



Consultation on Marriage Equality



Issued by the Campaign for Homosexual Equality (CHE)
and Croydon Area Gay Society (CAGS)

The Government intends to bring in equal civil marriage, and has launched a consultation about it. (For the background to equal marriage, see the “Marriage equality” article on the LGBT UK History wiki, which has links to other sources of information: go to <http://lgbthistoryuk.org/wiki> and search for “Marriage equality”.)

Lots of people are likely to respond opposing equal marriage, particularly from religious points of view. Numbers count, so a good response from the LGBT community (particularly LGBT people who belong to a religious group) will be extremely important. But the strength of our arguments will be important too.

The preferred way to respond to the consultation is online, so if you can, go to the Home Office website at <http://www.homeoffice.gov.uk/publications/about-us/consultations/equal-civil-marriage/> and follow the instructions there. You may find it helpful to read the consultation paper and possibly the impact assessment (both on the website) before completing the survey. If you’re not able to respond online, you can write to “Equal marriage consultation responses, Government Equalities Office, 3rd Floor Fry, 2 Marsham Street, London SW1P 4DF”. **Please note you must get your response in by Thursday 14th June.**

The questions

The consultation has 16 questions, but some of them won’t apply to you. Most of the questions expect yes/no answers (or don’t know/doesn’t apply) but questions 2, 14, 15 and 16 ask for a more detailed response and allow you 1225 characters (about 200 words or roughly twice the length of this paragraph). You might find it useful to write out your responses to these questions first, and maybe type them into a separate document and copy and paste into the survey. Questions 14 and 15 relate to detailed points in the consultation document and the impact assessment respectively; if you’re short of time you might decide not to complete them.

1. Do you agree or disagree with enabling all couples, regardless of their gender, to have a civil marriage ceremony?
2. Please explain the reasons for your answer. *(200 words)*
3. If you identify as being lesbian, gay, bisexual or transsexual, would you wish to have a civil marriage ceremony?
4. If you represent a group of individuals who identify as being lesbian, gay, bisexual or transsexual would those you represent wish to have a civil marriage ceremony?
5. The Government does not propose to open up religious marriage to same-sex couples. Do you agree or disagree?
6. Do you agree or disagree with keeping the option of civil partnerships once civil marriage is available to same-sex couples?
7. If you identify as being lesbian, gay, or bisexual and were considering making a legal commitment to your partner would you prefer to have a civil partnership or a civil marriage?
8. The Government is not considering opening up civil partnerships to opposite-sex couples. Do you agree or disagree with this proposal?
9. If you are in a civil partnership would you wish to take advantage of this policy and convert your civil partnership into a marriage?
10. Do you agree or disagree that there should be a time limit on the ability to convert a civil partnership into a marriage?
11. Do you agree or disagree that there should be the choice to have a civil ceremony on conversion of a civil partnership into a marriage?
12. If you are a married transsexual person would you want to take advantage of this policy and remain in your marriage while obtaining a full Gender Recognition Certificate?
13. If you are the spouse of a transsexual person, would you want to take advantage of this policy and remain in your marriage whilst your spouse obtained a full Gender Recognition Certificate?
14. Do you have any comments on the assumptions or issues outlined in this chapter on consequential impacts? *(200 words)*
15. Are you aware of any costs or benefits that exist to either the public or private sector, or individuals, that we have not accounted for? *(200 words)*
16. Do you have any other comments on the proposals within this consultation? *(200 words)*

Some points you might consider

CAGS and CHE are not telling you how to vote, but you might like to consider the following points when deciding how to answer the yes/no questions, or composing a response to the “200 word” questions.

- Marriage is (almost) the last area where gays and straights are not equal. Yes civil partnership is (almost) equal to marriage, but as the Coalition for Equal Marriage say (<http://www.c4em.org.uk/>): “Separate but Equal is not Equal”.
- Many gay and lesbian people are not really in favour of marriage as an institution, but think that if marriage exists it ought to be equal between gay and straight. There was a very interesting debate about this at last year’s CHE Conference – see <http://www.c-h-e.org.uk/tie-the-not.htm>.
- Sex discrimination is now outlawed, so why should the right to marry depend on the gender of the people involved? And some people are genuinely intersex, or don’t identify as either male or female.
- The difference between marriage and civil partnership can be very important if you intend to live or work abroad. Some countries recognise same-sex marriage, but don’t recognise UK civil partnerships. And some international companies deny significant benefits to civil partners because they’re not “married”.
- Some people claim that equal marriage would change the whole nature of marriage – but in practice marriage has changed dramatically anyway in the last 60 years, with developments such as easier divorce, improved contraception, and greater equality of the sexes.
- Some people claim that marriage is for bringing up children – but a lot of married couples can’t or don’t have children, and an increasing number of same-sex couples are bringing up children. If marriage really strengthens the family, it would strengthen gay and lesbian families as well. Government statistics on civil partnerships suggest that gay/lesbian “married” couples are less likely to get “divorced” than straight couples.
- (Question 5) You can now have a civil partnership in a church or religious building (if the church in question permits it) so it’s illogical not to allow gay weddings in religious premises. And why not have a religious service as well? Some people claim that churches might be forced against their principles to marry gay couples – but for instance any vicar can legally refuse to allow divorced people to get married in his church.
- (Question 5) Some religious bodies are keen to conduct same-sex marriages: it’s a violation of their religious freedom to stop them doing so.
- (Question 6) Civil partnerships should continue, but not just so that couples can have a ceremony in church, as the Government suggest. Two better reasons:
 - trans couples may wish to stay in their civil partnership when one partner transitions
 - some people (perhaps Anglican priests wanting a committed but celibate relationship) may prefer a civil partnership because it doesn’t officially imply a sexual relationship.
- (Question 6) In some countries (for instance the Netherlands) people have the choice of marriage or the equivalent of civil partnership, and some choose one, some the other.
- (Question 8) Civil partnerships should be extended to opposite-sex couples as a matter of equality. In countries that have both options a lot of straight couples opt for the civil partnership equivalent.
- (Questions 12, 13) Trans people are particularly affected by marriage equality. Sarah Brown, Cambridge Councillor, spoke about this at CAGS’ IDAHO meeting on the 17th of May. As a married man undergoing gender reassignment, she and her wife had to have their marriage dissolved and then form a civil partnership: “We came out of the divorce court holding hands and crying.” The current rules force a couple, one of whom is transitioning, to go through a bureaucratic, expensive, and often very distressing procedure, just to stay together. If marriage (and civil partnership) were available to all, this problem would no longer arise.
- (Questions 12, 13) Trans people who’ve been forced to dissolve their marriage should have their marriages restored. If they’ve lost pension and other rights and benefits, they should be given back.
- (Question 14) Marriage could be reformed, to avoid any suggestion that suggest the husband is superior to the wife, and to remove the sexual elements (divorce for adultery, annulment for non-consummation).
- (Question 14) Marriage certificates only show the fathers’ names. For equality they should show both parents, as with civil partnerships. This would also be very helpful to future family history researchers.

If you have questions or comments on this document, please e-mail info@cags.org.uk or info@c-h-e.org.uk, or phone/leave a message on the CHE phone, 07941 914340.