

22 August 2022

Section (9) (2) (a)

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Our ref: OIA 97876

Tēnā koe Section (9) (2) (a)

Official Information Act 1982 request: Demographic information on applications for ‘consent to marry’

Thank you for your email of 22 June 2022, requesting under the Official Information Act 1982 (the Act), information on applications for consent to marry by people younger than 18 years.

On 26 July part of your request was transferred from the Department of Internal Affairs, as the information requested relates more closely connected with the functions of the Ministry of Justice. Your specific questions and my response is provided below:

9. Please include any demographic information available for all applications by people younger than 18 years old for legal and cultural marriages, civil unions, and de facto relationships recognised in law (including those that were approved and those that were denied). Demographic information includes the gender, age, ethnic group, occupation, and country of residence, of both marriage parties (the bride and the groom).

Additional information that would be helpful is if the person making the application was in education or the workforce, if children were listed as being affected by the application, and if this was their first application of this nature (legal or cultural marriage, civil union, or de facto relationship recognised in law).

This Ministry has interpreted your request to be for information about applications made to the Family Court under the Marriage Act 1955. Please refer to **Table 1**, which provides you with information on the gender, and ethnicity of applicants aged 16 to 17.

Please note, if people younger than 18 want to get married or have their de facto relationship recognised in law, they must get permission from a Family Court judge. If both applicants are aged 16 or 17, they need to apply for consent separately. If one applicant is aged 18 or older, only the younger person needs to fill out the application forms.

Please also note, the Ministry does not hold information on education status, occupation, country of residence, children affected by an application, whether the marriage is for cultural reasons or whether the applicant has made previous applications.

This information may be held on the court file. Courts are excluded from the scope of the Official Information Act 1982 under section 2(6)(a). Therefore, I am refusing these parts of your request under section 18(g)(i) of the Act as the Ministry does not hold this information.

Should you have any concerns with this response, I would encourage you to raise these with the Ministry of Justice. Alternatively, you are advised of your right under section 28(3) of the Act to also raise any concerns with the Office of the Ombudsman. The Ombudsman may be contacted by email at info@ombudsman.parliament.nz.

Nāku noa, nā



Jacquelyn Shannon

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Table 1: Number of applicants filing 'consent for minors to marry' applications, by gender, age, and ethnicity, from 01 January 2018 to 30 June 2022

	2018	2019	2020	2021	2022
Total	5	20	19	10	1
Gender					
Female	5	13	11	9	1
Male	0	6	8	1	0
Unknown	0	1	0	0	0
Age					
16	0	5	7	3	0
17	5	15	12	7	1
Ethnicity					
Asian	2	3	1	2	0
European	0	2	5	1	1
Maori	0	6	3	3	0
Other	4	3	7	2	0
Pacific Peoples	1	4	4	2	0
Unknown	0	2	0	0	0

This data may differ from previously released or published data. This data was extracted from the case management system as at 14 August 2022.

This data counts 'applicant' party type linked to the following application types made under the Marriage Act 1955:

- S18(2) Dispense with Consent to Marry
- S18(4) Consent for minor to marry
- S18(6) Consent for Minor to Marry
- S19(4) Consent for minor to civil union
- S46A(2) Consent for minor for de facto relationship.

Those involved in filing a 'consent for minors to marry' application are considered an applicant if they are younger than 18 years old.

This data counts people once each year in which they are an applicant on an application. If a person is an applicant on more than one application in a single year they are only counted once.

Multiple ethnicity' information is used in this table. This means for each ethnicity a person is counted once per year (eg they may be counted in both European and Māori). As some people have multiple recorded ethnicities in the sum of ethnicities being greater than the total number of people each year.

Age is the person's age at the time the application was filed.

The 2022 year covers the period 01 January to 30 June.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982