



WRITTEN EVIDENCE TO THE MINISTRY OF JUSTICE IN RESPECT OF ITS CONSULTATION ON TYING THE KNOT: REFORMING WEDDING LAWS IN ENGLAND AND WALES

September 2026

Introduction

1. Muslim Women's Network UK (MWN UK) is the only national Muslim women's charity in Britain (www.mwnuk.co.uk) that has been advancing equality, social justice and promoting women's empowerment since 2003. We want Muslim women and girls to be able to exercise their rights, choices and voices and lead safe and authentic lives. We achieve our aims through the support we provide via our national helpline (www.mwnhelpline.co.uk), education, research, and advocacy. Key issues that we focus on include violence against women and girls, anti-Muslim hatred / discrimination, women's health (including mental health) and women's economic and civic empowerment. We also have a national membership that includes women of other faiths or of no faith and men who support our work.
2. We respond to the questions of the Consultation as noted below. In preparing this response, we have drawn on themes arising through the MWN Helpline and our wider work with Muslim women and other minoritised women. The examples included below are anonymised and illustrative. They demonstrate the types of issues women raise with us, including religious-only marriages, domestic abuse (including economic and spiritual abuse), uncertainty about legal status, housing insecurity, lack of civil marriage protection, and difficulty accessing remedies when relationships break down.

Question 1. Should information and signposting be provided on the online notice platform in order to support and safeguard couples including in relation to forced marriage, consent and capacity?

3. MWN UK strongly supports the provision of information and signposting through the online notice platform. We consider this to be an important safeguarding opportunity and a means of ensuring that individuals understand both the legal consequences of marriage and the protections available to them.

4. The information provided should go beyond forced marriage, consent and capacity. It should include clear information about:
 - a. the legal rights and responsibilities arising from marriage;
 - b. the consequences of entering a religious-only marriage that is not legally recognised;
 - c. financial remedies and other protections available on divorce;
 - d. indicators of coercive control, domestic abuse, economic abuse, honour-based abuse, spiritual abuse, forced marriage and predatory marriage;
 - e. sources of specialist support and advice; and
 - f. how concerns can be raised confidentially during the preliminaries process.
5. The information should help individuals recognise a broad range of harmful behaviours, including forms of coercion that may not always be recognised as abuse by those experiencing them. Many individuals may not identify their circumstances as a forced marriage but may recognise family pressure, emotional blackmail, threats of ostracism, concerns about family honour, misuse of religious teachings, spiritual abuse, pressure relating to dowry or wedding-related financial demands, or other forms of coercive behaviour if these are clearly explained.
6. Particular emphasis should be placed on explaining the difference between a religious ceremony and a legally recognised marriage. Through our work with Muslim women, we are aware of many cases where individuals either do not understand, or are actively misled about, the legal status of their marriage. MWNUK case studies and helpline enquiries include women who remained in religious marriages for many years believing they would have access to legal remedies on relationship breakdown, only to discover that the absence of a legally recognised marriage left them financially vulnerable and without many of the protections they expected. Economic abuse can arise where one party is deliberately encouraged to enter a religious-only marriage, or where a legally recognised marriage is deliberately avoided, with the effect of depriving them of legal and financial protections on relationship breakdown.
7. It should not be assumed that an individual who has begun the legal process or completed part of it will necessarily go on to acquire those protections. Individuals may be pressured to postpone, abandon or not complete the remaining legal requirements for a legally recognised marriage. Others may be falsely assured that all necessary legal steps have been taken on their behalf or may mistakenly believe that a religious ceremony itself has completed the legal process.
8. Information provided through the online platform should therefore explain clearly that each stage of the process is important and that a marriage will not be legally recognised unless all relevant legal requirements have been satisfied. Individuals should be encouraged to verify for themselves that the necessary legal steps have been completed and to seek clarification where they are uncertain. This is particularly important given

the prevalence of misinformation surrounding these reforms. Some individuals have incorrectly understood the proposals to mean that religious marriages, including Islamic marriages, will automatically become legally recognised. The platform provides an important opportunity to correct this misunderstanding before a marriage takes place and to ensure that individuals understand both what legal protection marriage provides and how those protections are secured in practice.

9. Information should be accessible, available in a range of languages and formats, and developed in consultation with specialist organisations and affected communities.

Question 2. Do you agree with the type of information the Government proposes should be provided at the online notice stage? This includes material to help individuals recognise potential indicators of coercion or control, as well as any information about how to seek help through the Forced Marriage Unit, how to raise concerns during the preliminaries process and signposts to relationship support and guidance.

10. We agree with the type of information proposed by the Government and welcome the emphasis on coercion, control, consent and access to support. However, we consider that the information should also address honour-based abuse, spiritual abuse, economic abuse, coercive control and other forms of pressure that may not always be recognised as abuse by those experiencing them.
11. We also consider it essential that the information clearly explains the distinction between a religious ceremony and a legally recognised marriage. As set out in our response to Question 1, misunderstanding of legal status remains widespread and can leave individuals without the legal rights and protections they believed they had acquired. The online notice stage provides an important opportunity to provide accurate information and correct misinformation before a marriage takes place.

Question 3. What are your views about the type of evidence that should be required for the harm-based exemption from online publication of a notice?

12. We agree that an exemption should be available where publication of a notice would create a risk of physical, psychological or other harm. However, the evidential requirements must strike an appropriate balance between protecting individuals at risk and preserving the safeguarding function of public notice.
13. We support the acceptance of evidence from a range of sources, including court orders, the police, social workers, health professionals, domestic abuse services, specialist honour-based abuse and forced marriage organisations and other recognised support services.
14. At the same time, we recognise that some individuals facing genuine risks may have little or no formal evidence. Victims of coercive control, honour-based abuse, spiritual

abuse or family pressure may never have reported their experiences to the police or engaged with statutory services. Requiring formal documentation in every case could therefore prevent those most in need of protection from accessing an exemption and so there should be an ability to apply discretion and grant exemptions where deemed necessary.

15. The exemption process should not be so permissive that it undermines the public notice system. Public notice serves an important safeguarding purpose, including allowing concerns to be raised about legal impediments to marriage. Decision-makers should therefore be able to assess applications on a case-by-case basis, taking into account both the evidence available and the credibility of the concerns raised.
16. The objective should be a proportionate process which protects individuals at genuine risk of harm whilst preserving the wider safeguarding and transparency functions of the notice regime.

Question 4. Do you agree that at the in-person interview, registrars should be required to ask a specific set of questions aimed at identifying forced, predatory or sham marriage?

17. We agree that registrars should be required to ask a specific set of questions aimed at identifying forced, predatory and sham marriages. A core set of questions may help ensure consistency and reduce the risk of important safeguarding issues being overlooked. However, the interview process should not become a tick-box exercise. Registrars should retain discretion to ask additional questions where responses, behaviour or wider circumstances give rise to concern. A fixed set of questions alone may not be sufficient to identify all cases of coercion, abuse or exploitation.
18. Additionally, questioning alone will not be sufficient. Individuals experiencing coercion may give all the "right" answers to a registrar's questions and may appear willing to proceed with the marriage. Some may have been coached on how to respond, whilst others may fear the consequences of disclosure, including family rejection, social isolation, violence or other repercussions. In some cases, an individual may actively seek to reassure the registrar that they wish to proceed despite being subject to significant pressure.
19. Others may not recognise their own experiences as abusive. This is particularly relevant in cases involving coercive control, economic abuse, honour-based abuse, spiritual abuse and other forms of pressure, where an individual may genuinely believe they are acting freely despite family expectations, emotional manipulation, misuse of religious teachings or other forms of influence significantly affecting their decision-making.
20. The questioning should therefore form part of a broader safeguarding framework rather than being treated as a standalone safeguard. Registrars should be appropriately trained to recognise behavioural and contextual indicators of concern, understand the dynamics

of coercion and abuse, ask follow-up questions where necessary, and know how concerns should be escalated and responded to.

21. The effectiveness of the interview process will also depend upon individuals receiving clear information before the interview takes place. As set out in our responses to Questions 1 and 2, accessible information about forced marriage, coercive control, honour-based abuse, spiritual abuse and legal rights may assist individuals in recognising concerns and disclosing them during the interview process.
22. We therefore support the proposal, but consider that it must be accompanied by appropriate training, guidance, information provision and referral pathways if it is to achieve its safeguarding objectives.

Question 5. Do you agree with the proposal to allow consent to be expressed through the performance of actions in religious and non-religious belief ceremonies?

23. We recognise that different faith and belief communities may hold differing views on how consent is expressed as part of a marriage ceremony and we defer to those communities in relation to their own religious and belief practices. However, from the perspective of Muslim communities, we would have concerns about consent being expressed solely through actions rather than words. The exchange of *ijāb* (offer) and *qubūl* (acceptance) is a central element of the *nikah* and provides a clear and observable expression of consent. Verbal consent also provides an important safeguard against misunderstanding, dispute and coercion.
24. We therefore consider that, in Muslim marriage ceremonies, consent should be expressed verbally. An exception should be available where a person is unable to communicate verbally because of a disability, medical condition or other communication need, provided that there is a clear and reliable alternative means of expressing free and informed consent.
25. Given the importance of protecting against forced and predatory marriage, any system that permits consent to be expressed through actions should ensure that the expression of consent is clear, intelligible and readily understood by the couple, officiant and witnesses.

Question 6. Do you agree with the proposed required words for civil weddings?

26. Yes. MWNUK agrees that civil ceremonies should retain a clear, standardised and identifiable expression of consent. A short statement of acceptance is simple, easy to understand and provides legal certainty, whilst allowing couples some flexibility in how they identify their spouse.

Question 7. Are there any specific variations to the required words that should be considered acceptable “words to the same effect” should apply?

27. MWNUK agrees that limited variations should be permitted where they do not alter the meaning of the statement. This may include the use of different languages and reasonable adjustments for disability or medical conditions. However, the core statement of consent should remain substantially unchanged so that there is no ambiguity about the legal expression of consent.
28. We are particularly concerned about avoiding confusion between the expression of consent and the separate legal requirements necessary for a legally recognised marriage. We are aware of widespread misunderstanding regarding the legal status of religious marriages. Recent reporting of these proposals has further contributed to confusion, with individuals wrongly believing that the use of Islamic marriage words or rituals alone will create a legally recognised marriage. This is incorrect and creates a serious risk that Muslim women may enter religious-only marriages believing that they have acquired legal rights and protections which they do not in fact possess. That misunderstanding may also be exploited by individuals who deliberately wish to avoid the legal rights and responsibilities associated with marriage. The wording used to express consent should therefore not create uncertainty about the fact that additional legal requirements must still be satisfied before a marriage is recognised in law.
29. The Government must address this misinformation clearly and urgently. Any further communications, guidance or legislation should state prominently that using religious words to express consent does not, by itself, create a legally recognised marriage. All other legal requirements must still be satisfied, including completion of the civil preliminaries and the involvement of an authorised officiant. The reforms should be accompanied by a national public information campaign, developed with specialist organisations such as Muslim Women’s Network UK, explaining how a religious ceremony becomes legally recognised and how couples can verify that the necessary legal steps have been completed.

Question 8. Do you agree with the Government’s proposed new dignity framework to support officiants in their legal duty to ensure that weddings are dignified?

30. MWNUK supports the objective of ensuring that weddings are conducted safely and respectfully. However, concepts such as “dignity”, “significance” and “seriousness” are inherently subjective and may be interpreted differently by different officiants.
31. In our view, the framework should focus primarily on protecting individuals from coercion, humiliation, degradation, exploitation, abuse and unsafe practices, whilst allowing couples freedom to choose lawful cultural, religious or personal expressions of marriage.

32. Our concerns regarding the application of the framework, the legal duties placed on officiants and the potential for sanctions are addressed further in our responses to Questions 23 and 33.

Question 9. Do you agree with our proposed overarching dignity standard?

- The wedding enables the couple to express free and informed consent to marry, in a manner that is intelligible.
- The wedding is not undermined by distraction or trivialisation.
- The wedding reflects the significance and seriousness of marriage as a major life event and lifelong commitment.

33. We agree.

Question 10. Do you agree with the proposed supporting standard that will support the officiant to agree a dignified wedding location?

- The wedding location permits participants to attend safely.
- The wedding location permits participants meaningfully to participate in the ceremony.
- The wedding location minimises risk of any distraction that could have reasonably been foreseen and prevented.

34. We agree.

Question 11. Do you agree with the proposed supporting standard that will support the officiant to agree a dignified wedding ceremony?

- The ceremony should focus on the proceedings
- The ceremony should treat the occasion with respect
- The ceremony should avoid the risk of making marriage appear trivial or lacking in significance.

35. We agree.

Question 12. Do you agree with the proposed factors that an officiant should consider when making a decision about whether a location is dignified?

36. We understand the need to assess whether a location is suitable for a wedding. We particularly welcome recognition of the personal significance of a location to the couple whilst ensuring that the ceremony can be conducted safely and without undue disruption.

Question 13. Do you agree with the factors that officiants should consider when determining whether a wedding ceremony will be dignified?

37. We broadly agree that presentation, behaviour, control of the environment and personal meaning are relevant considerations when assessing a ceremony.
38. There should be safeguards against conduct that humiliates, degrades, exploits or places participants at risk during a wedding ceremony. However, any restrictions should be applied narrowly. Care should be taken not to prohibit light-hearted, culturally significant or personally meaningful elements simply because they are unconventional or non-traditional. The focus should remain on protecting the dignity, autonomy and safety of those involved rather than policing personal expressions of celebration.

Question 14. Do you think there should be restrictions on the consumption of food or drink, including alcohol, during a wedding ceremony?

39. We do not have a strong view on whether specific restrictions on food or drink during wedding ceremonies are necessary. Our primary concern is that participants are able to engage meaningfully in the ceremony and give free and informed consent. Any rules should be applied proportionately and should not unnecessarily restrict legitimate cultural, religious, ceremonial or medical practices.

Question 15. Do you think there should be specific restrictions on gimmick-based or trivialising acts or elements within a wedding ceremony?

40. MWNUK does not have a strong view on whether specific restrictions on gimmick-based or trivialising elements are required. Our primary concern is the protection of those participating in the ceremony, including ensuring that individuals are not subjected to coercion, humiliation, degradation, exploitation, abuse or discriminatory treatment.
41. Any restrictions should be narrowly drawn and should not prevent couples from incorporating cultural, religious or personally meaningful elements into their wedding ceremony. Care should also be taken to ensure that lawful cultural or religious practices are not inappropriately characterised as gimmicks simply because they are unfamiliar or non-traditional.

Question 16. Should religious or non-religious belief content be permitted in a civil ceremony, provided that the ceremony does not replicate, or amount to, a full religious or non-religious belief service? If you have answered “Yes”, the Government has given examples of individual religious or non-religious belief elements, such as the exchange of rings or a Bible reading, that may be suitable for inclusion in a civil ceremony and examples of combinations of elements that may amount to a full religious or non-religious belief service. Are there any further examples that you think would help illustrate this distinction between service and belief elements in practice?

42. MWNUK is not opposed in principle to the inclusion of limited religious or non-religious belief content within a civil ceremony. In practice, it may be difficult to draw a consistent line between isolated belief elements and a ceremony that amounts to a recognisable religious or belief service, particularly across different faith traditions. If the Government intends to maintain this distinction, clear guidance will be required.
43. Our primary concern is that couples understand the legal status of the ceremony they are entering into and that any framework remains clear, accessible and consistent in its application.

Question 17. Do you agree that state-employed officiants, i.e., registrars, should not be permitted to lead or participate in religious or non-religious belief content?

44. We agree. Given the role of registrars as state-employed officiants, it is appropriate that they remain neutral in relation to religious and non-religious belief content whilst continuing to facilitate lawful civil ceremonies.

Question 18. Do you agree that wedding venues should be able to apply for pre-authorisation, should they choose to?

45. We agree that wedding venues should be able to apply for pre-authorisation if they choose to do so. This may provide greater certainty for couples and officiants whilst reducing unnecessary administrative burdens where venues are regularly used for weddings.

Question 19. Do you agree that approval for pre-authorised venues should be subject to a fixed period, renewal requirements and revocation where the conditions of approval are no longer being met? If you answered “Yes”, what should the fixed period be?

46. We agree that pre-authorisation should be subject to a fixed period, renewal requirements and revocation where the relevant standards are no longer being met. This will help ensure that venues continue to meet the necessary requirements relating to safety, accessibility and suitability. We consider that a renewal period of between two and three years would be appropriate.
47. Where private homes are used repeatedly for legally recognised weddings, this may warrant additional scrutiny. Whilst there may be legitimate reasons for weddings taking place in a private dwelling, repeated use could indicate that a property is functioning as a de facto wedding venue. It may also be relevant when considering whether any safeguarding concerns or patterns are emerging which warrant further enquiry.

Question 20. Are there other safeguards required to (1) protect against forced, predatory or sham marriage and (2) ensure the safety of ceremonies conducted in private homes?

48. MWNUK supports greater flexibility in relation to weddings taking place in private homes. We have long raised concerns about religious-only marriages and situations where individuals are left without the legal rights and protections associated with marriage. Allowing legally recognised weddings to take place in a wider range of locations may remove one of the practical reasons sometimes given for not completing a legally recognised marriage.
49. However, private homes may present particular safeguarding challenges because they are controlled environments in which family or community pressure may be less visible to outsiders. Our concern is not the location itself, but whether the location makes it more difficult to identify coercion, forced marriage, predatory marriage, domestic abuse, economic abuse, honour-based abuse or other forms of exploitation. Individuals may also feel less able to raise concerns where a ceremony takes place in a family home or in circumstances where family members exercise significant influence or control over the event.
50. For that reason, the same safeguards relating to consent, capacity and protection against forced, predatory and sham marriages should apply regardless of location. The requirement for separate in-person interviews with registrars should be retained, and officiants should receive appropriate training on identifying and responding to safeguarding concerns.
51. Consideration should also be given to monitoring for patterns that may warrant further scrutiny. Whilst there may be legitimate reasons for weddings taking place in private homes, repeated use of the same private property for legally recognised weddings may justify further enquiry to ensure that appropriate safeguards are in place and that no patterns of concern are emerging.
52. Clear reporting mechanisms should be available for officiants, family members, support organisations and others who become aware of safeguarding concerns before, during or after a ceremony. The location of a wedding should not result in a lower level of protection for those entering into marriage.

Question 21. Do you agree that weddings should be able to take place in territorial seas and inland waters, subject to the assurance that safety and dignity are maintained?

53. MWNUK does not have specialist expertise in relation to weddings conducted in territorial seas or inland waters. However, we agree in principle that weddings should be permitted in these locations, provided that the same legal requirements, safeguarding measures and oversight arrangements apply as they would on land.

54. The location of a wedding should not result in a lower level of protection against forced, predatory or sham marriages, nor should it weaken safeguards relating to consent and capacity. We support greater flexibility in where couples may marry, provided the ceremony can be conducted safely and participants can participate meaningfully.
55. Any framework should ensure that officiants remain able to identify and respond appropriately to safeguarding concerns and that couples receive a consistent level of protection regardless of where the ceremony takes place.

Question 22. Do you agree that weddings should be permitted in international waters on UK-registered cruise ships with a port of choice in England and Wales, provided they abide with the civil preliminaries process?

56. MWNUK does not have specialist expertise in relation to weddings conducted in international waters. However, our position is broadly the same as for weddings in territorial seas and inland waters.

Question 23. Do you agree that all officiants should have a legal duty to uphold the dignity and significance of marriage?

57. We understand why the Government considers a legal duty necessary, given the increased flexibility proposed in relation to wedding locations and formats. However, we are concerned that the concepts of “dignity” and the “significance of marriage” are inherently subjective and may be interpreted differently by different officiants.
58. Our primary concern is safeguarding rather than preserving any particular conception of the significance of marriage. In our view, the duty should focus on protecting individuals from coercion, exploitation, humiliation, abuse and unsafe practices, rather than requiring officiants to make subjective judgements about whether a particular lawful cultural, religious or personal ceremony sufficiently reflects the significance of marriage.
59. We therefore refer to our response to Question 33. If officiants may ultimately face sanctions or deauthorisation for failing to comply with this duty, it is essential that the framework is clearly defined, supported by training and guidance, and applied on the basis of objective safeguarding and welfare considerations rather than personal opinions or subjective assessments.

Question 24. Do you agree that organisations should have to be established for a minimum of three years before nominating officiants to conduct legal weddings? If you disagree with the three-year minimum period suggested above, what period would you propose having instead?

60. We agree that there should be some minimum period before an organisation is permitted to nominate officiants, as this may help demonstrate a degree of stability and reduce the risk of individuals establishing organisations solely to obtain the ability to conduct legally binding weddings. A period of three years appears broadly reasonable.
61. However, the length of time an organisation has existed should not be treated as the sole or determinative indicator of suitability. An organisation that has existed for more than three years will not necessarily have appropriate governance, safeguarding arrangements or oversight mechanisms. Equally, there may be circumstances where a newly incorporated body represents a longstanding community, religious institution or belief group with an established history and governance structure.
62. We therefore consider that the minimum period should operate alongside wider requirements relating to governance, safeguarding, accountability and the ability to oversee officiants effectively. The key question should be whether the organisation is capable of carrying out the role responsibly and safely, rather than its age alone.

Question 25. Do you agree that for a belief organisation to be able to nominate officiants to carry out legally binding weddings the minimum number of households who are members of that organisation should be 100? If you disagree with the minimum number of households being 100, what number would you propose having instead?

63. We do not feel the number of households is a particularly reliable indicator of whether an organisation is capable of nominating and overseeing officiants. Whilst a minimum threshold may assist in preventing very small or ad hoc groups from obtaining recognition, size alone does not demonstrate effective governance, safeguarding competence, accountability or the ability to oversee officiants safely.
64. We are concerned that a threshold of 100 households may unintentionally disadvantage smaller religious or belief communities, including minority Muslim communities, even where they are well-established and capable of meeting the necessary standards. The Muslim community is not a single homogenous group and includes a range of denominations, sects, schools of thought and religious traditions. Some communities may have a distinct religious identity, governance structure and membership base, but nevertheless fall below the proposed threshold despite being capable of meeting the required standards.
65. A further concern is that a high membership threshold may concentrate influence within a relatively small number of large organisations. This creates a risk that individuals or groups who hold minority, progressive and/or alternative views within their faith community could find themselves excluded from participation, despite being capable of meeting the required legal, safeguarding and regulatory standards. The focus should remain on competence, safeguarding, governance and compliance with legal requirements rather than theological, ideological or organisational alignment.

66. If a numerical threshold is retained, it should be treated as one factor among several rather than a decisive requirement. Organisations that can demonstrate robust governance, safeguarding procedures, financial sustainability, effective oversight arrangements and genuine community support should not be excluded solely because they fall below a specified membership threshold.
67. At the same time, appropriate safeguards are needed to ensure that organisations are genuine, established and capable of carrying out the role responsibly. This could include consideration of factors such as governance arrangements, safeguarding competence, accountability mechanisms and demonstrated community engagement.

Question 26. Should the Government have express exclusions on certain groups being precluded from being able to nominate officiants as belief organisations?

68. We agree that organisations promoting unlawful purposes should be expressly excluded from being able to nominate officiants. We also understand the rationale for excluding organisations whose primary purpose is political, commercial or industrial. Given the significance of a legally recognised marriage and the important role played by officiants, organisations entrusted with nominating officiants should be able to demonstrate appropriate standards of governance, safeguarding, accountability and oversight. Ultimately, the key consideration should be whether an organisation is capable of carrying out that role responsibly and safely.

Question 27. Do you agree with allowing independent officiants to conduct legally binding weddings?

69. We agree in principle with allowing independent officiants to conduct legally binding weddings. Greater flexibility may increase choice for couples and help ensure that individuals can access a wedding ceremony that reflects their beliefs, values and circumstances. However, independent officiants should be subject to robust regulation, training, safeguarding requirements and complaints procedures. Given the legal consequences of marriage, officiants should be capable of identifying concerns relating to coercion, capacity, forced marriage and predatory marriage, and should clearly explain the legal status and effect of the ceremony they are conducting.
70. At the same time, any increase in flexibility should not result in weaker protections against forced, predatory or sham marriages. Independent officiants should be subject to the same safeguarding obligations, training requirements and reporting duties as other officiants. The introduction of independent officiants should not create opportunities for individuals to bypass safeguards that would otherwise apply through the registration process or through established religious or belief organisations. Robust oversight will therefore be essential to ensure that greater choice is accompanied by equivalent levels of protection.

71. We note that, under the Government's proposals, independent officiants would be required to belong to a regulator-approved membership organisation. Whilst we understand the rationale for ensuring appropriate oversight, the Government should consider whether this approach creates unnecessary barriers to becoming an officiant and whether sufficient safeguards exist to ensure that membership organisations do not become gatekeepers who can exclude otherwise suitable individuals without adequate transparency, accountability or opportunity for review. This may be of particular concern where individuals hold minority/progressive views within their faith or belief community, but are nevertheless capable of meeting the required legal, safeguarding and regulatory standards.
72. We are also aware through our work with Muslim women that some women have been uncertain about whether a marriage was legally recognised or have only discovered the legal consequences of a religious-only marriage when the relationship breaks down. In many cases, Muslim women report concerns that a legally recognised marriage was deliberately avoided, leaving them without many of the legal rights and protections associated with marriage and increasing their financial vulnerability and dependence. Against this backdrop, it is particularly important that any system of independent officiants is transparent, properly regulated and easily understood by the public. Couples should be able to verify easily whether an officiant is authorised to conduct legally binding weddings, and there should be clear consequences for individuals who falsely represent themselves as authorised officiants or mislead couples about the legal status of a ceremony. Any system of independent officiants should therefore ensure that couples fully understand the legal status of the marriage they are entering into and the legal consequences that follow.

Question 28. Do you agree with allowing maritime officiants to conduct legally binding weddings on international waters on cruise ships registered in the UK?

73. MWNUK agrees in principle with allowing maritime officiants to conduct legally binding weddings. Whilst maritime weddings do not form part of MWNUK's core area of expertise or feature in our direct service-user work, we consider that a distinct category of maritime officiant is appropriate provided the same standards apply as for other officiants. In particular, maritime officiants should be subject to equivalent legal responsibilities, safeguarding requirements, training standards, complaints procedures and regulatory oversight. The location of the ceremony should not result in a lower level of protection against forced, predatory or sham marriages, nor reduce the safeguards designed to ensure free and informed consent.

Question 29. Do you agree that only deck officers should be authorised as maritime officiants, but with a preference for ships captains?

74. MWNUK does not have specific service-user experience or specialist expertise in relation to maritime weddings. However, we agree in principle that, if maritime officiants are introduced, they should be individuals who hold an identifiable position of responsibility and accountability. In that context, limiting authorisation to appropriately trained deck officers appears reasonable. Whilst ship captains may be the preferred option in many cases, restricting authorisation solely to captains could create unnecessary operational difficulties.
75. In our general view, authorisation should attach to individuals who have received appropriate training and regulatory approval, rather than arising automatically from a particular rank or maritime role. The key consideration should be whether the individual is capable of carrying out the legal, safeguarding and regulatory responsibilities of an officiant, including ensuring free and informed consent and complying with any reporting and registration requirements.

Question 30. Do you agree with the definition of ‘fit and proper’? If you answered “No”, how should the definition of ‘fit and proper’ be expanded to ensure only suitable officiants are nominated?

76. We agree that the proposed definition provides a useful starting point. Good character, appropriate training, understanding of the legal requirements of the role and consideration of relevant criminal convictions are all important safeguards. However, given the significant legal and safeguarding responsibilities placed on officiants, we do not consider the proposed definition sufficient on its own. The role of an officiant extends beyond the administration of a ceremony and includes responsibility for helping to safeguard individuals from forced, predatory and sham marriages.
77. We recognise that some officiants may feel it is unfair to place safeguarding responsibilities upon them, particularly where they view their role as primarily ceremonial rather than investigative. However, officiants may be among the very few independent individuals who have direct engagement with a couple before a wedding takes place and may therefore be uniquely placed to identify indicators of coercion, exploitation or abuse. In some cases, this may be one of the last opportunities to identify concerns before a marriage proceeds. This does not mean officiants should be expected to act as social workers, police officers or safeguarding specialists. Rather, they should be equipped to recognise potential warning signs, understand when concerns require further exploration, know when a ceremony should be postponed or halted, and be aware of the appropriate referral pathways.
78. In our view, a fit and proper person should also be able to demonstrate competence in safeguarding, including an understanding of consent and capacity, forced marriage, predatory marriage, domestic abuse, economic abuse, coercive control, spiritual abuse, honour-based abuse and other forms of exploitation. Officiants should be capable of

recognising indicators of vulnerability, abuse and coercion and know how and when concerns should be escalated.

79. We are also aware through our work with Muslim women that some women have been uncertain about whether a marriage was legally recognised or have only discovered the consequences of a religious-only marriage when the relationship breaks down. In some cases, women report concerns that a legally recognised marriage was deliberately avoided, leaving them without many of the legal rights and protections associated with marriage and increasing their financial vulnerability and dependence. A fit and proper officiant should therefore understand the legal consequences of marriage and be able to explain clearly the legal status and effect of the ceremony being conducted.
80. Consideration should also be given to whether the individual has demonstrated honesty, integrity, a willingness to comply with regulatory requirements, the ability to manage conflicts of interest appropriately and a commitment to upholding safeguarding obligations.

Question 31. Do you think there are further measures the Government could introduce, in addition to the monitoring requirements proposed by the Law Commission, to help identify poor practice?

81. Yes. Whilst complaints and regulatory oversight are important, there should also be proactive measures designed to identify poor practice at an earlier stage. We recommend:
- a. a searchable public register of authorised officiants;
 - b. a unique officiant registration number used on all marriage documents, websites and promotional materials;
 - c. direct post-ceremony confirmation to both spouses that the marriage has been properly registered;
 - d. random and risk-based audits;
 - e. data monitoring for unusual patterns, including unusually high ceremony volumes, repeated late registrations, safeguarding referrals or complaints;
 - f. confidential reporting mechanisms for couples, witnesses, family members, guests, support organisations, whistleblowers and other officiants;
 - g. whistleblowing protections;
 - h. mystery-shopping or test enquiries where there is evidence of misleading practice;
 - i. mandatory reporting of serious safeguarding concerns or registration failures;
 - j. information-sharing protocols between the regulator, police, local authorities, the Forced Marriage Unit and safeguarding bodies; and
 - k. publication of anonymised regulatory learning and trends.

82. The regulator should also monitor online advertising and promotional materials, particularly where an individual claims to be authorised to conduct legally binding weddings or suggests that legal preliminaries are unnecessary.
83. As mentioned above, we are aware of situations where women have only later discovered that a marriage was not legally recognised or have been unsure whether a ceremony carried legal effect. We have also supported women who report that legal marriage was deliberately avoided, leaving them without many of the legal rights and protections associated with marriage. It is therefore important that couples can easily verify whether an officiant is authorised and whether a ceremony will result in a legally recognised marriage. Both spouses should also receive direct confirmation that the marriage has been registered and legally recognised.
84. We are also concerned about the possibility of individuals falsely presenting themselves as authorised officiants or misrepresenting the legal effect of a ceremony. The Government should therefore consider targeted public awareness campaigns, particularly within communities where religious-only marriages take place, explaining how to verify an officiant's status and how to confirm that a marriage has been legally recognised.
85. Regulators should also be able to identify broader patterns of concern, including repeated failures to recognise indicators of coercion, predatory behaviour, domestic abuse, safeguarding concerns or misleading representations about legal status.

Question 32. Do you agree that all officiants (excluding Anglican clergy) should be required periodically to renew their authorisation every 5 years? If you answered “No”, what renewal period do you think is appropriate for officiants’ authorisation?

86. MWNUK agrees that officiants should be subject to periodic reauthorisation. However, we question whether a five-year period is sufficiently frequent given the safeguarding responsibilities associated with the role. We would support annual safeguarding and CPD declarations together with formal reauthorisation every two to three years.
87. Many professions with responsibilities towards vulnerable individuals are subject to regular continuing professional development requirements, periodic declarations and ongoing regulatory oversight. By comparison, a five-year interval between formal reviews may risk lengthy periods during which concerns about competence, safeguarding knowledge or compliance remain unidentified.
88. We would support more frequent engagement with the regulatory framework, such as annual safeguarding and professional development declarations, alongside a more comprehensive reauthorisation process at regular intervals. MWNUK recognises that some may view more frequent engagement with the regulatory framework as burdensome or costly. However, we do not consider that safeguarding responsibilities

should be compromised in the interests of administrative convenience. Officiants play an important role in protecting against forced marriage, predatory marriage and other forms of abuse. Given the seriousness of those responsibilities and the potential consequences where concerns are missed, periodic training, declarations and oversight are both proportionate and justified.

89. Reauthorisation should not be limited to confirming attendance at training. Officiants should be required to demonstrate ongoing competence and understanding of safeguarding issues, including consent and capacity, forced marriage, predatory marriage, domestic abuse, economic abuse, coercive control, spiritual abuse and honour-based abuse.

Question 33. Do you agree that officiants who fail to apply the dignity framework, the fit and proper person standards and their other duties and responsibilities should be subject to sanctions, including deauthorisation?

90. We support the objective of ensuring that weddings are conducted safely, respectfully and in a manner that protects the dignity of those involved. However, there is a risk that the concept of “dignity” may be interpreted differently by different officiants unless it is supported by clear guidance and practical examples.
91. In our view, the framework should focus primarily on protecting individuals from coercion, humiliation, degradation, exploitation, abuse and unsafe practices, rather than restricting lawful cultural, religious or personal expressions of marriage. Couples should generally be free to choose where and how they marry, provided the ceremony is lawful, entered into freely and safely, and does not undermine the dignity, safety or autonomy of those involved.
92. We agree that officiants should record decisions relating to the location and form of the ceremony where the dignity framework is engaged, and that those decisions should be capable of review. This may promote consistency, accountability and transparency. However, clear guidance and training will be essential to ensure that decisions are based on safeguarding and objective considerations rather than personal preferences or subjective views about particular cultural, religious or non-traditional ceremonies.
93. We also agree in principle that sanctions, including deauthorisation in serious cases, should be available where an officiant fails to apply the dignity framework, the fit and proper person standards or their other legal and safeguarding duties. However, the scope of an officiant’s responsibility must be clearly defined. An officiant should not automatically be held responsible for every spontaneous or unauthorised act by a relative, guest or other participant which they did not agree, encourage or reasonably foresee. Responsibility should instead depend upon whether the officiant approved the planned ceremony or location without properly considering an identifiable concern, knew or ought reasonably to have known that a problematic practice was proposed,

failed to make reasonable enquiries, or failed to respond appropriately when an issue arose.

94. This is particularly important as weddings increasingly take place outside register offices and may involve greater family or community participation. Family members may attempt to introduce practices which were not previously disclosed or agreed. This could include pressuring a woman to perform a patriarchal or submissive act despite her discomfort or lack of consent. Sanctions should reflect the officiant's own conduct and decision-making. An officiant should not be penalised for behaviour by third parties that they could not reasonably have anticipated or prevented. Consideration should be given to what the officiant knew, what they ought reasonably to have identified based on their training, and whether they followed the relevant guidance and safeguarding procedures once a concern arose. This is clearly different from a situation where an officiant approves, encourages, ignores or facilitates coercive, humiliating, degrading or abusive conduct.
95. Guidance should therefore distinguish clearly between legitimate cultural, religious or personal expression freely chosen by the couple and conduct imposed by relatives or others. Couples should generally remain free to determine where and how they marry, but that freedom must belong equally to both members of the couple and should not be displaced by family or community members seeking to impose their own expectations.
96. Sanctions should be proportionate to the seriousness of the officiant's own failure. Retraining, supervision or a warning may be appropriate for less serious or isolated errors. Suspension or deauthorisation should be available where an officiant knowingly facilitates coercion or abuse, ignores clear safeguarding concerns, deliberately misrepresents the legal effect of a ceremony or repeatedly fails to comply with their duties.

Question 34. Do you agree with having a central regulator monitor complaints for nominated, independent and maritime officiants?

97. MWNUK agrees that there should be an independent mechanism for monitoring complaints across all categories of officiant. A central regulator should help promote consistency, accountability and public confidence, particularly where officiants operate independently or through religious or belief organisations.
98. From a safeguarding perspective, it is important that concerns relating to forced marriage, coercion, predatory marriage, misconduct or failures to comply with legal requirements can be raised through a clear and accessible process. A central regulator should be able to assist in identifying patterns of poor practice that may not be apparent from individual complaints alone.

99. In our view, any complaints system should be accessible and capable of receiving complaints directly from spouses, witnesses, support organisations and whistleblowers. It should permit confidential reporting, offer interpretation and other reasonable adjustments where required, ensure that serious safeguarding concerns are identified and escalated promptly, and allow concerns to be raised without requiring the complainant to first approach the officiant or organisation involved.
100. Through our work with Muslim women, including women seeking assistance in relation to religious marriage and religious divorce processes, we are aware that some women lack confidence in raising concerns through internal or community-based structures, such as Shariah councils. In some cases, Muslim women report that decision-makers may already know, work with, or have longstanding relationships with the individual who is the subject of the complaint. Muslim women may also be concerned that organisational reputation, community relationships or loyalty to a particular individual could affect how concerns are received or investigated.
101. We have also supported women who have experienced difficulties obtaining a religious divorce despite allegations of domestic abuse, coercive control or other harmful behaviour. Whilst these concerns are not unique to any particular faith, belief system or community and can arise in a range of settings, they highlight the importance of an independent route for complaints and oversight. Individuals should be able to raise concerns with a body that is sufficiently removed from local relationships and pressures to command confidence from all parties, particularly where safeguarding concerns are involved.
102. The regulator should also be able to collect and analyse data, investigate systemic concerns and monitor patterns across officiants and organisations in order to identify recurring issues and improve safeguarding practice.

Question 35. Do you agree that membership organisations should be responsible for monitoring independent officiants, subject to oversight by the central regulator?

103. We do not agree that responsibility for monitoring independent officiants should rest primarily with membership organisations, with oversight by the central regulator. Membership organisations would of course have an important role to play in supporting, training and monitoring officiants. However, given the significance of a legally recognised marriage and the potentially serious consequences of failures relating to consent, safeguarding or legal compliance, we consider that the central regulator should have a more active and substantial oversight role. The Government's proposals seek to protect against forced, predatory and sham marriages. In that context, regulation should not depend principally upon organisations supervising their own members.

104. Membership organisations may therefore be an appropriate first point of contact for routine monitoring and complaints. However, the central regulator should retain direct powers to receive complaints, conduct investigations, identify patterns of poor practice, audit organisations, investigate systemic concerns, and intervene where safeguarding concerns arise. Individuals should not be required to pursue complaints through an organisation connected to the officiant where doing so would be unsafe or unlikely to command confidence.
105. The Government should also consider whether there should be a mechanism for review or appeal where an individual seeks to become an independent officiant but is refused membership or recognition by an approved membership organisation. Without appropriate safeguards, there is a risk that access to becoming an officiant could be determined by a small number of organisations without sufficient transparency or accountability. This may be of particular concern where an individual holds views that differ from those of the membership organisation but is otherwise capable of meeting the required legal, safeguarding and professional standards.

Question 36. Do you agree that the proposed eligibility criteria (relating to organisational structure and their role in appointing and overseeing officiants) is sufficient?

106. MWNUK agrees that the proposed criteria are a useful starting point. The requirements relating to governance, accountability, training, professional development, codes of conduct and disciplinary procedures are all important.
107. However, we do not consider them sufficient on their own. Given the Government's stated objective of protecting against forced, predatory and sham marriages, the eligibility criteria should also include specific safeguarding requirements. This could include requiring organisations to have safeguarding policies and procedures, complaints and whistleblowing mechanisms, clear processes for identifying and responding to concerns about coercion, capacity or abuse, and arrangements for referring safeguarding concerns to appropriate authorities. Organisations should also be able to demonstrate an understanding of safeguarding risks, including forced marriage, predatory marriage, coercive control, economic abuse and domestic abuse, and have appropriate pathways for engaging with specialist safeguarding and support organisations where concerns arise (such as referring to specialist organisations including Muslim Women's Network UK).
108. We also consider that organisations should be required to demonstrate that they can investigate complaints fairly and independently, including managing conflicts of interest where concerns relate to a senior member, officeholder or well-known individual within the organisation.

109. The ability to appoint and oversee officiants is important, but the ability to respond effectively to safeguarding concerns is equally important. Given the significant legal and personal consequences of marriage, and the risks associated with forced, predatory and sham marriages, safeguarding competence should form an explicit part of the eligibility criteria.

Question 37. Do you agree that the Maritime and Coastguard Agency (MCA) should act as the membership organisation for maritime officiants?

110. MWNUK does not have sufficient expertise in maritime regulation to comment on whether the Maritime and Coastguard Agency is the most appropriate organisation to undertake this role. Our main concern is that any designated body has clear responsibility for oversight, training, safeguarding, complaints handling and accountability so that the same protections apply to couples regardless of where a wedding takes place.

Question 38. Do you agree that, as with belief groups, membership organisations should be responsible for delivering training, subject to the central regulator establishing the standard for training? If you answered “No”, who should be responsible for delivering training?

111. MWNUK does not agree that membership organisations alone should be responsible for delivering training, even where the central regulator establishes the training standards. Whilst membership organisations may have a role to play in delivering or facilitating training, we are concerned that this could result in inconsistency in quality and approach, particularly in areas relating to safeguarding, forced marriage, coercive control, capacity, predatory marriage and domestic abuse.
112. We are also concerned that a model in which membership organisations are responsible for training, assessment, monitoring and complaints handling could create conflicts of interest and reduce independent scrutiny. There is a risk that organisations effectively become responsible for marking their own homework. This could result in variable standards and may encourage a compliance or ‘tick-box’ approach to training, rather than ensuring that officiants have genuinely acquired the skills and knowledge required to carry out what is a significant legal and safeguarding role.
113. Rather than relying on individual membership organisations to develop and deliver their own training programmes, consideration should be given to the central regulator developing, commissioning or approving a standardised training programme which can then be rolled out consistently across all organisations. This would help ensure that all officiants receive the same minimum level of training and are assessed against the same standards.
114. Training should not be limited to legal formalities. Given the significant legal and safeguarding responsibilities placed on officiants, core training should cover legal

formalities and registration, consent and capacity, forced marriage, predatory marriage, domestic abuse, economic abuse, coercive control, spiritual abuse and misuse of religious authority, honour-based abuse, sham marriage indicators, disability and communication needs, equality and cultural competence, conflicts of interest, confidentiality and data protection, safeguarding referrals, and the circumstances in which a ceremony should be postponed or stopped.

115. The development of this training should involve specialist organisations with expertise in safeguarding and violence against women and girls. For example, organisations such as Muslim Women’s Network UK can provide insight into issues that may otherwise be overlooked, including the use of religious-only marriages to facilitate coercive control, situations where one party deliberately avoids a legally recognised marriage in order to deny the other access to legal rights and protections, and the ways in which cultural, family or religious pressures can affect free and informed consent. Training should also address situations where marriage or purported marriage is used as a means of grooming, sexual exploitation or abuse, including where vulnerable women and girls are pressured into relationships or ceremonies that primarily benefit the perpetrator rather than reflect a genuine, freely entered into marriage. Officiants should be trained to recognise and understand these risks.

116. Training should be competency-based rather than attendance-based. Officiants should be required to demonstrate understanding through assessment and undertake periodic refresher training. At a minimum, the regulator should have responsibility for approving training content, assessing competency, monitoring quality, auditing delivery and ensuring consistency of standards across all organisations.

Question 39. Do you agree with the Law Commission that the GRO would be the organisation most suited to undertake the role of central regulator? If you answered “No”, please explain who should take on this role?

117. We do not have a strong view on whether the General Register Office (GRO) is the organisation best placed to undertake the role of central regulator. However, given the GRO's existing role in relation to marriage registration, it appears to be a reasonable starting point for consideration. Our primary concern is not the identity of the regulator itself, but whether it has the independence, expertise, powers and resources necessary to carry out the role effectively. Given the Government's stated objective of protecting against forced, predatory and sham marriages, any central regulator should possess strong safeguarding expertise and be capable of overseeing officiants, investigating complaints, identifying patterns of poor practice and intervening where necessary.

118. The regulator should also have access to specialist expertise on violence against women and girls, forced marriage, domestic abuse, coercive control and

safeguarding. Consideration should therefore be given to establishing an advisory group involving specialist organisations and community representatives to inform policy, training and regulatory practice.

119. Ultimately, the effectiveness of the regulatory framework will depend less on which organisation performs the role and more on whether that organisation has the authority, independence and resources required to maintain public confidence and protect vulnerable individuals.

Final Comments

120. MWNUK also recommends that the Government monitors the equality impacts of any reforms after implementation, including by sex, ethnicity, religion, disability, age and immigration-related vulnerability. This would help assess whether the reforms are delivering meaningful protection for Muslim women, minoritised women, disabled women, migrant women and victim-survivors of domestic and economic abuse.
121. We would like to thank the Ministry of Justice for holding this consultation and providing us with the opportunity to share our comments and insights. We hope it proves to be useful in your considerations.

**On behalf of Muslim Women's Network UK,
Nazmin Akthar
Co-Chair**

**First Floor
1192 Stratford Road
Birmingham
B28 8AB
board@mwnuk.co.uk**