

ELGC COV 56

Ymchwiliad i COVID-19 a'i effaith

Inquiry into COVID-19 and its impact

Ymateb gan: Dyneiddwyr Cymru

Reponse from: Wales Humanist

The frequently changing coronavirus regulations have, we are sure, been quite disruptive for couples wishing to have all types of wedding, but we would submit that they have without doubt been more disruptive for humanist couples than most.

This is not only because of the need to hold two separate ceremonies, in order to have a humanist wedding while still ending up legally married. That means any disruption caused by the changing rules means couples have often had to replan both ceremonies, when other couples have only had to replan one.

But it has also been more disruptive for humanist couples because humanist weddings have, at times, faced further restrictions than legally recognised marriages.

In England, in late September, the UK Government introduced new restrictions limiting attendance at legally recognised marriages to 15, but also withdrew a prior provision that allowed non-statutory faith and belief ceremonies to have the same number as at marriages, thereby causing humanist weddings to default to the rule of six. That this was the case was initially confirmed to Humanists UK staff by Government officials. But after significant protest from politicians, in the media, and with one couple threatening legal action, the Government reversed course, and clarified that humanist weddings could have up to 15 after all, through provisions intended for wedding receptions. This, obviously, did not make sense, since humanist weddings are not receptions – indeed, Government guidance at the time of the volte face also said that receptions had to be sit-down meals. There were also, at that time, some contradictory messages from the Government as to whether humanist weddings would have to happen in proximity to a legally recognised civil marriage. However, in mid-October the Government introduced new coronavirus regulations that provided specifically for up to 15 to attend ‘an alternative wedding ceremony’, which was defined as ‘a ceremony based on a person’s faith or belief’. This was seemingly done in response to the previous problems, and represents the closest the UK Government has come to acknowledging that there is a human right to humanist marriages.

In Wales, the situation has been even worse. All marriages and weddings were initially banned during the spring lockdown. But in late June the Government allowed legally recognised marriages to resume in registry offices and places of worship, but kept in place the ban on all other forms of wedding. Humanist weddings were therefore effectively illegal until late July, when a new regulation was introduced allowing places of worship to reopen more generally, and people to gather for the purposes of worship. Confusingly, the Welsh Government introduced guidance that defined worship as including belief gatherings, and places of worship as including anywhere where belief gatherings might occur – thereby effectively adopting a reading-in of humanist ceremonies (under section 3 of the Human Rights Act 1998) to a provision that didn’t, on its face, apply to them.

This unusual route through which humanist weddings were allowed to operate (which caused couples all sorts of difficulties with venues) remained the case until late October, when Wales introduced a 17-day firebreak lockdown. At this stage, it reverted to the position in June, whereby ‘worship’ (and hence humanist weddings) was no longer allowed, while legally recognised marriages were able to continue. Additional problems arose after the firebreak lockdown, as the Government reverted to the rules as they were, but introduced a limit of 15 for gatherings for worship, while

there is no limit on legally recognised marriages; and also allowed people to travel into Wales for attending legally recognised marriages, but not worship.

In an attempt to fix this problem, in late December, the Welsh Government introduced further regulations, now providing for 'alternative wedding ceremonies', much like in England, with equal numbers able to attend as at legally recognised marriages. However, unlike in England, it is specified that such ceremonies can only be 'held in regulated premises'. Under alert tier 4, the list of which places these are is quite restricted, and confusingly does not include outdoors locations, even when they can be made Covid-secure. This appears to be an oversight, as the indoors locations specified on the list are plainly riskier than outdoors premises. The oversight probably stems from the fact that legally recognised marriages are generally restricted to indoors locations. The list does however include 'places of worship'. Therefore it may be the case that humanist weddings can continue outdoors, but only through the places of worship provisions – as was previously the case. As of writing, we are seeking to clarify this with the Welsh Government.

None of these problems would have happened, were humanist marriages already legally recognised.

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