

Statistical standard for legally registered relationship status

Rationale

Legally registered relationship status is a key variable for determining the demographic characteristics of a population.

Definition

Legally registered relationship status is a person's status with respect to their relationship, which has been registered according to the laws or customs of the country in which they entered into that relationship. People in New Zealand can enter into two types of legally registered relationships: marriage and civil union.

For a full definition of 'legally registered relationships', 'marriage' and 'civil union' see the glossary section of this standard.

Operational Issues

Legally registered relationship status is relatively straightforward to operationalise as it has precise definitions; however, the introduction of civil unions as a legally registered relationship, which is an alternative to marriage, appears to have been misinterpreted by some respondents. For example the 2006 Census of Population and Dwellings had significantly more people reporting they were in a civil union compared with the number of actual registration information supplied by the Department of Internal Affairs up to 7 March 2006.

Explanatory notes

Changes since the 1999 review of the statistical standard

The marital status statistical standard, which included both legal marital and social marital status, was updated in 1999 and has been reviewed as part of a review of a suite of household and family classifications between June 2007 and August 2008. As a result, two new statistical standards have been developed; one for legally registered relationship status, which replaces legal marital status; and one for partnership status in current relationship, which replaces social marital status. Both statistical standards are timetabled for review within the next 10 years.

The legal marital status classification needed to be updated to incorporate civil unions (both same-sex and opposite-sex civil unions) as these relationships became an alternative to marriage with the passing of the Civil Union Act 2004, which came into force in April 2005. The classification was renamed 'legally registered relationship status' to better reflect its scope.

During the review process it became apparent that, because of the needs of different survey areas both within Statistics New Zealand (including the area, Population Statistics, which processes administrative data supplied by the Department of Internal Affairs) and other Official Statistics System (OSS) collections, it was not possible to create one simple classification that would meet the needs of every data collection.

Flexible approach to classifications

The approach taken was to create a core classification (or master version) for legally registered relationship status. The master version is a framework that contains a set of approved levels and categories, as well as a glossary of defined terms. This approach provides flexibility for survey areas, as they do not need to use every level of the classification, or need to use every category within a level. The master version can be aggregated to form alternative versions to meet the needs of specific collections. Aggregations will be versions of the master framework and will be developed by the classifications team, in consultation with survey areas, and stored in the Classifications and Related Standards (CARS) database. This will enable more comparison between surveys, as the definitions and conceptual basis will be consistent.

Defining complex social constructs can be difficult particularly when there is inconsistent use of terminology by different people and social groups. For example, someone who has been married and their spouse has passed away may prefer the term 'widowed' and would not want to be referred to as a 'surviving partner', while others may have no preference. Conversely, someone whose civil union partner has passed away may prefer the term 'widowed', while others may not want to be classified this way. One term to cover those who are widowed and those who are surviving civil union partners was not found during this review and the decision was made to use both these terms in the classification.

Classification changes

The new legally registered relationship status classification remains hierarchical but now has four levels instead of three. The first two levels are simple. Level 1 groups together those who:

- are currently married with those currently in a civil union (not separated)
- were previously married and are now either separated/dissolved/widowed with those who were previously in a civil union and are now either separated/dissolved/surviving partner*
- have never been married and have never been in a civil union.

* This classification category (at level 1) is labelled 'separated/dissolved/widowed/surviving partner' for simplicity.

Levels 2 and 3 classify those who are married separately from those who are in a civil union. Level 2 classifies people who were previously married or in a civil union by distinguishing between their status – whether they are separated, dissolved, widowed/surviving civil union partner. Level 3 classifies different types of relationships that have ended, for example, 'separated (marriage)' or 'separated (civil union)' and distinguishes between those who are widowed and those who are a surviving civil union partner. At level 4, opposite-sex and same-sex options have been included where appropriate. Levels 3 and 4 are more detailed and are primarily incorporated to cover the administrative data collection for vital statistics.

The categories 'first marriage' and 'remarried' have been removed as this information was not needed.

The legally registered relationship status master classification will be concorded to the old NZ standard legal marital status classification. Each survey-specific version can also be concorded to the master version of the legally registered relationship status classification.

These changes were a result of users' requirements, and have enabled a wider variety of surveys to use the standard classification framework.

Classification criteria

The legally registered relationship status classification has four levels and is used to classify a respondent's status with respect to their most recent legally registered relationship. The criterion used to place people into level 1 of the classification is whether they:

- are currently married or in a civil union (not separated)
- were previously married and are now either separated/dissolved/widowed or were previously in a civil union and are now either separated/dissolved/surviving partner*
- have never been married and have never been in a civil union.

* This classification category (at level 1) is labelled 'separated/dissolved/widowed/surviving partner' for simplicity.

Levels 2 and 3 classify those who are married separately from those who are in a civil union. Level 2 classifies people who were previously married or in a civil union by distinguishing between their status – whether they are separated, dissolved, widowed/surviving civil union

partner. Level 3 classifies different types of relationships that have ended, for example, 'separated (marriage)' or 'separated (civil union)' and distinguishes between those who are widowed and those who are a surviving civil union partner. At level 4, opposite-sex and same-sex options have been included where appropriate.

Classification

Legally registered relationship status is a hierarchical classification with four levels. Excluding residual categories, level 1 has three categories, level 2 has eight categories, level 3 has 16 categories, and level 4 has 24 categories.

This classification will also be used by Population Statistics for processing, coding, analysing and disseminating vital statistics, which has made inclusion of a number of extra categories necessary. These are identified with the words '(vital statistics use only)'.

The legally registered relationships status master version is an input classification only. Survey-specific aggregated versions can be used for both input and output.

Classification	Legally Registered Relationship Status – Standard Classification 2008 – Master Version
Abbreviation	LEGREGRELST08
Version	V1.0
Effective date	25 August 2008

Coding process

Legally registered relationship status classifies people with respect to their legally registered relationship (irrespective of their living arrangements). The coding process is:

- People who are married or in a civil union and are not separated are coded to 'married/civil union (not separated)' at level 1 and 'married (not separated)' or 'civil union (not separated)' at levels 2 and 3.
- People who have had their marriage or civil union dissolved and have not entered into another legally registered relationship are coded to 'separated/dissolved/widowed/surviving partner' at level 1, 'dissolved' at level 2 and 'dissolved (marriage)' or 'dissolved (civil union)' at level 3.
- People who are legally separated from their spouse or civil union partner are coded to 'separated/dissolved/widowed/surviving partner' at level 1, 'separated' at level 2, and 'separated (marriage)' or 'separated (civil union)' at level 3.
- People who are living apart from their spouse or civil union partner, and intend to do so permanently, are coded to 'separated/dissolved/widowed/surviving partner' at level 1, 'separated' at level 2 and 'separated (marriage)' or 'separated (civil union)' at level 3.
- People who have not entered into another legally registered relationship since the death of their spouse or civil union partner are coded to 'separated/dissolved/widowed/surviving partner' at level 1, 'widowed/surviving civil union partner' at level 2 and 'widowed' or 'surviving civil union partner' at level 3.
- People who have never entered into a legal relationship are coded to 'never married and never in a civil union' at every level of the classification.
- Information on opposite-sex and same-sex civil unions is coded at level 4.

Legally registered relationship status cannot be derived (respondents must be asked directly for their legally registered relationship status).

Questionnaire module

Requirements

The legally registered relationship status questionnaire module must:

- collect, at a minimum, level 1 of the classification: 'married/civil union (not separated)'; 'separated/dissolved/widowed/surviving partner'; and 'never married and never in a civil union'
- specify that people's legally registered relationship status with respect to their marriage or civil union is required
- instruct respondents that their most recent legally registered relationship status is required.

Example

The example below was used in the 2006 Census of Population and Dwellings. It will need to be updated to include 'dissolved civil unions' for the 2011 Census. Consultation will help determine whether any other changes are needed. Once those decisions have been made, the questionnaire module in this statistical standard will be updated.

23 Which one of these statements is true about your legal marital / civil union status?

If you have had more than one legal marriage / civil union, answer for your most recent.

- I have never been legally married and I have never been legally joined in a civil union
- I am divorced or my marriage has been dissolved
- I am a widow / widower / bereaved civil union partner
- I am permanently separated from my legal husband / wife / civil union partner
- I am legally married
- I am legally joined in a civil union

Output

The legally registered relationship status classification master version is an input classification only. Survey-specific aggregated versions of the master version can be used for both input and output.

An example of output at level one of the classification is:

- 11 Married/Civil union (not separated)
- 21 Separated/Dissolved/Widowed/Surviving partner*
- 31 Never married and never in a civil union.

* This classification label is shortened for simplicity. It includes those who previously married and are now either separated/dissolved/widowed and those who were previously in a civil union and are now either separated/dissolved/surviving civil union partner.

Note: Guidelines for release of civil union data

Due to the relatively small numbers of civil unions, the relatively small size of sample surveys, and the possible respondent misinterpretation of what a civil union is, there could be confidentiality and/or data quality concerns, such as the accuracy of civil union data. For example, the civil union figures from the 2006 Census of Population and Dwellings were significantly higher than was expected and are believed to be due to respondent misinterpretation regarding what a civil union is. For the legal marital status variable in the 2006 Census the published or customised tables included data from the 'joined in a civil union' category in the 'not elsewhere included' category for tables that had 'not elsewhere included' or in the 'response unidentifiable' category for tables that had 'response unidentifiable'. Subject matter areas should contact Population Statistics and Statistical Methods for guidance on the release of civil union data.

The residual categories may be output separately or combined. Where a combination item of residuals is to be used in output, this item should be labelled 'not elsewhere included' and should have a footnote indicating its composition. The residual categories are defined in glossary.

Related classifications and standards

New Zealand

Legally registered relationship status can be used to help code complex households and families for the following standards:

- family type
- household composition.

'Type of couple' is also a related classification.

International

Statistics New Zealand's statistical standard for legally registered relationship status is not based on an international standard, although it is similar to United Nations recommendations.

Glossary

Dissolved (civil union)

People for whom a decree, order or any legislative enactment for dissolution or nullity of their civil union exists, or where a dissolution of a voidable civil union has taken place. People whose civil union has been dissolved are:

- legally able to enter another civil union or get married (if they are an opposite-sex couple)
- not currently in a civil union, married, or separated
- not currently widowed or the surviving partner of a civil union.

Dissolved (marriage) (also known as divorced)

People for whom a decree, order or any legislative enactment for divorce or dissolution or nullity of marriage exists, or where a dissolution of a voidable marriage has taken place. People whose marriage has been dissolved are:

- legally able to marry again or enter a civil union
- not currently married, in a civil union, or separated
- not currently widowed or the surviving partner of a civil union.

Legally registered relationships

• Marriage

A marriage is a legally registered relationship, which is entered into by two people of the opposite-sex who must have been married according to the laws and customs of the country in which they got married. A marriage also includes couples that have changed their relationship from a civil union to a marriage in New Zealand.

- **Civil union**

A civil union is a legally registered relationship, which is entered into by two people of the same or opposite-sex who must have entered into the civil union according to the laws and customs of the country in which they entered into the civil union. A civil union also includes opposite-sex couples that have changed their relationship from a marriage to a civil union in New Zealand.

Never married and never in a civil union

A person who has never been in a legally registered relationship (marriage/civil union).

Separated (marriage or civil union)

To be separated, a person must be permanently living apart from his or her spouse or civil union partner, with or without a legal separation order or agreement. To be permanently living apart, a person must not usually reside with their spouse or civil union partner.

Spouse

A spouse is the husband or wife in a legally registered marriage. For the purposes of these definitions 'spouse' does not apply to civil unions.

Surviving civil union partner

The status of a person who has not entered into a new civil union or marriage, following the death of his or her civil union partner.

Widowed

The status of a person who has not entered into a new marriage or civil union following the death of his or her spouse.

Residual categories

Residual categories are used as operational codes only when capturing and/or coding particular types of responses. The mode of the survey will determine which residual categories are required.

Don't know

Use of this category is discretionary. The use of a category capturing don't know responses is most applicable to household surveys where don't know may be a legitimate response to certain questions.

Refused to answer

This category is only used when it is known that the respondent has purposefully chosen not to respond to the question. Use of this residual category in processing is optional. Its use is most applicable in face-to-face or telephone interviews, but may be used in self-completed questionnaires if the respondent has clearly indicated they refuse or object to answering the question.

Response unidentifiable

This category is used when there is a response given, but:

- the response is illegible, or
- it is unclear what the meaning or intent of the response is – this most commonly occurs when the response being classified contains insufficient detail, is ambiguous or is vague, or
- the response is contradictory, for example, both the yes and no tick boxes have been ticked, or
- the response is clear and seemingly within the scope of the classification, but cannot be coded because no suitable option (particularly other residual category options such as 'not elsewhere classified' or 'not further defined') exists in the classification or code file.

Response outside scope

This category is used for responses that are positively identified (that is, the meaning and the intent are clear) but which clearly fall outside the scope of the classification / topic as defined in the standard.

Not stated

This category is only used where a respondent has not given any response to the question asked, that is, it is solely for non-response.

Not captured (vital statistics use only)

The variable is not collated in the reference period, or the variable is collated in a different format in reference period. (For example, the variable may have been collated using a different classification.)

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