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
Unitarians in Edinburgh feel that it is a matter of religious freedom that our ministers and celebrants should be permitted to officiate at civil partnerships within a religious ceremony. In terms of equality we also feel strongly that Lesbian, Gay, Bisexual and Transgender persons should be given the same rights as heterosexual couples in how their partnership is recognised.

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
The proposals in England and Wales state that registration cannot be led by a minister of religion or other religious leader, we strongly believe that our ministers and celebrants should be permitted to solemnise the union between same-sex couples as they do between heterosexual couples. As there is no need for a civil registrar to be present at the solemnisation of a heterosexual marriage, there should be no need for one to be present at a same-sex union.
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
As heterosexual marriages can be registered in religious premises, so too should same-sex ceremonies. Unitarians in Edinburgh very much wish to be permitted to use our church for the registration of same-sex civil partnerships and marriages.

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
As it is allowable by Scottish law for marriages to take place in other places this should also be allowable for same-sex couples.
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
In terms of religious freedom, religious bodies, which do not wish to do so, should not be required to register civil partnerships between couples of the same sex.

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
We believe that this is a matter which needs to be worked out between individual celebrants and their religious bodies, and should not be legislated for. If individual celebrants wish to register civil partnership, we believe that they should be allowed to do so.

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
In the same way that religious bodies should not be required to register civil partnerships, individual celebrants should have the option not to do so, if for religious reasons they do not wish to.
**Same sex marriage**

<table>
<thead>
<tr>
<th>Question 10  (Paragraphs 3.11 and 3.12)</th>
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<tbody>
<tr>
<td><strong>Do you agree that the law in Scotland should be changed to allow same sex marriage?</strong></td>
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<tr>
<td>Yes ☒</td>
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<tr>
<td>No □</td>
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<tr>
<td>Don't know □</td>
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</tbody>
</table>

Please give reasons for your answer

**Comments**

In terms of equality same-sex couples should be permitted the same options as heterosexual couples when it comes to solemnising their partnerships.

In this regard, it should also be permitted for heterosexual couples to enter into civil partnership, if for whatever reason they wish to distance themselves from the connotations of marriage, which some people feel to be an archaic and unequal institution which demands obedience from one partner to the other, without reciprocity.

<table>
<thead>
<tr>
<th>Question 11  (Paragraph 3.13)</th>
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<tbody>
<tr>
<td><strong>Do you agree that religious bodies and celebrants should not be required to solemnise same sex marriage?</strong></td>
</tr>
<tr>
<td>Yes ☒</td>
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<tr>
<td>No □</td>
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<tr>
<td>Don't know □</td>
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</table>

Please give reasons for your answer

**Comments**

In terms of religious freedom, religious bodies and celebrants, who do not wish to do so, should not be required to register same sex marriages.

<table>
<thead>
<tr>
<th>Question 12  (Paragraphs 3.14 to 3.18)</th>
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<tr>
<td><strong>Do you agree with the introduction of same-sex civil marriage only?</strong></td>
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<tr>
<td>Yes □</td>
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<tr>
<td>No ☒</td>
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<tr>
<td>Don't know □</td>
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Please give reasons for your answer

**Comments**

Unitarians in Edinburgh wish to be able to offer religious marriage to same-sex couples in line with our religious beliefs that these marriages are as sacred as marriages between heterosexual couples.
<table>
<thead>
<tr>
<th>Question 13  (Paragraph 3.19)</th>
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</thead>
<tbody>
<tr>
<td>Do you agree with the introduction of same-sex marriage, <strong>both</strong> religious and civil?</td>
</tr>
<tr>
<td>Yes ☒</td>
</tr>
<tr>
<td>No ☐</td>
</tr>
<tr>
<td>Don't know ☐</td>
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</tbody>
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Please give reasons for your answer

Comments
As heterosexual couples have the option to choose either a religious or a civil marriage, so too should same-sex couples.

<table>
<thead>
<tr>
<th>Question 14  (Paragraphs 3.23 and 3.24)</th>
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<tbody>
<tr>
<td>Do you agree that religious bodies should not be required to solemnise same sex marriage?</td>
</tr>
<tr>
<td>Yes ☒</td>
</tr>
<tr>
<td>No ☐</td>
</tr>
<tr>
<td>Don't know ☐</td>
</tr>
</tbody>
</table>

Please give reasons for your answer

Comments
In terms of religious freedom, religious bodies, which do not wish to do so, should not be required to register same sex marriages.

<table>
<thead>
<tr>
<th>Question 15  (Paragraphs 3.25 and 3.26)</th>
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<tbody>
<tr>
<td>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?</td>
</tr>
<tr>
<td>Yes ☐</td>
</tr>
<tr>
<td>No ☒</td>
</tr>
<tr>
<td>Don't know ☐</td>
</tr>
</tbody>
</table>

Please give reasons for your answer

Comments
This should be a matter to be decided between individual celebrants and their religious bodies.
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
In the same way that religious bodies should not be required to register same sex marriage, individual celebrants should have the option not to do so, if for religious reasons they do not wish to.

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
Celebrants should not have to register separately in order to officiate at same-sex marriages.

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
This is a matter to be negotiated by religious bodies themselves and should not be legislated for.
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
We think that civil partnerships should remain available for same-sex couples and also that civil partnerships should become available for heterosexual couples, as some couples wish to distance themselves from the connotations of marriage, which some feel to be an archaic and unequal institution which demands obedience from one partner to the other, without reciprocity.

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).

Comments
Unitarians in Edinburgh strongly believe that there should be no need in law for transgender persons to divorce before obtaining the full gender recognition certificate.

We also believe that existing civil partners should be able to convert their partnership into a marriage if they wish to do so.