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

In support

As a Scottish Liberal Democrat, I am pleased to see a Bill that takes the law closer to the policy the party adopted. It's not perfect, but it is a better Bill than that passed south of the Border. I hope that the Government will consider amendments on the following: My biggest concern is that the amendments to the 2004 Gender Recognition Act introduced by Schedule 2, section 3 of this Bill introduce a "spousal veto". This allows somebody to block their spouse's acquisition of a full Gender Recognition Certificate. Gender changes often can lead to breakup of marriage, and those situations may be bitter and acrimonious. It is wrong that an antagonistic spouse could delay both full GRC and then divorce to make life as difficult as possible for the spouse seeking gender recognition. I believe that it is sufficient that a spouse changing gender without the consent of their partner would be grounds for divorce, which does not need to block the applicant's gender recognition process. I would like to see the bill amended to see the introduction of mixed-sex Civil Partnerships with this Bill.

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

In support

For me, it's very simple. If two people want to formalise their union in some way, then any option to do so should be open to them regardless of their gender. To have one system for a man and a women, and another for two men or two women is totally discriminatory and invites prejudice. I'm equally comfortable with mixed sex civil partnership and same sex marriage. They are slightly different institutions and I think that mixed sex civil partnerships could appeal to people for whom marriage represents a takeover of the woman's rights and identity.

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

In support

There is no reason not to allow this.

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)?

Neither

I think there should be more symmetry between authorising bodies. If a religious or belief celebrant does not wish to solemnise a same-sex marriage, even when their
religious or belief body permits this, then they are not compelled to do so; I support this. However, if a celebrant wishes to solemnise a same-sex marriage when their religious or faith body does not, then they are not permitted to do so, and this seems unfair. In one case, the wishes of the celebrant are allowed to override the position of the body; in the other they are not.

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

In support

Many same-sex couples had civil partnerships when they were the only institution available, as they were better than nothing, but would have preferred to marry. We believe that those couples should be able to convert their civil partnerships into marriage with a minimum of expense and effort. However, there are those couples who prefer the legal and social standing of the institution of civil partnership to that of marriage, and they should not be compelled to convert. Similarly, civil partnerships should be available to all couples regardless of gender. We believe that all civil partnerships recognised in Scotland, no matter where they were registered, should be eligible for conversion into a same-sex marriage under Scottish law.

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

As a liberal, I see no sensible reason why people should not get married where they wish. Why would the State wish to restrict such a thing?

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

In support

As a liberal, again, I think that it should be up to the couple to decide whether they want a marriage or civil partnership, and whether that is enacted in a religious or belief set up. The state should permit any combination.

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

On this I support the position of LGBT + Liberal Democrats which states: "We have a major concern with the amendments to the Gender Recognition Act which will allow a spouse to veto an applicant from being awarded a full Gender Recognition Certificate. By the time an applicant is able to even apply for a GRC, they have been living as their acquired gender for at least 2 years. This should not come as a surprise to the spouse and by this point the spouse has had ample opportunity to divorce the applicant. It would be wrong to allow a vindictive or spiteful spouse the
opportunity to hamper the applicant’s right to gender recognition in this way. We also believe that “fast track” procedures for people who have been transitioned for a long time should be permitted.

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

There are more than enough protections for those who religious celebrants to perform same sex marriages. I would oppose any attempt to give civil registrars the ability to opt out of performing same sex marriages. As public servants, they should be obliged to give, without fear or favour, their service to anybody who legally seeks it.

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

If people wish to say that they don't agree with same sex marriage, then that should be their right to do so. Inciting hatred or violence, however, should not be tolerated.

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

I endorse what LGBT+ Liberal Democrats have said in their submission: "We believe that the Bill presents a good opportunity to correct a historical injustice. Prior to this Bill, married trans people were forced to divorce in order to obtain legal gender recognition, adding the pain of divorce to the stress of transition. Happily this will no longer be the case thanks to this Bill. We believe that there should be some process of restitution for people forced to divorce, particularly those who immediately entered into civil partnership with their former spouse. If these couples should convert their civil partnership into a same-sex marriage, the effective date of the marriage should not be that of the civil partnership (as per clause 9.1.b of the Bill), but the date of the original marriage. We are aware of recent legal developments in the UK and abroad towards recognition of people who do not identify as male or female, including increasing international adoption of the "X" gender marker on passports. We believe that it would be sensible for this legislation and its explanatory notes to allow for situations where one or both parties to a marriage or civil partnership is neither male nor female and what this implies for a "same-sex" or "mixed-sex" union."

Are you responding as...

a private individual

Caron Lindsay
23 August 2013