8 December 2011

Dear Sir/Madam

Here is a collective response from the Executive Council who represents the members of the Association of Registrars of Scotland.

The points raised are based purely on the relevance to the working processes of a Registrar and of the service they provide to their customers.

1. Many members of the public are already confused with regards to religious marriage, civil marriage and civil partnership. Introduction of additional categories i.e. same sex marriage and civil partnership for heterosexuals will only serve to add to this confusion.

2. There would be increased registers, increased documentation and increased costs. New forms would have to be developed and current forms altered.

3. New terminology would have to be determined for the different categories of ceremony e.g. what would you call a civil partnership conducted by a religious celebrant?
4. It has been suggested that religious celebrants/bodies would be able to refuse to conduct a partnership/same sex marriage. If the same rule is not upheld by all, then it may alienate individual religious celebrants from their colleagues and their church. If the documentation for any category of ceremony is in order, all Registrars, unlike religious celebrants, have no choice but to conduct a civil ceremony.

5. Agree that same sex partners should be able to have the choice of a partnership/same sex marriage conducted by a religious celebrant. This may avoid claims of discrimination and give same sex partners the same opportunities as heterosexual couples.

6. If Scotland introduces same sex marriage, some civil partners may wish to “upgrade” to a marriage. What would the transitional arrangements be?

The whole process could be simplified by calling all ceremonies “marriage” and generic documentation developed to accommodate all “types” of couples. This would certainly be easier for Registrars but more importantly, less confusing for the couples, who would then just have to decide whether their ceremony was civil or religious.

This final comment has been raised at some of our meetings. All couples would go through a civil registration. This could then be followed by a blessing/ceremony in their chosen faith or a ceremony conducted by a Registrar.

AROS wish to thank-you for being given this opportunity to be involved in this consultation.

Yours faithfully