I am writing in response to the Scottish Government's call for Evidence in relation to the Marriage and Civil Partnerships (Scotland) Bill.

I am concerned about the implication of doing so for civil and religious liberties. A poll conducted by Comres in 2012 showed the majority (55%) agree that "marriage should continue to be defined as a lifelong exclusive commitment between a man and a woman."

I am very concerned about the subsequent results that are possible. If marriage is redefined, something that has never been done before, an important precedent is set, opening the door for further redefinition.

In Canada and in some US states, where same-sex marriage has been legalised, attempts are now being made to legalise polygamy. In the Netherlands, three-way relationships have been recognised in law, and there may well be demands for marriage to be redefined in this way in the future.

There is the danger that people working in the public sector will be penalised if they express views to the same-sex marriage views, even if and before they become law. I know of an example of an applicant for the police force; at an interview he was asked about his views on same-sex marriage. He expressed
his belief that marriage should be only between a man and a woman. He got no further in his application. There is also danger for religious liberties. Churches and ministers who refuse to marry same-sex couples will be subject to litigation. Although Scottish law may seek to defend those who do not wish to conduct same-sex marriages, ultimately such matters would be decided by the European Court of Human Rights. In England, a homosexual couple are planning to go to Court to force churches to host gay weddings. But the European Court of Human Rights does not in some cases, provide protection, in the right of freedom of thought, conscience and religion, where there is conflict between it and other rights. Julian Hadele, a registrar from Lening, was forced out of her job because she felt unable, for faith reasons, to officiate at civil partnership ceremonies. She requested that other colleagues without a faith objection manage such cases. However, her employer was unwilling to accommodate her. In January 2013 the European Court said it could not help Miss Hadele.

In Education, there are concerns. Senior figures in the UK Department for Education have already expressed concerns that teachers could be sacked for opposing same-sex marriage. A senior source said that the UK was not "in control" and that the ultimate decision might "unilaterally" be taken by the European Court of Human Rights.
Qu 4. In my view, the bill does not go far enough to place safeguards with respect to civil and religious liberties.

Qu 5. I am not in support of the introduction of same-sex marriage, for faith reasons.

Qu 8. In my view civil partnerships should remain as they are.

I am responding as a private individual.

Qu 6. I have reservations about allowing belief celebrants on the same footing as religious celebrants.

Isobel Bray
22 August 2013