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

We believe that option should be available for those who wish it

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
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

While we appreciate that others may disagree and conscious that our denomination (Methodist) currently would not approve of such a move,

Our discussion group considered that this move would be consistent with the Scottish tradition of allowing religious celebrants to register marriages and therefore extended this option to those entering civil partnerships and allowed an opportunity for religious groups to extend pastoral support and guidance.

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

This would be consistent with ‘rights’ of religious celebrants to register weddings.
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

Religious bodies should have the opportunity to ‘opt out’ of registration of civil partnerships if they feel they cannot endorse civil partnership status.

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

This would be consistent with celebrants being subject to the discipline of their religious body.
**Question 7 (Paragraphs 2.28 to 2.30)**

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

<table>
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<tr>
<th>Yes</th>
<th>No</th>
<th>Don’t know</th>
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Please give reasons for your answer

**Comments**

If individual religious celebrants cannot in conscience support a same-sex partnership then it would be unwise to require them so to do.

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**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:

<table>
<thead>
<tr>
<th>Option 1</th>
<th>Option 2</th>
<th>Neither</th>
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If you have another option, please describe it.

**Comments**

Option 1 is the most compatible suggestion in terms of current legislation.
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

This is consistent with religious bodies having their own discipline.
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

Our instinct was to say ‘No’ accepting the traditional argument that marriage was, in its nature, the ‘union’ of a man and a woman. However, after discussion, we realised that the majority of the public, particularly the younger members of society, already referred to civil partnerships as marriage and since this was society’s trend we concluded that our restriction of the word marriage was based on a semantic understanding not prevalent in general society. We therefore concluded ‘Yes’.

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

In a free society people should not be forced to go against their conscience.
**Question 12**  (Paragraphs 3.14 to 3.18)

Do you agree with the introduction of same-sex civil marriage only?

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Please give reasons for your answer

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<tr>
<td>This does not allow those of a religious persuasion equality with opposite sex couples. If one accepts that partnership and marriage are a similar legal position then both should be treated equally.</td>
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**Question 13**  (Paragraph 3.19)

Do you agree with the introduction of same-sex marriage, both religious and civil?

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Please give reasons for your answer

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<td>This being consistent with the registration of opposite sex marriage.</td>
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<td>Question 14 (Paragraphs 3.23 and 3.24)</td>
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<tr>
<td>Do you agree that religious bodies should not be required to solemnise same sex marriage?</td>
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<td>Yes [✓]</td>
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<td>Don’t know [ ]</td>
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<td>Please give reasons for your answer</td>
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<th>Question 15 (Paragraphs 3.25 and 3.26)</th>
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<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>
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<td>Yes [✓]</td>
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<td>No [ ]</td>
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<td>Don’t know [ ]</td>
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<td>Please give reasons for your answer</td>
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<td>This is consistent with the religious body’s discipline though we note that it restricts the freedom of the celebrant.</td>
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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

The ‘conscience’ argument

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

The least variation from current practice.
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

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

There seems no point, as it would introduce two classes of marriage and those would not be available to opposite sex couples.
Question 20       (Paragraph 4.19)

Do you have any other comments?

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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).