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| **I** | [brief introductions] If you would like to go first with that.*[Long pause. No-one appears to want to go first].* |
| **154** | I can. Hi, I am a member of the Bahai Faith. I grew up in a Bahai family although I have Jewish origins, and I am serving on the [organisation] of the Bahais of the United Kingdom since 2003, I think it was. Yeah. |
| **151** | So, I’m a member of the Parsi Zoroastrian community. I’m a Parsi Zoroastrian Priest and in Zoroastrianism and especially priesthood I can continue to pursue a career in something other than priesthood. So, I am actually a part-time priest myself. I do ceremonies for Parsis and Zoroastrians all across the UK and for no particular organisation as such. But there are two organisations, there is the [organisation] and the [organisation] that I do ceremonies for as well.*[153’s film stops and restarts]* |
| **I** | Great, thank you. |
| **152** | As you can probably guess from the default name *[smiling broadly]* that comes from this account, I am the Minister of a church in Slough, and I’m a Christian and involved in conducting weddings as part of the life of our church. |
| **153** | Hi everybody. My name is [153]. My pronouns are she/her. I’m the Director at [organisation]. We are a pluralistic Muslim mosque, which means that we conduct marriage ceremonies for people from Sunni backgrounds, Shia backgrounds, Sufi … a whole range. We also conduct inter-faith and intra-faith wedding ceremonies, including same sex ceremonies and ceremonies for genderqueer folks. |
| **I** | That’s really helpful context. So, the session will be recorded, and we will start on the questions now. But I did want to say just a couple of quick things about the title of the project and about the questions. So, in the title of the project we refer to non-legally binding ceremonies, which is a slightly clunky and legalistic way of referring to any kind of ceremony that the law doesn’t recognise as a marriage of itself. So, it might be something that takes place before the legal ceremony, after the legal ceremony, it’s a blessing, or instead of a legal ceremony. So, we’re interested in any and all of these different types of ceremonies in this project, to understand how the law really works in practice. Now, I think you’ve all seen the questions for this group and they’re obviously generic ones because we’re talking to people who conduct a wide range of different types of weddings. So, if there’s terminology that doesn’t kind of work for you and your particular group, do feel free to say so. So, if your group doesn’t see themselves as conducting weddings, then that’s something that’s really useful to know. So, with those preliminary points, could I ask each of you to tell us about the last wedding ceremony, by which I mean non-legally binding wedding ceremony, that you conducted in England & Wales, focusing on the type of ceremony and location. So, again, who would like to go first? Go for it. |
| **153** | So, it was a heterosexual wedding ceremony. It was an interfaith one between a Bengali Muslim woman from a Sunni background and her, I guess Atheist, Atheist leaning, non-Muslim husband, who was from a white English background. Is that the kind of information you’re asking? |
| **I** | Sorry, I muted myself. So, could you tell me a little bit about where it took place? |
| **153** | It was in [city]. In their home in [city]. |
| **I** | Okay, excellent. We will come and explore other aspects of that afterwards. So, 154, do you want to go next? |
| **154** | Well, I wanted to say that you might know that the Bahai Faith doesn’t have clergy. It’s administered at the local and the national and international level by elected assemblies and therefore nobody conducts a Bahai wedding as such, in the role of a priest or a celebrant. There is basically a vow … all that the Bahai ceremony consists of is a vow that the bride and groom say to each other and that is the marriage vow that is said in front of witnesses. Having said that, and in answer to your question, generally speaking when the Bahai couple or a Bahai wedding takes place, and of course Bahais can marry anybody from any background or no belief whatsoever, usually the couple would ask a friend to be a kind of MC for the event and conduct the ceremony, not in any formal sense but really just to welcome people. To explain what’s behind marriage and then just to allow it to happen, where the couple are free to choose readings and prayers and music and whatever they like to go around the vow that they say. So, the last one I did was a very good friend of mine who is an English Bahai. Grew up in the [town] area and she was marrying her fiancé who’s not a Bahai, he’s Irish from a Catholic background and it took place in a rather arty warehouse in [city], which they rented for the occasion. |
| **I** | Thank you. That’s really helpful to have that context of Bahai ceremonies as well. |
| **151** | So, I think the last ceremony I performed was in the back garden of a house … quite a large back garden I would say. And it was supposed to be the day after the legally binding ceremony of the couple. So, they would have had it anyway but thanks to COVID and stuff like that, they had to cancel the main ceremony. But they still went ahead with the traditional ceremony because the traditional ceremony was only going to be with a few friends and family and that’s why they continued to do that in a little back garden party. We did perform the entire Parsi Zoroastrian wedding ritual, which consists of approximately 40 minutes of the recitation of prayers in Avestan but pretty much the English translation would be exactly the same as any other wedding where you have the vows, the blessing and the sermon. And it was between a Parsi Zoroastrian girl and a Hindu Punjabi groom and generally, in the last few hundred years, the Parsis of India would generally tend to marry within the community. So, interfaith marriages were not the norm in the last 200 to 300 years at least, even though the greater religion over 3,000 years of its history has allowed inter-caste marriages and the Prophet never actually had an issue with anyone marrying anyone; any two righteous people coming together. So, yeah, I think that’s it. Sorry, I am one of the few priests currently in the community who perform interfaith marriages very openly. There are a few people doing that in India, my father being one of them. But in the diaspora all over the globe, many more priests are starting to openly do interfaith marriages as if it were really the right thing to do anyway according to the religion and the culture. |
| **I** | Thank you. |
| **152** | So, for me, the thing that probably got me into this was that our weddings are normally at church and are legally binding themselves but, as you may be aware, weddings were made illegal, or not allowed, for a couple of periods of lockdown and we had a couple who were due to get married and they are a couple in the life of the church, and when the first lockdown came they wanted to be able to live together and for us that means they need to get married. And so, we conducted a wedding in the only way we could at that time, which was to do it online. So, that was … I don’t know what you describe for the location of that. *[Everyone smiles].* It was various homes or Zoom or YouTube and a combination of all of those so that we could do that. And for us, that was their marriage and we followed up and did the legal part of it later on *[153 & 151 nod]*. |
| **I** | Great. Thank you all. So, I think there’s various things there that we will come back to. I will work through the questions in order. So, would you normally meet with the couple before the wedding ceremony? |
| **151** | Yes. |
| **I** | Standard practice … yes? |
| **151** | Approximately 50% of the … sorry … 50% of the times I would. Yeah. |
| **153** | I would like to add something, based on what 154 said before. Historically, in a similar vein, there is no Imam required for a Muslim marriage ceremony. You need a contract between two consenting adults, and you need witnesses, but you don’t actually need an Imam. However, and that includes the mosque, if you want one, we would insist that you meet with us. |
| **I** | Can I just follow up when you said that you met with them 50% … |
| **151** | So, I meant that there are many times when it would either be a phone call, or a Skype or … even before the Pandemic times, it would just be a video conversation and stuff. And I will certainly be comparing some of the weddings in India as well because I have been doing a lot of weddings in India. I came to this country when I was 18. I did at least 3 or 4 weddings and I come from a priestly family so, my father has … and weddings we performed here follow some of the Western norms in the sense of the importance and the grandeur and things like that. So, that’s why people generally do a rehearsal and stuff but in India technically it wouldn’t be the norm to meet your priest and to have a nice long interview and probably an [*inaudible 00:12:24*] beforehand. |
| **I** | Perfect. Thanks for clarifying that. |
| **154** | In the Bahai community, generally speaking if a couple are getting married, they might meet with their local spiritual assembly, just to talk about their plans and to … the local spiritual assembly would normally take … if there is a local spiritual assembly … would normally take responsibility for just the administrative aspects of the wedding, which is signing of certificates and things like that. And giving them any guidance about actually having to have the Registry Office wedding within the same 24-hour period as the Bahai wedding. That’s one of the things that we stipulate. *[151 and 152 nod their heads].* But as the MC for the event, I met with them all the time because they’re close friends, so … but I didn’t take any formal … take them through any formal aspects of the actual ceremony. |
| **I** | That leads very nicely into the next question which is about the ceremonies being part of the process towards a legally binding wedding. So, for the Bahai it’s quite strict, then, it sounds? |
| **154** | Yeah. Well, not strict in the sense that actually in Scotland and in Northern Ireland, the Bahai marriage ceremony is considered a legal ceremony and therefore we have 4 or 5 people in Scotland and 4 or 5 people in Northern Ireland who are marriage officers and then can actually conduct the ceremony, which is legal. In England, obviously you have to go and have a Registry Office wedding first … or … I mean it doesn’t have to be before the Bahai ceremony, but it should be on the same day. Because similarly couples would be expected to move in … start their home, if you like, on the night of their wedding rather than be living together in advance or so and so. The idea is that you do both ceremonies on the same day and then you begin your life together and set up home together, if you like. *[151 is nodding along].* So, yes, that is … the case in England … I mean, recently, again with COVID, we had situations where we had Bahais from England who were going to Northern Ireland to get married because the Registry Offices were closed in England and they wanted to get married and so they flew over to Northern Ireland and got married there, where it’s legal, without having to have the Registry Office *[151 & 152 nod]*. But, yeah, I’ve also been at Bahai weddings where, if the venue is licensed for weddings, the civil people come and conduct the civil ceremony first and they often stay for the Bahai ceremony as well, but they can’t do the … there’s obviously no religious or musical aspects within the civil aspect. |
| **I** | Yeah. |
| **151** | I think as far as Parsi Zoroastrian ceremonies go, there is absolutely no … everyone is well aware that it’s not conducted as part of any process towards a legally binding ceremony. So, like … there are ceremonies which happen on the same day, exactly like 154 described. Exactly the same way the civil ceremony will happen. An hour later they will just rearrange the chairs and do the Parsi ceremony. And sometimes if I’m doing an interfaith ceremony then it’s another … there will be 3 ceremonies all on the same day. So, they will do a Hindu, for example, a Parsi and the Registry wedding in the morning, for example. All on the same day, one after the other. So, people have to wait a long time before dinner! *[Everyone smiles or laughs]* |
| **154** | *[smiling broadly]* That’s exactly what I was thinking! |
| **151** | So, and especially some of the Hindu ceremonies could go up to 2 to 3 hours, whereas … yeah, it can be quite … I mean I’m putting all of this information out there because it can be quite a long wedding day for most couples who would like to have both their cultures and religious ceremonies performed, but then they have to do another one on top of it all anyway, because none of them are legally binding. In … just as a side note, in India I am, as a Parsi Zoroastrian priest, allowed to officially … the Parsi wedding ceremony is considered a legally binding ceremony between 2 practising Parsis …. Between 2 Parsi Zoroastrians. So, I would sign the wedding certificate as an official priest. But in this country people just do it out of their cultural aspect and they are clearly aware that … traditionally even with other people who wouldn’t be living together in India as well, but in this country, we do follow most of the Western norms and stuff. So, some people will still move in beforehand and it doesn’t matter whether the ceremonies are a week apart, a month apart or on the same day. |
| **I** | But you said there would always be a legally binding ceremony before or after? |
| **151** | Before or after, yeah. Almost always. Sometimes in rare cases, it would be almost a year apart. So, if they hadn’t got the chance to … either/or … like they would either do the Parsi blessing a year before or after, depending on all sorts of things where if the groom hasn’t been able to … sorry, if the couple require a Visa to continue with things and if the groom’s Visa is running out and they’ve performed a full wedding a year before, but then they considered a religious ceremony as their wedding when they were ready for it, almost a year later. So, they would use their Registry wedding as just a formality for law, for something on paper and then they would use their religious cultural ceremony as their wedding day. |
| **153** | So, we have … I think for most Muslims in this country, it’s fairly normal to string a wedding out over quite a long period of time, a week or even two weeks sometimes *[151 nods]*. With lots of different occasions. And the actual marriage ceremony can happen multiple times. Once at a legal Registry Office and then sometimes a week, or even two weeks later, huge, big family affair. At the [organisation], we emphasise that a Registry Office legally binding marriage actually fulfils all the requirements of an Islamic marriage as well. So, they don’t need another Islamic ceremony if they’re having a Registry Office one. But often, like 151 just mentioned, the Registry Office wedding to them is a formality and the meaningful wedding for them is the Muslim marriage ceremony *[154 nods]*. And so, we make them sign something and indicate in writing that they understand our weddings are not legally binding and we have stated in those emails and in that correspondence that we recommend for their rights under UK to be realised, that they get the legally binding ceremony. I think for most couples it is part of their process, but we don’t lay out the process for them. |
| **152** | Obviously, a lot of this was brought on by the Pandemic. So, the ceremonies, we’ve done a few now, actually, that have been done in different ways. But we’ve been very clear when we’ve done them that they have been not legally binding. Partly, because at the time, often it’s been … through law we’ve not been allowed to conduct weddings, so we felt the need to be very explicit that they weren’t legally binding. For us and for the couple. So, this was their marriage. They didn’t … but for them to consider themselves married, they didn’t need to do anything else and it was just the law bit that they would need to do later and in another way. Looking at it the other way, we would view that going and having a Registry Office wedding for a lot of people wouldn’t be sufficient. If they are required to go and do that, they go and do that and then would want to do something within the church community as well. |
| **I** | So, you’ve both answered Question 4 in terms of advising couples of the legal status and both making that clear. Sorry, 152 and 153. 154 and 151, could you comment on that? |
| **151** | Yeah, I think … so, for me, I’ve never actually had to tell anyone specifically that the ceremony that we will be doing is actually non-legally binding. It’s only come up as part of this research that I’ve actually seen this term, because people are so well aware in this country that it’s just … it’s almost like an addition that the legally binding ceremony is obviously a given. And the Parsi Zoroastrian ceremony is just considered as an addition, a bonus or something that just the parents would like to have, or the couple likes to have, or whatever. So, I’ve never really had to bring this up or inform anyone and say, “hey, do you really know that this isn’t …”. Yeah.*[152 is stretching in his chair]* |
| **154** | I think, as 153 said, most Bahai couples would just see the Registry Office as a formality, that you have to do. I mean I’ve actually never really even been invited to a Registry Office. It’s really for them the Bahai wedding is the ceremony and they go in the morning to the Registry Office, maybe with just one or two family members. But they don’t invite along all their friends and family to that. They don’t get dressed up for it particularly. But then later on when it’s the Bahai ceremony, they consider that to be the proper wedding. But they … in terms of being advised, they would normally … any couple wanting to get married would normally contact their Local Spiritual Assembly or if they don’t have one in their area, the National Spiritual Assembly. Just to get the guidance about what you have to do in terms of the Registry Office marriage and the Bahai ceremony. |
| **I** | You all mentioned different locations when you were talking about the last wedding ceremony that you had conducted. So, could you say a bit about how typical that was. Where ceremonies would normally take place. Or is there no typical? |
| **153** | Sorry to skip back a little bit but can I just mention one thing that’s relevant to the legally binding stuff? |
| **I** | Of course. |
| **153** | Genderqueer folks who come to us wanting to get married, it’s incredibly difficult for them to be able to navigate a safe legal route to marriage. Especially people who are non-binary. Their pronouns are not recognised. There’s a lot of complication on that. And so, getting a legally binding marriage can be really traumatic. And it gets very, very complicated in terms of gender recognition, certificates and things like that. So, while we have a very stock standard statement that we tell people, our approach doesn’t necessarily encompass the complexities that people are actually experiencing in trying to have their marriages legally recognised and realising their rights under UK law *[151 nods]*. |
| **I** | Thank you. That’s a really interesting additional point. So, in terms of location … |
| **154** | Yeah. We don’t have any formal places of worship in the sense of temples or mosques or churches, you know. Generally, Bahais meet in each other’s homes or in bigger communities, in a hall or a rented place or in some of the larger communities like Brighton and Newcastle and Bristol and so on, there are centres, properties. But … so generally the venue can be anywhere the couple chooses and I’ve been at very small ones just in someone’s living room to huge hotels in the West End of London to country houses to warehouses in Birmingham. It just really is up to the couple to choose *[152 smiles]*, depending on their budget and what they like as a venue. |
| **151** | Absolutely. I think the same applies to Parsi Zoroastrian weddings as well. While Parsis in India do have more formal places of worship, called a Fire Temple, where there’s a consecrated fire burning there for between 200 to almost 1,500 years. So, there is a consecrated place of worship. Ceremonies, even in India, or over here don’t happen normally within the building of the place of worship. They will generally be outdoors of the premises of that place of worship. But in the UK, yeah, there is no … because there is no real place of worship as such. We just have to pray at halls which mimic a Fire Temple in India. We have just got two of them in the whole of the country, in London. They are used as community halls and centres as well. So, the space inside these … so, we have a little worship room but then we also have a larger community centre in Hull where these ceremonies would take place. But, exactly like 154 said, the ceremonies can be done anywhere. In the back garden, living rooms to beaches and palaces and manor houses. So, there’s absolutely no … nothing about location.  |
| **152** | Services are generally in the church. They are … I have conducted some ceremonies in other churches, which throws up problems legally and we have had the odd request for something … you know, different, where they wanted to get married somewhere else. There were a couple who wanted to get married on the beach, for example, which obviously, again, throws up problems for the legal side of things. But generally, it’s in the church. |
| **153** | For us that marriage was pretty typical. People want to get married in their homes. I think a lot of couples would love to get married in mosques and they often ask us, “where is a mosque that we can get married in?” We don’t have a permanent building. The [organisation] doesn’t. But same-sex couples will not be permitted to marry in most mosques and also Muslim women marrying non-Muslim men, there would often be an unspoken pressure for that person to convert, or maybe an explicit pressure that the Muslim man needs to convert in order to marry her. And so, that’s often why they come to the [organisation] because we explicitly say that’s not a requirement. But I think ideally people would love to get married in mosques, and the home has been the norm, within my community, because they can’t. Through the Pandemic, people have been much more comfortable with online ceremonies as well. |
| **151** | I just wanted to point out that actually the ceremony, along with a Christian minister in Germany, we did the ceremony together in a cathedral *[152 smiles]*. So, yeah, we actually did a ceremony where the couple ended up taking the meaning of the ceremonies in both cultures and then they said, “this actually overlaps, so we will do the blessing one after the other, the sermon one after the other” and so I actually got the chance to do a ceremony within a cathedral as well. But I think … it still applies because I think in the end the guy was from the UK and the girl was also living in the UK, even though she was from Germany. And they did eventually have a legally binding ceremony, I think in the UK. But, yeah, I did do the ceremony inside of a church, which I quite enjoyed. |
| **I** | Can I just ask, in relation to the Bahai and Parsi centres … is there a problem with them being registered for marriages? Is that something that you wouldn’t consider doing? |
| **154** | There wouldn’t be a problem at all. The … it was actually interesting recently because some of them may be just registered as homes … private homes. Some of them may be registered as places of worship. So, we got into all sorts of confusion over the COVID rules, which refer to places of worship because some … you know, they’re not churches or they’re not large spaces where people can distance, they’re usually just a house that’s being used for that purpose of whatever. But there would be no problem having them as venues for weddings and being registered as places. |
| **151** | No, I don’t think there is any … in fact one of them might even have … I’m sure both the centres are registered as places of worship. They definitely are. But I’m not sure whether they are registered as a marriage venue. Or I don’t know if one counts as the other. But we do … I think one of the centres might actually be even … but I wouldn’t see anything wrong with that, or no-one would. |
| **I** | Okay. So, yes, there are separate processes for being certified as a place of worship and registered for marriages and I am fairly sure that there is a Zoroastrian place of worship that is registered. But I was just interested if there was any kind of perceived obstacle to that, which would be a way of, obviously, doing legally binding weddings. |
| **151** | No. I think there would be … in fact, if the new centre, which I’m more attached to, in fact my brother is now the resident priest over there. So, he’s actually a full-time priest at that centre and I think we might actually even consider looking into having it registered just so that they can do one after the other. |
| **I** | We’ll go onto the Law Commission proposals, which might remove the need for registration, shortly. |
| **152** | Yeah. Just to jump in on that one in a different way about registering buildings, obviously we have a church building, so it’s registered. Obviously, for churches that don’t have a fixed building, they rent halls, which is a significant number, from what I understand they wouldn’t be able to register to perform weddings and similarly you get into … we get into quite big problems if we have a big renovation of a building. If your building is knocked down and rebuilt, there are also problems; I think if it’s more than 12 months that you’re not meeting there, you’re no longer registered. You have to re-register, things like that, which is another complicated problem that would get in the way of being able to perform legal marriages. |
| **I** | Yeah. The law isn’t particularly simple on this particular point. |
| **152** | And yeah … I had a colleague whose church was rebuilt. Well, actually it burnt down and then had to be rebuilt and they didn’t even realise that effectively they were no longer registered and then coming to their first wedding went, “oh, we have to re-register!” |
| **I** | That’s really interesting. So, moving on to … just thinking about the demand for non-legally binding ceremonies and obviously COVID has skewed that. So, setting aside COVID and the fact that people haven’t been able to get married legally, do you think that there has been an increased demand for the kinds of non-legally binding ceremonies that we have been talking about? And if so, what the reasons for that might be. |
| **153** | *[raises finger]* Can I add a point again? I’m sorry to keep doing this. About the places that are not registered. The cost of renting those places is also prohibitive to a lot of people in our community. And so, when I mentioned how people would love to be able to get married in mosques, and that could actually be a very … what’s the word … affordable option. For those who can’t get married in mosques, for the reasons I just mentioned, the next option is to find a place that is registered but it’s extremely expensive and at Inclusive Mosque we don’t have permanent space because of that; because of the cost. So, I just wanted to add that. |
| **I** | That’s very useful. Thank you. You’re muted, I think. |
| **153** | Sorry, then your next question was about … could you just repeat it? |
| **I** | Yeah. Whether you’ve seen an increase in demand for non-legally binding ceremonies, or a change in demand. Could have gone up, could have come down. |
| **151** | The thing about Parsis is I think there are about 4,500 of us in the UK. So, while that number might have slightly gone up by a hundred, or in the hundreds with immigration from India, something like that. I think the number has more or less stayed the same in terms of the demand for weddings. So, I think everyone … I would generally say that if you were … if you were still identifying yourself as Parsi Zoroastrian and if you were still quite within the culture, you would have a ceremony. But I generally see that always dropping after the second and third generations. If people … if a Parsi marries a non-Parsi and then their children, of course, wouldn’t identify with one culture that strongly. And their children, of course, would follow them. So, that kind of thing. So, with alienation from culture the ceremonies might drop but so far, most Parsis generally have … the Parsi wedding ceremony demand has stayed more or less the same in the last 10 years. Sorry, to add one more point. The only thing was that before I came to the country, there were no priests who actually did interfaith Parsi ceremonies. So, they would do a smaller, lesser version of the ceremony, which only included the little blessing for wellbeing and happiness. But they wouldn’t actually say the entire thing where they are taking the vows and stuff like that within the actual Zoroastrian context, the Iranian context. So, since I came as a slightly more liberal priest and started doing that, there was a very sudden increase in demand for every … because I think that about …. I’m not sure on … but overall, in the community, 40% to 50% of the community now marries outside their community. So, obviously all of these people suddenly had the opportunity to have a proper Parsi ceremony and since I started performing there’s only one other priest, besides my brother, who currently performs ceremonies for interfaith Parsi couples. |
| **154** | Yeah, I was just thinking about this question about whether there’s been an increase in demand, but I think from the Bahai point of view, it’s the Bahai ceremony, which is Bahai law, if you see what I mean. So, if you are a Bahai and you’re marrying another Bahai or if you’re a Bahai and you’re marrying someone who isn’t a Bahai, you have to have the Bahai marriage ceremony within Bahai law, so to speak. So, most people would consider the Registry Office option just a formality. I think if they could have just the Bahai ceremony, they would much prefer it. So, I don’t … I wouldn’t say there’s been an increased demand because it’s just … people just see that legal aspect as a formality that they just do. But they would prefer to just be able to have the Bahai ceremony I think. |
| **I** | So, it’s a constant demand within that particular community? |
| **154** | Yeah, I guess. I mean we’re about 5,000 … 5,000 to 6,000 maybe and I think there’s probably around 40 to 50 weddings a year maybe. Something like that. But that will be for the whole of the UK. Yeah. Probably about 4 or 5 a month. Maybe a bit busier in the summer than at other times of the year *[Everyone smiles]*. But, you know, like I said before, the thing is … also within the Bahai life, if you like, the idea of staying chaste before marriage and not living together before marriage is part of … you know, aspiring to live the life and therefore young people do get married. They don’t just live together or go out with each other in that sense. They are investigating each other’s characters with a view to getting married. And they do get married and sometimes quite young. They might be 20 or 21. I mean maybe that’s not very young, but in terms of the rest of the population that might be not that common for people in their early 20’s to get married. |
| **I** | Yeah. The average age is now into the 30’s for a first marriage *[Everyone smiles]*. So … I need to stop editorialising it! We have it drummed into us during our focus group training that you have to stay impassive and not comment on things, which I find terribly difficult. But it’s all so interesting. I shall try to remain impassive and not add comments. So, 153, did you have anything to say about the … |
| **153** | Yeah, we’ve had a notable increase in requests for non-legally binding ceremonies. And it’s for the reasons that were mentioned earlier. There’s a lot of people who want to live together and to do so publicly. We especially had an increase at the beginning of the first period of restricted movement in March and there was a lot of … it’s [*inaudible 00:41:18*] for me too because a lot of people are already semi living together or living as partners but not necessarily in the same household. But when it came down to basically are you going to move back in with your parents or are you going to find a way of living in the way that you’re determining for yourselves, then we’ve had a huge increase in people saying yes, we want to make a home with our partner, and we need to do it right now. |
| **I** | If I could just pause for a moment. The fifth member we were expecting to join us, I see is in the Waiting Room. So, I’m just going to admit him and … hello, 155, can you hear us?*155 trying to connect to zoom meeting. No video or audio.* |
| **152** | He’s still connecting at the moment, so he won’t yet. |
| **I** | Sharon, can I just bring you in for a moment? |
| **152** | Will you excuse me for just a second? |
| **Sharon** | *Turns on video.* Hello? |
| **I** | Hi Sharon. I was going to ask you if you wanted to suggest to 155 that he joins us for another group, since we’re 40 minutes in. If you could sort of drop him a line, is that okay? |
| **Sharon** | Yeah, of course. I’ll do that now. *Turns off video. Stops observing and emails and sends private chat messages to 155 suggesting as he is late, he joins a later focus group. Sends tel number and asks 155 to call. No response till much later.**155’s audio connects but not his video-sharing.* |
| **I** | Thank you.  |
| **152** | Shall I continue? We were talking about demand. I don’t think I had said anything about it. |
| **I** | Yes, do answer that question. |
| **152** | Yeah, demand for us hasn’t really changed in the sense of we don’t have huge demand for non-legally binding. I know you said ignoring COVID but that would be something I would want to chip in on, in that I think weddings being banned, although for many couples it being a celebration of a life they’re already living, and them being more social events than for others. I think that was perhaps ignored how significant marriages were to faith communities in the restrictions that were brought in. And I don’t think … I think allowing marriages to still take place with very limited numbers, the bare minimum of the couple, a minister and two witnesses, I can’t see that, in reality, that would have caused great risks. I can’t see that many people who wanted a big celebration would have done it with so limited numbers. But those in our church and others in other faiths, I suspect, would have been … it would have meant a lot to get married and they would have still take up that option. Rather than it being completely ruled out and us being forced into having to conduct non-legally binding ceremonies. Rant over! The only … as I say, we have a very, very slight increase in questions about it. Largely because of people wanting to get married in slightly different places. Whether it’s getting married in a different church they have got a connection to but asking me to do the ceremony, which is problematic, or whether it’s wanting to do something different like a beach. But very, very marginal. Most … and we wouldn’t conduct those typically because we say, “we can’t do that because it’s not legal”. |
| **I** | Again, we will come back to the beach possibilities in a moment, if that’s alright. |
| **152** | Yeah. |
| **I** | Can I ask each of you why you think it’s important to conduct these non-legally binding ceremonies? You’ve already kind of touched on that but just to sort of ask the question explicitly. It might be their religious significance? … |
| **154** | Yeah. Well, I mean in the Bahai faith, it’s a law. The law of marriage has a procedure and the only binding aspects of that are this recital of the vow in front of witnesses and the consent of the parents to the marriage. And so, if you’re striving to live the Bahai life, you would want to have the Bahai marriage and obey the laws in relation to it. And it’s a spiritual occasion. It’s a … there’s this idea of marriage being a new entity that when two people come together, it creates a new entity, which is the marriage itself and it’s the arena for raising a family and children and so on. So, it’s a very special occasion. But, having said that, it doesn’t need to be elaborate. As long as those two things are fulfilled; the consent to the parents and saying the vow in front of witnesses, it can be, as it has been in recent weeks, three or four people. Or on Zoom! But yeah, it’s nicer. It’s much nicer to do it that way … I mean they would do that anyway, even if they have the Registry Office wedding. But … it would be nice if it was recognised.  |
| **151** | Yeah, I think quite a few similarities to the Parsi ceremony as well, in terms of while people don’t see the Parsi ceremony today as being absolutely essential to creating the entity of marriage, because unfortunately like in other cultures, even in our culture and in our religion, people have forgotten to actually read the significance of the prayers and understand … that people generally follow it from a cultural level rather than a way of life level. But funnily, if you do actually translate the ceremony, then it is very similar and applicable and I think mostly … to summarise it, it would be the cultural aspect of it and the traditional aspect of it. So, the ceremony as recited today is recited in a 1,000-year-old language and goes back to the pre-Islamic time of Iran where the Persians and the Parsis were in Iran and we had the vows where the vows still refer to the last Zoroastrian King of Iran in 700 AD. And it still says that, even though we are in London today, “in front of the witnesses do you still, as the groom and as the witness, approve of giving two gold coins and thirty silver coins to the bride to accept her”, and things like that. So, it’s that kind of feeling. And then, of course, there is the spiritual aspect, as 154 said, which is for people who do practice the religion and think about God as wisdom and the Prophet and are quite close to … who even follow it as a way of life as well as a cultural celebration, from both aspects it is cementing that compared to a very … I would say, plain, ceremony when it comes to Registry ceremony. All you talk about is love and … it’s a different vibe, it’s a different feeling because the prayers being recited in an ancient language have good vibrations and stuff like that. So, it’s a different feeling. It’s mainly from the cultural side but also, probably, the way of life side as well. |
| **153** | Thanks, everyone who shared just now about that. Because that was really, really lovely to hear. Yeah, that’s really warmed my heart about how … the significance of that. For [organisation], I think it’s been really, really important to conduct marriage ceremonies. Not just to conduct ceremonies that are not legally binding but to do them in the way that they do them. So, have a template contract that goes through a lot of stuff that I think couples rarely think about. For example, the big serious things of life. What do you want to happen to you if one of you gets sick? Who are the main contacts? What’s essential for when you raise your children, if you raise children? And what’s desirable? If one of you should pass away, how would you like to be cremated or buried? These are very big conversations that need to happen at this stage. And I think that that’s not as emphasised in legally binding marriages. I think it’s just assumed that everyone will get their way and it will all be fine. Whereas we don’t make that assumption. We make people talk about it, or we strongly suggest they talk about it. What they say is none of our business but it’s … we feel like it’s our duty to put the question to them. But also, for the reasons I mentioned before, there are a lot of people who cannot get married in the UK because of the gender that they identify with, because … and also the Home Office doesn’t make it easy for people who are asylum seekers, or failed asylum seekers, to get married here. That’s a huge problem for families and for couples who just want to live, just want to get on with their lives and we … our Government, actively makes that hard for them. So, that’s a really significant reason for why non-legally binding ceremonies can bring huge meaning and permission for people to just live. I’ll stop there. |
| **152** | Yeah, I think that, as has been said, similarly to others, the importance of marriage from a faith perspective, as I mentioned in relation to issues, COVID particularly, that’s hugely important for us as well as the importance of a marriage not just being something that’s legal but being something that we see as a covenant relationship that’s before God and before his people. And so, something just in a Registry Office isn’t that. And so, for us, it is important for the church part, which has led to some of these issues of non-legally binding. What 153 mentioned about the issues around asylum seekers, we’ve seen something of that similarly, in different ways. I certainly very recently had an issue where someone who was in Canada wanted to marry someone from the UK and that caused a lot of issues. In fact, we’ve done a … we did a Zoom wedding in the end with them in Canada. Partly because of COVID that’s where they ended up to be together, but it was going … it was looking very, very difficult for her to come here and them to have a legal wedding here around the timings of that, giving notice and all of those issues. So, that was part of led to an un-legal ceremony. |
| **I** | Thank you. And has your own role changed in conducting these kinds of ceremonies? Or has the form of ceremony changed? It might be different for different people. |
| **153** | I’m not sure exactly what you mean, so tell me if I’m going off-course with my answer. But I … we hired a part-time member of staff, in part to be able to cope with the demand. So, my role has changed in that I’m more managerial now. And we do a lot more pastoral stuff than we did. I don’t know if COVID is the correct marker, whether that’s the reason or the indicator. But it does feel like more recently we have been doing a lot more pastoral stuff than we have done previously. |
| **151** | In terms of the role, that hasn’t changed. In terms of the forms of ceremonies, I do get requests every now and then from people … for various reasons, to perform an even more concise ceremony. And the reasons might not only be time, because like I said the entire, full ceremony is between half an hour to 40 minutes but it also might be to do with the … that they don’t officially want a … because if, for example, they are from a mixed background, then they would, just to respect each other’s background, they might not want a full ceremony in either faith and they might want to stay neutral or they might actually not … they might prefer one over the other, as a couple, together. So, I do, every now and then, get requests to remove a certain section from the ceremony, but otherwise my role doesn’t consistently change. I would perform … sometimes I’ve added more responsibilities as the MC and then even as a person doing a ceremony … even though I’m not a licensed registrar or I cannot actually officially perform ceremonies by law, legally binding ceremonies by law, people have still asked me to go through general English vows as a celebrant or officiant. So, very rare occasions that role has changed. Otherwise, not. |
| **154** | I don’t really have an answer to this one because … it doesn’t apply. Yeah. |
| **I** | Yeah, that’s fine. You know, as I said at the start, some questions are going to be more relevant to some people than others. These are a generic set of questions designed to cover a wide range of wedding ceremonies. So, if we move on, I think, 152, you’re the only person who’s authorised to conduct legally binding wedding ceremonies. Is that right? If any of the others are, please do chip in and tell me otherwise. But can you just tell me how you became authorised. |
| **152** | I became an authorised person for the building, for the church, which involves some paperwork. Do you want any more details than that? |
| **I** | As much you want to say … if you felt it to be a particularly difficult process, I am sure you would have flagged that up, but … |
| **152** | *[smiles]* No, it wasn’t too bad. Yeah, that wasn’t too complicated. I think if questions lead onto this, I went and … I was unsure about all the requirements and how the legal bits are done so I actually went and had a two hours with one of our local registrars to go through all the particulars for how certificates are filled out, mainly, and corrections are made, should any be required and the role that I had to play as an authorised person. So, that was a very helpful part to making sure that we were doing it properly.  |
| **I** | Thank you. And, again, I don’t want to put words into anybody’s mouth, but I think I picked up that the reasons that the others of you aren’t authorised is because you’re not attached to a particular building that is registered for marriages. So … am I right in that? I’m trying not to ask questions that you’ve already told me the answers to without prompting. |
| **151** | Just to add to that, I’m also not a full-time priest, so probably this might be more applicable to my brother who’s now the resident priest at our centre; at one of the two centres. And if you’re doing a priesthood as probably a full-time profession then I think it’s a different story. I know that, probably not in this country but in other countries, priests have become registrars and they have become people who can officiate a ceremony in their country so they would do it as a Zoroastrian priest and then as the official registrar. And I might have considered that if I was a full-time priest. I am not sure why the two full-time priests that we have in this country haven’t. But I will maybe ask my brother that. He’s very new to the country, less than a year in [*inaudible 00:59:36*] time before that. But I don’t see any other particular reasons why we wouldn’t. |
| **I** | So, that leads quite nicely onto the questions about the …  |
| **153** | Sorry, I just want to add something. |
| **I** | Yes, of course. |
| **153** | So, there are three reasons really. One is the building reason, as you said. Another reason is the community that I work with had been denied marriage for so long. They had been denied the officiation of their relationship for so long that there’s … and this relates to your 10-year question, there’s often a rush to do it. And they kind of … slightly leaving behind of the more difficult thinking through points. So, it’s almost really useful for us to be able to say, “this is not your legally binding ceremony. We recommend that you go and do the bureaucratic stuff to get your legally binding ceremony”, because it slows people down a little bit in a useful way. And then their business … I’m uncomfortable with how this country’s laws would permit me to marry some people and not others. |
| **I** | Thank you. That’s very helpful. If anybody else wants to add anything on that please? Yes? |
| **154** | Yeah, just to say the reason why I wouldn’t be authorised to do that is not to do with buildings. It’s just to do with the fact that I think the Bahai faith doesn’t have any clergy or doesn’t have any people who have that kind of mandate or responsibility. So, anything like that would only … I would only do it in my capacity as a friend of the couple who had been asked to do it. But, as I said, in Scotland and Northern Ireland we do actually have formally registered marriage officers, 4 or 5 in each place who can go and conduct those weddings, and it’s legal. If it happened here, that would be great. We would do the same thing. We would have a bank of appointed marriage officers, yeah. |
| **153** | *[153 was quiet towards the start of the session but is now more animated in her expressions].* 154’s point here is really key, though, I think for… it’s really interestingthat there’s no notion of the clergy in the Bahai faith and how that … because in Islam, as I mentioned before, you don’t really need an Imam and it’s something that has held people back. So, when we tell them, “yeah, you never needed anyone to officiate this. You can make this decision yourself.” There is still a thing of them being, “no, I want a third party to say this is okay” and, in my experience, it’s really problematic and I would like to move my community to a place where they can give themselves permission to live as they see fit. But they still require an Imam-like figure and the more traditional … to be really blatant, the more traditional looking, the better. I rock up and it’s one thing but someone with a brown face and a beard and it’s a very different type of legitimacy that they lend. In the circles I’m talking about. In the families I’m talking about. So, I find that an unhealthy part of our marriage culture. And it’s something that I’m keen to … like I say, move away from. The other thing that’s relevant to this in a more practical sense is that there is no registry of Imams. It’s an unregulated group of people and we can make money from this, which [organisation] does, and we are very transparent about that, and all our charity accounts, etc., and we’re very transparent about it with the couple. We also try and give them as much … what’s the word … we basically say, “here’s our standard. Here’s what we ask for, but if that’s not affordable for you, just pay whatever you think is reasonable and we’re not going to ask any questions.” But it does make me aware that there are people who can do this in the way that is profiteering and taking advantage of people who don’t … who even when you tell them, “you don’t need a third party”, feel instinctively like they really do. So, there’s an element of that there.  |
| **152** | I just … I know this doesn’t quite apply … speaking about other situations here … but certainly in some church situations, although I am the minister and I am doing the legal part of it as well, there are plenty of church situations, not Church of England but free churches and so on, where it’s not the minister who’s actually the person who is the authorised person and does the legal part of the paperwork, and we certainly don’t view that it has to be the priest or the minister who would need to be that person. And I have been involved in weddings where another minister has come and led it and I’ve just been there to be the authorised person and to deal with the paperwork side. So, I think the law at the moment does allow for something of what perhaps some other communities might be requiring, but the actual … the bigger issue I think is the building, that if you haven’t got that building, you can’t have that person. Because that person has to be linked to the building. *155 writes in chat function: ‘Yes, you are right with the issue of the building’.* *As 155 hasn’t responded to any of Sharon’s messages. Sharon writes a further private message to 155 to ask if he would like to participate, he can turn his video-sharing on, or whether he would just like to continue to observe. He replies ‘OK’ and turns his video-sharing on.* |
| **I** | Thank you all. Can I just break off and welcome 155. Hello 155. The focus group has been going for a little while now, so I wondered if you wanted to join us or whether you wanted to join in one of the later groups that we will be holding? It’s entirely up to you, but obviously we’ve gone through quite a few of the questions and I would like to give you the opportunity to speak to those at some point. |
| **155** | Thank you very much. Thank you for having me. There was just a delay in the meeting that I was coming from. That was the reason why I joined a bit later. But I’ve heard the contribution of 153, if I’m right, and I think 151 too. The Reverend gentleman from [name of church]. My name is 155. I’m the Honorary Secretary for the [organisation] in the United Kingdom and a Windrush Community Ambassador amongst other community roles that I play and I’m aware, due to my representation of the churches [*inaudible 01:06:15*] England because I sit on the churches [*inaudible 01:06:17*] England and the Law Review Commission and I’ve had time to read the ongoing review of the marriage laws in the United Kingdom. I’m sure the findings of your research will be beneficial to my community and that’s the reason why I enlisted my interest when I was approached. Well, as 153 has said, truly there are some difficulties when it comes to officiating or allowing marriages that are not legally recognised. It’s not that they’re illegal when we look at it from the faith perspective. It’s not that they are illegal, because the faith does not preach that a marriage, a union between a man and a woman or with anyone that you love, it doesn’t say it’s illegal, right? But in the eyes of the law, there are some certain pre-requisites to make it legal. So, one of the things that I agree with 153 is that … I mean the Home Office makes it a bit difficult but because of the faith background in some situations, where … hard to conduct marriages that are not legally … in the eyes of the law … are recognised. But I mean in my set-up in faith level, it is legal … to do with someone who are not fully prepared, they are not fully prepared for the expenses of a full marriage. Fortunately, or unfortunately, the wife is pregnant, and it would be illegal to just go ahead without a form of solemnisation or prayers for them. You understand? So, that’s why I saw in the eyes of the law it maybe illegal, but from the faith perspective they are legal. Because the bible, which we believe, states that a man shall leave his family to join the wife and they shall become one. And that’s the prayer straight out of the bible. Now, the second point I just want to raise is … |
| **I** | 155, 155. I’m conscious that everyone else in the group has been here for a while …  |
| **155** | Oh, sorry. |
| **I** | …and I just wondered if we could turn to the Law Commission proposals and discuss those and then perhaps we could pick up on the other questions, so I get your perspective on those, separately. If that’s okay? |
| **155** | Okay, that’s okay. Fine. Thank you.  |
| **I** | I don’t want to lose that but equally I’m conscious that I don’t want everyone else to have to stay on beyond the time they might have expected. |
| **155** | No, no problems. No problems. Alright. Thank you. |
| **I** | Really grateful to have you joining us. So, I hope you managed to have a quick look at the summary of the Law Commission proposals, if you haven’t seen them before. In essence, what the Law Commission is provisionally proposing is something much more akin to the system that operates in Scotland where it is an officiant who is regulated rather than the place of marriages. We’ve used officiant very deliberately, as opposed to celebrant, to try to encompass those religious groups that don’t have a concept of clergy… so, the officiant can be conducting the ceremony, but they may also be effectively an official witness to that ceremony as well. So, it’s intended to be quite broad ranging in that way. And there would no longer be any legal limitations on where a wedding could take place *[155 nods]*, subject to the location being safe and dignified, but religious groups would be able to set their own requirements, if they so wished. So, if a particular religious group thought, “we only want to conduct weddings in church, even if it’s possible to do legally on the beach, we will require them to take place in our church, as before.” So, that’s a very high-level summary but I wanted to ask whether the proposed reforms would make it easier for the types of ceremony that you’ve been talking about to be legally binding? Who would like to go first? |
| **151** | Can I just clarify whether the proposed reforms would have any restrictions on the actual language, the time … and the formation of the ceremony? I might have not got that. |
| **I** | So, there would be no restrictions on the content of the ceremony. That would be a matter for the officiant of the parties to determine. So, there would be no prescribed words and there would be no requirement that the ceremony be in English. |
| **153** | The restrictions on who can and cannot get married still exist, right?*[The flow of the participants has become stilted. The moderator takes an active role in bringing back the group to active discussion]* |
| **I** | So, the Commission isn’t looking at capacity to marry but of course there is now the possibility of same-sex marriage and the issue about non-binary couples might be less problematic when you don’t have prescribed words that use particular pronouns and terms. |
| **153** | It also relates to marriage certificates though. |
| **I** | Marriage certificates would change as well, because there are proposals to issue a schedule system whereby the couple are issued with a document that authorises the marriage to go ahead and which is then signed and returned for registration. So, the plan is to move away from the existing register books, which obviously gives more scope about how those are constructed, because you’re suddenly not having to change 20,000 physical register books that are in circulation. |
| **151** | Yeah, I think just to answer some of those questions quickly. Absolutely, based on everything we have discussed and based on having three ceremonies a day, turning that to one ceremony a day for same faith couples or a maximum of two, for example. I think it does put having two anniversaries to … because I know people who celebrate two anniversaries. One of their actual ceremony, one of their civil and also all the time restrictions that this has to be at the time in the morning, whereas we will have to wait for the auspicious time for a particular faith … an auspicious time of the day for another thing, which can’t be … will happen … so, yeah, the time of the day and the convenience of selecting that. So, in terms of all of these few things that I can think about, it would make life a lot easier for many couples. And I think that’s what they always come out with very strongly in our conversations with them. They’ve always said, “because we HAVE to do this, this, this, we can’t unfortunately, have it on the same day. You can’t do it at this time. You can’t do it in this location, etc., and to take care of the law, we will be doing X number of additional things.” So, long story short, yeah, definitely. All those points are something that we would love to … the reforms would make things a lot easier. In terms of problems … |
| **I** | We’ll come to the problems in a minute if that’s alright. Just to help the poor transcriber. 155, I see you have your hand up. |
| **155** | Yeah, thank you. Just a quick one. I believe the reforms that are being proposed, which respect to places of marriage will help the member organisations of my community. Because lots of us do experience issues with buildings and that’s … it really affects a lot, a lot of member organisations. And so, removing that restriction will give room for a better marriage planning and effectiveness. That’s what I wanted to add. |
| **I** | Thank you. |
| **154** | I think it would be very welcome, from a Bahai point of view. That’s how it is in Scotland and Northern Ireland and it would just make … well, it just reduces the complexity probably of having to go to a Registry Office and having a civil wedding and the … I don’t know if you would still have to … would you still have to pay the civil fees of getting married? How does that work? |
| **I** | So, the idea would be that the … so, there will still be fees for giving notice. There would still … all these ceremonies would still be preceded by giving notice at the Registry Office and there’s obviously a cost associated with that. But the idea behind the proposals would be that the religious ceremony would be legally recognised. So, it’s the expression of consent as part of that legally … as part of that religious ceremony that would be the marriage, not saying prescribed words in a Registry Office. |
| **154** | That would be very welcome, yeah. |
| **152** | I think it would be … yeah, barring weddings being outdoors, it would give more flexibility for what people would want to do.  |
| **I** | Can I just go back to your … the people who wanted the beach wedding?  |
| **152** | Yeah. |
| **I** | And whether, if it were legally possible, you would conduct weddings on the beach? |
| **152** | Yeah, short answer. I think it would be something we would want to talk through and reflect through. In that case, actually what ended up happening was it was a colleague of mine who then ended up conducting a beach wedding in Northern Ireland where that was permissible. |
| **I** | Okay. |
| **153** | I feel somewhat neutral on these points. But can I ask, would the online notices be a requirement, or would it be, if you want to, you can put it online? |
| **I** | So, the proposals are that you should be able to give notice online, by post or in person. So, it’s intended to give flexibility. So, you have the option, but the initial way of giving notice, there would be flexibility. If it was online or by post, there would have to be an in-person meeting because it’s one of the terms of reference of the project that it doesn’t do anything to undermine existing protections against forced marriages, in particular. So, the registrars would like to see both of the parties, so they can talk to them to make sure that they do have capacity and that they are freely consenting. |
| **153** | Thanks for clarifying that. In that case, yeah, I feel fairly neutral on both the proposals. I don’t think they would make a huge difference to the community I work with. |
| **I** | What about any potential problems? |
| **153** | Those I can see! |
| **I** | Tell me about the problems, in that case.  |
| **153** | So, the main one being I think it’s really useful to have a 2-step process, for couples to say, “the thing that’s really meaningful for me is my very customised ceremony. I will write my own vows; I will do my own thing and express myself in that sense. But also, I’m going to check off these forms and make sure that a lawyer has seen whatever is relevant to my finances and my home and that sort of situation.” I think that the community that I will work with benefits from separation of the romanticisation of marriage and the legal consequences of marriage. Yeah, I’ll stop there. |
| **152** | Can I clarify these proposals … you would register … do the giving of notice but in a much better way, which I will come onto in a question in a minute. And what I couldn’t see in the summary was much description about who … when it comes to a ceremony, who the officiant could be. Are they someone who’s registered or is that actually it could be anybody? It just needs to be someone to sign a piece of paper. What’s the proposal for how that works? |
| **I** | Yeah. So, the summary we sent is a very high-level summary of a 400+ page consultation paper, which we didn’t expect you to read. But basically, there are proposals as to how officiants should be authorised. So, registration officers, Anglican clergy, officiants who are nominated by a religious group, which we define as any group of 20 people who meet together for worship and meet the definition of religion set out by the Supreme Court in Hodkin, which pretty much encompasses all religious groups, and which has either a marriage service or a belief about marriage. So, it’s really intended to replicate the existing ability of different religious groups to nominate an authorised person but taking away the requirement for them to have a specific building to do so. Yeah, there are also proposals about how non-religious belief officiants and independent celebrants could be authorised, but I should emphasise that under our Terms of Reference, it’s for Government to decide when they should be. We’re just setting out a scheme by which that could be facilitated. |
| **152** | Okay. I think one of my concerns about the proposals, possibly a little bit like what 153 was saying, is the removal of the requirement for much in the way of official wording is … would concern me in what that might do to marriage ceremonies and how that may reduce the formality and the significance of them. And that would be a concern to me as a negative impact on marriage and … not just for our community distinctly but also how we view marriages in society [*151, 153, 154 all nodding. 155 has his head close to the screen intently listening*]. There’s no … there will be no universal understanding of what this has meant culturally. Because then you could just say whatever, effectively, is the proposal. Say whatever you want, sign the paper and you’re married. And I’m not comfortable with that. And what would apply, that’s the view … that, as a country, what my concern with that as a faith community would be then the pressure that there might be to do different things in a ceremony, which maybe … I may be not happy with but because there’s no legal standing for that, if you like, we can do anything. Will I, as a minister, face pressure to conduct a wedding with wording or in a way that I would not previously have done. Because I … at the moment I’m aware that in formally doing them, there’s a bit that says, “I need to do this according to the rights and the traditions of the Baptists”. A very funny phrase, but that appears, and these proposals seem to water that down.  |
| **I** | That’s … and again, I’m afraid I’m going to stray away from my pure moderator role at this point because there’s no requirement in law that it be according to the rights and ceremonies of the church in which the ceremony is conducted. So, if a Baptist church wanted to say, “we will only conduct weddings according to our own ceremonies”, it would be perfectly at liberty to do so. The only change is that you wouldn’t have to include the prescribed words that appear in the statute. So, the intention is really to give more weight to religious understandings of marriage, particularly for faith groups where those words simply don’t fit in their existing service and have to be said separately and create that sense of, “oh, we have to have an extra civil ceremony. Our weddings aren’t actually recognised by English law.” |
| **152** | Yeah, I understand that. I am pretty sure … I’m pretty confident … on the certificate I sign it says, “according to the rights and traditions of the Baptists”.  |
| **I** | It does, but that’s a convention. It’s not in the statute.*Participants are looking tired. 153 blinks a lot. 151 rubs his eyes.* |
| **152** | Okay, when I sign something, that says, “I have done this, according to the rights and traditions of the Baptists”. Now, that might not have legal standing, I will give you that. But, at the moment, there’s a piece of paper that I put my name to, that says I’ve done in this fashion. I might legally be allowed to do it in a different way, but at the moment I have to sign something that says I’ve done it in this way, regardless of any legal ramification. Like you say, there’s … I feel I have some protection, at least in integrity if nothing else, of saying I need to conduct it in this way. And I would be concerned about that slipping, even if it’s disappearing from the way it’s described and understood. So, I’m in favour of some greater flexibility but I think … and that links, actually, to the talk about changing the civil ceremony stuff to saying that a civil ceremony no longer has to look that civil. It can look much more religious and I feel the … I am sure the summary we got is a very high-level summary and there’s more in to to what that might look like, but I feel that could be … I suspect that’s a line that … we have a very clear line between a civil and a religious ceremony. I feel that the proposals are blurring that and it will forever be a blurred line. And I think that’s a concern to me that leads us … to people not being clear what we’re doing. That it’s going to push … my concern, to me, in our community, is it pushes a faith ceremony to being more civil and I’m concerned that civil ceremonies are going to look much more faith based and draw away from the important role that I feel we have as faith communities. |
| **153** | I would agree with that phrasing about the blurring of the line and related specifically to the blurring of what the legal consequences are. I think we need to be really clear about that when we’re conducting ceremonies. |
| **151** | Those concerns are not something that I would have thought about, because I’ve never thought about it from the perspective of, I’m responsible for these two people being in capacity to marry. It’s because I’ve never thought of myself …. I mean, in that position. So, I think those are very valid points. But otherwise in terms of when I did sign that in India, and there’s a similar system just like in Scotland and Northern Ireland where all religious ceremonies are … not all of them, but most of the … many religious ceremonies are legally binding under the marriage act of each religion. And I think in that time, when was doing that, it was much like me taking the role of registrar where I would make sure that you guys understand what you’re doing, etc. So I think if that can be brought into this new proposal, which I am sure is taken care of, I think then that should be alright from my side.*155 is using zoom on a phone and has moved away from zoom call to read something on a computer in background.* |
| **I** | Any other thoughts or concerns? |
| **154** | Doesn’t really apply, as I said, in the Bahai marriage; it’s just a vow and that’s the only obligatory or compulsory wording of the whole ceremony. So, whatever else that the couple choose to add to that is their choice anyway. So, really it wouldn’t be seen as restrictive or diluting in any way.  |
| **153** | I hate to be the one to bring this up, but I also think that if we are looking at making marriage easier, you need to look at making divorce easier. It’s a practicality. It’s also a safety measure for a lot of people that they can get out of a problematic marriage, so I know that’s a cynical view but for a significant number of people, it’s important to be able to get out of the marriage easily and at low cost, ideally at no cost. So, if we’re going to put forward marriage proposals, we have to have something in there that says it’s really important that the very next conversation … or this be done in tandem with our discussion on divorce proceedings. |
| **I** | So, divorce is outside the terms of reference of the Law Commission project, but divorce law has already been … well, the Act has been passed to change divorce law. It hasn’t yet been brought into force but once it has, then the existing fault-based elements would disappear and irretrievable breakdown would be the sole ground for divorce. |
| **153** | That’s great. I’m more thinking about the couples that come to us, seeking some kind of religious officiation of divorce and how necessary … actually, that is way more necessary than making it easier for people who are already going to get married anyway. It’s way more necessary to … and I’m not advocating for Sharia courts or anything like that. But the problem with … the reason they exist, and they exist in such a problematic format, is because women in particular are unable to relinquish themselves from that union by going to a sympathetic Imam or a liberal Imam, or a female Imam and say, “can you officiate this?” We don’t have those powers in any capacity. I’m mentioning them as embryonic ideas. I haven’t fully thought this through. A lot of the same problems as being an unlicensed and unregulated group will still apply, but I do think that there’s something about you’ve got to make it easier to get divorced if you’re going to make it easier for them to get married.*During this question and discussion, 155 is still looking at a screen to his left and typing on his computer.* |
| **I** | Thank you all for your comments. I think some of you have touched on this already, but if there’s anything else you would like to say about how you think the proposals would impact on getting married, among the couples who’s weddings you conduct. |
| **152** | I think the … making the Registry Office piece easier of giving notice … it would be very helpful. It confuses couples greatly about where they need to go, and they’ve got to go to different places if they’re living in different places. What counts as their home. All the stuff around that is very complicated. Being able to just pick a place would … and start a process online, etc., would make it much easier. And make much more sense. It’s quite a complicated thing at the moment. Unifying the [*inaudible 01:33:11*] between that the Registry Office wedding and the Church of England would also seem to make sense because it’s different things in different places, in different ways. It is, like the Reform points out, a patchwork of laws and that’s very difficult for people. So, the proposals around that piece of it would make it a lot simpler. As I say, I’ve got concerns about the blurring of civil and religious, which I think is going to make a lot more complexities in what we’re doing and where we’re doing it and who can do what, and where.  |
| **151** | In addition to the positive things that we’ve already discussed, I think the one thing that I did see impacting the couples that I’ve … the weddings of, are probably for the same-faith couples it’s obviously super easy now. Everything is going to be great with one ceremony. For people who did perform two ceremonies, two faith ceremonies and then another one, I don’t know if now faith ceremonies can become legally binding, it might be a little bit more conflicting for them to decide which faith ceremony would now be the one that is legally binding or if they can somehow amalgamate … yeah, fuse the two into one, and somehow get priests to perform the ceremony that I performed with a Catholic priest in Germany, as that being the ceremony that they wanted, for example. So, I see some … I see some … because right now it’s … UK comes first and then comes Parsi Hindu, comes Parsi Muslim … everything else. So, that kind of eases things over there. Eases conversations a bit there but now it will be quite funny to see who takes precedence, if ever they do. Yeah, that’s one thing that I thought about. |
| **I** | Okay. Any other thoughts or comments? Anything you would like to say about either the proposals or about getting married that you haven’t had the chance to say so already? |
| **152** | Is it appropriate for us to talk anything about the independent celebrant’s side of things? |
| **I** | If you would like to comment on that, then please do so. |
| **152** | I guess the concern would be over people … a bit like 153 was pointing to, within religious communities weddings can be seen as a money-maker and I don’t think that’s a good reform. That conducting weddings becomes something that, as an independent, someone begins to just make money out of. And potentially, with the proposals as they are, doing pseudo religious ceremonies and that being their … you know, making money out of doing civil and pseudo religious ceremonies. I don’t think that is a good direction. I think it blurs a lot of lines and can be … could lead to the exploitation of people *[153 and 151 nod].* |
| **153** | I would just like to add that … sorry, I have mentioned this just before but just that if the proposals don’t make it easier for people who already struggle to get married, to get married, this will make it even easier for people who are already going to do it. We cannot pretend they’re especially progressive … I’m thinking especially for refugees and asylum seekers and the threat that they feel from the Home Office as a result of getting a legally binding marriage in this country. It has to be made safer.*151 and 152 nod at 153’s response.* |
| **152**  | I would agree with that point. Nothing in here seems to help those who have difficulty with legal status. |
| **I** | Again, the Commission operates within certain terms of reference, so there might be things that we would, ideally on a personal level, want to do, which just aren’t within our power even to recommend. |
| **152**  | But if we say it, then hopefully somewhere it might get back? |
| **153** | Yes, it would be lovely for people who are faith leaders … |
| **I** | [*inaudible 01:37:30*] terms of reference, so absolutely. Any other final thoughts, comments, anything you really want to put on the record? |
| **152** | After this, I would really like to go to a ceremony conducted by you three and see what they look like! |
| **151** | Absolutely. I think … I didn’t get a chance to speak to some of the people and contacting them and some of them might even join your focus groups but the feeling of when I actually told them about this, they were like, “oh, it’s three years too late/five years too late/six years too late” kind of a thing. So, overall, the feeling was quite positive from the people I spoke to. So, I’m sure people will be looking for … some of the people might be looking forward to this. Certainly, I would. |
| **I** | Well, thank you again. Sorry, 154, did you want to … |
| **154** | I was just thanking you as well! |
| **I** | So, thank you all for giving … for being so generous with your time and sharing your views on this. It’s really important for the project that we understand how marriage works for all different religious groups and important in terms of us feeding into the Law Commission project. I know I’ve been kind of putting that hat back on and off again during the later part of the focus group, to sort of think how the proposals would work. So, thank you. I think Sharon, Tania … if you’re recording, we can probably stop recording at that point. |
| **1:39:20** |  |