CONSULTATION QUESTIONS

The registration of civil partnerships

Question 1  (Paragraphs 2.12 and 2.13)
Do you agree that legislation should be changed so that civil partnerships could be registered through religious ceremonies?

Yes ☒
No ☐
Don't know ☐

Please give reasons for your answer.

Gay Men’s Health is not a faith-based organisation, but respects the views of gay and bisexual men who wish to celebrate their civil partnership in their own place of worship.

Question 2  (Paragraphs 2.14 to 2.19)
Do you think that the proposals in England and Wales on registration of civil partnerships in religious premises would be appropriate for Scotland?

Yes ☐
No ☒
Don’t know ☐

If you have answered no, please explain what elements of the proposals in England and Wales you consider inappropriate for Scotland.

It would be better to develop specific Scottish proposals.

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.

This is an issue of religious freedom, religious groups and celebrants should be free to make their own decisions.
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 [X]
- No [ ]
- Don’t know [ ]

Please give reasons for your answer

This should be a matter for the couple and the celebrant and not subject to regulation.

Question 5  (Paragraph 2.25)

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

- Yes [X]
- No [ ]
- Don’t know [ ]

Please give reasons for your answer

The wishes of faith groups should be respected and it should be up to them make decisions on such matters.

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 [X]

Please give reasons for your answer

This should be a matter for religious bodies to decide for themselves.

Question 7 (Paragraphs 2.28 to 2.30)

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

We think this is the most logical option, giving equal opportunities to same sex couples without restricting religious freedom.

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

This should be a matter for the religious bodies to decide.
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

Stable and committed relationships are part of the essential foundations of strong and caring communities. Being in a committed relationship makes an enormous contribution to an individual’s mental health and well-being. There are strong positive links between mental and physical health. Another positive factor for mental health and well-being is religious faith, currently the law in Scotland discriminates against gay and bisexual men who wish to make a public commitment to each other through marriage. We believe this is a matter of basic human rights and the law should be changed to enable two people who wish to marry to be able to do so, irrespective of gender or sexuality.

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

This is a matter that should be left to religious bodies to decide.

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

We want equality for gay and bisexual men who wish to marry. Limiting options to civil marriage only would be discriminatory.
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

We support his because it gives equal access to marriage to everyone regardless of the gender or sexuality of the couple wishing to marry.

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

We would not require any religious body to solemnise any marriage, but would respect their autonomy in such decisions.

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

We think this should be a matter for religious bodies to consider.
### 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** □
- **No** □
- **Don't know** ❌

Please give reasons for your answer

*This is a matter for religious bodies to decide.*

### 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.

*We think this puts all marriages on an equal basis.*

### 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** □
- **Don’t know** ❌

Please give reasons for your answer

*The use of religious premises should be a matter for their governing bodies to control.*

### 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

We think civil partnerships should remain available as an option for same sex couples and should also be available to heterosexual couples.

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).

We would welcome the introduction of equal marriage as there would then be no need for transgender people in marriages to divorce before obtaining the full gender recognition certificate. The status of their relationship should be entirely a matter for them.