



**THE SOLEMNIZATION OF MARRIAGE:  
PAST, PRESENT AND FUTURE  
DAY CONFERENCE 20 MARCH 2021**



**TIMETABLE FOR THE DAY**

**10.00am                      SESSION 1**

Welcome and introduction from Mark Hill QC, Chairman of the Ecclesiastical Law Society, who will then moderate this session with:

**REBECCA PROBERT**



Rebecca is Professor of Law at the University of Exeter. She has written widely on both the history and current law of marriage and is currently working on the Law Commission's Weddings project.

**Abstract**

The laws regulating how and where couples can get married – as opposed to who they can marry – are widely recognised as being in need of reform. The basic structure of the current law dates back to the Marriage Act 1836, and many elements – the requirements for Anglican weddings and differential treatment of Jewish and Quaker weddings – have a still longer history. Despite its longevity, many of the current requirements have their origins in past panics, tactical compromises, or quick fixes. While the laws enacted in 1836 were shaped by their historical context, even then the legal framework did not fit with how couples wanted to marry. This paper traces the history of marriage law reform to explain how we ended up with a set of laws that are highly restrictive, inconsistent, and complex, and why reform is needed. <https://www.cambridge.org/core/books/tying-the-knot/5017866ACE03FE2F4BD79751D5FD9C25>

**11.00am                      BREAK**

**11.30am                      SESSION 2**

Moderated by The Reverend Stephen Coleman, Assistant Director, Centre for Law and Religion, Cardiff University.

**NICK HOPKINS**

Nick is Professor of Law at Reading University. He was appointed Law Commissioner for Property, Family and Trust Law in 2015 and has recently been reappointed for a further five years until September 2025.



**Abstract**

In *Getting Married: A Consultation Paper on Weddings Law*, the Law Commission set out provisional proposals for a comprehensive reform of the law regulating how and where couples can get married. The Consultation Paper builds on the Law Commission's 2015 Scoping Paper, and the provisional proposals consider the legal process governing weddings from preliminaries to registration. The provisional proposals

are designed to provide couples with greater choice within a simpler legal framework, better reflecting the wishes and needs of today's society. This paper sets out the Law Commission's proposed scheme and the principles that underpin it and identifies and discusses key issues that have emerged in the public consultation. <https://www.lawcom.gov.uk/project/weddings/>

**12.30pm**                      **BREAK**

**1.30pm**                      **ANNUAL GENERAL MEETING – ECCLESIASTICAL LAW SOCIETY**

(see separate Agenda and supporting papers)

**2.15pm**                      **BREAK**

**2.30pm**                      **SESSION 3**

Moderated by Ruth Arlow, Chancellor of the Diocese of Salisbury.

#### **RUSSELL SANDBERG**



Russell is Professor of Law at Cardiff University. His research interrogates the relationship between law and the humanities, with particular expertise in Law and Religion and Legal History. He is author of *Law and Religion* (Cambridge University Press, 2011), *Religion, Law and Society* (Cambridge University Press, 2014), *Subversive Legal History* (Routledge, 2021) and *Religion and Marriage Law: The Need for Reform* (Bristol University Press, 2021).

#### **Abstract**

This paper takes a step back to outline three shortcomings with the current law on marriage: (1) the unregistered religious marriage issue whereby religious weddings take place that do not comply with the Marriage Act and so are not legally binding; (2) the number of weddings conducted by humanist and independent celebrants that do not come under the Marriage Act and so cannot be legally binding on their own; and (3) the increasing numbers of cohabiting couples. These three problems overlap: in all three, the concern is that there are no State law remedies available if the relationship breaks down. This paper, drawing on my forthcoming book on the subject, explores the common solutions that are needed which would deal with all three problems. <https://bristoluniversitypress.co.uk/religion-and-marriage-law>

**3.30pm**                      **PANEL DISCUSSION** with all three speakers; moderated by Ruth Arlow

**4.00pm**                      **Conference ends**