

# Education and Home Affairs Scrutiny Panel

## Record of Meeting

Date: 22nd June 2011

Meeting Number: 75

Present	Deputy R. G. Le Hérissier, Chairman Deputy M. Tadier Deputy J. M. Macon
Apologies	Deputy T. M. Pitman, Vice-Chairman
In attendance	Mr M. Haden, Scrutiny Officer

Ref Back	Agenda matter	Action
14.06.11 Item 2	<p><b>Draft Civil Partnership (Jersey) Law 201- (P.85.2011)</b></p> <p>The Panel considered whether to proceed with an amendment to the draft law which would remove the prohibition on civil partnerships taking place in religious premises. The Panel noted that the draft law reflected the position taken in the UK by the Civil Partnership Act 2004; however, the UK had now moved forward and the prohibition had been removed by the Equality Act 2010. The Equality Office was currently consulting on the arrangements for implementing this change. The Panel therefore considered that it would be appropriate to seek a similar change in the Island's draft law, notwithstanding the views expressed by the Community Relations Trust which had favoured a 'step by step' approach on this matter.</p> <p>The Panel noted a submission from a member of the public expressing concern that religious groups would be obliged to hold ceremonies for civil partners against their beliefs. Members however noted that the UK Equality Act had made it clear that the change was entirely voluntary and that it was for each faith group to decide for themselves whether they wished to host civil partnership registrations; none could be forced to do so against their will. Members believed that it was important that the Churches be free to decide for themselves whether to implement the change, whereas currently the law did not allow them to make a choice in favour of registering civil partnerships on their premises.</p> <p>Members considered a further amendment to the law which would allow religious words and music to be used in civil, partnership services on approved premises. The thinking behind this proposal was that it would allow civil partners to include an expression of faith in their commitment to each other which would be prohibited under the current draft law. Members however were conscious that this would introduce a possibility for civil partnership services which was not currently available to civil marriage services on approved premises. Deputy Tadier stated that he would consider whether to proceed with this further amendment as an individual member's proposition.</p> <p>The Panel requested the Scrutiny Officer to consult with the Law Draftsman on the amendment and to prepare an accompanying report.</p>	MH

	Members requested that a separate comment be prepared on other aspects of the draft law.	MH
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Signed

Date:

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Chairman  
Education and Home Affairs Scrutiny Panel