

Australian Capital Territory

Corrections Management (Prisoner Marriages) Policy 2007*

Notifiable instrument NI2007-460

made under the

Corrections Management Act 2007, section 14(1) (Corrections policies and operating procedures)

1 Name of instrument

This instrument is the *Corrections Management (Prisoner Marriages) Policy 2007*.

2 Commencement

This instrument commences on the day after it is notified.

3 Policies and operating procedures

Under section 14 of the *Corrections Management Act 2007* (the Act), I make the

PRISONER MARRIAGES POLICY

in Schedule 1 to this instrument, to facilitate the effective and efficient management of correctional services.

James Ryan
Executive Director
ACT Corrective Services
17 December 2007

*Name amended under Legislation Act, s 60



**Belconnen Remand Centre (BRC)
Symonston Temporary Remand Centre (STRC)**



PRISONER MARRIAGES POLICY

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Purpose

To outline the policy regarding a BRC/STRC prisoner who requests to enter into a marriage.

Authority

Legislation

Corrections Management Act 2007, sections 14, and 87(2)(b)

Policy

1 Principles

- 1.1 Sentenced prisoners should not be deprived of the right to enter into a marriage contract.
- 1.2 Prisoner marriages may take place so long as there are no legal restrictions in place, such as an apprehended violence order (AVO) or domestic violence order (DVO).
- 1.3 Prisoners or their spouses will not be entitled to any privileges in addition to those afforded to other prisoners in the BRC/STRC.

2 Approval

- 2.1 The discretion to grant or deny a marriage application rests with the Superintendent.
 - 2.1.1 When considering the application, the Superintendent must consider the facts of the application and consult with the BRC/STRC Chaplain. The Superintendent may seek additional information from other parties, such as the prisoner's case officer, or case manager.
 - 2.1.2 Where an application is denied, written reasons must be provided to the prisoner.

- 2.1.3 If the Superintendent grants the application for marriage, the prisoner must attend regular interviews with the appropriate Chaplain to discuss the implications of the decision.
- 2.2 No application by a remandee will be approved.
 - 2.2.1 Where an application to marry is made by a remandee, the remandee will be advised that the application is deferred until the resolution of his or her court matters.
 - 2.2.2 The remandee may reapply if they are sentenced to a period of imprisonment.

3 Cost

- 3.1 Any costs incurred as a result of the marriage are borne by the prisoner.

Forms/Templates

Prisoner Request Form

Related policies and procedures

Human Rights Policy