

## **Equal Civil Marriage: A Consultation. Inclusive Church's response**

### **Introduction**

Inclusive Church is a network of individuals and organisations whose make-up reflects the breadth and scope of the Church of England and beyond. We come from differing traditions and differing locations but we are united in one aim: To celebrate and maintain the traditional inclusivity and diversity of the Anglican Communion.

Formally we are a charity (number: 1102676) led by a board of trustees,

Partner organisations include: Association of Black Clergy, Modern Church, Changing Attitude, Lesbian & Gay Christian Movement, LGB & T Coalition, No Anglican Covenant, Progressive Christianity Network, WATCH (Women and the Church), Young Inclusive Church.

#### **Question 1: Do you agree or disagree with enabling all couples, regardless of their gender to have a civil marriage ceremony?**

IC agrees with enabling all couples, regardless of their gender, having the option of a civil marriage ceremony.

#### **Question 2: Please explain the reasons for your answer.**

IC believes that civil marriage in a registry office or other approved premises should be available upon identical terms to all couples, as a simple matter of justice, fairness, and equality. Marriage as an institution has changed and developed substantially over the history of human societies. This proposed change is not inconsistent with the fundamental societal basis of marriage as the public acknowledgement of a permanent, stable, faithful relationship between two people.

#### **Question 3: If you identify as being lesbian, gay, bisexual or transsexual would you wish to have a civil marriage ceremony?**

See answer to Question 4.

#### **Question 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?**

IC knows of many same-sex couples among its supporters who would wish to have civil marriages, if offered. Some of these couples are already in civil partnerships and others are not. Similarly we know of many LGBT individuals not currently in a relationship who would wish civil marriage to be an option available to them in the future.

#### **Question 5: The Government does not propose to open up religious marriage to same-sex couples. Do you agree or disagree with this proposal?**

IC disagrees with this proposal. We believe there is a fundamental principle of religious liberty at stake here. Faith groups that believe it is right to celebrate marriages for same-sex couples should not be prevented by law from doing so. The permissive approach recently implemented for civil partnerships to be registered on religious premises demonstrates that such an approach is possible also for marriages. It is of the utmost importance that objections to the principle of same-sex marriages by some religious groups should not be used as an excuse to obstruct other groups from acting in accordance with their own religious views. Each group should be free to make its decision in accordance with its own internal procedures. The ideal solution is to ensure that marriage for same-sex couples is precisely equivalent to marriage for opposite-sex couples: i.e. available on the same terms in religious or civil venues – subject to the inclusion of an “opt-out” possibility by religious groups.

#### **Question 6: Do you agree or disagree with keeping the option of civil partnerships once civil marriage is available to same-sex couples?**

IC believes that civil partnerships should be retained ad infinitum. Some of our supporters who are already in civil partnerships, and many others who are not, would not choose to enter into civil marriages, for a variety of reasons, and there is no obvious reason for removing this option, which has proved to be much less controversial than many anticipated.

**Question 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?**

See answer to Question 6.

**Question 8: The Government is not considering opening up civil partnerships to opposite-sex couples. Do you agree or disagree with this proposal?**

IC has no view at present on the desirability of making civil partnerships available to opposite-sex couples. We believe that any such proposal should be subject to a full consultation.

**Question 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?**

IC knows that some of its supporters will wish to convert their civil partnership into a civil marriage.

**Question 10: Do you agree or disagree that there should be a time limit on the ability to convert a civil partnership into a marriage?**

IC believes there should be no time limit imposed on the option to convert a civil partnership into a marriage.

**Question 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?**

IC believes that those who convert a civil partnership into a marriage should be subject to the same requirements for a civil ceremony as all others entering a civil marriage.

**Question 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?**

IC welcomes the fact that Equal Marriage will resolve the very serious legal anomaly that creates such painful difficulties for previously married transsexual couples who wish to remain together.

**Question 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?**

See answer to Question 12.

**Question 14. Do you have any comments on the assumptions or issues outlined in this chapter on consequential impacts?**

State pensions:

IC supports the backdating of all state pension entitlements to 1978.

Survivor benefits in occupation pension schemes:

IC supports legislation to remove any remaining unfairness in survivors benefits in occupational benefit schemes.

Administrative processes for marriage and civil partnership:

IC believes the processes of registration should be identical for all civil marriages.

International Recognition:

IC believes that all same-sex marriages formed abroad should be fully recognised throughout the UK. We also believe the government should make all reasonable efforts to obtain recognition of UK same-sex marriages (and civil partnerships) by overseas countries.

Devolution:

IC believes that the law on same-sex marriages should be consistent throughout the UK.

**Question 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 in the impact assessment?**

No.

**Question 16: Do you have any other comments on the proposals within this consultation?  
Please respond within 1,225 characters (approx 200 words).**

The Church calls marriage holy or sacramental because the covenant relationship of committed, faithful love between the couple reflects the covenanted love and commitment between Christ and his Church. But we know that exactly the same kind of love is equally possible in a same-sex relationship. A gay relationship based on the same quality of commitment is morally and spiritually indistinguishable from a heterosexual marriage where the partners are unable to have children together. It is important that the State gives equal recognition to both, not only in terms of legality but in terms of human dignity, by opening civil marriage to same sex couples without distinction. We pray for the day when the Church will do the same.