Marriage and Civil Partnership Bill

Submission of The Christian Institute to the Committee for Finance

June 2026

Including non-religious belief marriages within the Marriage (Northern Ireland) Order 2003

Definition of a 'belief body'

The definition of 'belief body' in Section 3(2)(b) of the Bill is too broad. It stipulates only two requirements: 1) that it is "an organised group of people", and 2) "the principal object (or one of the principal objects) of which is to uphold or promote philosophical beliefs".

The phrase "uphold or promote philosophical beliefs" is open-ended. It could potentially include not just humanist groups, but secular ethical campaign groups, political-philosophical bodies, environmental-philosophy groups, or even organisations built around loosely held worldviews. It does not, on its face, require the belief body to have a general worldview, rites of passage, a settled celebrant system, a minimum membership, a minimum period of existence, or to meet regularly for the purpose of promoting its beliefs.

Even if the language of "philosophical beliefs" was read through the discrimination law/Grainger lens, the category is still wide. The EAT in *Forstater* restated the Grainger criteria, but emphasised that the threshold should not be set too high, that the range of protected beliefs in a democracy is "very broad", and that it is not enough that a belief may "offend, shock or disturb" others. Beliefs deemed to meet the Grainger criteria include anti-fox hunting (*Hashman v Milton Park*), gender critical belief (*Forstater*), anti-Zionist (*Miller v University of Bristol*), ethical veganism (*Casamitjana Costa v The League Against Cruel Sports*) and the belief that public-service broadcasting has a higher social/cultural purpose (*Maistry v BBC*).[1] A definition based simply on the upholding or promotion of "philosophical beliefs" risks extending marriage solemnisation to ideological, political or single-issue campaign bodies, unless further limits are placed in the Bill itself. It would be a significant departure if the definition opened the door to, for example, anti-fox hunting or anti-Zionist groups to conduct weddings.

Stricter criteria should be adopted. The question that needs to be asked is whether an organisation has the sort of settled worldview, communal practice, rites of passage, moral formation or marriage-related understanding that would justify authorising it to conduct weddings. A starting point could be a definition derived from that of 'religion' in the Hodkin case (as previously proposed by the Law Commission in England and Wales): "An organisation that professes a secular belief system that claims to explain humanity's nature and relationship to the universe, and to teach its adherents how they are to live their lives in conformity with the understanding associated with the belief system."[2]

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[1] 'Legal opinion: protection of philosophical belief under discrimination law', Personnel Today, see https://www.personneltoday.com/hr/legal-opinion-protection-of-philosophical-belief-under-discrimination-law as at 11 June 2026.

[2] Getting married: a consultation paper on Weddings Law, Law Commission, September 2020, para. 3.43, see https://cdn.websitebuilder.service.justice.gov.uk/uploads/sites/54/2025/12/Getting-Married-A-Consultation-Paper-on-Wedding-Law-web.pdf as at 11 June 2026.

Profiteering

We support tightening the rules around 'profiteering' from conducting marriage ceremonies. Article 12 of The Marriage (Northern Ireland) Order 2003 states that a person's licence to conduct a marriage may be cancelled if they have "for the purpose of profit or gain, carried on a business of solemnising marriages".

This is an important inclusion in marriage law, but it is unclear how it might work in practice. Civil registrars are state employees and so cannot carry out weddings for personal profit. Religious officiants are not ordinarily paid any additional fees based on conducting a wedding – they are chosen for the role due to their position in relation to the life of the religious community. In contrast, the model used for non-religious belief weddings may be open to profit. Humanist weddings are conducted by officiants who may be heavily dependent on weddings for their income. They may be particularly vulnerable to losing their right to officiate should the existing non-profit clause be enforced without further guidance. Other non-religious belief groups may seek to use the new law as a 'loophole' to conduct weddings entirely for gain, potentially opening up a marketplace for ever-more outlandish weddings at ever-higher costs. This could create a financial incentive for officiants to push the boundaries, with extremely concerning implications for the dignity of weddings.

Guidance should be produced by the Registrar General on how the existing clause in the Marriage Order 2003 should be understood in practice, especially in light of the specific model used by humanist celebrants. Legally recognised wedding ceremonies must not be commercialised. Any fees specifically charged for the legal solemnisation of a wedding should be in line with Civil Register Officers on a cost-recovery basis. While this does not prevent celebrants from charging reasonable fees for the wider planning services they provide, clear guidance is needed to ensure the legal act of marriage itself is not exploited for profiteering. (At present, civil registrars charge between £36 and £216 to solemnise a wedding – depending on the time and day – with further charges added for room hire.[3])

Dignity

We also support the inclusion of specific wording around the 'dignity' of a marriage ceremony. The DoF Bills Team have claimed that the requirement in the 2003 Order that a person is a 'fit and proper person' is sufficient to protect against undignified ceremonies, but there is no clarity on how this would work in practice. This means, currently, it could be very difficult to remove someone's licence if they were found to be carrying out 'undignified' ceremonies – such a decision would presumably be open to legal challenge.

As such, the existing marriage system places significant trust in an officiant to conduct a wedding in an appropriate way. This trust is quite reasonable in many circumstances – religious groups and the civil registration system have clearly defined reasons for carrying out marriages, and stand to gain nothing in entertaining outlandish requests. In contrast, it cannot yet be known which new groups might apply to conduct non-religious 'belief' weddings, and what their interest may be in doing so.

[3] 'Getting married in a civil ceremony', NIDirect, see https://www.nidirect.gov.uk/articles/getting-married-civil-ceremony as at 11 June 2026.

Without clarification around what is expected of an officiant regarding dignity, it may open up space for intentionally undignified ceremonies.

It is worth outlining some examples of what undignified might mean. An academic study in 2020 gave many examples of 'weddings' carried out by independent celebrants in England and Wales (non-legally binding ceremonies), providing evidence of what might be anticipated in a very small minority of cases without safeguards around dignity: a ceremony held in the "sale ring of a local cattle market" where the celebrant acted as auctioneer; a ceremony held in a "theatre made to look like a woodland burrow"; ceremonies focused on the consumption of alcohol; a ceremony "on Hallowe'en in 'the ruin of a leper hospital'"; one couple who dressed as hedgehogs; and "two ceremonies in an 'S&M dungeon'".[4]

Regarding the content of the ceremony, of the same study's 287 respondents, 22 said they would impose no boundaries at all on what couples wish to include. A further 34 would only require that the content be "non-criminal" and "posed no health or safety risk". The study suggests that almost a quarter of all independent celebrants were willing to conduct weddings that contained obscene, violent or offensive content. It is unthinkable that the threshold for what is acceptable within a marriage ceremony could be set so low.

These ceremonies would be very unlikely to take place in NI under the civil and religious officiant system, but may be possible at the discretion of a non-religious belief officiant. To be clear, we are not commenting on wedding days *as a whole* containing these elements (although some cases are highly objectionable), but believe the State has an interest in ensuring that the legally binding vows are entered into with the utmost of seriousness. As such, the dignity of the legal ceremony must be appropriately protected.

Therefore, a new clause should be included in the Bill requiring that each individual ceremony should be conducted in a way that is 'dignified', with guidance produced by the Registrar General setting out what this means in practice. Failure to comply with this requirement could result in an officiant losing their right to perform weddings.

Further, as made clear by the examples outlined above, the dignity of a ceremony is particularly affected by the venue in which it takes place. As such, there are existing requirements regarding which venues are suitable for civil ceremonies to take place (we understand the precise requirements vary by Council area). The relevant requirements for civil ceremonies, insofar as they relate to *dignity*, ought to also be applied to religious and belief weddings; likely within any guidance provided by the Registrar General regarding dignity of the ceremony. To be clear, we are not seeking the expansion of registration of venues beyond the current system, but that officiants are expected to ensure the same standards are applied.

[4] Pywell, S, 'The day of their dreams: celebrant-led wedding celebration ceremonies', *Child and Family Law Quarterly*, June 2020

Raising the minimum age for marriage in Northern Ireland from 16 to 18

The Christian Institute supports raising the age of marriage to 18. While in previous generations marriage below this age was considered normal, we consider it clear that marriage and sex are for adults. Yet the existing law creates blurred lines around consent.

It is a mistake for the Department to propose to increase the age of marriage without likewise raising the age of consent. To achieve the Department's stated goal of protecting vulnerable young people through this Bill, it must address the tandem issue of the age of consent, for several reasons:

Sexual consent under 18 cannot be assumed to be proper consent

At any age it is important to state that consent is a legal minimum, but even where consent has apparently been given for sexual activity, it may not meet the legal definition. For instance, where someone is intoxicated, they may appear to give consent, but be unable to properly consent.

Equally, under-18s are especially likely to be unable to properly understand the consequences of sexual activity or to be subject to the manipulation of an adult. There is a far greater likelihood of consent appearing to have been given, but for the young person to be under duress or coercion. Imbalances of power due to age or financial status increase the risk of this being the case, especially where under-18s are now required to remain in education. As has been seen in numerous scandals, minors are sometimes preyed upon by over-18s, whether as 'easy targets', a captive audience or because of positions of trust. This means sexual consent granted by an under-18 is often not proper consent.

The loophole allowing sexual activity with those under 18 must be closed, with enforcement likely focused on activity between, for instance, over-21s and minors.

The existing age of consent was lowered against local wishes

The existing age of consent in Northern Ireland is a particularly strange anomaly. It was lowered from 17 to 16 by the Sexual Offences (NI) Order 2008, against the wishes of politicians and without public support. It was lowered to align NI with GB; despite the age of consent in ROI being (and remaining) older than NI.

At the time, the change was opposed by numerous groups and a cross-party Ad Hoc Committee established by the NI Assembly, including members from DUP, Sinn Fein, SDLP, UUP and the Alliance Party.[5] It was argued that the reduction in the age of consent would result in a greater risk to young people, reducing the ability to legally intervene in cases of harm.

It is high time that the age of consent was raised again in line with the wishes of parties in NI, and in line with the best protection of children from harm.

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[5] Minutes of evidence, Ad Hoc Committee on the Draft Sexual Offences (NI) Order 2007, 14 January 2008, see https://www.niassembly.gov.uk/assembly-business/committees/2007-2011/ad-hoc-committee---draft-sexual-offences-ni-order-2007/minutes-of-evidence/14-january-2008/ as at 11 June 2026; Report on the Draft Sexual Offences (NI) Order 2007, Ad Hoc Committee, Session 2007-08, 15/07/08R, January 2008, para. 28

Informal child 'marriages' may become 'cohabitations'

The Marriage and Civil Partnership Bill criminalises marriages under the age of 18. Yet in doing so, there is a risk that it creates a new loophole for *cohabitation* under 18. The very people the law is supposed to protect, who could be drawn or feel pressured into marriages at an age where they are not truly able to consent to that lifelong decision, would be deeply failed should they instead be drawn into long-term cohabitation arrangements.

For instance, a vulnerable 16-year-old girl might enter into a relationship with a 25-year-old man. She may choose to have children at that age, and abandon education and career ambitions. At present such a couple may marry. The present Bill prevents the marriage from taking place, but it does not prevent the same situation arising as a cohabiting relationship. In the case of relationship breakdown, the girl has even less protection as a cohabitee, with her ability to earn an income and provide for her family now severely diminished, than would be the case if she had the financial and legal protection afforded by marriage and divorce law. This is a peculiar and perverse injustice, albeit both situations are deeply unfortunate.

In the case of a young woman being pressured into such a relationship by family, perhaps with the promise that the relationship will be turned into a marriage when she turns 18, an informal cohabiting relationship is not prevented by the Bill. A small number of young women could thus be even further disadvantaged due to the loophole of consent at 16. It should be legally impossible for a 16-year-old to be in a sexual relationship with an adult. This would be the proper protection from abuse that the Bill intends to achieve, giving social services the legal mandate to intervene and remove a 16-year-old from such an exploitative living arrangement.

It is illogical to separate the age of marriage and of consent

It is a legal contradiction to classify 16- and 17-year-olds as minors incapable of entering binding civil contracts, purchasing alcohol, or committing to a legally recognised marriage, while simultaneously treating them as fully autonomous adults capable of navigating the lifelong and sometimes profound consequences of sexual intimacy.

A unified age of 18 directly reflects modern neurological science regarding adolescent brain development. The prefrontal cortex – the area of the brain responsible for long-term planning, impulse control, and complex risk assessment – continues developing well beyond a person's teenage years. Because 16- and 17-year-olds possess heightened emotional drives but are still maturing in their capacity to evaluate severe, long-term consequences, society must provide a protective legal buffer that allows them to reach greater cognitive maturity before assigning them adult-level accountability for sexual consent.

Setting the age of consent at 18 creates a definitive, unambiguous boundary that empowers law enforcement and social services to protect vulnerable young people. A lower age of consent forces the justice system to rely on judgments around 'position of trust' exemptions, only where these are applicable, to prosecute adults who target older teenagers. This leaves a whole swathe of teenagers completely unprotected from predatory sexual behaviour. An absolute baseline of 18 removes this legal grey area, sending a clear societal message that all individuals under 18 are legally recognised as children who require uncompromising, absolute protection from adult exploitation.