Dear Ms Jack,

The Registration of Civil Partnership and Same Sex Marriage

I am attaching the response of the One Spirit Interfaith Foundation to this consultation.

One Spirit Interfaith Foundation is a charitable non-denominational body (registered in Scotland) that trains and prepares Interfaith Ministers though our Seminary, and supports Interfaith Ministers in their public practice through our professional association. There are currently 481 ordained interfaith ministers in the UK, of whom approximately 45 minister in Scotland. Thirty-two of our ministers have undertaken seminary training at centres in Perth and Edinburgh. Our ministers are authorised by the Registrar-General for Scotland to conduct marriage registrations. They also conduct the blessing of civil partnerships in Scotland when approached by the couple and such blessings usually include a strong spiritual element (such as sacred readings, prayers, vows, etc.). We are aware of the desire by same-sex couples to have their union solemnised within a religious or spiritual context.

Our detailed answers to each of the consultation questions can be found in the response. In summary, and from our experience of ministry and service with many couples in Scotland who are not members of established churches, we support reforms that enable both civil partnership and marriage to be available in both religious and secular forms, for the benefit of heterosexual and homosexual couples. Where individuals and religious bodies feel unable to offer such ceremonies in practice, we respect their freedom to decline.

This response is supported by our ministers practicing in Scotland, and by our UK board of trustees. If you require any further clarification, you are welcome to contact me directly.
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  x
No  □
Don’t know  □

Please give reasons for your answer.

This response from One Spirit Interfaith Foundation is based upon the principle of equality. This is embodies in the Code of Ethics accepted by all ordained interfaith ministers:

“Remembering our unity, honouring our uniqueness: We aim to keep our hearts and minds open to everyone, celebrating difference but not separation. We refuse to marginalise people on the basis of age, disability, state of health, race, gender, nationality, religion, sexuality, economic status or any other distinction.”

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  x
Don’t know  □

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

We support the Scottish approach to the authorisation of appropriately qualified celebrants to conduct marriages and, by changing the law, civil partnerships, rather than the English approach of licensing specific premises for sacred and secular ceremonies. We wish to support proposals that enable same-sex couples to form a legal union in a ceremony that may be either civil or religious, depending on their choice. If their choice is for a religious / sacred ceremony, we wish to see such ceremonies being conducted in any appropriate place (including religious buildings) by authorised celebrants and ministers recognised by the Registrar General.
Question 3      (Paragraphs 2.20 to 2.24)

Do you agree with allowing religious celebrants to register civil partnerships in religious premises?

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Please give reasons for your answer

This achieves our preferred objectives, as set out in our response to Qu 2 above.

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?

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Please give reasons for your answer

This would create consistency between marriage of heterosexual and same-sex couples.

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

In an ideal world, all religious bodies would respond in the same way to the joining in marriage or civil partnership of same-sex and heterosexual couples. However, we accept that this is not the current situation and that some religious bodies will object to being required to register same-sex civil partnerships and marriages.

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  x  
Don’t know  

Please give reasons for your answer

We believe that individual ministers and celebrants should be entitled to exercise freedom of choice in this area, according to their own conscience and spiritual understanding.

Question 7 (Paragraphs 2.28 to 2.30)

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

Yes  x  
No  
Don’t know  

Please give reasons for your answer

For the same reasons as our reply to Qu 6.

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  x  
Option 2  
Neither  

If you have another option, please describe it.

We favour Option 1 as being the simplest and most equitable way to proceed in this matter.

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
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<th>religious premises cannot be used against the wishes of the relevant religious body?</th>
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Please give reasons for your answer

We feel this is a matter for building owners and those using their buildings to resolve between themselves.
### 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?

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Please give reasons for your answer

> It is our view that all couples should enjoy the same choices with regard to marriage and legal partnerships, and that this is a matter of equality.

**Question 11** (Paragraph 3.13)

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

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Please give reasons for your answer

> In an ideal world, all religious bodies and celebrants would be available to solemnise same-sex marriages. However, we recognise that at the present time this is not a universally-held view and some will wish to opt-out.

**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

> It is our view that all couples should enjoy the same choices with regard to marriage and legal partnerships, and that this is a matter of equality.

**Question 13** (Paragraph 3.19)

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

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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 accept that some religious bodies will not want to solemnise same-sex marriages.

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 view this as a matter of individual conscience, in which individual ministers and celebrants are guided to their own decision.

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    

We view this as a matter of individual conscience, in which individual ministers and celebrants are guided to their own decision.

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  x
Option 2  
Neither  
Don’t know  

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

We favour Option 1 as being simpler and equitable to implement.

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  x
No  
Don’t know  

Please give reasons for your answer

We feel this is a matter for building owners and those using their buildings to resolve between themselves.

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
We prefer to see all couples having the choice of their legal union being conducted through either a civil or a religious ceremony.

Question 20  (Paragraph 4.19)

Do you have any other comments?

Yes  x
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 support proposals that enable existing civil partnership couples to request a marriage ceremony if they wish. We seek to ensure that same-sex marriages conducted in Scotland be recognised in other countries, and vice-versa.