

Written evidence from Mrs Joanna Dunn [HAB0182]

I would like to make the following points to the Select Committee.

Firstly, and very simply, by extending the rights that come with marriage (particularly now that both heterosexual and gay couples can choose to enter into the marriage commitment) to those who chose not to marry, you deny the choice NOT to commit to those who would choose it. It essentially becomes impossible to choose to live in a fluid relationship without commitments.

Cohabiting couples have the option to address the supposed difficulties through other means and make their wishes or choices clear. They can write a will to settle inheritance issues for example.

Creating another additional relationship status is completely unnecessary. Couples either choose to get married or not. Extending rights to an extra 'cohabiting' group undermines the choices made by both groups and creates confusion.

Children from a partnership of any sort DO need protection; it is right that a parent should not be able to walk away from that commitment and that children should have the right to know and be in contact with their parents (unless they are in danger from them) and to expect financial and emotional support from them. However, that protection does not need to be linked extension of the legal protection of marriage to co-habiting couples.

Secondly, all the evidence suggests that the marriage commitment is a stabilizing factor in society and has economic benefits for the adults – and the children- involved. Family breakdown is exceedingly expensive for society, costing the public purse over £50bn each year. It would be more helpful for the government to promote the marriage commitment and enhance- not diminish- its benefits-for the betterment of society in general . It would be very helpful to have a public information campaign so that people understand their legal position - for example to make sure people understand that there is no such status as “common law spouse” and the implications of that- so that people can make an informed decision about their relationship arrangements.

Thirdly, marriage makes a clear distinction between couples in a permanent relationship and those who share a home as housemates or lodgers. Giving special legal status to cohabitation would blur these lines. Trying to create a clear definition of “co-habiting” would be a legal nightmare; note the difficulties in the benefits system in trying to deal with the thorny issue of “are you married or do you live with a partner as if you were married...”) This could lead to many miscarriages of justice, and the undermining of individuals choices and wishes.

In summary there is a status in law called “marriage”. It does not have any specific religious connotations in our society and can be transacted in a very simple way at minimum expense if so desired. It confers certain legal rights and responsibilities on those who choose to undertake it. Those who choose not to enter into that legal transaction make that choice- and should be able to make that choice.

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