CONSULTATION QUESTIONS

The registration of civil partnerships

<table>
<thead>
<tr>
<th>Question 1  (Paragraphs 2.12 and 2.13)</th>
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<tbody>
<tr>
<td>Do you agree that legislation should be changed so that civil partnerships could be registered through religious ceremonies?</td>
</tr>
<tr>
<td>Yes [ ]</td>
</tr>
<tr>
<td>No NO</td>
</tr>
<tr>
<td>Don’t know [ ]</td>
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</table>

Please give reasons for your answer.

Comments

The Kirk Session (KS) felt that legislation should not be changed and civil partnership registrations should not happen in a religious setting. Civil partnerships are not marriage and are secular arrangements and should not happen in religious settings. We would not wish to see Churches being forced into such a change through legislation.

<table>
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<th>Question 2  (Paragraphs 2.14 to 2.19)</th>
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<td>Do you think that the proposals in England and Wales on registration of civil partnerships in religious premises would be appropriate for Scotland?</td>
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<tr>
<td>Yes [ ]</td>
</tr>
<tr>
<td>No NO</td>
</tr>
<tr>
<td>Don’t know [ ]</td>
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If you have answered no, please explain what elements of the proposals in England and Wales you consider inappropriate for Scotland.

Comments

The KS feels that the proposals for England and Wales are not appropriate for Scottish practice.
Question 3 (Paragraphs 2.20 to 2.24)

Do you agree with allowing religious celebrants to register civil partnerships in religious premises?

Yes ☐
No ☐
Don’t know ☐

Please give reasons for your answer

Comments

We disagree and would not see religious celebrants being allowed to register civil partnerships. Civil partnerships are secular and should not be allowed on religious premises.

Question 4 (Paragraphs 2.20 to 2.24)

Do you agree with allowing religious celebrants to register civil partnerships in other places agreed between the celebrant and the couple?

Yes ☐
No ☐
Don’t know ☐

Please give reasons for your answer

Comments

We disagree. Civil Partnerships should not be carried out by religious celebrants.
Question 5  (Paragraph 2.25)
Do you agree that religious bodies should not be required to register civil partnerships?

Yes [□] YES
No [□]  
Don’t know [□] 

Please give reasons for your answer

Comments
Religious bodies should not be put in the position to register civil partnerships. It is a civil matter and nothing to do with religious bodies.

Question 6  (Paragraphs 2.26 and 2.27)
Do you consider that religious celebrants should not be allowed to register civil partnerships if their religious body has decided against registering civil partnerships?

Yes [□] YES
No [□]  
Don’t know [□] 

Please give reasons for your answer

Comments
Question 7 (Paragraphs 2.28 to 2.30)

Do you agree that individual religious celebrants should not be required to register civil partnerships?

Yes      YES
No       ☐
Don’t know ☐

Please give reasons for your answer

Comments

Question 8  (Paragraphs 2.31 to 2.35)

Which of the options do you favour to ensure that religious bodies and celebrants do not have to register civil partnerships against their will?

Do you favour:

Option 1    ☐
Option 2    ☐
Neither     NEITHER

If you have another option, please describe it.

Comments
We do not agree with either of the options as neither is in line with our thoughts.
Religious bodies may not wish their premises to be used to register civil partnerships. Do you agree that no legislative provision is required to ensure religious premises cannot be used against the wishes of the relevant religious body?

Yes  □
No    NO
Don’t know □

Please give reasons for your answer

Comments

Our KS would not wish their premises to be used for registering civil partnerships, and would not agree no legislation is required.
Same sex marriage

Question 10  (Paragraphs 3.11 and 3.12)

Do you agree that the law in Scotland should be changed to allow same sex marriage?

Yes □
No    NO
Don’t know □

Please give reasons for your answer

Comments

KS strongly disagrees with this proposal, marriage is for a man and a woman. Civil partnerships have given a satisfactory solution and protection to many same sex couples. Marriage between a man and a woman is an important symbol to many people and we would argue that a secular government has no role in the re-defining of marriage.

Question 11  (Paragraph 3.13)

Do you agree that religious bodies and celebrants should not be required to solemnise same sex marriage?

Yes  YES
No     □
Don’t know □

Please give reasons for your answer

Comments

Many of the following questions re-iterate our views previously stated in the civil partnership questions. Religious bodies and celebrants should not be required to solemnise same sex marriage.
Question 12 (Paragraphs 3.14 to 3.18)

Do you agree with the introduction of same-sex civil marriage only?

Yes ☐
No ☐
Don't know ☐

Please give reasons for your answer

Comments

We totally disagree with the term same sex civil marriage, it is a contradiction in terms.

Question 13 (Paragraph 3.19)

Do you agree with the introduction of same-sex marriage, both religious and civil?

Yes ☐
No ☐
Don't know ☐

Please give reasons for your answer

Comments

We support neither.
Question 14  (Paragraphs 3.23 and 3.24)

Do you agree that religious bodies should not be required to solemnise same sex marriage?

Yes YES
No
Don’t know

Please give reasons for your answer

Comments

Our comments were against the situation in civil partnerships, so feel even stronger in our opposition with same sex marriage.

Question 15  (Paragraphs 3.25 and 3.26)

Do you consider that religious celebrants should not be allowed to solemnise same sex marriages if their religious body has decided against solemnising same sex marriage?

Yes YES
No
Don’t know

Please give reasons for your answer

Comments
Question 16 (Paragraphs 3.27 and 3.28)

Do you agree that individual religious celebrants should not be required to solemnise same sex marriage?

Yes  YES
No
Don’t know

Please give reasons for your answer

Comments

Question 17 (Paragraphs 3.29 to 3.33)

Which of the options do you favour to ensure that religious bodies and celebrants do not have to solemnise same sex marriage against their will?

Do you favour:
Option 1
Option 2
Neither  NEITHER
Don’t know

Please give reasons for your answer and if you have another option, please describe it.

Comments
We do not support the wording of either option.

Question 18 (Paragraphs 3.34 to 3.39)
Religious bodies may not wish their premises to be used to solemnise same sex marriage. Do you agree that no legislative provision is required to ensure religious premises cannot be used against the wishes of the relevant religious body?

Yes    YES
No
Don’t know

Please give reasons for your answer

Comments
We agree, and would make our decision locally at Kirk Session level.

Question 19 (Paragraph 3.41)
If Scotland should introduce same-sex marriage, do you consider that civil partnerships should remain available?

Yes    YES
No
Don’t know

Please give reasons for your answer
We support the satisfactory solutions and support given to same sex couples that live together, particularly the protection they now have legally, and so we consider civil partnerships have been successful and should remain. We oppose the introduction of same sex marriage.

Our Kirk Session, as Christians, are supportive of people who have same sex orientation, it is often the case they are born with that orientation. We would welcome them in our Church. In this consultation, what we are not supportive of, is the proposed legislation.

We are particularly interested in your views on:
- potential implications of the proposals for transgender people (paragraph 3.42)
- possible transitional arrangements (paragraphs 3.43 and 3.44);
- recognition of Scottish same sex marriages elsewhere (paragraphs 3.45 to 3.49);
- any comments on forced marriage (paragraphs 3.51 and 3.52)
- any comments on sham marriage (paragraph 3.53)
- potential financial implications (paragraphs 4.01 to 4.08);
- potential equality implications (paragraphs 4.09 to 4.14).

We would challenge some of the comments made around sham marriage. Although there is no evidence one way or another, it might be easier to arrange a same sex sham marriage between two same sex persons, particularly when it is used to avoid immigration controls.