

PO Box 425
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19th August 2010

The Ombudsman
12th Floor NT House
22 Mitchell Street
Darwin NT 0801

Dear Sir/Madam

RE: RETURN OF PRISONER'S MAIL

On 11th August 2010 I wrote a letter to a prisoner in Berrimah Prison, Mr Kyle Horace. I printed the letter from my computer on the back of a scanned newspaper article. The article concerned statistics for rape cases in the courts – a point of interest for Kyle. I scanned the article because I thought he may not be allowed to receive newspaper cuttings. This is not the first time I have printed-out newspaper stories on the reverse side of my letters to Kyle. I am sure he still has my previous letters in his possession to prove that photocopied articles had been accepted before.

The Darwin Correctional Centre returned my letter in my envelope marked “Return to sender”. Inside the envelope with the returned letter was a letter from the prison with a list of things that are not permitted to be posted to prisoners. I received the returned letter on 19th August. The reason for returning my letter was circled in a list of unauthorised items. The box ticked was, ‘Religious material, articles, pamphlets’ and the word ‘articles’ was circled. My understanding of the list is that the word ‘articles’ refers to religious articles.

I enclose my original letter and the letter from the prison as evidence. It seems to me that my letter and the photocopied article on the reverse side do not come under any category listed by the prison authorities. There is no religious content. Furthermore, I believe the list of restricted items is too prohibitive.

In conclusion, I draw your attention to a two-page article in the National Indigenous Times, August 19th edition, on Kyle’s case. My attempt to represent him, to research the article and to keep him informed has been made very difficult by the isolation in which prisoners are kept in Darwin and the prohibitive list of items they are not allowed to receive, including it seems the most basic of information, like photocopied newspaper articles. Do I have to retype them?

Today I have sent Kyle another copy of my letter on a blank sheet of paper without the offending photocopy on the back. However, my letter will now arrive after the publication of the National Indigenous Times article. I trust that you can look into this matter which I believe infringes basic human rights.

Yours sincerely

Dr William B Day
Consulting Anthropologist