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CRIMINAL JUSTICE BRANCH, MINISTRY OF ATTORNEY GENERAL  
**CROWN COUNSEL POLICY MANUAL**

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ARCS/ORCS FILE NUMBER: <b>57380-00</b>	EFFECTIVE DATE: <b>January 20, 2012</b>	POLICY CODE: <b>BIG 1</b>
SUBJECT: <b>Bigamy and Polygamy</b>		CROSS-REFERENCE:

**POLICY**

**THIS POLICY IS UNDER REVISION.**



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CRIMINAL JUSTICE BRANCH, MINISTRY OF ATTORNEY GENERAL  
**CROWN COUNSEL POLICY MANUAL**

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ARCS/ORCS FILE NUMBER: <b>57380-00</b>	EFFECTIVE DATE: <b>September 15, 2004</b>	POLICY CODE: <b>BIG 1</b>
SUBJECT: <b>Bigamy and Polygamy</b>		CROSS-REFERENCE:

## **POLICY**

### **Bigamy**

**The decision to approve a charge of bigamy should be made on a case by case basis. Charges of bigamy are generally discouraged where no significant harm has occurred. Relevant factors include:**

- **the financial, emotional and social harm caused to the legal spouse, the subsequent spouse and any children of either relationship**
- **the vulnerability of the spouse entering the invalid marriage**
- **the accused's motive**
- **the extent of the deception (including with respect to government officials, documents and programs) and the degree of effort required to rectify the matter**

**If a Report to Crown Counsel alleging bigamy is received, Regional or Deputy Regional Crown Counsel should be consulted before a charging decision is made.**

### **Polygamy**

**In light of the various constitutional issues which may arise, if a Report to Crown Counsel alleging polygamy is received, Administrative Crown Counsel should refer the file, together with any recommendation, to Regional Crown Counsel, who in turn should consult with the Assistant Deputy Attorney General before a charging decision is made.**

## **DISCUSSION**

The offence of bigamy involves a deception that results in the falsification of state records and may involve financial, emotional or social harm to the legal spouse, the subsequent spouse and any children of either relationship.

Crown Counsel should give careful consideration to charge assessment on any Reports to Crown Counsel which allege that offences other than polygamy have been committed against persons in polygamous situations.