**Civil Partnerships, Marriages and Deaths (Registration Etc.) Bill**

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*Consideration of Bill, as amended in the Public Bill Committee*

New Clause 1

Reform of civil partnership

1. The Secretary of State must make regulations to change the law relating to civil partnership to bring about equality between same-sex couples and other couples in terms of their future ability or otherwise to form civil partnerships.
2. Regulations under this section must give effect to such equality within 6 months of this Act being passed.
3. For the purposes of this section, “other couples” means couples who but for the provisions of section 3(1)(a) of the Civil Partnership Act 2004 would be eligible to register as civil partners of each other.’—*(Tim Loughton.)*

*Brought up, and read the First time.*

[Justine Greening (Putney) (Con)](https://hansard.parliament.uk/search/MemberContributions?house=Commons&memberId=1555)

When does the Minister think the Government will be in a position to understand the scope of legislative changes that are needed? Does she plan to publish a further written statement setting out to the House that information once she has it?

[Caroline Nokes](https://hansard.parliament.uk/search/MemberContributions?house=Commons&memberId=4048)

I am sure that my right hon. Friend the Minister for Women and Equalities is best placed to make written statements on this matter rather than me, but we will provide as much detail to the House as we possibly can. Hopefully, that will be provided as soon as possible.

The Bill, as introduced, contained provisions for such a power to be included, but those provisions were removed in Committee as we did not wish to provoke parliamentary opposition in either place that could prevent the Bill as a whole from proceeding. Those are the reasons why our preference would be to introduce our own Bill in the next session to extend civil partnership as soon as a suitable legislative opportunity is available, which is what my right hon. Friend the Minister for Women and Equalities has indicated in her written statement. However, I do not want anyone to think that the Government are merely paying lip-service to the need to press on with resolving this matter.

Government research that was originally due to conclude next autumn has already been brought forward by a year. It has been wound up and officials are now using its findings to help with the impact assessment for the new civil partnerships. The Government Equalities Office has also been in contact with Departments across Whitehall to begin discussions on how to undertake the necessary legislative sweep, and with its counterparts in the devolved Administrations to identify UK cross-border issues that will need to be considered.

I am very conscious of the keen interest that Members of both Houses take in extending civil partnerships to opposite-sex couples and of the private Member’s Bill brought forward by my right hon. Friend the Member for Meriden (Dame Caroline Spelman) and her continued support for our introducing measures through that Bill. In addition, as I have said, a Bill has also been introduced in the Lords on this matter.​

My hon. Friend the Member for East Worthing and Shoreham has pursued this matter with passion and enthusiasm, and these are legislative proposals that will get on to the statute book, but we are keen to do so in the right way. I hope that this reassures the House that the Government are working hard to extend civil partnerships to opposite-sex couples, as well as same-sex couples, despite not being able to actively support his new clause for the reasons I have outlined.

[Sir Christopher Chope (Christchurch) (Con)](https://hansard.parliament.uk/search/MemberContributions?house=Commons&memberId=242)

The Minister speaks in riddles. Is she saying that the Government are not actively supporting my hon. Friend’s excellent amendment and new clause and so will abstain, or is she saying that the Government are opposing them?

[Caroline Nokes](https://hansard.parliament.uk/search/MemberContributions?house=Commons&memberId=4048)

I think I made it clear that we are not actively supporting my hon. Friend’s amendments, but he has done an excellent job over the last few days of making sure he has enormous support for his amendments both on paper and in the House today.

[Sir Christopher Chope](https://hansard.parliament.uk/search/MemberContributions?house=Commons&memberId=242)

I take it from that that, because of the forces lined up against the Government, they are throwing in the towel, which is good and encouraging news. I congratulate my hon. Friend on the progress he has made.

I despair at the way the Government have been dragging their feet over this issue for so long. It was on 21 May 2013—more than five years ago—on the Third Reading of the Marriage (Same Sex Couples) Act 2013 that I intervened on the then Secretary of State for Culture, Media and Sport and Minister for Women and Equalities asserting that I believed that doing what the Government were doing in that Bill would be in breach of human rights law. The answer from the Minister, obviously on the advice of Government lawyers, was that the provisions of the European convention on human rights would not be compromised by the fact that the legislation made unequal provision for civil partnerships.

How wrong were the Government and the Minister? For five years people have been in limbo while the Government have connived over legislation that is at odds with human rights requirements under the European convention. Surely there must be a greater sense of urgency from the Government than was demonstrated in my right hon. Friend’s response to the new clause. I also find it extraordinary that today’s written statement makes no mention of the Supreme Court ruling.

I hope that when the new clause and amendment are put to the vote, they will go through without a Division, but if there is a Division, I will be interested to see whether the Government try to argue against what the Prime Minister has already assured us of—namely, that the Government are on the side of the proposal in the new clause.

[Chris Bryant](https://hansard.parliament.uk/search/MemberContributions?house=Commons&memberId=1446)

I will be very brief. I just want to explain to the Minister why I feel very impatient—she looked grumpy with me for complaining that she was taking a long time. She used words such as “soon”, “as soon as possible” and “quickly”, and while Ministers often use those words, they mean absolutely nothing in parliamentary language.​

On the Minister’s timetable, we might get a Bill in the next Session, but I would not be surprised if the next Session was a two-year Session, like this one, which might mean us waiting another two and a half years. Every year, I have straight people coming to my surgeries who had lived with a partner of the opposite gender for years and years in a relationship that had felt in every respect like a marriage, but who never wanted to enter into a marriage and consequently suffered when their partner died due to a lack of a legal arrangement because civil partnerships were not available to them. They suffer exactly the same distress as gay couples did until civil partnerships were brought into law.

11.15 am

We must reflect on the misery and anguish that such people feel when lawyers then say, “Well, you could have got married but chose not to. Obviously your partner did not intend you to succeed to the tenancy”—or get the house, or whatever it is. Everybody should be treated equally under law and we should all be impatient about that. The right hon. Lady is a wonderful Minister, however, and I am sure she will rush away from the House today determined to make sure that her timetable is beaten, and that we have all this sorted out in months, not years.

*Question put and agreed to.*

*New clause 1 accordingly read a Second time, and added to the Bill.*

Clause 2

Report on civil partnership

*Amendment made:* 1, page 3, line 12, leave out Clause 2 —*(Tim Loughton.)*

*Third Reading*

11.17 am

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[Tim Loughton](https://hansard.parliament.uk/search/MemberContributions?house=Commons&memberId=114)

I said at the beginning of my previous remarks that this morning would be a breeze. There have been a few headwinds, but so far, so good. I hope we can continue in that spirit of agreement and consensus across the House regarding all four measures in the Bill, which are much needed and much supported. My Bill has been referred to as the hatch, match and dispatch Bill because it covers so many junctures in people’s lives. I like to view it rather more as a Bill to address anomalies and iniquities in the law that, in many cases, should have been dealt with a long time ago.

I want to apologise in advance to officials, because if the Bill now goes through as amended, as I hope will be the case, they will have a lot of work to do in a relatively short space of time, but we now have a timeline, and that work should be a welcome distraction for them from Brexit, so there are upsides as well as downsides.

There are four aspects of the Bill, as I have mentioned. Clause 1, which is about marriage registration, seems to have excited the most vociferous support this morning. I am sure that the Minister will actively support it, rather than not actively support it—she appeared to say earlier that she did not like new clause 1 but would not actively oppose it, although passively she would have done. But we have moved on to Third Reading now—we are on the final bend.​

I pay tribute to the Bishop of St Albans for the Bill that he has steered through the Lords, ably supported by my right hon. Friend the Member for Meriden (Dame Caroline Spelman), whose name is attached to it on today’s Order Paper, albeit somewhat later on. She has been a champion for this issue over many years, as have other Members who have attached their names to various private Members’ Bills to try to address this anomaly. It is absurd that mothers have been able to put their signatures on marriage certificates in Scotland since 1855—and indeed in Northern Ireland—and in respect of civil partnerships in England and Wales since 2004, but that not since Victorian times has a mother’s name been recognised on a marriage certificate.

On Second Reading, I produced my own marriage certificate. My dear late mother’s name is absent from it, and to add insult to injury, my father’s name is on it twice, because he signed not only as witness but as the vicar who married us, adding double insult to injury. There are countless cases of people saying, “I never knew my father because he assaulted my mother and did a runner on us before I ever knew him, yet his name has to go on my marriage certificate, and the name of my mother, who has done all the heavy lifting, suffered all the abuse, and brought up, nurtured and loved me as a daughter, does not appear.” That is not right. I hope that the Bill will at last address that anomaly and that mothers can then proudly put their names on the marriage register in the new electronic form, which will bring it up to date for the future.

I am not going to go into the second aspect of the Bill, which is civil partnerships, at length again. We have been debating the matter since the 2013 same-sex marriage Bill. If my amendment had been agreed at that time, we would not still be having this discussion now. There have been many opportunities to address this unintended inequality.

[Sir Christopher Chope](https://hansard.parliament.uk/search/MemberContributions?house=Commons&memberId=242)

Since the Government are in the mood to apologise for all sorts of historical events, does my hon. Friend think they should apologise for getting the law completely wrong?

[Tim Loughton](https://hansard.parliament.uk/search/MemberContributions?house=Commons&memberId=114)

I am in a generous frame of mind this morning, and rather than their saying sorry, we should be saying hurrah that we are now doing something about it—[Hon. Members: “Hurrah!”] I do not know how *Hansard* will treat that.

The third aspect of the Bill relates to the production of a report on the registration of pregnancy loss. Again, clause 3 has already achieved its objective, partly in light of our Second Reading debate, which we had back on 2 February, when we were all moved by the extraordinarily touching personal testimony of the hon. Member for Washington and Sunderland West (Mrs Hodgson) about her own experiences—I wonder whether she will draw her attention away from her mobile phone, because I know she would like to listen to this tribute and not be distracted. As a result of the strength of feeling in the speeches and the subsequent response from our constituents, the then Health Secretary—he is now Foreign Secretary—said, “Well, actually I think we just need to get on with changing the law.” A group was set up with a mandate to see how we could change the law to acknowledge in some way those births that are stillborn but happen, by whatever quirk, ​to fall below the 24-week gestation line and are therefore not recognised in the eyes of the state. The situation has brought huge distress to parents who are already in distress at the trauma of losing a child. The fact that they happened to lose that child at 23 weeks and six days means that, in the eyes of the state, that child never existed and is classed as any other baby loss. In saying that, I in no way diminish the trauma of all baby loss, but there are so many examples of this.

My constituent Hayley Petts first brought this matter to me, and she served on the working group with the hon. Member for Washington and Sunderland West. The group has been discussing many aspects of how the law can be changed and has also thrown up a lot of problems about how we go about changing the law. Should we have a universal certificate for all baby loss, for example? Should the scheme be voluntary or mandatory? Should it be subject to medical verification, as is the case under the Australian scheme, and should it be retrospective? There is then the whole thorny issue of how we avoid getting into the minefield that is abortion and other forms of termination. The Bill has done its job before it has become an Act because such work is going on under the aegis of the Department of Health and Social Care, and I hope we will have some results in due course.