



Memorandum to the Committee Stage of the Marriage (Same Sex Couples) Bill 2013

Summary:

The LGB&T Anglican Coalition is a coalition of all the groups working to encourage the Church of England to be more inclusive of LGB&T people. A clear majority of our organisations strongly support the proposed legislation, in particular we welcome the provision that religious bodies are allowed to opt in voluntarily; no religious body or individual is compelled to act against conscience; married transgender people who apply for full gender recognition will no longer have to dissolve their marriages. We have highlighted several specific issues, including matters that will need to be addressed when the Church of England considers whether or not to opt in, and in relation to religious employment.

1.0 Introduction:

1.1 The LGB&T Anglican Coalition is a coalition of all the groups working to encourage the Church of England to be more inclusive of LGB&T people. The membership of the Coalition is attached. The member groups represent a wide diversity of lesbian, gay, bisexual and transgender people in the Church of England together with supportive heterosexuals, friends, families, and congregations.

2.0 Equal Marriage – general points:

2.1 A clear majority of our organisations strongly support the proposed legislation and look forward to its implementation. In particular we welcome the provision that:

- religious bodies are allowed to opt in voluntarily
- no religious body or individual is compelled to act against conscience
- married transgender people who apply for full gender recognition will no longer have to dissolve their marriages

2.2 The Church of England's official submission to the consultation on equal marriage does not reflect our own views, and the views of many others within the Church of England, who favour equal marriage in church.

2.3 The Church of England and the Church in Wales should be as free to opt in to the provisions of this legislation as any other religious body

3.0 Equal Marriage – specific points

3.1 We believe that at the earliest opportunity the Church of England should take steps to accommodate those clergy who wish to officiate at same sex marriages, and those

congregations/churches that wish to host them. In addition we would like to highlight the following matters.

- 3.2 The established nature of the Church of England, and the unique relationship between its General Synod and Parliament, should be taken into account in ways which do not reduce its freedom either to maintain the status quo or to opt in to equal marriage.
- 3.3 Any legal requirement for the Church of England and Church in Wales to marry all parishioners (with some exceptions), should not be extended to include to a legal requirement to also marry same-sex couples except with the agreement of the respective churches.
- 3.4 Individual Anglican clergy should not be subject to any greater civil or criminal legal penalties than the clergy of any other religious group which chooses as a group not to opt-in to equal marriage, regardless of whether they refuse or agree to officiate at such a ceremony.
- 3.5 The Bill enables those who dissolved their marriage to obtain full gender recognition, and then entered into a civil partnership with their former spouse, to convert their civil partnership into a marriage, but the marriage may only be backdated to the start of their civil partnership. We urge the committee to explore ways in which such a couple's marriage can be recognised from the date of their original marriage and to introduce a no cost fast track system for the restoration of such marriages.
- 3.6 We have concerns about Paragraph 41 of the Bill which would amend the Equality Act 2010 'so that where employment is for the purpose of an organised religion, an occupational requirement may allow a restriction that a person may not be married to someone of the same sex. This means, for example, that a church may require that a priest may not be married to a person of the same sex.' It is vital that the definition of employment is specific in such cases, e.g. ministers of religion only, or, if wider, that the specific roles are named in order to preserve liberty of conscience for laity who may also be employed by a religious organisation. We would also want to urge religious organisations not to opt into these provisions which undermine the freedom of religious employees to marry (someone of the same sex) or undergo gender reassignment.
- 3.7 As at present, religious organisations will be able, if they so choose, to bless, give thanks for, pray or meditate with couples who have been, or are about to be, married, but this will not in itself constitute legally valid marriage

Christina Beardsley,
Co-Chair, LGB&T Anglican Coalition.

LGB&T Anglican Coalition

Member Groups

The Anglican Coalition provides UK based Christian LGB&T organisations with opportunities to create resources for the Anglican community and to develop a shared voice for the full acceptance of LGB&T people in the Anglican Communion.

The Group Members are as follows:

Accepting Evangelicals is a open network of Evangelical Christians who believe the time has come to move towards the acceptance of faithful, loving same-sex partnerships at every level of church life.
<http://www.acceptingevangelicals.org>

Changing Attitude is a campaigning group drawn by God's love to work for the full inclusion of lesbian, gay, bisexual and transgender people in the Anglican Communion.
<http://www.changingattitude.org.uk>

The Evangelical Fellowship for Lesbian and Gay Christians (EFLGC), formed in 1979, is a group of women and men, most of whom are lesbian, gay or bisexual and come from an evangelical Christian background..
<http://www.eflgc.org.uk>

Inclusive Church is a network of individuals and organisations working to break down the barriers to full inclusion at all levels of the Church of England.
<http://www.inclusive-church.org.uk>

The Lesbian and Gay Christian Movement is a UK-based international Charity which challenges homophobia and transphobia, especially within the Church and faith based organisations.
<http://lgcm.org.uk>

The Sibyls is a UK-based confidential Christian spirituality group for transgender people, and their supporters.
<http://www.sibyls.co.uk>

The Two:23 Network is a new network of Christians, connected by LGBT issues that aims to include and encourage all to discover the love of God for themselves, pursue the call of Christ and live in a way that cherishes others just as God cherishes us. It has developed from the LGBT-affirming ministry of Courage.
<http://two23.net/>

General Synod Human Sexuality Group works in General Synod for deeper understanding on issues of sexuality.