How would you characterise your views on the Bill in general?

In support

The bill is mostly good, lifting a ban on marriage for which there is no reason or purpose. But it isn't perfect and could be improved in places.

How would you characterise your views on the introduction of same sex marriage, so that same sex couples can marry each other?

In support

There is no reason to ban marriage between same-sex couples. Marriage is a human right. Where there is no reason for banning access to a human right, the ban should be lifted.

How would you characterise your views on putting belief celebrants on the same footing as religious celebrants?

In support

Humanist celebrants can already marry mixed-sex couples and register civil partnerships for same-sex couples. This is a sound, popular option: people without religious beliefs should be able to have a celebrant and a ceremony. There seems no reason to ban

How would you characterise your views on the arrangements for authorising celebrants to solemnise opposite sex and same sex marriage (including the opt-in procedures)?

In support

Every religious body and each of their celebrants should have the right to decide for themselves whether their religion and their faith celebrates same-sex marriage. Some religious bodies believe LGBT people are equally included in their faith, and some do not: whether or not a religion celebrates equal marriage is a matter of religious freedom, and just as religions that include LGBT people should be free to celebrate same-sex marriage, religions that only include heterosexual people should be free to refuse. The bill's opt-in provisions and the change to the Equality Act 2010 will allow this to happen: it's a fair balance.

How would you characterise your views on civil partnerships changing to marriages?

In support
Same-sex couples who want to stay in a civil partnership should be able to do so. Same-sex couples who registered a civil partnership should be able to simply change it to a marriage by a quick (and cheap) procedure if they wish, at any point in their lives together. Same-sex couples who registered a civil partnership and now want to marry each other should be able to do so. The bill suggests restricting this only to couples who registered a civil partnership in Scotland, and that seems like a strange restriction: providing a couple can show they are in a civil partnership together, why should it have to have been registered in Scotland?

How would you characterise your views on allowing civil marriage ceremonies to take place anywhere, other than religious premises, agreed between the couple and registrar?

In support

Why not? If the couple want to marry, and they've got a suitable location, why should the location have to be specially approved for that purpose? The registrar should have a veto on what constitutes a suitable location, but why shouldn't couples be able to choose their own location?

How would you characterise your views on allowing the religious and belief registration of civil partnerships?

Neither

If a religious body wishes to allow their celebrants to offer a "civil partnership in religion", there seems no reason to ban them from doing so. It would be wrong to permit civil registrars to do so, because no civil registrar should ever be asked to perform a religious service which may not be according to their conscience or their faith. Civil registrars are bound to carry out all civil ceremonies regardless of the faiths or genders of the couple; but they are protected and should continue to be from ever carrying out a religious service.

How would you characterise your views on allowing transgender persons to stay married when obtaining a full Gender Recognition Certificate, which provides legal recognition in the acquired gender?

In support

Very strongly in support. It is very wrong to force a couple to divorce in order for the trans partner to obtain a gender recognition certificate. The ban on same-sex marriage should be lifted for this reason alone, and the forced divorce legislation in the Gender Recognition Act should be changed. If one of a couple is transitioning and they feel the marriage has come to an end because of this, then either spouse can obtain a divorce if they need to using ordinary divorce law. But no couple who wish to stay married should ever be forced to divorce unwilling.

Would you like to comment on the wider issue of protections for those in society who may have concerns about same sex marriage?

Where these concerns are religious, they are rightly protected as a matter of freedom of religion. No religious body will be forced to opt-in: individual celebrants
within a religious body can refuse to opt-in. And as a general rule, all religious celebrants have a right of conscience already to refuse to wed any couple they decide against. Those protections are sound and just and should stand. Other concerns have been aired - claims that same-sex couples make bad parents and so shouldn’t be allowed to marry, arguments that marriage is only for inter-fertile couples who'll have children together, claims that if same-sex couples get married mixed-sex couples won't want to. None of these concerns seem sound or just and appear to be based primarily in ignorance. While people are allowed to express their views freely, ignorant bigotries should not be allowed to ban couples from accessing a basic human right. It’s also been suggested, during the debate on the Westminster legislation, that anyone providing a service to a couple who wish to or who are married, should have a protected right to discriminate against same-sex couples if they "don't believe in gay marriage" - for example, a baker who makes wedding cakes should have a protected legal right to refuse a cake to a lesbian couple, a chauffeur who works for a wedding car company should have a protected legal right to tell his employer he won’t drive a gay couple. This is an absurd and unworkable approach. Businesses that provide services to the general public do not have the right to pick and choose who can pay their services based on their own personal prejudices. We don’t allow this kind of discrimination for race, religion, or disability: why should anyone expect to have a right of discrimination based on sexual orientation or gender identity? Finally, concerns have been expressed that teachers will be "forced" to promote same-sex marriage, and parents will not have the right to withdraw their children from classes "teaching" gay marriage. Teachers have a professional obligation to treat all their students with kindness and respect: no teacher should feel it an imposition to be required to teach the facts of the law, or to treat their students and their students' families, with equal respect regardless of their students sexual orientation, or whether their families include same-sex relationships. A demand that teachers should be allowed to denigrate some parents by arguing that same-sex marriage is inferior or that same-sex relationships are wrong, is unprofessional and unkind. Parents obviously have the right to express their own views to their children. But they don’t have the right to expect that the school will cover their children's ears or send them out of class whenever the children might hear something from the teacher that contradicts parental prejudices. Not all LGBT children have sympathetic/supportive parents: an LGBT child with parents who don't like or approve of LGBT people needs to know they have somewhere to turn for help and support and information, and where better than their school? Civil registrars are obliged as part of their job to conduct a civil marriage ceremony for any couple legally entitled to marry. Any private/religious concerns a civil registrar feels about any of the couples they wed should not be allowed to affect their work. This applies to same-sex couples as well as mixed-sex couples.

Would you like to comment on the wider issue of freedom of speech?

The bill has no affect on freedom of speech. Everyone has the right to speak their mind.

Would you like to comment on any other wider issues in relation to the Bill that are not mentioned above?

Pensions equality. Private sector pensions are entitled to discriminate against the survivor of a same-sex couple, paying them fewer benefits than they would have to
for the survivor of a mixed-sex couple. This is wrong, and should be amended: at the very least, the surviving spouse of a same-sex marriage deserves equal treatment to the widower in a mixed-sex marriage. Once the ban on same-sex marriage is lifted, there will be no reason to keep the ban on mixed-sex civil partnership. Mixed-sex couples who had rather register a civil partnership should be able to do so.

Are you responding as...

a private individual

Jane Carnall
23 August 2013