EQUALITIES AND HUMAN RIGHTS COMMITTEE
CIVIL PARTNERSHIP (SCOTLAND) BILL
SUBMISSION FROM SUE PETRIE

1. What is your view of the Bill’s approach to achieving equality by making civil partnerships available to different sex couples, rather than closing future civil partnerships to all couples?

Opposite sex civil partnerships offer couples the same rights and choices that same-sex couples have enjoyed for years. This bill is essential to ensure that opposite sex couples have equal rights. A modern and inclusive society should offer choice to couples. Civil partnerships offer the opportunity for committed relationships to be recognised via a less traditional manner. For those who don't want to marry, civil partnerships offer a way to recognise a long-term commitment which is otherwise unrecognised in law. The benefits for cohabiting couples are not equal to and do not offer the same protection as for couples in a civil partnership. Cohabiting couples only have the “right” to apply to court; that does not mean that the court will necessarily grant in their favour. It will offer choice and inclusivity to all couples and would formally recognise committed relationships where those couples prefer not to marry. Cohabiting will be still be an option for all couples who choose not to have their relationship recognised officially.

2. What will the impact of the Bill and its provisions be on you, your community or organisation? Give consideration as to whether there is any impact on human rights or equality issues for any particular groups of people.

The introduction of the Bill will enable myself and my partner of 20 years to have our relationship formally recognised. There are many reasons why we do not wish to be married. In my opinion, marriage is based on patriarchy and gender inequality. Civil partnerships do not label people, particularly according to sex and gender (for instance, Mrs, Mr, wife, husband). The title “partnership” implies equality. Marriage traditionally encourages the woman to feel a sense of self only as part of her relationship with her husband (e.g. the expectation that the woman will change her surname). Many women do not recognise this as part of modern life and relationships. Civil partnerships encourage equality and set a good example to children. For those who feel marriage is an outdated, patriarchal institution, they should have the choice of a civil partnership which, by its very name, suggests equality with no pressure on either partner to act or think in a certain way.

3. The Bill will make consequential changes to existing legislation to carry through the effect of the main change. Do you have any comments to make on these changes?

No.
4. Is there anything else about civil partnerships that should be included/excluded in the bill?

No.

5. Will the Bill result in any resource implications for your organisation or you as an individual?

No.

6. Additional comments

Mixed sex civil partnerships became legal in all other parts of the UK (including Northern Ireland) in late 2019. It seems strange that Scotland is dragging so far behind the other administrations in bringing in this crucial piece of legislation. It was back in June 2018 that the High Court ruled that the UK Government’s refusal to allow opposite sex couples to have civil partnerships is “incompatible” with human rights law and is discriminatory. Eighteen months later, the Scottish Government is still denying its citizens access to opposite-sex civil partnerships. The Scottish Government needs to address this issue urgently and proceed with the Bill as a matter of priority. Given that the other administrations have passed the legislation without undue hassle, the Scottish Government should follow their lead at the earliest possible opportunity, speed up the progression of the Bill and start complying with the High Court ruling. All possible effort should be put into achieving this.