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.

Comments
Yes. If religious ceremonies are valid for different sex couples the same validity should be accorded to religious ceremonies for same sex couples

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.

Comments
We believe that principle should be that the rules governing where the registration of civil partnerships can take place - and who can conduct them should be the same as marriage ceremonies. This does not appear to be the case with the proposals for England and Wales
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

Yes. We believe that the rules governing who may register civil partnerships and where such registration takes place should be the same as those are in place for marriage ceremonies.

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

Yes. We believe that the rules governing who may register civil partnerships and where such registration takes place should be the same as those are in place for marriage ceremonies.
Question 5  (Paragraph 2.25)

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

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Please give reasons for your answer

Comments

Religion is a personal choice on the part of its adherents. Religious bodies who do not wish to involve themselves in same-sex marriage ceremonies should not be compelled to do so.

There should however be no discriminatory legal barrier on those religious bodies who do.

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?

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Please give reasons for your answer
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

Religion is a personal choice on the part of its adherents. Religious celebrants who do not wish to involve themselves in same-sex marriage ceremonies should not be compelled to do so.

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 ☐
Comments

We favour option 2 – largely on the premise that if religious bodies know – at a national level - that they will not be compelled into performing same sex marriages. They will perhaps be less opposed to the measure being put in place for other people.

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 those who run places of worship are more than capable of making up their own minds as to what is an appropriate activity there without legislative guidance.
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

Yes. Because same sex couples are people too. People with as much right to love each other and have that love and commitment recognised and celebrated as anyone else.

Extending this basic right same sex couples impinges on no one else. No one’s right to be married is lessened or reduced or devalued by extending this right to same sex couples.

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

Yes. Religion is a matter of personal conviction and belief. We see no merit in compulsion on this issue.
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

No. The principle that should govern the legislation is the recognition of the equality of same sex partnerships with different sex partnerships. Same sex couples who are members of a faith community which recognises same sex marriage should be allowed to have their marriage recognised on the same basis as different sexed couples.

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

Yes. Where religious groups that are allowed to perform marriage ceremonies for different sexed couples are happy to perform same sex
marriages then these ceremonies should be recognised as marriages. Where marriage is being conducted directly by the state, as in Civil ceremonies, a denial of marriage to same sex couples is a denial of full citizenship.

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
Religion is a matter of personal belief - we see no merit in trying to compel faith groups against their will.

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 ☐
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

Comments

Religion is a matter of personal belief - we see no merit in attempting compulsion on this issue.

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 ☐
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

Comments

We believe that those who run places of worship are more than capable of making up their own minds as to which religious acts are performed there without legislative prescription.
Question 19  (Paragraph 3.41)

If Scotland should introduce same-sex marriage, do you consider that civil partnerships should remain available?

Yes [x]
No [ ]
Don’t know [ ]

Please give reasons for your answer

Comments

Yes. Having, comparatively recently introduced a new way of recognising relationships and providing legal protections for them we feel it would be a mistake to abandon this.

Question 20  (Paragraph 4.19)

Do you have any other comments?

Yes [ ]
No [x]

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).

Comments