

## Bishops of England and Wales about passage of same-sex 'marriage'



Statement by the President and Vice-President of the Catholic Bishops Conference of England and Wales

In receiving Royal Assent, the Marriage (Same Sex Couples) Act marks a watershed in English law and heralds a profound social change. This fact is acknowledged by both advocates and opponents of the Act.

Marriage has, over the centuries, been publicly recognised as a stable institution which establishes a legal framework for the committed relationship between a man and a woman and for the upbringing and care of their children. It has, for this reason, rightly been recognised as unique and worthy of legal protection.

The new Act breaks the existing legal links between the institution of marriage and sexual complementarity. With this new legislation, marriage has now become an institution in which openness to children, and with it the responsibility on fathers and mothers to remain together to care for children born into their family unit, are no longer central. That is why we were opposed to this legislation on principle.

Along with others, we have expressed real concern about the deficiencies in the process by which this legislation came to Parliament, and the speed with which it has been rushed through. We are grateful particularly therefore to those Parliamentarians in both Houses who have sought to improve the Bill during its passage, so that it enshrines more effective protection for religious freedom.

A particular concern for us has also been the lack of effective protection for Churches which decide not to opt-in to conducting same sex marriages. [They'll be gunning for you guys over there now.] Amendments made in the House of Lords though have significantly strengthened the legal protections in the Act for the Churches. We also welcome the Government's amendment to the Public Order Act which makes it clear beyond doubt that "discussion or criticism of marriage which concerns the sex of the parties to the marriage shall not be taken of itself to be threatening or intended to stir up hatred". [For now.] Individuals are therefore protected from criminal

sanction under the Public Order Act when discussing or expressing disagreement with same sex marriage.

In other respects, however, the amendments we suggested have not been accepted. We were concerned to provide legislative clarity for schools with a religious character. This was in order to ensure that these schools will be able to continue to teach in accordance with their religious tenets. Given the potential risk that future guidance given by a Secretary of State for education regarding sex and relationships education could now conflict with Church teaching on marriage, we were disappointed that an amendment to provide this clarity was not accepted. The Minister made clear in the House of Lords, however, that in “having regard” to such guidance now or in the future schools with a religious character can “take into account other matters, including in particular relevant religious tenets”, and that “having regard to a provision does not mean that it must be followed assiduously should there be good reason for not doing so”. These assurances go some way to meeting the concerns we and others expressed.

We were disappointed that a number of other amendments to safeguard freedom of speech and the rights of civil registrars to conscientious objection were not passed. But Ministerial assurances have been made [...riiiiiight...]that no one can suffer detriment or unfavourable treatment in employment because she or he holds the belief that marriage can only be between a man and a woman.

The legal and political traditions of this country are founded on a firm conviction concerning the rights of people to hold and express their beliefs and views, at the same time as respecting those who differ from them. It is important, at this moment in which deeply held and irreconcilable views of marriage have been contested, to affirm and strengthen this tradition.

RC Bishops of England and Wales