

Marriage Quality Declaration

Queensland Registry of Births, Deaths and Marriages Data

The following presents information about the quality of the Queensland Registry of Births, Deaths and Marriages marriage registration administrative data collection.

Quality is a multidimensional concept which does not just include the accuracy of data, but also stretches to include other aspects such as relevance and interpretability. The Australian Bureau of Statistics (ABS) Data Quality Framework has therefore been used to provide a broader assessment of the Qld RBDM marriage data holdings.

INSTITUTIONAL ENVIRONMENT

Queensland (Qld) marriage data is sourced from the marriage registration systems administered by the Qld Registry of Births, Deaths and Marriages (RBDM). Information about the marriage is supplied to Qld RBDM based on information provided on a notice of intended marriage application form provided by the intended parties of marriage and an official certificate of marriage form provided by the minister, civil celebrant or state officer when a marriage has taken place.

Civil registration of marriages is compulsory in Australia and registration services in Queensland are delivered by RBDM under the legislative framework provided by the *Marriage Act 1961* (Cwlth) (the Marriage Act), the state *Births, Deaths and Marriages Registration Act 2003* (the BDMR Act) and the Marriage Regulations 2017 (Cwlth) (the Marriage Regulations) and the Births, Deaths and Marriages Registration Regulation 2015 (BDMR Regulation).

The legislative framework provided by the Marriage Act, the BDMR Act and BDMR Regulation, regulates the life events that can, or must, be registered, the information that must be provided for registration purposes, the requirements to access information and the types of life event certificates that can be issued. The BDMR Act also provides for the appointment of a Registrar, to support the proper administration of the BDMR Act.

The Registrar has a number of express functions and powers relating to the maintenance of the Register. In particular, the Registrar:

- must maintain a register, for each type of registrable event, together with indexes necessary to make the information in the register reasonably accessible;
- must register a registrable event;
- may conduct an inquiry to find out whether a registrable event has happened;
- may make corrections to a register.

While the RBDM is not a statistical agency additional information as part of the civil registration process is collected for national statistical, research and planning purposes under the objects of the BDMR Act. The critical act of recording important events in people's lives such as birth, deaths, and marriages, provide individuals with the official recognition and documentation necessary to establish identity, family relationships and civil status. However, the vital statistics and information that can be generated from civil registration also significantly contribute to the formulation of effective and efficient evidence-based policy across multiple sectors for Australia.

The use and disclosure of personal information is closely controlled under the BDMR Act to protect the privacy of individuals and protect against the risk that information will be misused. When releasing information under agreements with other agencies the Registrar is also required to comply with the *Information Privacy Act 2009* (Qld) (IP Act) and the Information Privacy Principles (IPPs), which set out how personal information must be collected, stored, used and disclosed.

RELEVANCE

Registration of a marriage is the responsibility of each state and territory Registry of Births, Deaths and Marriages and is based on data provided on information forms completed by the parties of the marriage and the minister, celebrant or the state officer.

Core purpose of data collection

The Marriage Act, the Marriage Regulations and the BDMR Regulation sets out the information that must be collected by RBDM to register a marriage and the information that must be included in certificates. The primary objectives of marriage registration are to:

- provide evidence of a person's legal relationship and connections with other parties;
- provide evidence of the event (marriage) registered and proof of legal relationship, age, identity and parentage;
- preserve life-event records for future generations.

However, RBDM collects additional information for administrative purposes and to ensure the reliability of the registration. Supplementary information is also collected as part of the registration process to be used for used for statistical, research and planning purposes. Although these activities are not expressed explicitly as a power of the Registrar, they align with the objects of the Marriage Act and BDMR Act.

Vital statistics derived from Australia's civil registration system provide annual flow demographic statistics for population estimates and projections, studies of mortality, fertility and health, and the construction of life tables. The United Nation's Statistical Division's 'Principles and Recommendations for a Vitals Statistics System', Revision 3 (2014), pg5 recommend that:

'Vital statistics are obtained preferably through a civil registration system, as this is the ideal source from which to derive accurate, complete, timely and continuous information on vital events. In addition, vital statistics derived from the civil registration system (and the population registers) can include annual flow statistics from the smallest civil divisions, which no other data-collection system can provide.'

The *Australian Bureau of Statistics Act 1975* (Cwlth) outlines the functions of the bureau to ensure the coordination of official bodies (including Departments and authorities of the States) in the collection compilation and dissemination of statistics for the country. The *Statistical Returns Act 1896* (Qld) empowers the Statistician to collect and publish statistics in relation to (among other things) population and vital statistics (Section 4 (1)(a)) and social statistics (Section 4(1)(c)), collecting this, and other incidental information (s 4(6)) in the manner that he or she decides (s 4(2) & 4(5)).

The BDMR Act also allows the Registrar to enter into an arrangement for provision of information to an entity that is in the public interest. This power recognises the significant community value of the information RBDM holds for statistical, research and planning purposes relating to population, fertility, health, mortality, and other matters.

Key data items

The prescribed information collected for inclusion on the marriage register is set out in accordance with the prescribed forms of the Marriage Act and includes:

- the full names of both parties to the marriage
- the preferred party descriptor and sex of both parties
- the parties dates and places of birth
- the usual occupation and conjugal status for both parties
- for both parties, the mother's and father's full names

Scope of data collection

Marriage registration is required by law and requires the minister or celebrant to lodge the notice of intended marriage and the official certificate of marriage within 14 days of the marriage with the RBDM.

Marriage data includes:

- all marriages occurring Queensland
- marriages in Queensland to temporary visitors to Queensland

Marriage data excludes:

- marriages that have been registered in another State or Territory, or another country

Geographic Classifications

The usual residential addresses of both parties of the marriage are collected as part of the marriage registration process. This can be used to define geographical areas for data output. Currently, this raw data is not geo-coded.

Additionally, country of birth information for both parties, if born outside of Australia, is also captured on the notice of intended marriage and the official certificate of marriage forms. However, note this data is not classified to a classification of countries.

TIMELINESS

The process of registering a marriage involves the collection of two sets of data:

1. The notice of intended marriage form provided by the parties to the marriage to the marriage celebrant, minister or state officer.
2. The official certificate of marriage form, including signed declarations from the celebrant, minister or state officer.

A marriage celebrant, minister is responsible for having a marriage registered.

Under the Marriage Act, a celebrant or minister is required to provide a notice of intended marriage, an official certificate of marriage forms and any other supporting documents to the

Register-General within 14 days of the marriage being solemnised, however the Registrar may accept marriages applications made after this period if satisfied that the marriage has occurred.

It is therefore usual to have an interval between the occurrence and registration of a marriage (referred to as a registration 'lag') and as a result, some marriages occurring in one year are not registered until the following year or later. This can be caused by either a delay by the celebrant or minister in submitting the completed forms to the registry, or a delay by the registry in processing the marriage. For example, marriages which occur in December are also likely to be registered in the following year.

As a result, there are two dates attributable to each marriage registration:

- the date of occurrence (of the marriage), and
- the date of registration or inclusion on the Queensland register. The registration date is the date at which all data on the marriage record is finalised.

ACCURACY

The presence of certain errors (whether systematic or random) may influence accuracy in the marriage registration dataset arising from inaccuracies in collecting, recording and processing the data. Every effort is made to minimise these errors by working with celebrants and ministers to ensure accurate information is provided, undertaking quality checks throughout the data collection process, training of processing staff, and efficient data processing procedures.

Sources of error may include:

- incompleteness of an individual record at a given point in time;
- incompleteness of the dataset (e.g. impact of registration lags, processing lags and duplicate records and marriages that are never registered); and
- inconsistency in the application of questions and/or changes to marriage forms over time.
- extent of coverage of the population (while all marriages are legally required to be registered some cases may not be registered for an extended time).
- transcription errors by celebrants and ministers using the online registration process.
- transcription and processing errors by staff. The RBDM attempts to mitigate this risk through rigorous staff training, detailed documentation and instructions for processing more complex or difficult cases, and data quality checks.

Method of data collection

Online registration of marriages became available in November 2017 providing celebrants and ministers the option of electronic lodgement of registration information.

In order to lodge an application to register a marriage online, a celebrant or minister must have verified their identity online and sign the marriage registration form electronically.

Hard copy notice of intended marriage forms can be downloaded via the Attorney-General's website with the official certificate of marriage forms purchased from CanPrint Communications and submitted by post or in person.

Corrections and Amendments

Corrections to the register may be made on the request of a person who can provide correct information, or if the Registrar determines that the correction would ensure that the registration included the most reliable information about the event. Following a correction, the Registrar may decide also to retain the prior information and reflect both on a certificate.

COHERENCE

Compulsory registration of marriages began in 1856, while Queensland was still part of the colony of New South Wales. RBDM holds historical registration records for church marriages between 1839 and 1856.

Each state/territory registry had its own marriage legislation and registration forms up until September 1963, when the Commonwealth Government introduced the Marriage Act.

Data items are collected in all states and territories and therefore data at a national level is available for most characteristics. Prior to September 1963, in some cases, different wording of questions asked on the registration form may result in different answers which may influence outcomes regarding the topic of interest.

Major amendments were made to the Marriage Act in December 2017, which allowed for two people, regardless of sex to enter into marriage. This action saw additional data items being collected and reported.

Changing processes over time and/or across state/territory registries can affect consistency and hence interpretability of statistical output. Changes to methods of data collection and form design across years may also affect reliability of measures and may impact on comparison over time.

INTERPRETABILITY

Marriages data is generally straightforward and easy to interpret. Changes in the numbers of marriages over time can be due to changes in population and social attitudes and context. Considering marriage information in relation to the size of the relevant population(s) at a given time period should therefore be considered.

ACCESSIBILITY

The use and disclosure of personal information is closely controlled under the BDMR Act to protect the privacy of individuals and protect against the risk that information will be misused. The BDMR Act provides that the Registrar can release certain information held by RBDM in the following circumstances:

- in response to a request, made in writing, by a person or other entity, noting that for non-historical information, the Registrar may refuse the request if the person does not have an adequate reason for obtaining the information (see Certificate Access Policy);
- under written policies maintained by the Registrar;
- under an approved arrangement (such as an agreement or Memorandum of Understanding) entered into with an entity for the provision of information in a register, that is deemed to be in the **public interest**, including information in bulk or historical or genealogical information;

- under a reciprocal administrative arrangement with another registering authority e.g. an RBDM of another State or Territory; and
- under an agreement with the Principal Commissioner of the QFCC, the Chief Executive (Child Safety), the Chief Executive (Adoptions) and the Health Ombudsman in relation to specific functions undertaken by those agencies.

Privacy and Security

When giving a person or entity information, or access to information contained in a register, the Registrar must take into account the need to protect people to whom the information relates from unjustified intrusion on their privacy. This may involve imposing conditions on the release of the information.

Certificate Access Policy

RBDM's Certificate Access Policy sets out who may obtain information under the BDMR Act, including community members who apply for information or a life event certificate. This policy deals with access to both historical and non-historical information. The current Certificate Access Policy is focussed on factors for determining whether a person has an adequate reason for seeking the requested certificate or information and setting out the specific requirements to accompany a request by specific individuals and entities. It does not provide a framework for the release of information where the Registrar enters into an arrangement, which is in the public interest, with an entity.

Historical Information

In recognition that the information held by RBDM is of interest to family members, historians, genealogists, and family history researchers, the BDMR Act provides open access to **historical information** after a certain period of time has passed. This means that anyone can access historical information after making an application and paying the applicable fee. Historical information means information in a register that relates to an event that was registered before the following prescribed periods of time:

- for a marriage—75 years before the date of the application.

Non-Historical Information

In the case of individual one-off requests for **non-historical information***, such as a request for a copy of a life event certificate or information about an event that is in a register or a copy of a source document, the guiding principle, under the BDMR Act, is that information generally should only be released if the applicant has an adequate reason for obtaining it.

(*Note: Non-historical information means information in a register other than historical information).

In deciding whether an applicant has an adequate reason for obtaining the requested information, the Registrar must have regard to:

- the relationship, if any, between the applicant and the person to whom the information relates;
- the reason that the applicant wants the information;
- the use to be made of the information;
- the age of the entry;
- the contents of the entry or source document;

- the sensitivity of the information; and
- any other relevant factors.

The BDMR Act authorises the Registrar to enter into an arrangement (agreement or MOU) with an entity to provide information *in a register*, including information in bulk or historical or genealogical information, but only if this is *in the public interest*.

The RBDM ensures these agreements contain provisions to:

- protect the identity of individuals for example by imposing restrictions on the information able to be included in any publication and limiting who can access the data;
- only release the minimal amount of data needed to meet the objective of the agreement;
- ensure clearly defined, adequate and auditable data security arrangements to address data transmission methods, data storage, and individual and organisational access controls;
- address compliance with information security standards and privacy legislation;
- address data disposal and retention arrangements; and
- either restrict the provision of the data to a third party or clearly set out any third party use of the data and the conditions and arrangements for this use.

Retention and Disposal

RBDM, as part of DJAG, is subject to the *Public Records Act 2002* (Public Records Act) in relation to the management and preservation of its records (for example, RBDM is subject to requirements under the Public Records Act around the retention and disposal of its records). The Public Records Act also sets out an access regime for access to records after certain periods of time, which is administered by the State Archivist. However, it is important to note that the BDMR Act provides that despite the Public Records Act, the Registrar retains control over access to any information supplied or records maintained under the BDMR Act.

Data Requests

For further information and Queensland marriage data requests contact:

CRMDData@justice.qld.gov.au

Please describe the information you want as clearly and with as much detail as possible. We will acknowledge your inquiry as soon as possible.