



House of Lords
London
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MoJ ref: SUB121633

17 February 2025

Dear Peers,

HUMANIST WEDDINGS

During the 3 February Oral Question on humanist weddings, tabled by Baroness Thornton, I assured Baroness Whitaker that I would write to her regarding her understanding that I had previously committed to conducting an equality impact assessment in respect of humanist weddings. I also assured Baroness Berridge that I would write to her about non-legally binding, religious only weddings. I have addressed both issues below – which I hope you find helpful.

Equalities Impact Assessment in respect of Humanist Weddings

On 3 February, Baroness Whitaker stated:

When this House heard the last of the very frequent and not very satisfactory Questions on this topic, my noble friend the Minister committed to conducting an equality impact assessment to evaluate the impact that this current ongoing delay is having on different groups. When will the Minister be able to share this with the House?

I said in the House on 3 February that I could not remember making that commitment, confirming I would write on the matter to clarify what was said.

I believe that Baroness Whitaker is referring to an exchange I had with Lord Dubs at an Oral Question on humanist weddings on 2 December 2024 and during this exchange I did not commit to conducting an equality impact assessment.¹

The reason I did not make this commitment is because the Government has an ongoing duty to have due regard to the equalities impacts in relation to its policies, in the form of the Public Sector Equality Duty. I wish to assure Baroness Whitaker that the Government of course continues to have due regard to the equalities impacts in relation to the issue of humanist weddings, and weddings law more generally.

Equalities considerations remain at the heart of our decision-making as we consider our next steps. As a new Government we need to take the time to properly consider the implications of any change to the law before setting out a position, which we plan to do in the coming months.

¹ Humanist Marriages - Hansard - UK Parliament

Religious-Only Weddings

On 3 February Baroness Berridge raised the subject of those who unknowingly undertake non-legally binding religious weddings and are therefore treated as unmarried under the law of England and Wales. If relationships break down between those in non-legally binding religious-only marriages, couples only have access to limited legal protections. This has a disproportionate impact on women, who are more likely to be financially vulnerable on separation, as a result of childcare responsibilities affecting their income.

In Parliament I also spoke about the common law marriage myth, which is the false belief that unmarried couples can obtain marriage-like rights if they live together for a certain period of time or have a child. A 2019 British Attitudes Survey found that almost half (47%) of people wrongly believe this myth, despite the fact there is no such thing as a 'common-law marriage'.²

These are reasons why the Government set out in its 2024 manifesto that it will strengthen the rights and protections available to women in cohabiting couples, which would include those who are in religious-only marriages. We will be issuing a consultation on this later this year.

Baroness Berridge's specifically asked about whether the Government is considering making it an offence to conduct a religious-only ceremony without first having seen a civil certificate of marriage. This is an issue that we are considering in the context of the Law Commission's 2022 report on weddings, in which the Law Commission made recommendations to create an offence relating to an officiant dishonestly misleading a couple about the legal effect of a wedding ceremony, and an offence of failing to disclose that the ceremony they are officiating will not create a valid marriage. We will take the time to properly to consider these recommendations and will outline our position in the coming months.

I hope this letter has been useful. I will share a copy with all Peers who spoke during the oral question and will place a copy of it in the House libraries.

Kind regards,



LORD PONSONBY OF SHULBREDE

² https://natcen.ac.uk/sites/default/files/2023-08/BSA_36.pdf