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

In support

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

In support

This is an essential step towards true equality for all, and a truly important issue. I am delighted the Scottish Government has introduced this Bill. I would urge parliament to pursue the cause of equality to its fullest throughout the details of the Bill, and make sure not to create new inequalities by having any differences between same-sex or mixed-sex marriages, and as far as I can see this has broadly been achieved.

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

In support

There are now many different religions in Scotland, as well as belief organisations - all of these are important to the people they represent, and any that want to conduct marriages (either mixed-sex or same-sex) should be allowed to do so.

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

Religious denominations and belief organisations should be free to choose for themselves whether or not to conduct marriages of either mixed-sex or same-sex. As such, I feel it is important to protect their right to choose whether or not to exercise the powers introduced by the new legislation, and in order to protect the religious freedom of established bodies, the opt-in procedure is probably the most appropriate solution. I would like to see the option of using gender-free marriage ceremonies included in the bill, to ensure absolute equality for transgender or intersex people, and to recognise that the "traditional" view of the gender binary does not apply to all people.

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

In support
Large numbers of people in existing civil partnerships will want to change this to marriage - and I believe this should be made as simple as possible. As such, I fully support the bill providing for this with the two options of a new marriage ceremony, or a simple and low cost administrative procedure. The bill does not allow for civil partnerships registered outside Scotland to be changed to marriages, however, which is inherently unfair because it requires the couple to dissolve their partnership by proving it has irretrievably broken down. I believe this is raises damaging and unfair obstacles to couples in existing civil partnerships who wish to change them to marriage, which they may find insurmountable, thereby effectively preventing them from becoming married. In contrast, same-sex couples from outside Scotland will have no barriers to becoming married in Scotland, and I believe the bill should be amended to ensure this also applies to same-sex couples who registered civil partnerships outside Scotland. At the end of the day, despite the legal differences, a civil partnership and a marriage both celebrate the lifelong commitment of two people to each other, and this is the most important factor.

**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

If all parties agree, there is absolutely no reason not to allow this.

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

In support

**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

It is absolutely right that transgender people should be allowed to obtain full gender recognition without being required to divorce, and in the interests of their human rights, this process should be made as simple as practically possible. I object, however, to the spouse of a married transgender person's spouse being required to consent to the gender recognition, because this allows the potential for a difficult relationship to get in the way of the transgender person's human right to be recognised properly, by effectively giving the spouse a way of delaying the process. It is certainly true that the spouse has a direct interest in the marriage and its re-registration after the gender recognition (at which point consent of both parties is appropriate), but they should not be allowed to block the recognition itself. I would also urge the government to reduce the minimum age for a gender recognition application to 16, in line with the minimum age for marriage.

**Would you like to comment on the wider issue of protections for those in society who may have concerns about same sex marriage?**
As far as I can see, the protections in the bill for people who have concerns about same-sex marriage are strong and appropriate. My only comment on the wider issues in society is that education is extremely important in the fight for equality, and teaching attitudes of tolerance and love in schools is appropriate. More particularly, while I would fight for the rights of teachers who do not agree with same-sex marriage to believe what they feel is right, I would put the rights of the children they teach to an unbiased and fully inclusive education above the beliefs of the teacher. Modern society now recognises that same-sex relationships and marriages are entirely equal to mixed-sex relationships and marriages, and there may well be a child (or children) in any class who has same-sex parents, or identifies as LGBTQ themselves (or may in the future). For these children, it is exceedingly important for their mental health that teaching treats mixed-sex and same-sex relationships and marriages as exactly equal, and to know that the education system supports them.

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

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

In the march towards full equality for all, I believe it would be appropriate to include the introduction of mixed-sex civil partnerships for those who wish to enter it (and allow transgender people in existing civil partnerships to get gender recognition without dissolving the partnership). I am also concerned about the inherent discrimination in the Westminster-regulated private sector pensions system that will allow pensions schemes to pay smaller survivor’s pensions to people in same-sex marriages than those in mixed-sex marriages. The UK Government has agreed to review this, and I would urge the Scottish Government to use their full weight to correct this discrimination.

Are you responding as...

a private individual

Al Hopkins
23 August 2013