

Australian Capital Territory

# Corrections Management (Prisoner Marriages) Procedure 2007\*

Notifiable instrument NI2007-461

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) Procedure 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 PROCEDURE

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 PROCEDURE**

<b>Purpose</b>	<b>1</b>
<b>Authority</b>	<b>1</b>
<b>Scope</b>	<b>1</b>
<b>Procedure</b>	<b>1</b>
<b>Forms/Templates</b>	<b>2</b>
<b>Related policies and procedures</b>	<b>2</b>

### **Purpose**

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

### **Authority**

#### Legislation

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

### **Scope**

This procedure commences when a prisoner makes an application to marry whilst accommodated in the BRC/STRC and ends when the marriage ceremony and associated celebrations have concluded.

### **Procedure**

<b>Step</b>	<b>Action</b>	<b>Responsibility</b>
<u>1</u>	Prisoner Request Form completed.	Prisoner
<u>2</u>	Application referred to the Deputy Superintendent.	Corrections Officer
3	Application referred to the Chaplain.	Superintendent
<u>4</u>	Interview detainee.	Chaplain
<u>5</u>	Premarital counselling.	Chaplain
<u>6</u>	Procedures explained to the prisoner.	Chaplain
<u>7</u>	Report to Superintendent.	Chaplain
<u>8</u>	Consider the application.	Superintendent
<u>9</u>	Convey decision in writing to the prisoner.	Superintendent
<u>10</u>	Inform the Case Manager.	Superintendent
<u>11</u>	Facilitate the ceremony.	Superintendent, Chaplain

#### Step 1

Where prisoners require assistance to complete a Prisoner's Request Form, Corrections Officers should assist or refer to an appropriate Corrections Officer, caseworker or supporter for assistance.

#### Step 2

All applications must be referred to the Superintendent via the CO2, CO3, and Deputy Superintendent.

#### Step 4

The Chaplain will interview the prisoner to determine the denomination of the parties to the proposed marriage and whether they wish to ceremony to be conducted by a chaplain or a civil celebrant.

#### Step 5

Premarital counselling is strongly recommended and may include both the prisoner and their prospective spouse.

#### Step 6

The Chaplain will explain the marriage procedure as it applies to the BRC/STRC.

#### Step 7

The Chaplain will forward a written report to the Superintendent detailing their recommendations with regard to the marriage itself, and any ceremonial requirements. The information collected (subject to confidentiality restrictions) will be included in that report.

#### Step 8

The Superintendent will consider the recommendations of the Chaplain and may seek further advice from other parties, such as the Case Manager, as required.

#### Step 9

The prisoner is to be informed of the Superintendent's decision. If the application is approved, the notification must outline the process, restrictions, and permissions associated with it. If the application is denied, reasons must be given for the denial.

#### Step 10

A copy of the letter sent to the prisoner in Step 7 must be forwarded to the Case Manager.

#### Step 11

The Chaplain will make all arraignments for the ceremony and celebrations. Any celebrations will be subject to a separate approval from the Superintendent.

The Superintendent will ensure that Corrections Officers are available for the duration of the ceremony and celebrations, and on consultation with the Chaplain, arrange a suitable venue.

The celebrant (civil or religious) is responsible for the legal requirements of the marriage.

### **Forms/Templates**

Prisoner Request Form

### **Related policies and procedures**

Prisoner Marriages Policy

Human Rights Policy