

# Quality Measures

## Vital Statistics – Divorce Database

(Survey number 3235)

### Coverage

Since divorce is a judicial process, reporting is virtually complete. Under-coverage is thought to be minimal. Under-coverage may occur because of late registration, when divorces are registered by local courts, but the paperwork is not forwarded to the CRDP. Under-coverage may also occur when one spouse resides outside Canada; because a divorce applicant must be resident in the jurisdiction in which he/she applies for divorce, some divorces of Canadian residents occur outside Canada when the former spouse applies for and obtains a divorce in another country.

Statistics based on divorce data do not necessarily provide an accurate index of marital dissolution, since they are based on unions that have been legally contracted and legally terminated by divorce. Separations of married partners are not registered events in Canada unless the separation ends in divorce. Neither are formations of common-law unions registered in Canada; such unions comprise a significant proportion of unions in Canada, to varying degrees from one province or territory to another. Persons in common-law relationships are not at risk for divorce from such unions since no legal procedure is required to dissolve such unions. Documentation with the divorce statistics advises analysts to use caution when making cross-cultural comparisons as consensual unions may represent a large proportion of all unions in some communities.

Over-coverage from duplicate records is minimal to none. Duplicate divorce registrations are identified by the CRDP as an essential part of their registry processing. At Statistics Canada, a further check ensures that no duplicate registration numbers are in the database. In 1999 and 2000, a small number of duplicate records (26) in the dependents' sub-database were detected by Statistics Canada, and the results reported to the CRDP. Further editing of these records by Statistics Canada could not be done without access to the original documentation, and so these records were retained in the database.

### Response rates

#### Item response

For 1997 to 2000, the response rates were 99% to 100% for most of the demographic variables on the divorce database (jurisdiction of divorce, duration of marriage, age at marriage of husband and wife, age at divorce of husband and wife, previous marital status of husband and wife, and reason for marriage breakdown). Data relating to custody of dependents and dependent children, however, are not complete because court offices do not always provide the required data elements. In 2000, there were 9,461 divorces (13% of total divorces) involving dependents, but the custody order information was insufficient to determine their numbers and ages. Furthermore, custody arrangements are

not always recorded on the divorce registration form if the custodial arrangements were not pursuant to a court order. Consequently, divorce registration data underestimate the total number of custody orders as well as the total number of dependents affected by divorce. In addition, dependents of persons in common-law unions and of separated but still legally married couples are excluded from these statistics. These issues are documented with the divorce statistics.

### **Other Accuracy Issues**

#### **Same-sex divorces**

Court decisions in 2003 have expanded the definition used in the legal registration of marriages to include same-sex couples and since then British Columbia and Ontario registrars of vital statistics have been accepting marriage registrations from same-sex couples. Statistics Canada and the provincial and territorial registrars are currently considering the implications of these changes for the gathering of statistics on marriage. As with marriage statistics, divorce statistics may be slightly affected by this change, as eventually some of these marriages may end in divorce.

#### **Other changes to the Divorce Act:**

Changes to the definitions and terminology used in child support in the Divorce Act are currently before Parliament in Bill C-22. These changes may require changes in the children's sub-database and associated documentation.