letter that Kelly is known to have authored, including the only document we know to be in his own handwriting, a note penned to Sergeant James Babington by a fifteen-year-old Kelly who was in trouble with his relatives.

Original photographs of Ned Kelly and his family and others associated with the story are rare. A number of remaining original photographs of Ned Kelly are in the Victorian archives police records, together with photographs of some of his relatives who were also incarcerated.

#### Historical Significance

The Kelly story has had an enormous impact over the past 125 years on Australian life from the cultural and aesthetic to the operations of the police force. The four suits of armour made by the gang from plough blades and briefly worn at their final shoot out with the police at Glenrowan have become iconic Australian artifacts. They presently are all on display in various exhibitions in Victoria and at the National Museum of Australian.

The various aspects of the Kelly story as contained in the records have had a considerable influence on the course of Australian history. Films, books, exhibitions, art, documentaries and numerous articles have examined and interpreted his life, legacy and place in Australian history. These differing interpretations have represented him from a young larrikin to a hardened criminal.

Kelly papers and artifacts have become collectors' items in their own right. They have become highly sort after and as such extremely valuable.

The hunt for the Kelly gang over-shadowed most aspects of life in Victoria between 1878 and 1880. The records of the investigation are a social history document providing a fascinating picture of Victorian society in the 1870s.

#### Comparison

The hundreds of official Kelly papers at PROV are the largest and most intact collection of historic documents related to the subject. They are an irreplaceable documentary heritage.

The National Museum of Australian has recognized the Australian significance of the Kelly bushranger story to Australian history and culture. The museum features Joe Byrne's suit of armour and relates Kelly's story. It has a small collection of Kelly related documents. They are also planning to have a small traveling exhibition on Kelly.

Cultural institutions around Australia recognize the cultural significance of the Kelly story and display artifacts and tell various aspects of the Kelly saga.

The four suits of armour briefly worn by the gang have rarely been exhibited together. They were displayed in a major exhibition in 1996 at the Old Melbourne Gaol for the first time in forty years. Since then, they have only been displayed together at another major exhibition about the multifaceted cultural phenomenon surrounding the Kelly story and myths at the State Library of Victoria in 2004. The suits of armour are on permanent display at the National Museum of Australia, the State Library of Victoria and the Victorian Police Museum. The National Library of Australia has a major traveling exhibition on Australian treasures and Ned Kelly's helmet features in the exhibition.

Old Melbourne Gaol, managed by the National Trust of Australia (Victoria) is the sixth most visited place in Melbourne. Visitors from all over Australia come to see the place of incarceration and execution of Ned Kelly. *The Night Performance*, a one man play performed at the Gaol tells the story of Kelly's imprisonment, the final poignant meeting with his mother, who was also being held at the Gaol, and his execution. It is performed three nights a week, has run for eight years and is featured in the Lonely Planet guide to Australia. The Gaol houses Kelly's original death mask, gun and some papers.

The National Museum of Australia held a major exhibition *Outlaws* in Canberra and Melbourne. It told the stories of outlaws from around the world and the Kelly story was featured among them. The Police and Justice Museum in Sydney relates the plan to smuggle horses into NSW that the Kelly gang masterminded.

Sir Sydney Nolan painted his famous Kelly series of paintings in the 1950s and they now form the centre piece of the Australian section of the National Gallery of Australia's collection.

The National Museum of Australia, the State Library of Victoria, the Victorian Police Museum, the National Library of Australia, the National Trust of Australia (Victoria) and some private individuals all hold Kelly related documents. But as stated previously the hundreds of official Kelly papers at PROV are the largest and most intact collection of historic documents related to the subject.

The Kelly records survive as a range of official material that documents the story of Kelly and the impact of his life and times on Victorian history, which adds to its research value and its historical importance.

Ned Kelly is one of the most infamous criminals in Australian history. Films, books, exhibitions, art, songs, documentaries and numerous articles have examined his life and legacy. His armour, in particular his iron helmet, has become instantly recognizable. Representations of it are used in art, advertising and film. It has become so instantly recognizable that a stylized version featured in the opening ceremony for the Sydney Olympics in 2000 in the iconic form made famous by Sir Sidney Nolan's paintings.

In 2002 PROV, recognizing the research, educational and historic importance of the numerous Kelly documents in its collection placed digital copies and related images of most of them on the web in an exhibition entitled "Ned Online". The digitized documents are accompanied by transcripts in order to assist people with interpreting them.

The various aspects of the Kelly story - his Irish ancestry, his poor country origins, his family's struggle to survive on the land, his encounters with the law, imprisonment, the police chase and police incompetence, the final dramatic shoot out and capture of Ned and his execution - are all now an important part of cultural tourism in Australia. Cultural institutions around Australia recognize the cultural significance of the Kelly story and display artifacts and tell various aspects of the Kelly saga.

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Tourism uses the Kelly story extensively. Tourism has developed around the 'Kelly country'. Trails, markers and maps have been developed for visitors to see where the gang lived and operated. The town of Glenrowan where the final encounter between police and the gang occurred has been placed on the Victorian Heritage Register. The town survives on the numerous Kelly memorials and places to visit.

In 1906 the Tait brothers produced what was probably the world's first full length feature film entitled *The Story of the Kelly Gang*. The importance of this film (of which only nine minutes of fragments remain) has been recognized by its inclusion on the Australian Memory of the World register. The film proved popular with both Australian and British audiences. The New South Wales police department, however, were displeased with the popularity of the bushranger genre and imposed a ban on the production of such films from 1912. Nevertheless, numerous other films have been made over the years about Kelly, such as *Ned Kelly* made in 1970, starring Mick Jagger as Kelly, the *Trial of Ned Kelly* (1977) starring John Waters and Gerard Kennedy, the 1980 mini-series *The Last Outlaw* starring John Jarratt, Steven Bisley and Sigrid Thornton, and more recently *Ned Kelly* (2003) featuring Heath Ledger in the lead role.

Billy Connolly in his television series on Australia featured a segment on the Old Melbourne Gaol and Ned Kelly. It is often rerun on television in Australia and overseas and has attracted many tourists to Australia and Melbourne.

Folk songs have been written about bushrangers and the Kellys.

The story of the Kelly gang features on the national school curriculums as part of the topic 'Bushrangers'. 'Ned Online' is promoted to schools by PROV as a resource for students to examine the original documents and form their own opinions.

More has been written about Ned Kelly than any other Australian. Many of these authors have based their research on the documents held in the archives. These novels also document the change in public attitude. For the first fifty years after his execution the literature was overwhelmingly anti-Kelly. In 1929 J.J. Kenneally published his 'Complete Inner History of the Kelly Gang and their Pursuers'. The book presented Kelly in heroic terms and remained in print for over fifty years. The novelist Peter Carey won the "Booker Prize" for his fiction novel the 'True History of the Kelly Gang'. It is based on the Kelly story.

PROV holds a government copy of the 'Jerilderie Letter'. Ned Kelly's own 'Jerilderie Letter' has become an important piece of Australian literature, particularly the passage where he speaks about 'scattering pieces of me and my brother all over the bush and yet they know and acknowledge I have been wronged and my mother and four or five men lagged innocent and is my brothers and sisters and my mother not to be pitied also who has no alternative only to put up with the brutal and cowardly conduct of a parcel of big ugly fat-necked wombat headed big bellied magpie legged narrow hipped splaw-footed sons of Irish Bailiffs or english landlords which is better known as Officers of Justice or Victorian Police who some calls honest gentlemen but I would like to know what business an honest man would have in the Police as it is an old saying It takes a rogue to catch a rogue' is often used by writers, comedians and satirists.

Throughout the 1870s while the gang operated and when he was captured and hanged in 1880 there was huge media coverage in Australia and overseas in London. There was fascination with this 'simple' bush boy who could outwit and outrun the whole of the Victoria Police force for years at a time. His humour, riding ability and bush skills were greatly admired.

Controversy still exists as to whether Ned Kelly received a fair trial and whether he intentionally murdered the three police at Stringy Bark Creek. Members of the legal fraternity, such as Julian Burnside, ex-Chief Justice Phillips and others, have studied his trial in depth and postulated their hypothesis. Their research and conclusions are based on the documents held at PROV.

Every year, 11 November is commemorated as both Remembrance Day and also as the anniversary of Ned Kelly's death. The anniversary is widely reported in the media.

Ned Kelly, because of his Irish heritage, has been commemorated on a stamp series in Ireland.

Indeed Kelly has played a significant role in Australian culture since the late nineteenth century. Many diverse interpretations have emerged of Kelly. People remain divided in their opinions of Kelly ranging from admiration to aversion. Australians continue to attempt to discover the 'real' Ned Kelly. Meanwhile several significant artifacts and documents associated with Ned Kelly have secured a place in our national mythology.

#### Further Comments

The national importance of the Kelly story was again recognized in March 2006 when the 'Kelly papers' of Edward (Ned) Kelly, the bushranger and his gang, in the custody of Public Record Office Victoria were nominated to the 2006 UNESCO Australian *Memory of the World* Register.

## Extent of Registration

### EXTENT OF REGISTRATION

The Kelly Historical Collection consists of Public Record Office of Victoria series:-

VPRS 4965 Police Branch c. 1878-1881 (Kelly Historical Collection Part 1)

VPRS 4966 Crown Law Department 1880-1882 (Kelly Historical Collection Part 2)

VPRS 4967 Chief Secretary's Department 1878-1886 (Kelly Historical Collection Part 3)

VPRS 4968 Kelly Reward Board c. 1879-1881 (Kelly Historical Collection Part 4)

VPRS 4969 Miscellaneous records c. 1869-1881 (Kelly Historical Collection Part 5)

Also items from other series:

VPRS 515 Central Register of Male Prisoners. Kelly's prison register entries

VPRS 937 Correspondence between Edward Kelly and Sergeant James Babington of the Kyneton Police

VPRS 8369 Correspondence, Photographs and History Sheets of Certain Male Criminals; Kelly entries

VPRS 9684 School Inspector's Notebooks (G.W.Brown). Ned Kelly's school records

*This place/object may be included in the Victorian Heritage Register pursuant to the Heritage Act 2017. Check the Victorian Heritage Database, selecting 'Heritage Victoria' as the place source.*

*For further details about Heritage Overlay places, contact the relevant local council or go to Planning Schemes Online <http://planningschemes.dpcd.vic.gov.au/>*