



THE BARONESS COX  
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The Rt Hon Suella Braverman  
House of Commons  
London  
SW1A 0AA

20 April 2023

Dear Home Secretary,

In 2023, Equal and Free entered its twelfth year of campaigning to enshrine the marriage rights of British women who **still** do not have the protection of a legal marriage, in conjunction with their religious-only marriage.

I am writing, with the full support of these signatories, to ask that you reassure us of this Government's plans to provide a legislative solution to the injustice suffered when women in England and Wales unknowingly enter into religious marriages that offer them no legal protection.

In the last twelve years, I have introduced ten Private Member's Bills which have made provisions for the legal protection of those in religious-only marriages, narrowing the legislative focus over time to culminate in the Marriage Act 1949 (Amendment) Bill. This Bill was first introduced in July 2017 and proposes an amendment to Section 75 of the Marriage Act 1949, seeking to create an offence of purporting to solemnise a marriage that has not been, and will not be, legally registered. In twelve years and ten Private Members' Bills, two have received a Second Reading in the House of Lords, and one has progressed to a First Reading in the House of Commons, prevented from advancing further only by a busy Parliamentary schedule. In this time, the number of women facing religious divorce without the protection of the law has grown and, according to Roxana Rais of the Muslim Women's Advisory Council, will continue to grow until marriage law is reformed.

Recommendation 42 of the Law Commission's *Celebrating Marriage: A New Weddings Law* Report, published July 2022, is similar to this Private Member's Bill in its proposal to create an offence of an officiant, or someone purporting to lead the ceremony, misleading either member of a couple on their legal status or the status of the ceremony; or for an officiant to fail to disclose that the ceremony will not give rise to a legally valid marriage. The Law Commission acknowledges the seriousness of weddings taking place outside of the law without both partners' consent, or even awareness, going so far as to declare that:

*“Dishonestly misleading one or both of the couple about the effect of the ceremony or the status of the person involved is sufficiently serious to justify the possibility of a prison sentence.”*

The question is, why does this Government refuse to acknowledge the same?

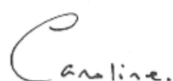
I recognise that overhauling the current buildings-based model of weddings law in favour of an officiant-based system – as recommended by the Law Commission report – would require extensive time and resources to draft, consult, legislate and implement. However, doing nothing is a deeply disturbing alternative – as the Law Commission notes, no *“existing criminal offences adequately cover the wrongful behaviour and the harm it could cause.”*

This reality will not disappear by ignoring it. It is time to implement legislation that is uncontroversial, limited, and offers justice on an issue that has been raised by numerous groups, including but not limited to: the Muslim Women’s Advisory Council, the Council for Muslims Facing Tomorrow, BASIRA (British Arabs Supporting Universal Women’s Rights), Aurat: Supporting Women, Civitas, and Register Our Marriage. In addition, I attach a testimony which a good friend, Roma – who has experienced religious marriage and divorce – has generously provided, to illustrate how crucial it is that all marriages are legally registered.

I am therefore joined by these signatories to request that you respond with clarification of the plans that this Government has to enshrine the rights of every woman in the UK who is married without the protection of the law. I would be happy to meet with you to share the testimonies of survivors that I have had the privilege of supporting over the years, and to use my decade of experience in offering input on any upcoming policy on this matter.

It is time for this Government to stop using the empty promise of exploring reform, and to offer proof of commitment to women’s emancipation and equality before the law.

Yours sincerely,



**The Baroness Cox of Queensbury (Crossbench)**

**The Rt Hon. the Lord Dholakia OBE  
DL (Liberal Democrat)**

**The Lord Cormack (Conservative)**

**The Viscount Bridgeman (Conservative)**

**The Rt Rev. and the Rt Hon. the Lord  
Carey of Clifton (Crossbench)**

**The Baroness Lister of Burtersett CBE  
(Labour)**

**The Baroness Eaton DBE DL  
(Conservative)**

**The Lord Singh of Wimbledon CBE  
(Crossbench)**

**The Lord Desai (Crossbench)**

**Admiral the Rt Hon Lord West of  
Spithead GCB DSC PC (Labour)**

**The Lord Vinson LVO DL  
(Conservative) (Retired)**

**The Lord Carlile of Berriew CBE KC  
(Crossbench)**

**The Rt Hon. the Lord Warner  
(Crossbench)**

**The Lord Jackson of Peterborough  
(Conservative)**

