



The Catholic Church in Jersey

Diocese of Portsmouth

From the Catholic Dean of Jersey
Monsignor Nicholas France MBE

2 November 2017

Corporate Services Scrutiny Panel **Evidence: Marriage and Civil Status (Jersey) Law.**

Dear Deputy Le Fondre

Thank you for asking me to comment on the above proposals. I had been present two years ago with the former Anglican Dean and the Methodist Superintendent, when the Chief Minister informed us that Jersey had no option but to adopt a law similar to that of the UK and the European Union. While believing that ‘Jersey prides itself on being different’, we regretted the introduction of same sex marriages as undermining the meaning of a word which in all cultures, religions and civilisations had meant a relationship between a man and woman.

However, that being so, and while affirming the difference between secular Civil Marriage and Christian Holy Matrimony, we have to accept the *fait accompli* and propose mitigating circumstances in its application.

The Catholic Church in Jersey, as elsewhere in the world, could never contemplate undertaking to celebrate same-sex marriages in one of our churches. I say this without prejudice to those who are in such a partnership. It is just that we cannot change what we see as the God-given blessed relationship that we recognise as marriage.

If ever there was any pressure or expectation on us, through our not being willing to officiate at a same-sex marriage in a Catholic Church, we would be happy to give up our current privilege of being authorised clergy with registered buildings for weddings, thus separating the civil from the religious ceremonies, as in France and other countries. This is already commonplace with us, in marriages between men and women, where the civil wedding always takes place before the religious wedding.

In relation to the current legislation proposed, I fully support the concern is expressed by the Chairman of the Jersey Evangelical Alliance, that “in Jersey where mutual respect and tolerance, freedom of expression and freedom of religion are upheld... Individuals or organisations” are not expected to act “in a way that goes against their conscience and their faith”

I also echo his words that there are “a in number of Christian photographers, professional musicians and organists who have raised with us their growing concern that if they were to turn down an invitation to play at a same-sex marriage that they could face a fine or face a charge of discrimination. Which for many struggling musicians would mean bankruptcy or would mean that they have to withdraw their service in the community totally.

“Also, a number of Christian teachers and social workers have raised their concerns that if they respectfully express their views on traditional marriage in the classroom, in public or social media they might well face disciplinary proceedings for discrimination in the future too, if a conscience clause isn’t included as an amendment to the Discrimination Act. In a society that prides itself on freedom of speech and freedom of religion there is a concerning trend that those who would respectfully speak up for a traditional view of marriage would no longer to be able to do that as warmly and as clearly in Jersey any more without fear of litigation.

“Can the Scrutiny Panel also kindly look at whether some of the buildings and community centres, which are made available by a number of religious and non-profit organisations that they will be able to continue to hire premises out only on the basis that the core beliefs of that organisation are not denigrated or disrespected through the use of the premises too?

“Therefore, in the light of the growing number of legal cases in the UK (please see the attached document sent to you by the Rev Martin Shea from Christian Concern) can we suggest that the Scrutiny Panel look at the following or similar conscience clauses which would ensure that mutual respect and tolerance can be upheld in the Island in the years to come?

As Catholic Dean of Jersey I am happy to support the suggested conscience clauses, as proposed, if an organisation or individual

- Declines to provide services, facilities or goods for any purpose related to the solemnisation, celebration or recognition of any relationship not consistent with the sincerely held beliefs of that religious organisation or individual in relation to marriage
- Makes employment related decisions regarding hiring, terminating or disciplining anyone based on conduct which is inconsistent with the ethos of that religious organisation or religious employer
- Makes any decision relating to the letting or occupancy of any property under its trusteeship based upon a manner consistent with its sincerely held religious or moral beliefs
- Freely speaks about a traditional view of marriage or speaks out in a respectful and non-inflammatory way against same-sex marriage.

Yours sincerely

Nicholas France

17, Val Plaisant, St. Helier, Jersey JE2 4TA
Telephone: 01534 720235
e-mail: sthelier@catholicchurch.org.je
www.catholicchurch.org.je
Registered charity number 246871