Written Evidence submitted by Love Equality for the Northern Ireland Affairs Committee’s inquiry into Devolution and democracy in Northern Ireland – dealing with the deficit (DDD0031)

1. **Executive Summary**

1.1 This paper focuses on the need to deliver civil marriage equality in the absence of a Northern Ireland Executive and a functioning Northern Ireland Assembly.

2. **Introduction**

2.1 Love Equality is a coalition campaign working for civil marriage equality in Northern Ireland. The coalition comprises the three main LGBTI organisations in Northern Ireland, the Rainbow Project, CaraFriend and HEReNI, as well as the Northern Ireland Committee of the Irish Congress of Trade Unions, NUS-USI (National Union of Students-Union of Students in Ireland) and Amnesty International UK.

2.2 Love Equality welcomes this opportunity to contribute to the work of the Northern Ireland Affairs Committee (NIAC) in its assessment of the democratic deficit in the absence of functioning devolved government and the consequent impact on communities and individuals. This submission addresses the need to delivery civil marriage equality in the absence of a Northern Ireland Executive and a functioning Northern Ireland Assembly. We would welcome the opportunity to provide oral evidence before the NIAC and would be happy to submit any additional information should the NIAC find it of assistance.

3. **Civil marriage equality**

3.1 Northern Ireland now lags behind the rest of the UK and Ireland in providing access to civil marriage for same-sex couples, despite the overwhelming support of the Northern Ireland public and a clear majority of MLAs.

3.2 Same-sex marriage is legal in England, Scotland and Wales. Northern Ireland is now alone in banning same-sex couples from getting married, and the government also refuses to recognise such marriages conducted elsewhere.

3.3 Ultimately, this means that lesbian and gay couples in Northern Ireland are experiencing discrimination, both in terms of the technical differences between marriage and civil partnership and in terms of the esteem afforded to them by society through access or otherwise to civil marriage. There is no objective justification for denying access to civil marriage to same-sex couples. It serves no legitimate social purpose or national interest. Allowing lesbian and gay people to get married will have no detrimental effect on anyone else’s marriage. Civil marriage will have no impact on how churches and other religious groups conduct religious marriages according to their own beliefs.
3.4 On 2 November 2015 the Northern Ireland Assembly held a vote on same-sex marriage. 53 Assembly Members voted for and 52 against a motion which called on the Northern Ireland Executive to introduce marriage equality legislation. The motion was defeated as the Democratic Unionist Party (DUP) lodged a ‘petition on concern’, but nevertheless marked a significant milestone on the journey to marriage equality in Northern Ireland.

3.5 The March 2017 Assembly election returned 90 MLAs, of which at least 55 have expressed their support for legislation for marriage equality in Northern Ireland. It is likely that legislation to bring Northern Ireland law into line with other parts of the UK would pass easily, unless a petition of concern (which requires 30 signatures) is lodged.

3.6 As well as support for equal marriage in the Assembly, there is overwhelming support among the population of Northern Ireland to extend civil marriage rights to same-sex couples.

3.7 An Ipsos MORI poll from June 2016 showed that 70% support same-sex marriage, with just 22% against. The support cuts across gender and creed, with clear majority support among both men and women, from both Catholic and Protestant community backgrounds and across all urban and rural areas of Northern Ireland.

4. **Recommendation**

- In the absence of functioning devolved government, we urge the UK government to bring the law in Northern Ireland into line with the rest of the UK through legislation at Westminster.

29 December 2017