

MARRIAGE CELEBRANT REFORM

Daryl Williams

The Commonwealth Government is proposing reform of the Marriage Celebrant Program to ensure that the role of celebrants reflects modern marriage trends and, ultimately, the fortunes of the Australian social fabric.

The program was established in 1973 to provide marrying couples who did not want to have a religious ceremony with a dignified and meaningful alternative to a registry wedding. Since the program's inception, the number of couples married by a civil celebrant has risen steadily every year. For the first time, this year more than half of the approximately 115,000 marriages will be civil ceremonies.

In 1997, I initiated a process of review to identify and address issues affecting celebrants and the delivery of civil marriage services, and a series of reforms have been proposed in a paper that I released on 9 November 2000 for public comment until 31 January 2001.

The reforms reflect the fact that marriage celebrants are more than just dispassionate officials. They are designed to bring the marriage celebrants program up to date, to improve the consistency and quality of marriage celebrant services, and to give marriage celebrants the training and the assistance they need to inform couples about pre-marriage and other relationship skills.

The Government is committed to reform the Marriage Celebrants Program to ensure that marrying couples, irrespective of where they live, have access to marriage

celebrants who are professional and responsive, who provide high quality services and who respect and promote the ideals of marriage in Australia.

The key issues on which the review has focused are: training and authorisation; ongoing authorisation and quality measures; the appointment period, training and entry requirements for celebrants; and involvement of celebrants in promotion of and referral to relationship support services.

The role of marriage celebrants in strengthening families

The role of the marriage celebrant under the Marriage Act is to ensure that the intention of the law is formally recognised; that the relationship being entered into is solemn and binding; and that the marriage is intended to be a union for life, no matter where or how a ceremony is conducted, and no matter how unique the situation.

Celebrants are in a key position to foster quality family relationships, particularly by pointing couples to services that will help them develop stronger relationships and reduce the risk of future relationship breakdown and divorce.

Marriage and relationship education aims to foster strong, positive couple relationships by developing more realistic attitudes and expectations, and improving skills in communication and conflict resolution. Keys Young (1997) undertook

an evaluation of marriage and relationship education programs. The research revealed that many couples benefited from and enjoyed formal skills training:

- 83 per cent of those who participated in relationship education said they understood the dynamics in their relationship better;
- 72 per cent said they could now apply new skills in their current relationship;
- 81 per cent said what they had learnt would be of lasting value;
- 88 per cent of respondents said they would recommend relationship education to someone else; and
- 74 per cent said they would go on to further courses.

Reform proposals for the marriage celebrants program

It is important for the Government, the celebrant community and marrying couples to work together to improve the marriage celebrants program. The Government expects and appreciates input from celebrants during this next stage of the review to ensure that the program reflects the social changes our society promotes stable family relationships.

Broadly, the paper suggests:

- a move from the current system of authorisation on the basis of regional or community need to an open-market system of authorisation; this will enable talented, committed and well-trained celebrants to be authorised, and ensure that everyone in our community has access to quality celebrants;
- the introduction of formal training requirements for marriage celebrants;

- the replacement of the current “fit and proper person” standard with a requirement that applicants possess qualities appropriate to the role and functions of marriage celebrants;
- the establishment of a system of ongoing quality assurance through finite periods of authorisation, with a system of review and renewal to ensure continuing high standards; and
- transitional arrangements to assist existing celebrants to move to the new system.

It is the Government’s intention that the reforms will apply to all civil marriage celebrants. This includes celebrants nominated by non-aligned religious organisations and those appointed to serve special needs within the community.

These reforms are aimed at bringing about a more professional marriage celebrants system. They will formalise the broader roles that are already being demanded of celebrants. They will enable celebrants to assist couples to understand the nature of the commitment they are entering into. And they will enable celebrants to pass on to couples details of the services that are available to assist them. It is believed that the end result will be that couples are better prepared and more aware of the kinds of issues that can affect their relationship and will know where to get support if they need it.

The Government welcomes the views of all interested parties on the proposals. The Proposals Paper is available electronically on website:<http://law.gov.au/MCPR>.

Reference

Keys Young (1997), *Evaluation of Marriage/Relationship Education Sub-Program*, Keys Young Report J54/96. December, pp. 109 & 111.

Da ryl Williams is Attorney-General, Commonwealth Government.