MARRIAGE AND CIVIL PARTNERSHIP (SCOTLAND) BILL
SUBMISSION FROM JENNIE KERMODE

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

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

In support

I am concerned that marriage needs to be opened up to persons of any sex, not restricted to 'same sex'. As an intersex person who does not identify as male or female, I feel I could not consider marriage under a system that required me to lie about my identity, as to do so would be to make a mockery of what ought to be a solemn vow.

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

In support

Aside from anything else, this would serve to future proof the legislation. Social trends suggest that it will become increasingly difficult to divide religion and belief into neat categories in the future.

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)?

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

Neither

I feel it important that people in civil partnerships should have the option of converting them to marriages, but equally important that this should not happen automatically, as I have friends in civil partnerships who would definitely not want to be married and have told me they would divorce if that happened to them.

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
I see absolutely no reason why this should be considered inappropriate. Let people have what is special for them.

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

**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

The requirement to divorce in order to obtain legal gender recognition is one of the cruelest aspects of the current system, putting unnecessary pressure on couples who may already be going through a very difficult situation. Everything in marriage law should be about helping loving couples stay together, not forcing them apart. Furthermore, the requirement to divorce has an impact on pension rights, creating significant fiscal inequalities that run contrary to the spirit of the Equality Act (2010) and Scotland’s various legal and practical efforts to make people more equal.

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

Nobody should be forced to perform a marriage they disapprove of, regardless of the genders of the persons being married. Applying this provision universally would obviate the need to employ a special instance of discriminating in regard to non-opposite-sex couples.

**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?**

I feel it is very important that the bill make provision for intersex people and for people who do not identify as male or female. Ongoing legal changes around the world (e.g. in Australia and Germany) illustrate that these groups will not continue to be elided in future, so to provide for them now would remove any need to adjust the legislation in future in order to do so when this becomes a bigger political issue. It would also be in keeping with the Scottish Government’s professed commitment to ensuring equality of opportunity for all its citizens.

**Are you responding as...**

An individual who works for an LGBT group.

Jennie Kermode
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