

3.5 Deputy S.Y. Mézec of St. Helier of the Chief Minister regarding the recognition of the status of same-sex couples who have married in other jurisdictions:

Following the first same sex marriages in the United Kingdom that took place on 29th March 2014, will the Chief Minister indicate whether he intends to bring forward proposals to ensure that U.K. married couples who move to Jersey are not left unrecognised?

Senator I.J. Gorst (The Chief Minister):

Jersey's Civil Partnership Law makes provision for same sex couples married in other jurisdictions to be automatically recognised as civil partners in Jersey. This does not however currently extend to same sex couples married in England because the English legislation came into effect after our Civil Partnership Law. I have therefore instructed officers to review the relevant part of the law to enable any necessary change.

3.5.1 Deputy S.Y. Mézec:

Would the Chief Minister accept that welcoming new married couples to Jersey by effectively downgrading their relationship status from a marriage to a civil partnership is an insult and that they should have the right in Jersey to be recognised as a proper marriage?

Senator I.J. Gorst:

As I have said, I have asked for the law to be reviewed to enable their marriage to be recognised. That, in the first place, obviously would be as a civil partnership and I will ask for consideration with regard to the question that the Deputy raises. At this stage, that is the best I can do.

3.5.2 Deputy M. Tadier:

Of course the underpinning question here is when can we expect to see same sex marriage in Jersey? Does the Minister have a plan for rolling out that inevitability?

Senator I.J. Gorst:

I have to say that it is not currently on the Council of Ministers work programme. But the piece of work that I have instructed officers to do will need to come to the Council of Ministers and no doubt it will be discussed at that point.

3.5.3 Deputy M. Tadier:

Does the Chief Minister accept that if we are bringing forward a gender discrimination part of the law then same sex marriage must go hand in hand with that because otherwise it is discriminatory about those with other sexualities?

Senator I.J. Gorst:

I have not given that any consideration so I cannot respond on the hoof. I would need to take advice about whether it was discriminatory or not. As I have said, I have asked officers to do the piece of work that will come to the Council of Ministers. I am not aware of all Ministers' views in this regard but will need to consider it. There is not currently time in the work table because the Social Policy Unit is working on other equally important social agendas and one of those is ensuring that we bring forward the other facets of discrimination legislation.

3.5.4 Deputy S.Y. Mézec:

If the Chief Minister is asking his officers to come up with the relevant changes to the law to update it, considering the change in the U.K., does he not agree that it would be a better use of time and money by the law draftsman to straightaway go towards producing a piece of law

to allow same sex couples to get married in Jersey? The final part of the question: does he personally accept that Jersey should introduce same sex marriage?

Senator I.J. Gorst:

That could be a way forward, however I think the one that I have outlined and requested officers to undertake is the best way forward in the first instance and then it will come to Council of Ministers and rightly then, in due course, any change come to this Assembly. I did support the introduction of civil partnerships in our community and Members will be aware of the comments that I made at that time because I felt that we did not want to have unintended inequalities in those relationships. I have not personally, which is what the question asked me, given consideration to whether there is a need for gay marriage or not.