### 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</td>
</tr>
<tr>
<td>Don’t know</td>
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Please give reasons for your answer.

Comments

This would bring greater equality in terms of approach to civil partnerships and marriage. We believe this consistent with equality desires along EHRC defined protected characteristic strands, freedom of religious/faith based expression and Liberal Democrat values towards a fair, free and tolerant society.

<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>
</tr>
<tr>
<td>Yes ☒</td>
</tr>
<tr>
<td>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
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 view these proposed changes as an important question of religious freedom. It is right that religious groups and religious celebrants who wish to perform civil partnership ceremonies should be able to do so.

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 believe that any decision on registering civil partnerships should be consistent with the wishes of the celebrant, the couple entering into a civil partnership and the wishes of faith groups and regulations dictating approved venues for conducting civil partnership ceremonies.
Question 5  (Paragraph 2.25)

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

Yes  ☒
No  ☐
Don’t know  ☐

Please give reasons for your answer

Comments

We believe that these changes should be entirely permissive. It is right that this move should extend the freedom to faith groups who wish to perform civil partnerships whilst respecting the wishes of those who do not.

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  ☐
No  ☐
Don’t know  ☐

Please give reasons for your answer

Comments

Some religious bodies may wish to allow individual celebrants to reach their own view about whether or not to register civil partnerships. In line with the permissive nature of these proposed changes, we believe that restrictions on religious celebrants conducting civil partnerships should be consistent with the rules and governance of individual faith groups.
Question 7 (Paragraphs 2.28 to 2.30)

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

Yes ☐
No ☐
Don’t know ☐

Please give reasons for your answer

Comments

Issues regarding individuals who may or may not wish to conduct civil partnership ceremonies should be dealt with in a way that is consistent with the individual governance and procedures of religious organisations and faith groups.

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 ☐

If you have another option, please describe it.

Comments

Option 1: Extending the existing authorisations of celebrants under the Marriage (Scotland) Act 1977 for opposite sex marriage, so that the same celebrants would automatically have the ability to register civil partnerships, is the most straightforward and effective approach compared to other options.
Question 9  (Paragraphs 2.36 to 2.40)

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 ☐
Don’t know ☐

Please give reasons for your answer

Comments

We believe that decisions on the use of premises would generally be for the hierarchy of the body rather than for the individual celebrant who generally uses the premises as is frequently the case when registering premises for marriage.

However, it is important to recognise that in some faiths decisions may be for the celebrant or may have been delegated to the celebrant. As the consultation sets out, where the religious body owns the premises outright, it seems straightforward enough for the body to decide the premises should not be used, when it wishes to do so.
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 ☐
Don’t know ☐

Please give reasons for your answer

Comments

East Dunbartonshire Council Liberal Democrat Group agrees that the law in Scotland should be changed to allow same sex marriage. This will bring greater equality in terms of approach to marriage in Scotland.

Question 11  (Paragraph 3.13)

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

Yes ☒
No ☐
Don’t know ☐

Please give reasons for your answer

Comments

There are already religious organisations which wish to celebrate marriage between two people of the same-sex but are prevented from doing so; this is an important issue of religious liberty and respect.

As far as such religious organisations are concerned, any approach should be entirely permissive and the autonomous decision-making processes of individual faith groups should be respected. It is important that faith groups that wish to celebrate same-sex marriages should be able to do so without inappropriate intervention or obstruction from other groups. Equally, it is important that faith groups who do not opt to celebrate same-sex marriages should have no bearing on the decision of groups who do.
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

East Dunbartonshire Liberal Democrat Group disagrees with the introduction of same-sex civil marriage only. This proposal would continue to foster inequality and discrimination between mixed sex and same sex couples opting for religious marriages.

We believe that same-sex marriage should be available both on a civil basis on the same basis as mixed-sex marriage, and in religious premises but without a mandate on religious organisations.

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

East Dunbartonshire Council Liberal Democrat Group agrees with the proposal to introduce both religious and civil same-sex marriage options. This would bring greater equality for same sex couples, whilst at the same time acknowledge the rights of religious bodies and celebrants not to
participate on grounds of religious belief.

Question 14  (Paragraphs 3.23 and 3.24)

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

| Yes   | ☒ |
| No    |   |
| Don’t know |   |

Please give reasons for your answer

Comments

Issues regarding individuals who may or may not wish to solemnise same-sex marriage ceremonies should be dealt with in a way that is consistent with the individual governance and procedures of religious organisations and faith groups.

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   |   |
| No    | ☐ |
| Don’t know |   |

Please give reasons for your answer

Comments

Some religious bodies may wish to allow individual celebrants to reach their own view about whether or not to solemnise same-sex marriage. In line with the permissive nature of these proposed changes we believe that restrictions on religious celebrants conducting same-sex marriages should be consistent with the rules and governance of individual faith groups.

Question 16  (Paragraphs 3.27 and 3.28)

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

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

Comments
Option 1: Extending the existing authorisations of celebrants under the Marriage (Scotland) Act 1977 for opposite sex marriage, so that the same celebrants would automatically have the ability to register civil partnerships, is the most straightforward and effective approach compared to other options.

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
No
Question 19   (Paragraph 3.41)
If Scotland should introduce same-sex marriage, do you consider that civil partnerships should remain available?

Yes ☒
No ☐
Don’t know ☐

Please give reasons for your answer

Comments
Couples should have the option of marriage and civil partnership regardless if they are same sex or mixed sex.

Question 20     (Paragraph 4.19)
Do you have any other comments?

Yes ☐
No ☒

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).