

# Kieran Boylan: a trailblazer and inspiration

On Sunday 23 March 2014, the Territory lost one of our best, and one of our true gentlemen. Aboriginal people of the Top End lost one of their great advocates, the North Australian Aboriginal Justice Agency (NAAJA) lawyers one of their great role models, and the profession one of its true trailblazers.

The latter may sound a big claim – it is – but it's even bigger when you consider that Kieran wasn't a lawyer.

For many of us, Kieran taught us what it means to ensure that your client understands the legal processes they're involved in, and to act fearlessly to see that your client gets a level playing field.

Kieran Boylan came to NAAJA in 2008. He'd come from Halls Creek, Western Australia where he had been given the name 'Chilpy'. This roughly translates to 'Old Man', and signifies the respected position Chilpy was held.

It is significant that upon hearing of Chilpy's passing, an Aboriginal Elder from Ringer's Soak Community (out of Halls Creek) told Chilpy's sister that a smoking ceremony will be held in his honour. This is a colossal showing of respect for anyone, but in particular for a non-Aboriginal man. It's even more incredible when considering the length of time since he'd left Halls Creek. Chilpy wasn't one to be forgotten by anyone who knew him.

Chilpy started with NAAJA as a client service officer with our

juvenile clients. This is a job usually reserved for Aboriginal people. Suffice it to say; when people first saw this giant of a man with a booming voice, some had one or two reservations! But these quickly evaporated. Chilpy had an incredible warmth that endeared him to everyone, whether with our young clients or with the judiciary. His work ethic was unparalleled, and in a short time he quietly revolutionised how NAAJA kept file records for our juvenile clients. With Chilpy's help, we were able to keep track of clients after their court matters were complete, and retain that knowledge if and when they were to return to court.

The youth lawyers who worked with Chilpy were always indebted. It was reflective of his unassuming and modest character that Chilpy would do 90 per cent of the work only to see the lawyers get all of the praise from the bench as they were able to relate their young client's history and circumstances in impressive detail. Given Chilpy's size it is not hard to see why one of those lawyers would describe working with Kieran as standing on the shoulders of giants – both physically and metaphorically.

In September 2009, NAAJA commenced a program called Indigenous Prisoner Throughcare. Chilpy was our inaugural Prison Support Officer. This was the first time NT Corrections had allowed a legal service to have a position based at Darwin Correctional Centre, and it was a challenging collaboration for two very different organisations. It was anything but



an easy environment for Chilpy to walk into.

Kevin Raby, who was the Superintendent of Darwin Correctional Centre at the time, recalled that period in 2009:

This was a significant change to how corrections in the NT had operated and having staff from an agency like NAAJA based in the prison, whilst always supported by senior corrections staff, was always going to face some significant barriers from some staff due to issues of trust.

I recall my first meeting with Kieran and I was overcome with the feeling that if anyone can make this new initiative work, Kieran was the one. Ingratiating yourself into a system that was to some degree a 'closed shop' was never going to be easy however Kieran, by his personable nature, managed to quickly

break down any barriers put in his way.

Some five years later, the relationship with NAAJA has developed into a significant partnership and this is in no small way the result of Kieran's efforts. Kieran was considered a member of the Darwin Correctional Centre staff as much as anyone who was employed by the Northern Territory Department of Correctional Services.

Chilpy's achievements were all the more significant because his job was to advocate for Aboriginal prisoners. This required him on a daily basis to raise with prison staff areas where they had failed to meet the needs of our clients. Chilpy's approach to advocacy was a lesson for all lawyers. To get results, you need a determination to get the job done, but with humility and without pointing fingers. One of Chilpy's favourite phrases was, "If you can't do things properly, don't do them at all." Chilpy certainly lived that ethos.

Aboriginal people represent 85% of the prison population. That's about 750 Aboriginal people in Darwin Correctional Centre alone.

To give further context to Chilpy's role at the prison, it was to help Aboriginal prisoners with issues they face in prison, and to develop post-release plans for the Northern Territory Parole Board. With over 800 prisoners at Darwin Correctional Centre (and around 750 of them Aboriginal), this was a monumental task.

For four and a half years, Chilpy (and later with the equally wonderful Lavina Murray) effectively operated as the Northern Territory's first ever and only Parole Legal Service. They have literally assisted hundreds of people. Chilpy has shone a light into one of the most closed, inequitable processes in Australia – parole in the Northern Territory.

This is not to criticise individuals associated with the Parole Board, because there are some such as the Parole Board Chairperson, Justice Stephen Southwood who go to significant lengths to deliver a fair process. But it needs to be made clear that when it comes to parole, the odds are stacked against our clients. Very few Aboriginal people get parole, not because they are hardened criminals, but because they are in a system they often do not understand and the support services are simply not there to help them. Too frequently, no one spends the time to explain parole processes to them and help them put proper post-release plans in place.

And that's where Chilpy came in. In recent years, there have been dramatic increases in the number of Aboriginal prisoners seeking and successfully applying for parole. Justice Southwood sent the following words of condolence for Chilpy's funeral in Adelaide:

Kieran was very highly regarded by all of the members of the Parole Board who greatly appreciated the invaluable work he undertook for prisoners and parolees. He will be well remembered by all of us.

Examples abound of Chilpy's impact and legacy. He was a fierce critic of the lack of therapeutic programs on offer at Darwin Correctional Centre and Don Dale Juvenile Detention Centre. He pointed to the ridiculous injustice where the Parole Board would require his clients to undertake rehabilitative programs to have a realistic prospect of parole, yet these programs were often not on offer at the prison or detention centre.

He consistently raised concerns about a repatriation system that didn't meet the needs of our clients. Repatriations are the system where prisoners are provided transport from prison to



their home community upon their release. Many clients are simply put in a taxi to the airport or the bus terminal and left to find their own way from there. Some don't board their scheduled plane or don't get on their bus. Some simply want to stay in town to shop or drink, whilst others miss flights because they do not understand how to navigate an airport check-in.

Chilpy would identify clients at high risk of not getting home, and make sure they had identification; he'd then take them to the airport and wait with them to make sure they boarded their bus or plane. After one such trip in 2012, he noted:

I got M onto his flight out to Groote this morning, not without some issues of anxiety for me I must add. There was a big mob of family all in varying stages of sobriety hanging around the Vincent Terminal on our arrival (have no idea how they knew he would be there) anyhow he proceeded to





hand over all of his ready money \$150 leaving him with a cheque for \$500. A long conversation took place between them all in language at the end of which M asked if he could stay in Darwin for the day and go back with family tomorrow, his family including him had received royalty payments and his brother Tyson had bought a motor car! I strongly objected warning him of the consequences (breach parole). Anyhow he took my advice and I watched him board the plane; he would not have gone had I not been there!

I have since made contact with Corrections at Angurugu, M has reported and all is good!

Chilpy's magic was the way he made things come-together for his clients. The following examples give a sense of how he did this.

Jason was released from prison after 25 years. It is unimaginable to consider how institutionalised he was after this length of time, and the barriers he faced on release.

Chilpy's job had been to help prepare his parole application, and when he was finally granted parole, for some it might have ended there. But Chilpy saw that to 'do the job properly', more work needed to be done.

Jason faced a range of complex issues. He had serious medical problems (significantly, Chilpy only found this out because he went with Jason for his drug testing, which was part of his parole conditions). Not only would he probably not have reported for the drug testing without Chilpy's help, no one would have known he had heart problems and diabetes. What's more, Chilpy helped Jason to then see a doctor and obtain medication from the pharmacy, things he just was not equipped to do on his own.

Another issue was that Jason had problems sleeping at night and in the days after his release from jail, he wasn't eating. Chilpy found out that Jason had gone hungry since his release. Chilpy asked him why, and Jason replied that he was 'waiting for the bosses to come around and shine their torches'. Chilpy set up a food regimen for Jason to follow. He explained the concept of grocery shopping and takeaway options.

Soon after his release, Jason lost a cheque for a sizeable amount. This was his earnings from his time inside. Chilpy arranged for the cheque to be cancelled and reissued. When Jason had car problems, Chilpy took him to the dealership to get it sorted.

Chilpy visited Jason every Sunday after Mass, just to check in, see he was ok, and that everything was on the right track with his reporting to Corrections. Chilpy helped him every step of the way. And such a bond they formed, Jason invited him to his wedding!

Despite another car breakdown, Jason came to Chilpy's memorial service that was held in Darwin soon after Kieran's funeral in Adelaide.

Three years on, he is still going strong, living a law abiding life and being a positive influence on his family and friends. Without a shadow of a doubt, but for Chilpy, he would have been back in jail within a week.

When Ed was released from prison, he was totally isolated, he battled loneliness and boredom. He had been in jail for a long period and was also totally institutionalised. He didn't have basic living skills such as cooking, laundry, or bed making.

Chilpy visited him every day, weekends included. He put in place a range of supports, with a Lutheran Minister, counselling from the Aboriginal medical service, and encouraged Ed to pursue his artistic talents as a landscape painter.

Chilpy also did little things that only a person who genuinely cared about 'his client' would do. Last year Chilpy took Ed to Mass on Christmas Day. Ed wanted to go, but was not able to do this on his own. This did not stop Chilpy. He made it happen, because he did things properly, and he did what his clients needed help to do.

Ed, like Jason, was proud to attend Chilpy's memorial. He sent this message:

Chilpy truly was a wonderful man, very supportive and caring. Willing to help and support people like myself with kindness and compassion and for that I will always be grateful. Until we meet again my friend, may you rest in peace and God bless.

As with Jason, there is no question that Ed would have been back in jail, or never been released from jail, but for Chilpy.

The manner in which Chilpy worked with Aboriginal people also has lessons for us all. Families would open up to him so easily. He was so respectful and humble in his dealings. Lavina recalls an instance where she and Chilpy arrived in a community to see their client, and the whole community pointed them in the direction where he was! Chilpy involved not just his client, but his family and the community, and the results he achieved speak volumes about the soundness of his approach.

These notes of Chilpy's from a 2012 trip he and Lavina took highlight this:

A very worthwhile excursion creating many positives, but in particular

confirmation of parole plans for D and H and advances with C; and positive engagement to Elders. It has become very obvious subsequent to our meetings with Elders from Barunga, Beswick, Hodgson Downs and Jilkminggan that it has never been a practice for parole officer to engage with them in preparation of parole reports and it is very clear that Elders will engage and offer plenty to assist in applications and in nearly all case it would be to the betterment of our clients. We must over the year endeavour to reach Elders from other remote communities but in particular meet with visiting elders' upon their attendance out here.

How Chilpy did that! He showed that it can be done. Whilst some might say, 'Where are the Elders?', Chilpy showed they are certainly there, if you know the secret to unlocking the door.

In closing, to look at our Indigenous Prisoner Throughcare program four and a half years on, it has progressed from strength to strength. We started with one worker, we now have ten.

The program is leading the

nation. There is simply nothing else like it. It has won a National Crime Prevention Award and was featured in the Prime Minister's 2013 'Closing the Gap' report.

Chilpy's work was a living embodiment of his dedication, his compassion, and his selflessness. He made such a difference to people's lives, and he did it in such a gentle, humble way. To use a football analogy, he was the ruckman, always looking out for the little fellas.

Our heartfelt condolences are with Glenys (Mum), Kate, Justin and the entire Boylan family. To Mum in particular, Chilpy's wife and partner of forty five years, we cannot say how much we admire and respect your grace, dignity and strength.

For all of us who had the privilege to work with Chilpy, he was our shining example of what it means to do things properly. You are our inspiration, Chilpy, rest in peace knowing that your legacy lives on. ●

**NAAJA is currently establishing a fund to continue Chilpy's legacy.**

**Donations may be made via NAAJA's website: <http://www.naaja.org.au/>**



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