



## Ministry of the Attorney General and Legal Affairs

The Attorney General and Minister of Legal Affairs, the Honourable Faris Al-Rawi and  
the Minister in the Office of the Prime Minister and in  
the Ministry of the Attorney General & Legal Affairs, the Honourable Stuart R. Young  
welcome you to

# A CONSULTATION ON MARRIAGE ACTS AND ISSUES RELATED TO CHILDREN

RADISSON HOTEL TRINIDAD • JUNE 15, 2016 • 10 A.M.

AGLA...  
BRINGING  
THE PIECES  
TOGETHER



# INTRODUCTION

Our meeting today is to discuss the “voice of the child” issues including the age at which a child is capable of entering into the contract of marriage



# What is our commitment to you?

- Trinidad and Tobago is a multi-cultural, multi-religious society and the different Marriage Acts are examples of the efforts of the State to manage diverse cultural and religious demands for recognition and inclusion in the nation state.
  - Consultation with the various religious bodies and their agreement to abolish under-age marriage is necessary before the Government can act legislatively to increase and harmonise the age of marriage across the four statutes.
  - The Government will continue its efforts to address the challenges and will also engage in further dialogue and consultations with religious bodies and the society at a large.



## What are the ages at which marriage can occur under the existing laws?

- Under the Hindu Marriage Act, Chapter 45.03,  
A girl may marry at age 14 and a boy at 18;
- Under the Muslim Marriage and Divorce Act, Chapter 45.02,  
A girl may marry at age 12 and a boy at 16;
- Under the Orisa Marriage Act, Chapter 45.04,  
A girl may marry at age 16 and a boy at age 18;
- Under the Marriage Act, Chapter 45.01,  
which governs Christian & Civil Marriages, consent can be  
obtained for marriages of minors (under the age of 18).



# SUMMARY OF DATA

Marriages of Minors in Trinidad & Tobago for the period 2006 – 2016.

Total over period 2006-2016 84,330 over 10 years is 0.65%

MARRIAGE TYPE	AMOUNT
CIVIL	117
HINDU	328
MUSLIM	103
IN EXTREMIS	0
ORISA	0
<b>TOTAL</b>	<b>548</b>



# Under Age Women married in Trinidad and Tobago per Year

Year: 2006		Year: 2007	
Age	Amount Married	Age	Amount Married
11	0	11	0
12	0	12	1
13	1	13	0
14	8	14	12
15	24	15	28
16	36	16	31
<b><u>TOTAL</u></b>	<b><u>69</u></b>	<b><u>TOTAL</u></b>	<b><u>72</u></b>

Year: 2008		Year: 2009	
Age	Amount Married	Age	Amount Married
11	0	11	0
12	2	12	0
13	1	13	1
14	13	14	9
15	28	15	22
16	43	16	28
<b><u>TOTAL</u></b>	<b><u>87</u></b>	<b><u>TOTAL</u></b>	<b><u>60</u></b>



## Under Age Women married in Trinidad and Tobago per Year *(Continued)*

Year: 2010		Year: 2011	
Age	Amount Married	Age	Amount Married
11	0	11	0
12	0	12	0
13	17	13	0
14	9	14	3
15	17	15	7
16	26	16	27
<b><u>TOTAL</u></b>	<b><u>69</u></b>	<b><u>TOTAL</u></b>	<b><u>64</u></b>

Year: 2012		Year: 2013	
Age	Amount Married	Age	Amount Married
11	0	11	0
12	0	12	0
13	0	13	2
14	3	14	4
15	17	15	14
16	26	16	21
<b><u>TOTAL</u></b>	<b><u>46</u></b>	<b><u>TOTAL</u></b>	<b><u>41</u></b>



## Under Age Women married in Trinidad and Tobago per Year *(Continued)*

Year: 2014		Year: 2015	
Age	Amount Married	Age	Amount Married
11	0	11	0
12	0	12	0
13	1	13	1
14	10	14	1
15	10	15	7
16	30	16	1
<b><u>TOTAL</u></b>	<b><u>51</u></b>	<b><u>TOTAL</u></b>	<b><u>10</u></b>

Year: 2016	
Age	Amount Married
11	0
12	0
13	0
14	0
15	1
16	2
<b><u>TOTAL</u></b>	<b><u>3</u></b>

Marriage Type	Amount
CIVIL	117
HINDU	328
MUSLIM	103
IN EXTREMIS	0
ORISA	0
<b><u>TOTAL</u></b>	<b><u>548</u></b>





# TRENDS IN THE LOCATION OF UNDER-AGED MARRIAGES

YEAR	BOROUGH OF ARIMA	BOROUGH OF POINT FORTIN	CITY OF PORT OF SPAIN	SAN FERNANDO	COUVA/TABAQUITE/TALPARO	PARISH OF ST. ANDREW	PARISH OF ST. DAVID	PENAL/DEBE	SAN JUAN/LAVENTILLE	SANGRE GRANDE	SIPARIA	TUNAPUNA/PIARCO	PRINCES TOWN	TOTAL
1997	0	0	0	1	0	0	0	0	0	0	0	0	0	<b>1</b>
1999	0	0	1	0	1	0	0	0	0	0	0	0	0	<b>2</b>
2001	0	0	1	0	0	0	0	0	0	0	0	0	0	<b>1</b>
2003	0	0	2	1	0	0	0	0	0	0	0	0	0	<b>3</b>
2004	0	0	0	2	0	0	0	0	1	0	0	0	0	<b>3</b>
2005	0	0	1	1	0	1	0	0	0	0	0	0	0	<b>3</b>
2006	0	0	2	7	0	0	0	0	0	0	0	0	0	<b>9</b>
2007	0	0	2	8	0	1	0	0	0	0	0	0	0	<b>11</b>
2008	0	1	1	16	0	0	0	0	0	0	0	0	0	<b>18</b>
2009	0	0	16	1	0	0	0	0	0	0	0	0	0	<b>17</b>
2010	0	2	43	19	0	1	0	0	17	2	0	0	0	<b>84</b>
2011	2	1	41	45	1	13	0	2	58	28	0	1	0	<b>192</b>
2012	0	3	41	49	0	18	1	1	45	26	0	0	1	<b>186</b>
2013	0	1	46	53	0	6	0	0	59	22	0	0	0	<b>190</b>
2014	0	6	36	41	0	13	0	0	47	18	1	0	0	<b>158</b>
2015	0	4	39	39	0	2	0	0	32	18	0	2	7	<b>138</b>
2016	0	0	9	8	0	3	0	0	12	5	0	0	0	<b>37</b>



# A Representation of the Numbers of Males and Females Under the Age of Eighteen (18) Years Who Were Married Between 1996 And 2016

Year	No. of Males	No. of Females	Total Child Marriages per year
1996	7	299	306
1997	6	288	294
1998	3	295	298
1999	9	270	279
2000	2	206	208
2001	0	209	209
2002	1	187	188
2003	7	183	190
2004	1	142	143
2005	4	123	127
2006	2	152	154
2007	3	185	188
2008	2	155	157
2009	2	121	123
2010	3	109	112
2011	2	75	77
2012	3	92	95
2013	9	80	89
2014	4	96	100
2015	3	74	77
2016	1	53	54
<b>TOTAL</b>	<b>74</b>	<b>3394</b>	<b>3468</b>



### A Representation of the Percentage of Males and Females Married of the Total Child Marriages Between 1996 and 2016 Per Year

Year	Percentage of Males	Percentage of Females
1996	2.29%	97.71%
1997	2.04%	97.96%
1998	1%	98.99%
1999	3.23%	96.77%
2000	0.96%	99.03%
2001	0%	100%
2002	0.53%	99.47%
2003	3.68%	96.32%
2004	0.70%	99.30%
2005	3.15%	96.90%
2006	1.30%	98.70%
2007	1.60%	98.40%
2008	1.27%	98.73%
2009	1.63%	98.37%
2010	2.68%	97.32%
2011	2.60%	97.40%
2012	2.68%	97.32%
2013	10.11%	89.89%
2014	4%	96%
2015	4%	96%
2016	1.89%	98.11%

### A Representation of the Percentages of Child Marriage Between 1996 and 2016

Year	Males	Females
1996	0.2	8.6
1997	0.2	8.3
1998	0.1	8.5
1999	0.3	7.8
2000	0.1	5.9
2001	0	6
2002	0.03	5.4
2003	0.2	5.3
2004	0.03	4.1
2005	0.12	3.5
2006	0.06	4.4
2007	0.09	5.3
2008	0.6	4.5
2009	0.6	3.5
2010	0.9	3.1
2011	0.6	2.2
2012	0.9	2.7
2013	0.3	2.3
2014	0.1	2.8
2015	0.1	2.1
2016	0.3	1.5
TOTAL	5.83	97.8



# A Representation of The Age Gaps between Mother's Age and Father's Age of Births to Underage Females

Mother Age	Father Age	GAP (years)	Occurrence
13	19	6	1
13	24	11	1
14	16	2	7
14	17	3	5
14	18	4	2
14	19	5	2
14	20	6	1
14	21	7	4
14	22	8	2
14	24	10	2
14	27	13	1
14	35	21	1

Mother Age	Father Age	GAP (years)	Occurrence
15	15	0	2
15	16	1	4
15	17	2	10
15	18	3	13
15	19	4	14
15	20	5	17
15	21	6	8
15	22	7	4
15	23	8	8
15	24	9	4
15	25	10	4
15	26	11	8
15	27	12	3
15	28	13	1
15	29	14	5
15	30	15	1
15	32	17	1
15	33	18	1
15	36	21	1

Mother Age	Father Age	GAP (years)	Occurrence
16	15	-1	1
16	16	0	12
16	17	1	24
16	18	2	48
16	19	3	50
16	20	4	41
16	21	5	55
16	22	6	41
16	23	7	28
16	24	8	31
16	25	9	19
16	26	10	12
16	27	11	8
16	28	12	10
16	29	13	5
16	30	14	5
16	31	15	4
16	32	16	6
16	33	17	6
16	36	20	2
16	42	26	2
16	55	39	1



## Specified Sexual Offence matters pending at Magistracy disaggregated by Sexual Offence Charge, as at July 31st, 2015.

<b>SEXUAL OFFENCE CHARGES</b>	<b>*Matters Pending as at July 2015</b>
Sexual intercourse with a female under the age 14 years	559
Attempted sexual intercourse with a female under the age 14 years	1
Sexual intercourse with a dependent minor	45
Attempted sexual intercourse with a dependent minor	1
Sexual intercourse with a male under 16 years	8
Attempted sexual intercourse with a male under 16 years	1
Sexual intercourse with a female under 16 years	73
Attempted sexual intercourse with a female under 16 years	1
Permitting defilement of a minor under 16 years	4
Sexual intercourse with a person over 14 years and under 16 years without consent	128
Sexual intercourse with a person attaining 14 years and under 16 years	268
<b>TOTAL</b>	<b>1089</b>



## Specified Sexual Offence matters pending at Magistracy disaggregated by Sexual Offence Charge, as at July 31st, 2015

*(Continued)*

- The above table provides information on the number of some specific types of Sexual Offence matters pending at the Magistracy as at July 31, 2015.
- At the Magistracy there are a total of one thousand and eighty-nine (1089) specified sexual offence matters that were pending as at July, 31 2015; of which Sexual Intercourse with a female under 14 years.
- Sexual Intercourse with a person over 14 years and under 16 years without consent; and sexual intercourse with a person attaining 14 years and under 16 years collectively accounts for 88% or nine hundred and fifty-five (955) of these specified matters that are currently pending.
- ***\*It should be noted pending information provided excludes those matters for Warrants that have been issued but not yet “served” and data for Tobago Magistrates’ Court.***



## TTPS information: Number of Charges for Sexual Offences involving Victims under 18 for the years 2000 – 2015

Years	Sex with Female between 14 & 16 yrs	Sex with Female under 14 yrs	Sex with Male under 16 yrs	Total
2000	31	44	0	75
2001	37	49	0	86
2002	39	55	0	94
2003	30	62	0	92
2004	55	31	0	86
2005	45	89	0	134
2006	97	143	0	240
2007	105	81	1	187
2008	75	42	0	117
2009	70	77	1	148
2010	74	77	0	151
2011	67	73	0	140
2012	132	73	0	205
2013	56	46	0	102
2014	152	93	0	245
2015	73	83	0	156

***NB: These figures represent the number of charges and not amount of persons charged. This is so since an individual may have been charged several times for one offence.***



# Teenage Abortions for the period 2011-2015

PORT OF SPAIN GENERAL HOSPITAL						
AGE	2011	2012	2013	2014	2015	TOTAL
Under 12	0	0	0	0	0	0
13 - 16	9	8	5	6	8	36
17 - 19	89	77	79	70	54	369
<b>TOTAL</b>	<b>98</b>	<b>85</b>	<b>84</b>	<b>76</b>	<b>62</b>	<b>405</b>





## Teenage Abortions *(Continued)* for the period 2012-2015

MT. HOPE WOMEN'S HOSPITAL						
AGE	2011	2012	2013	2014	2015	TOTAL
Under 12			0	0	0	0
13 - 16			9	3	2	14
17 - 19			31	26	23	80
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>40</b>	<b>29</b>	<b>25</b>	<b>95</b>

SANGRE GRANDE DISTRICT HOSPITAL						
AGE	2011	2012	2013	2014	2015	TOTAL
Under 12	0	0	0	0	0	0
13 - 16	0	0	0	0	0	0
17 - 19	0	0	0	0	0	0
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>



## Teenage Abortions *(Continued)* for the period 2012-2015

SAN FERNANDO GENERAL HOSPITAL						
AGE	2011	2012	2013	2014	2015	TOTAL
Under 12		0	0	0	0	0
13 - 16		2	6	7	1	16
17 - 19		35	97	86	9	227
<b>TOTAL</b>	<b>0</b>	<b>37</b>	<b>103</b>	<b>93</b>	<b>10</b>	<b>254</b>

TOBAGO HOSPITAL						
AGE	2011	2012	2013	2014	2015	TOTAL
Under 12						0
13 - 16						0
17 - 19						0
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>



## TOTAL NUMBER of Teenage Abortions for the Period 2011-2015

TOTAL NUMBER OF TEENAGE ABORTIONS						
AGE	2011	2012	2013	2014	2015	TOTAL
Under 12 Years	0	0	0	0	0	0
13 - 16 Years	9	10	20	16	12	67
17 - 19 Years	89	112	207	182	86	676
<b>TOTAL</b>	<b>98</b>	<b>122</b>	<b>227</b>	<b>198</b>	<b>98</b>	<b>743</b>

*Note: Abortions terminologies used are: Missed abortions, Unspecified abortions, threatened abortions.*



# TOTAL NUMBER OF TEENAGE PREGNANCIES

Total Number of Teenage Pregnancies per year for the period 1999-2007										
Year	1999	2000	2001	2002	2003	2004	2005	2006	2007	TOTAL
<b>Total</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>9</b>	<b>11</b>	<b>32</b>

Total Number of Teenage Pregnancies for the period 2008-2015									
Age	2008	2009	2010	2011	2012	2013	2014	2015	TOTAL
<b>Under 12 Years</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>1</b>	<b>1</b>	<b>15</b>	<b>2</b>	<b>10</b>	<b>35</b>
<b>13 - 16 Years</b>	<b>492</b>	<b>340</b>	<b>338</b>	<b>323</b>	<b>270</b>	<b>315</b>	<b>270</b>	<b>297</b>	<b>2645</b>
<b>17 - 19 Years</b>	<b>1446</b>	<b>1384</b>	<b>1330</b>	<b>1515</b>	<b>1321</b>	<b>1994</b>	<b>1700</b>	<b>1861</b>	<b>12551</b>
<b>TOTAL</b>	<b>1939</b>	<b>1726</b>	<b>1671</b>	<b>1839</b>	<b>1592</b>	<b>2324</b>	<b>1972</b>	<b>2168</b>	<b>15231</b>



# Teenage Pregnancies for the period 2008-2015

PORT OF SPAIN GENERAL HOSPITAL									
Age	2008	2009	2010	2011	2012	2013	2014	2015	TOTAL
Under 12	0	0	0	0	1	0	0	0	1
13 - 16	139	101	77	71	49	61	39	49	586
17 - 19	530	442	383	616	497	391	262	270	3391
<b>TOTAL</b>	<b>669</b>	<b>543</b>	<b>460</b>	<b>687</b>	<b>547</b>	<b>452</b>	<b>301</b>	<b>319</b>	<b>3978</b>

MT. HOPE WOMEN'S HOSPITAL									
Age	2008	2009	2010	2011	2012	2013	2014	2015	TOTAL
Under 12	1	2	3	0	0	1	2	1	10
13 - 16	183	95	136	99	109	91	109	112	934
17 - 19	104	76	102	75	90	379	351	357	1534
<b>TOTAL</b>	<b>288</b>	<b>173</b>	<b>241</b>	<b>174</b>	<b>199</b>	<b>471</b>	<b>462</b>	<b>470</b>	<b>2478</b>



# Teenage Pregnancies for the period 2008-2015 *(Continued)*

SANGRE GRANDE DISTRICT HOSPITAL									
Age	2008	2009	2010	2011	2012	2013	2014	2015	TOTAL
Under 12	0	0	0	0	0	1	0	0	1
13 - 16	52	24	24	38	25	27	20	19	229
17 - 19	267	267	224	217	200	169	193	175	1712
<b>TOTAL</b>	<b>319</b>	<b>291</b>	<b>248</b>	<b>255</b>	<b>225</b>	<b>197</b>	<b>213</b>	<b>194</b>	<b>1942</b>

SAN FERNANDO GENERAL HOSPITAL									
Age	2008	2009	2010	2011	2012	2013	2014	2015	TOTAL
Under 12	0	0	0	1	0	13	0	9	23
13 - 16	104	107	89	96	69	124	89	115	793
17 - 19	450	518	547	528	451	977	826	1002	5299
<b>TOTAL</b>	<b>554</b>	<b>625</b>	<b>636</b>	<b>625</b>	<b>520</b>	<b>1114</b>	<b>915</b>	<b>1126</b>	<b>6115</b>



# Teenage Pregnancies for the period 2008-2015 *(Continued)*

TOBAGO HOSPITAL									
Age	2008	2009	2010	2011	2012	2013	2014	2015	TOTAL
Under 12	0	0	0	0	0	1	0	0	0
13 - 16	14	13	12	19	18	12	13	2	103
17 - 19	95	81	74	79	83	78	68	57	615
<b>TOTAL</b>	<b>109</b>	<b>94</b>	<b>86</b>	<b>98</b>	<b>101</b>	<b>90</b>	<b>81</b>	<b>59</b>	<b>718</b>



# Our society's collective will to safeguard and protect our children

Early marriage can expose a child, inter alia, to:

- Decreased opportunity for education;
- Serious health risks;
- High risks related to early pregnancy; and
- Increased likelihood of being subjected to gender-based violence.





# Measures Under Consideration

Removal of Consent to Marriage



The Age at which a Person may contract to Marriage



A PERSON 18 YEARS OLD



Our three key words are

**Collaboration**

**Consultation**

**Contribution**



# THE SAVINGS CLAUSE – Preserving Marriages That Took Place Under Current Law

- Transitional provisions
- Marriages under current law will continue to be valid
- Emancipation of a minor
- No criminalising of marriages of minors performed by licensing officers



# International Human Rights Norms that Address Child Marriage

- The Universal Declaration of Human Rights (UDHR)
- The UN Convention on the Rights of the Child (CRC) - which defines minors as “every human being below the age of 18”. Under the convention, signatories agree to protect children from harm and abuse and look out for their best interests.
- The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)
- International Convention on Civil and Political Rights (ICCPR)
- International Convention on Economic Social and Cultural Rights (ICESCR)



Ministry of the Attorney General and Legal Affairs

MARRIAGE ACTS  
AND ISSUES RELATED TO CHILDREN

# HARMONISATION OF OUR LAWS

- The Miscellaneous Provisions (Marriage) Bill, 2016
- WHAT ARE THE CHANGES?



# THE MISCELLANEOUS PROVISIONS (MARRIAGE) BILL, 2016

What is the Bill About?

The Marriage Act, Chapter  
45:01

The Muslim Marriage and  
Divorce Act, Chapter 45:02

The Hindu Marriage Act,  
Chapter 45:03

The orisa Marriage Act,  
Chapter 45:04

The Matrimonial Proceedings  
and Property Act, Chapter  
45:51



Ministry of the Attorney General and Legal Affairs

MARRIAGE ACTS  
AND ISSUES RELATED TO CHILDREN

Do you think a criminal offence should be created for the act of forcing someone to marry against their will?

AGLA...  
BRINGING  
THE PIECES  
TOGETHER



# THANK YOU!

- Thank you very much for your valuable time and kind attention today
- We look forward to your continued contributions by the Q&A Session
- All information and status updates shall be available on our website:

[www.ag.gov.tt](http://www.ag.gov.tt)

- We welcome your feedback!



## Ministry of the Attorney General and Legal Affairs

The Attorney General and Minister of Legal Affairs, the Honourable Faris Al-Rawi and  
the Minister in the Office of the Prime Minister and in  
the Ministry of the Attorney General & Legal Affairs, the Honourable Stuart R. Young  
welcome you to

# A CONSULTATION ON MARRIAGE ACTS AND ISSUES RELATED TO CHILDREN

RADISSON HOTEL TRINIDAD • JUNE 15, 2016 • 10 A.M.

AGLA...  
BRINGING  
THE PIECES  
TOGETHER