



Law Commission

Reforming the law

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Dear Mr Raab

Marriage law

Thank you for your letter of 11 September explaining your decision not to support further Law Commission work on the law governing weddings at this time. We of course fully recognise your desire to focus immediate attention on operational issues affecting the family justice system.

We are grateful to you for your offer to keep the position under review and hope that we can continue to engage with your officials so that the Commission is ready to assist, if the situation changes. Judging by what we have been told during consultation for our 13th Programme, the pressure for change in relation to marriage law – or at least for a comprehensive review of the area – is unlikely to diminish. In particular, there are high-profile campaigns by humanist groups (who have recently successfully challenged weddings legislation in Northern Ireland) and those concerned about religious-only marriage (which is being considered by the Sharia law review, set up by the Prime Minister when Home Secretary). Both of these issues have been regularly raised in Parliament and the media.

This is a complex area of the law with a need for wide consultation, so any law reform options would take time to formulate. Allowing the Commission to undertake work would help to identify the issues and have solutions ready for implementation in the medium term, if Government agreed at that stage that reform was warranted. Our work could be structured to give Government options for reform, including more limited reform that could be implemented via the special Parliamentary procedure for Law Commission bills.

We are liaising with your officials to ensure that the announcement of Government's decision not to support this work at this time is handled smoothly.

We would also be happy to discuss any other emerging family law priorities in which the Law Commission might be able to play a useful role.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'N.P. Hopkins'.

Professor Nicholas Hopkins

Law Commissioner for Property, Family and Trust Law