

Australian Capital Territory

Corrections Management (Marriages and Civil Partnerships) Policy 2009

Notifiable instrument NI2009-147

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 (Marriages and Civil Partnerships) Policy 2009*.

2 Commencement

This instrument commences on the day after it is notified.

3 Policy

I make the

MARRIAGES AND CIVIL PARTNERSHIPS POLICY

attached to this instrument, to facilitate the effective and efficient management of correctional services.

James Ryan
Executive Director
ACT Corrective Services
25 March 2009



Alexander Maconochie Centre (AMC)



MARRIAGES AND CIVIL PARTNERSHIPS POLICY

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Purpose

To outline the policy regarding prisoners entering into a marriage or civil partnership while in custody at the AMC.

Authority

Legislation

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

Legislations Act 2001, section 169.

Human Rights Act 2004.

Policy

Principles

Marriages may take place for sentenced prisoners when there are no legal restrictions in place, such as an Apprehended Violence Order (AVO) or Domestic Violence Order (DVO).

Approval

The Superintendent may grant or deny a marriage or civil partnership application.

The application must be made by the prisoner (not the partner).

The prisoner must meet with the Chaplain to discuss the implications of the application. If the prisoner is not Christian, the Chaplain will where possible, arrange for a religious leader of the appropriate faith to meet with the prisoner.

If the Superintendent does not approve an application, written reasons will be provided to the prisoner.

If the Superintendent grants the application for marriage, or civil union, arrangements will be made through the Chaplain.

Remand Prisoners

Applications by remand prisoners will not be considered while they are on remand. Where an application to marry or enter into a civil partnership is made by a remand

prisoner, the prisoner will be advised that the application is deferred until the resolution of their court matters.

The prisoner may apply once sentenced to a period of imprisonment.

Costs

Any costs incurred as a result of the marriage or civil partnership will be the responsibility of the prisoner.

Forms and templates

Prisoner Request Form (Blue)

Related policies and procedures

Marriages and Civil Partnerships Procedure