

Australian Capital Territory

Corrections Management (Police Interviews of Prisoners) Policy 2007*

Notifiable instrument NI2007-458

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 (Police Interviews of Prisoners) 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

POLICE INTERVIEWS OF PRISONERS 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)
Court Transport Unit (CTU)
Symonston Periodic Detention Centre (PDC)**



POLICE INTERVIEWS OF PRISONERS POLICY

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Purpose

To outline the principles surrounding police interviews of prisoners in correctional centres.

Authority

Legislation

Corrections Management Act 2007, sections 14 and 15

Policy

1 Principles

- 1.1 Prisoners are entitled to legal representation when being interviewed by police.
 - 1.1.1 When a request is received by the Police (ACT Policing or another state or territory policing organisation) to interview a prisoner in ACTCS' custody the Duty Chief will ensure that the prisoner understands their right to legal representation.
 - 1.1.1.1 The prisoner will be permitted to telephone their legal representative to facilitate this.
 - 1.1.2 Prisoners may decline to have a legal representative present during the interview.
 - 1.1.2.1 Where a prisoner declines to be legally represented, the Duty Chief will ensure that the prisoner signs the Legal Representative at Police Interviews Form.

2 Custody

- 2.1 Prisoners who are in ACTCS custody at the time of a police interview remain in the custody of ACTCS.

- 2.1.1 A Corrections Officer will be present at all times while the interview is being conducted to maintain the custody of the prisoner.
- 2.2 Where a prisoner is to be interviewed at a place outside a correctional centre (for example, at a police station), Corrections Officers will conduct the escort in accordance with the *Prisoner Escorts Policy* and *Procedure*.

Forms/Templates

Legal Representative at Police Interviews Form

Related policies and procedures

Prisoner Escorts Policy

Prisoner Escorts Procedure