**For Immediate Release**

*High Court rules civil partnership discrimination is justified while MPs call on the government to open civil partnerships to all*

**Friday 29th January 2016**

A High Court judge, Mrs Justice Andrews DBE, rules today that the government’s discrimination against opposite-sex couples’ access to civil partnerships is justified, while MPs from across the political spectrum call for civil partnerships to be extended to opposite-sex couples. Currently civil partnerships are only open to same-sex couples.

**What?**On 19th and 20th January 2016, Mrs Justice Andrews DBE heard a Judicial Review claim in the High Court that was brought by Rebecca Steinfeld and Charles Keidan. They argued that the Civil Partnership Act 2004, which restricts civil partnerships to same-sex couples, is incompatible with Article 14 (read with Article 8) of the European Convention on Human Rights, which states that everyone should be treated equally by law, regardless of sex or sexual orientation. Today, the judge ruled that the difference in treatment does not fall within the ambit of Article 8, read together with Article 14, but even if it did then maintaining that difference is justified.

However, Mrs Justice Andrews also acknowledged that there will no doubt be many people who sympathise with the Claimants’ point of view “that it is unfair that a route to state recognition of their relationship which is open to a same-sex couple…remains unavailable to them because they are heterosexual.”

She also noted that “Just as the UK was under no obligation to extend marriage to same-sex couples, it has never been under an obligation to extend civil partnership to heterosexual couples.” And she said, “The denial of a further means of formal recognition which is open to same-sex couples, does not amount to unlawful state interference with the Claimants’ right to family life or private life, any more than the denial of marriage to same-sex couples did prior to the enactment of the 2013 Act.” In other words, according to the judge, same-sex couples’ exclusion from marriage before 2013 was lawful just as opposite-sex couples’ exclusion from civil partnership is today in 2016.

Also today, a Ten Minute Rule Bill (a type of Private Member’s Bill) calling for a minor amendment to the Civil Partnership Act to remove the clause limiting civil partnerships to same-sex couples has its second reading in the House of Commons.

**Where?**The High Court and the House of Commons.

**Who?**New parents Rebecca Steinfeld and Charles Keidan brought the case. The couple are represented by solicitor Louise Whitfield of law firm Deighton Pierce Glynn, and Karon Monaghan QC of Matrix Chambers.

Former Children’s Minister, Tim Loughton MP, has a Ten Minute Rule Bill receiving its second reading today. The Bill is backed by a large number of MPs, (including Caroline Lucas, Andy Slaughter and Stephen Twigg), as well as lawyers and academics alongside over 36,000 supporters, all of whom are calling on the government to extend civil partnerships to all couples.

Rebecca Steinfeld said:

*“We made this claim because the UK Government is barring us, and many thousands of opposite-sex couples like us, from the choice of forming a civil partnership, and we want this to change. Personally, we wish to form a civil partnership because that captures the essence of our relationship and values. Civil partnerships are a modern social institution conferring almost identical legal rights and responsibilities as marriage, but without its history and social expectations. We don’t think there is sufficient justification for stopping us or other opposite-sex couples from forming civil partnerships. Unfortunately, the judge has concluded otherwise. We are seeking permission to appeal her decision on behalf of ourselves and the more than 36,000 people who signed our petition on Change.org calling for civil partnership equality.”*

Charles Keidan said:

“*We believe that opening civil partnerships to opposite-sex couples would complete the circle of full relationship equality that began with the hard-won victory for same-sex marriage.  We campaigned**for equal marriage and believe that the significance and symbolism of opening marriage to same-sex couples cannot be overstated. Regrettably, the courts have so far been unable to compel the government to open civil partnerships to all, so it’s now time for Parliament to demonstrate its commitment to creating a level playing field for all its citizens by opening up civil partnerships to same-sex and opposite-sex couples alike.”*

Louise Whitfield of Deighton Pierce Glynn, the solicitor representing Charles and Rebecca, said:

*“It is clear that there is unjustified discrimination here in what the judge acknowledged was an important case, but she has set the bar too high in terms of whether the issue falls within the ambit of Article 8, the right to protection of private and family life. Moreover, the Government’s arguments to justify that discrimination on the basis of cost are fundamentally flawed, as this cannot be a “legitimate aim” in these circumstances. We are therefore advising our clients on the matter of an appeal.”*

Robert Wintemute, Professor of Human Rights Law at King’s College London, who has advised the couple, said:

*"It is very disappointing that the High Court was not persuaded to make a declaration of incompatibility, despite the obvious sexual orientation discrimination in the Civil Partnership Act 2004.  Rebecca Steinfeld and Charles Keidan will now have to consider whether to take their case to the England and Wales Court of Appeal, or the European Court of Human Rights."*

Tim Loughton (Conservative MP for Worthing East and Shoreham) said:

*“This is not the result we were hoping for, but it is by no means the end of the fight. I am sure Charles and Rebecca will continue to campaign for this glaring inequality in the Marriage (Same-Sex Couples) Act 2013 to be corrected. My Private Members’ Bill is yet to receive its Second Reading, so there is still opportunity to bring this issue to the attention of MPs, ministers and the wider public and marshal the growing support. This is not an issue that is going to go away”.*

Peter Tatchell, Human Rights Campaigner, said:

*"This is a defeat for love and equality. It will be a huge disappointment to the thousands of heterosexual couples who would like to have a civil partnership. The court has rejected the principle that in a democratic society everyone should be equal before the law. It says that opposite-sex couples are not entitled to the same choices as same-sex ones. It cannot be right that same-sex couples have two options, civil partnerships and civil marriages; whereas opposite-sex partners have only one option, marriage. This legal case was always about the simple quest to end discrimination and ensure equality for all. I hope Charles and Rebecca will appeal and that justice will prevail in the end."*

Ava Lee, Campaign Manager of the Equal Civil Partnership campaign, said:

*"We are disappointed by the judgment from the High Court today, however our campaign for equal civil partnerships will continue. While the judge found that the Civil Partnership Act is not incompatible with equality legislation, her judgment does not change the fact that there are thousands of couples around the country who do not want to get married but are deeply concerned about the precarious legal and financial position that this decision leaves them in. Civil partnerships are an institution that already exists, and offer the same legal protections afforded to married couples to those couples who feel that marriage is not for them.*

*Over 36,000 people have written to the Minister for Women and Equalities, asking her to open up civil partnerships. We hope that following the judicial review, the government will reconsider its position on civil partnerships and offer the 3 million cohabiting couples in the UK an additional option for celebrating and cementing their relationships, and provide their 1.9 million dependent children with the same level of security offered to the children of married parents."*

The Campaign for Equal Civil Partnerships was launched by members of the public adversely affected by the current legislation. For more information, please visit equalcivilpartnerships.org.uk or email [media@equalcivilpartnerships.org.uk](mailto:media@equalcivilpartnerships.org.uk) to arrange interviews with couples calling for equal civil partnerships.