

The cost of civil marriage ceremonies in England and Wales at non-religious approved venues



**Policy Clinic, Open Justice centre,
Open University Law School**

Research report for the Law Commission

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Introduction

This research was undertaken by the Policy Clinic, which is part of the Open Justice centre, Open University Law School. Open Justice provides free legal advice and education to members of the public in a variety of legal areas. In 2019 Open Justice established the Policy Clinic to undertake research on behalf of organisations and charities. The purpose of the Policy Clinic is to provide research and evidence, aiming to influence policy and law reform. All work in the Policy Clinic is overseen by experienced Open University tutors who have a background in policy and advocacy work. The students taking part in the policy clinic are in their final year of their law degree.

This research was undertaken for the Law Commission's project '*Weddings*', which is currently considering possible reforms to the law regarding how people may get married in England and Wales. As the primary law governing marriage dates back to 1836, there are concerns that marriages have not kept up with modern times. Many people find that their marriages do not possess legal status at the time of relationship breakdown. Between 2016 and 2018, Stephanie Pywell worked alongside Professor Rebecca Probert on research into the content of civil wedding ceremonies. She has also researched the cost and availability of 'no frills' civil wedding ceremonies. Following on from the research by Stephanie Pywell, we performed quantitative, empirical research on the costs of wedding ceremonies at approved non-religious venues within a selection of authorities. We then analysed the data for any possible trends, including the possibility of trends within different authorities or within geographical locations within England and Wales.

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Background and aims of the study

The current law governing marriage dates back to the Act for Marriages in England 1836. Should a couple not comply with the legal requirements laid out within this almost two-centuries-old Act, the marriage is not legally recognised, which can happen for religious and non-religious ceremonies. This is often only discovered at the time of a breakdown with the relationship. At this point, couples have no legal status or protection as such. Under the law itself, the couples are not even seen as being married.

Stephanie Pywell has produced a large amount of research into the field of weddings themselves. Between 2016 and 2018, she worked with Professor Rebecca Probert on exploring the content of civil ceremonies. Following this, and Professor Probert being seconded to the Law Commission, Stephanie Pywell continued to research further into the cost and availability of ‘no frills’ ceremonies, otherwise referred to as simple ceremonies throughout this report. In 2020, she carried out empirical research into independent ‘wedding celebrants’, who conduct ceremonies with no legal status. The Law Commission used this in their report *Getting Married: A Consultation Paper on Weddings Law*, published in September of that year.

The Law Commission itself is currently undertaking a project called *Weddings*, within which it is considering possible reforms necessary to the law regarding how people may get married. This project aims to simplify the law regarding weddings and ensure a fair, consistent approach across the country towards them to ensure that people can have a wedding day with meaning to them. The Law Commission has made several suggestions, including a simplified process to give notice and the ability to hold wedding ceremonies in outdoor spaces.

All local authorities within England and Wales must provide civil weddings ceremonies, which must be at approved venues, including non-religious venues such as hotels. However, the cost and availability of holding these ceremonies differ based upon the authority itself, with varying costs throughout the different local authorities. These costs also differ based upon the venue utilised for the ceremony, and other factors, such as the day of the week in which the ceremony takes place.

This report aims to examine a selection of different local authorities, noting down the costs of holding a ceremony within each of these authorities and any factors that also influence a varying cost. Following this, the data was further analysed to check for any relevant trends.

Research method

The data used for the research came from publicly available sources. These included local authorities' websites, the UK government's website, and data from the Office for National Statistics.

We gathered a list of all the authorities and then used Excel to choose one hundred authorities from the list randomly. We then checked to see if Stephanie Pywell's original 34 authorities were included and added them in. Excel was then used again to randomise any shortage to ensure we had 120 authorities. The data from each authority was then gathered from their respective websites and used to fill out the spreadsheet. The full spreadsheet and its sources are found in Appendix I and III, respectively. The comments for the data are located in Appendix II.

After discovering a variation in the costs, we split the analysis up into potential areas that could affect the cost of weddings, such as authority finances, tourism, and what type of authority it was, to see if there were any correlations to explain why there were such significant differences in the costs.

One of the significant hurdles which we came across was up to date data that was relevant due to the COVID 19 pandemic. Authorities update their costs every year on the 1st of April, but many had not done so since the start of the pandemic at the time of research. The most up to date information was used in each case. For some authorities, this was for the period 1 April 2019 – 31 March 2020, whereas for others, it was for the period 1 April 2020 – 31 March 2021. Some authorities had even completely removed the information from their pages and replaced it with what they were able to offer during the pandemic in line with government regulations at the time. For this reason, the finances used for the analysis were from the financial year 2017/2018 as, in most cases, these were the only ones available and audited since the pandemic also delayed many of the audits.

In some cases, councils did not list the information and required contact to get the information.

Finding information on tourism for each authority proved difficult, and as such, it was done on a regional basis.

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Recommendations for reform

Based upon our research findings, we are making the following recommendations.

There should be less variance in costs based upon the geographical location of the local authority, as there is no discernible difference in the job performed by a registrar within one local authority to the job performed by one elsewhere. Exceptions should only be made where necessary for specific circumstances, such as London rates being slightly higher due to transport costs for registrars attending an external venue.

Authority websites should ensure that the cost of ceremonies is more transparent and with costs being easier to locate. From our research, many authorities (27.5%) failed to list the costs, or the information was difficult to locate. This information should be easy to locate on the website, easy to understand for the average person, and listed on the website.

All authorities should be listing the option of a simple ceremony on the website. This was not made available within certain authorities, who had failed to list this option (18%). As the average person may not be aware of these statutory ceremonies, there is a need for the ceremony itself to be listed.

Conclusion

Following our research on the costs of civil ceremonies within local authorities, we have found significant differences in costs based upon the various local authorities. There does not appear to be any particular reason for this, although there appears to be a slight correlation between an authority's financial well-being and an increase in costs. This could be a potential area for further research.

With the weekend being the most popular time to get married and the most costly, this raises the question of whether it is justifiable for the authorities to charge different amounts for different days. With weddings considered an intimate and memorable day, it does not seem just that the State, through the authorities, should charge more and price certain people out. Many choose the weekend to marry as it is the only time friends and family can attend and celebrate with them on their special day.

Authorities also seem to bypass the statutory fees by adding on a booking fee which increases the costs. This is a potential area to be examined as well.

Other areas for further research are whether a license should be required for a venue to hold ceremonies and why outdoor ceremonies are currently not recognised. By limiting venues available, this could be a factor in increased venue hire prices by the venues themselves, which was not examined in this paper.

Our recommendations have been related to our research area of the costs, but we have also noted a need for the costs themselves to be better presented by the local authorities online. Based on this, we believe that there is a need for reform of the law regarding weddings to bring the legislation up to date and reflect the current times as the current legislation is archaic.

Our data also inductively points to a wider moral and human rights imperative to reform the law on marriage to make it fair and equally accessible to all.

If a couple wishes to marry, they need to give notice at their local registry office, but then are free to get married anywhere they wish to do so, so long as it is licenced to do so. To some extent, based upon this, it is a question of consumer choice; if a couple lives where it is expensive to marry, they will be obliged to travel further afield to marry for cheaper. In essence, there could be local people who are priced out of their own local wedding market.

This then raises questions of consumer fairness, transparency, social justice and human rights. Article 12 of the Human Rights Act 1998 states that people have a right to be married, and as well as that there should be no obstacles to lawful marriage. There is a positive obligation on public authorities not to discriminate. Our data shows there is varied pricing, that is not transparent and not overtly justified. Therefore some couples will be priced out of marrying where they have local ties or are unable to afford to marry on the weekend when their families could attend. It must be considered if this is in some way discriminatory and an infringement of fundamental human rights.

Though the act of getting married is very intimate and private, it is also a public act; one that engages the state's recognition of a new status, endowing individuals with new rights, responsibilities and liabilities. Thus, this public aspect of getting married, is an act of

citizenship, a function of a democracy, of civic identity and belonging. Therefore, it must also be underpinned by equality; it has to be available in principle to everyone, in the same way. From our research, however, it is anything but equal and fair due to the economics and financial practicalities.

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