



department for
**culture, media
and sport**

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news release

Equal Marriage A Step Closer As Legislation Published

A Government commitment to open up marriage to same-sex couples took an important step forward today with the publication of the Marriage (Same Sex Couples) Bill.

The Bill will:

- enable same-sex couples to marry in civil ceremonies;
- ensure those religious organisations that wish to do so can opt in to conduct marriage ceremonies for same-sex couples; and
- protect those religious organisations that do not wish to marry same-sex couples from successful legal challenge.

The Government reiterated today its absolute commitment that no religious organisation, or individual minister of religion, will be forced to conduct same-sex marriages. Article 9 of the European Convention on Human Rights guarantees the right to freedom of religion, and the Bill protects and promotes religious freedom through

a 'quadruple lock'. This ensures that religious organisations and individual ministers can act in accordance with their beliefs on this issue.

Secretary of State for Culture, Media and Sport and Minister for Women and Equalities Maria Miller said:

“Marriage is a hugely important institution in this country - one which has changed throughout our history, and continues to change. The values of marriage bind families and communities together and bring stability. I believe that couples should not be excluded from marriage just because they love someone of the same sex. In opening up marriage to same-sex couples, we will further strengthen the importance of marriage in our society.

“Our proposals recognise, respect and value the very important role that faith plays in our lives. I have always been crystal clear that I would not put forward any legislation that did not provide protection for religious organisations. This Bill protects and promotes religious freedom, so that all religious organisations can act according to their doctrines and beliefs.

“Crucially, the Bill recognises the unique legal situation of the Church of England and the Church in Wales. Unlike any other religious organisation in this country, their clergy are subject to a legal duty to marry parishioners. To protect them from legal challenge, therefore, the Bill makes clear that this duty does not extend to same-sex couples. Both Churches have been clear that they do not currently wish to conduct marriages for same-sex couples. If they choose to do so at a later date, they will of course be able to.”

The Bill's 'quadruple lock':

- Makes clear that a religious marriage ceremony of a same-sex couple will only be possible if:

- I. the governing body of the religious organisation has opted in by giving explicit consent to same-sex marriages;
 - II. the individual minister is willing to conduct the marriage; and
 - III. if it takes place in a place of worship, those premises have been registered for marriages of same-sex couples.
- States explicitly that no religious organisation can be compelled to opt in to marry same-sex couples or to permit this to happen on their premises; and no religious organisation or minister can be compelled to conduct same-sex marriage ceremonies.
 - Amends the Equality Act 2010 to make clear that it is not unlawful discrimination for a religious organisation or individual minister to refuse to marry a same-sex couple.
 - Ensures that the common law legal duty on the clergy of the Church of England and the Church in Wales to marry parishioners will not extend to same-sex couples. It also protects the Church of England's Canon law which says that marriage is the union of one man with one woman, so that it does not in conflict with civil law.

The Bill contains specific measures to deal with the unique legal position of the Church of England and the Church in Wales. Unlike any other religious bodies in this country, their clergy have a specific legal duty to marry parishioners. The Bill also ensures that Anglican Canon law, which says that marriage is the union of one man with one woman, does not conflict with civil law.

Both the Church of England and the Church in Wales have been very clear that they do not currently wish to conduct same-sex marriages. The Government respects this and

the Bill provides the necessary legal protections for them, as it does for other religious organisations that do not wish to marry same-sex couples.

As with every other religious organisation, the Church of England and the Church in Wales will be able to decide for themselves whether and when to allow marriages of same-sex couples according to their rites. Should the Church of England so decide, it could bring forward to the Synod an Amending Canon to amend its Canon law, and a Measure to amend the Book of Common Prayer and change the Marriage Act. Like all Synodical legislation the Measure would be subject to Parliamentary approval. Should the Church in Wales decide to allow same-sex marriages, the Bill sets out a procedure for its governing body to ask the Lord Chancellor to make secondary legislation enabling it to do so.

Other measures in the Bill include:

- enabling civil partners to convert their partnership to a marriage; and
- enabling married individuals wishing to change their legal gender to do so without having to end their marriage.

Notes to editors:

1. The Marriage (Same Sex Couples) Bill was introduced in the House of Commons on 24 January and has been published today. It can be found at: <http://services.parliament.uk/bills/2012-13/marriagesamesexcouplesbill.html>
2. The Bill will be taken through the House of Commons by DCMS Minister of State Hugh Robertson and Women and Equalities Minister Helen Grant.
3. During the course of both the consultation and the drafting of the legislation, the Government has had numerous and detailed discussions with stakeholders about the provisions within the Bill. These discussions have included a number of religious organisations, including the Church of England, the Catholic Church and the Church in Wales.
4. The Government's equal civil marriage consultation was launched on 15 March 2012. It ran for 13 weeks and closed on 14 June 2012. It received more than 228,000 individual responses, the largest ever response to a Government consultation, the majority of which were in favour of our proposal to allow same-

sex couples to get married. Additionally there were petitions for and against equal marriage, the largest of which was from the Coalition for Marriage, against the proposals. A copy of the consultation document and the Government's response can be found at: <http://homeoffice.gov.uk/equalities/lgbt/equal-marriage>

5. Following the consultation, the Government announced on 11 December 2012 that it intended to bring forward legislation to enable same-sex couples to marry: http://www.culture.gov.uk/news/media_releases/9585.aspx
6. A detailed explanation regarding the unique position of the Church of England and the Church in Wales with their 'legal duty to marry', can be found here: http://blogs.culture.gov.uk/main/2012/12/equal_marriage_and_the_church.html
7. Ministers have recorded YouTube videos for the Out4Marriage campaign, available here: <http://www.youtube.com/user/Out4Marriage>
8. Images of Maria Miller and other DCMS and Women and Equalities ministers are available on flickr: <http://flic.kr/s/aHsjyLSuai>
9. We are using #equalmarriage to talk about this announcement on twitter.

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