

Chapter 9 - Statutory Registration - Accuracy

Statutory registration in Scotland was introduced over 150 years ago. One of the key aims was to establish and maintain a complete and uniform system of registration. Accuracy in the registers of births, deaths and marriages was recognised as important from the outset, and in 1856, it was deemed necessary to create the post of district examiner to inspect the registers in order to guarantee their accuracy. Today there are still three district examiners responsible for examining all 150,000 records created annually. The utility of the registers themselves as an archive and the variety of uses, to which the information contained in them is put, is dependent on their accuracy and probity. Extracts from the statutory registers (commonly called certificates) are legal documents admissible as evidence in the courts.

In modern times, statutory responsibility for delivering the registration service in Scotland passed to the 32 local authorities. The service is relatively small, but extremely professional. Registrars are expected to have an expert knowledge in the law and practice of registration and to possess particular skills to help them deal with often difficult human circumstances concerning bereavement. To support them in that work and to ensure sufficiently high standards of service are met, registrars are usually expected to study for, and attain, the Certificate of Proficiency in the Law and Practice of Registration (the numbers of certificate holders in each local authority are contained in the Performance Indicator in [Table 9.1](#)).

The Certificate of Proficiency in the Law and Practice of Registration in Scotland is recognised by the Association of Registrars of Scotland (ARoS), the Convention of Scottish Local Authorities (CoSLA) and the National Records of Scotland (NRS), as the professional qualification for registration staff. The certificate is awarded and administered by an Examination Board consisting of representatives of ARoS, CoSLA and NRS. The Examination Board was inaugurated in 1937 and the first examination was held in 1938.

The statutory landscape in which registrars are expected to operate is increasingly complex, in the last ten years there have been ten Acts of Parliament (listed below) which have had a significant effect on registration law and practice.

The Marriage (Scotland) Act 2002 (the 2002 Act) – provided for civil marriage at approved places.

The Human Fertilisation and Embryology (Deceased Fathers) Act 2003 – enabled deceased fathers to be recorded in birth entry.

The Immigration and Asylum (Treatment of Claimants) Act 2004 – new and very complex, Home Office rules affecting the legal preliminaries for foreign nationals who want to marry or enter into civil partnerships in the UK.

The Gender Recognition Act 2004 – new provisions to allow individuals to change gender legally and new registration procedures flowing from that.

The Civil Partnership Act 2004 – new provisions to allow civil partnerships to be entered into legally and registered.

The Family Law (Scotland) Act 2006 – abolition of legitimacy and acquisition of parental rights and responsibilities for unmarried fathers who register the birth jointly with the mother.

The Local Electoral Administration and Registration Services (Scotland) Act 2006 – first major overhaul of principal registration statute for over 40 years.

The Adoption (Scotland) Act 2007 – new provisions to enable same sex adoption.

The Human Fertilisation and Embryology Act 2008 – new provisions to allow same-sex couples to have fertility treatment (assisted conception) and to register as parents of a child.

The Certification of Death (Scotland) Act 2011 – new death registration provisions to enable checks to be made on causes of death.

Legislative change affecting registration is a good reflection of a changing society. For example, The Gender Recognition Act 2004 provided for a legal change of gender.

Year	Number of Changes of Gender in Scotland
2005	47
2006	43
2007	30
2008	16
2009	18
2010	18
2011	24
2012	13

With a constantly changing legislative backdrop, and in the face of large scale structural changes affecting how services are delivered, registrars have achieved excellent accuracy. Every year since 2007, registrars in the 32 councils have achieved an average of over 97% of the records they create error free – an impressive performance which underpins the quality and reliability of our records and the statistical data published in this Annual Review. The Performance Indicators in [table 9.1](#), compiled from the district examiners' reports, provide a council by council breakdown of performance in 2012.

Table 9.1: Registration Service - Performance Indicators 2012 (by Local Authority)¹

Local Authority	2012 Events ²										2013 Local Authority Data ³		
	Births	Deaths	Religious Marriages	Civil Marriages	Total Marriages	Civil Ptnr'ships	Still-births	All Events	% of Entries Without Corrections	No of Entries with Errors	Dedicated Registration Offices	Integrated Customer Service Offices	Number of Certificate Holders
Aberdeen City	3,044	2,127	451	453	904	19	19	6,113	97.51%	152	1	0	6
Aberdeenshire	2,539	2,122	737	565	1,302	9	14	5,986	97.68%	139	0	12	15
Angus	1,036	1,235	242	229	471	5	2	2,749	98.58%	39	3	0	7
Argyll & Bute	771	1,061	588	480	1,068	11	3	2,914	97.87%	62	0	10	2
Clackmannanshire	666	537	84	94	178	3	4	1,378	98.98%	14	1	0	3
Comhairle nan Eilean Siar	236	386	70	47	117	0	0	739	95.40%	34	1	3	2
Dumfries & Galloway	1,429	1,849	2,194	3,056	5,250	73	5	8,606	96.97%	261	8	9	17
Dundee City	2,147	1,983	172	382	554	18	5	4,707	98.15%	87	1	0	4
East Ayrshire	1,364	1,300	190	262	452	5	7	3,128	97.03%	93	0	8	15
East Dunbartonshire	1,411	1,853	118	107	225	3	3	3,495	98.66%	47	0	3	3
East Lothian	1,101	1,220	340	188	528	7	2	2,858	97.59%	69	0	5	11
East Renfrewshire	1,168	1,300	174	150	324	4	7	2,803	97.04%	83	0	2	5
Edinburgh, City of	5,886	4,064	1,181	1,764	2,923	139	29	13,063	97.96%	267	2	2	21
Falkirk	1,834	1,658	323	475	798	7	7	4,304	98.33%	72	2	4	7
Fife	3,952	3,683	890	751	1,641	28	23	9,327	97.62%	222	0	8	11
Glasgow City	7,153	4,995	1,398	1,397	2,795	102	32	15,077	98.53%	222	2	0	20
Highland	2,459	2,251	878	810	1,688	19	16	6,433	97.64%	152	1	26	15
Inverclyde	763	955	156	69	225	2	3	1,948	99.13%	17	0	1	4
Midlothian	773	738	205	184	389	4	4	1,908	96.65%	64	1	0	3
Moray	922	986	180	187	367	2	1	2,278	98.77%	28	0	4	4
North Ayrshire	1,387	1,511	333	385	718	9	10	3,635	99.09%	33	2	3	20
North Lanarkshire	3,945	3,548	545	438	983	11	14	8,501	98.91%	93	0	8	14
Orkney Islands	199	214	77	37	114	1	1	529	97.35%	14	1	1	1
Perth & Kinross	1,237	1,571	507	534	1,041	13	5	3,867	97.80%	85	2	5	4
Renfrewshire	1,975	1,991	356	275	631	7	7	4,611	97.87%	98	1	2	6
Scottish Borders	1,230	1,310	266	398	664	13	6	3,223	97.86%	69	12	0	6
Shetland Islands	273	202	46	55	101	1	0	577	97.57%	14	1	0	2
South Ayrshire	1,002	1,398	524	377	901	14	5	3,320	99.28%	24	0	2	10
South Lanarkshire	3,470	3,724	536	616	1,152	16	16	8,378	96.98%	253	0	4	22
Stirling	874	841	375	333	708	12	3	2,438	98.40%	39	2	4	5
West Dunbartonshire	906	866	255	139	394	4	8	2,178	98.94%	23	1	0	7
West Lothian	2,212	1,504	556	328	884	12	14	4,626	96.91%	143	6	1	3
Grand total	59,354	54,983	14,947	15,565	30,490	573	275	145,697	97.93%	3,012	51	127	275

Footnotes

- 1) Reported by the District Examiners.
- 2) Includes all events registered in 2012 (including Re-registrations).
- 3) Excluding offices operating from another location.

More information about registration

More detailed information about registration in Scotland can be found in the [Registration](#) section of the NRS website.