

Written evidence from Mr Philip Martin [HAB0206]

I am writing as an individual who works with couples as part of a church. I act as Marriage Registrar and also provide Marriage Preparation courses to couples.

Since it is suggested that cohabiting couples believe they have similar or identical rights to married couples, which is not the case, a public information campaign who directly address this lack of understanding, without the inherent difficulties in recognising cohabitation. The couple can write a Will to describe their wishes and financial intentions towards another person or jointly own assets.

Statistics show that giving legal rights to cohabittees will encourage cohabitation, which is inherently unstable and so will escalate more family breakdown in society – already costing the public purse over £50bn each year, rather than encouraging entry into a marriage commitment.

It is unclear at this stage if cohabiting couples would apply for their relationship to have a legal basis or if after some period of time the relationship is assumed to be cohabitation with imposed financial and asset shared ownership thrust upon them. If they are reluctant to formally identify their interdependent, and exclusive?, relationship and apply as cohabittees, then this whole attempt will still have failed. Will cohabittees have to apply for a “divorce” with a financial settlement before entering another cohabiting relationship?

Either way this is problematic; why have another public commitment mechanism when marriage is already freely available, proven to be the best for stable families, legally clear with the benefits and responsibilities well understood both nationally and internationally. Trying to define cohabitation is again open to many challenges, for example are they: - lodgers / housemates / roommates / friends / a domestic employee / casual lovers / temporary residents / business partners / committed cohabittees? If one party tries to stake a claim to the other party’s assets in court, with the nature of the “cohabiting” relationship disputed, how will a magistrate decide the true nature and intention of the parties in the “cohabiting” relationship in 5 / 10 /15 years’ time? E.g. when 1 party is seeking access to pension rights or life insurance benefits or property.

I urge the review to take a long-term view and consider the generational impact on the whole of society and especially its children, not just a short-term clamour from adults. I hope that it will be readily acknowledged that making a public commitment to marriage is already the answer.

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