

Civil Partnerships Consultation Responses
Government Equalities Office
Zone 9/K10
Eland House
Bressenden Place
London SW1E 5DU

15 June 2011

Dear Sir or Madam

Civil partnerships on religious premises: A consultation

Atheism is Britain's only distinctively atheist organization. Our sole objective is the advancement of atheism. Further information, about our principles, policies and positions on various issues, can be found on our website at the above address.

Please accept this letter as our response to the above consultation. We are concerned only with Questions 9 and 14.

Question 9

Do you agree with our proposals for enabling faith groups to decide who should be able to register civil partnerships on their premises? Do you believe further safeguards might be needed? If so, what might these be?

Paragraph 3.18 states:-

Our clear policy is that faith groups should have discretion about who may seek to register civil partnerships on their premises. This might include not making their premises available for the registration of a civil partnership of a couple of a different or no faith, for example.

Whilst Section 6A(3A), of the Civil Partnership Act 2004¹, provides:-

For the avoidance of doubt, nothing in this Act places an obligation on religious organisations to host civil partnerships if they do not wish to do so,

¹ Added by Section 202 of the Equality Act 2010.



United Kingdom affiliate

this does not entitle religious organizations to discriminate, on grounds of religion or belief, contrary to Parts 3 or 4 of the Equality Act 2010. A religious organization has a discretion, under Section 6A(3A), whether or not to host civil partnerships (in the plural). Given that it has decided to host civil partnerships, it does not have a discretion whether or not to host a civil partnership (in the singular) if the decision not to do so, in a particular case, is on grounds of religion or belief.

The exceptions, provided by Paragraph 2 of Schedule 23 to the Equality Act 2010, cannot apply, because the civil partnership ceremony is necessarily secular. Therefore, faith groups would not be entitled not to make their premises available for the registration of civil partnerships of couples of a different or no faith.

The policy, as stated above, is misconceived and regulations should make clear that such discrimination is not permitted.

Question 14

Do you agree with our proposals for arrangements for religious services following civil partnership registrations?

We welcome the following part of the proposal:-

The ban on the use of religious service while a civil partnership is being registered will remain in place as removing it was not the intention of this provision in section 202 of the Act.

However, it continues:-

A religious service, clearly distinct from the civil partnership registration, would be able to take place as agreed between the registrar, couple and minister of the religious premises.

Our concern is that a faith group might make such a religious service a mandatory requirement of hosting the civil partnership. This would amount to indirect discrimination, within the meaning of Section 19 of the Equality Act 2010.

The regulations should make clear that, while a distinct religious service is enabled, it is not permitted to be mandatory.

Yours faithfully



RICHARD GREEN

Atheism