



**OUTBermuda: “On the Journey to Marriage Equality,
Love Ultimately Must Win”**

May 29, 2019 – With the world turning attention to Pride celebrations everywhere this season, OUTBermuda’s leaders and advocates today report that they are strengthening preparations for the ultimate phase in their campaign for full marriage equality for all Bermudians.



Hundreds of enthusiastic visitors and locals join OUTBermuda celebration and welcome Olivia cruise passengers (May 5, 2019)

Photo Credit: OUTBermuda

“Love ultimately must win,” declared OUTBermuda director Adrian Hartnett-Beasley, “While Bermuda’s same-sex couples have been able to celebrate their vows equally under our laws (again) for over six months, we cannot take this hard-won right for granted. This is also the time we prepare well for our final push and bring our case not only to the Privy Council but for the rest of the world to hear.”

Hartnett-Beasley confirmed that following the Bermuda Supreme Court decision on 17 May 2019 and the Court of Appeal’s decision on 23 November 2019, both of which upheld the constitutional right of same-sex couples to marry, the Government of Bermuda is appealing OUTBermuda’s landmark victories to the United Kingdom’s Privy Council. The Privy Council is considered the last stop in appeals since marriage equality was first declared legal in May 2017 in *Godwin and DeRoche*. The Privy Council, in London, has not yet set a date for this hearing but did give its consent on May 27 to the Bermuda Government to allow them to proceed to a hearing (for which the date is not yet set or known.)

Co-plaintiff Rod Ferguson, whose lawsuit spawned the original Supreme Court victory in this matter in 2017, said:

“We always knew this road might take us all the way to the Privy Council. Our team is committed. The support for equal marriage for LGBTQ Bermudians is strong. Our faith in the fairness of the courts has been reaffirmed at every step along the way and we are optimistic about the outcome in London.”

Important to know:

- OUTBermuda together with fellow Bermudian plaintiff Roderick Ferguson have successfully retained the representation of Lord David Pannick, Queen’s Counsel to take their case to the Privy Council. Lord Pannick is considered a pre-eminent human rights and constitutional advocate in the United Kingdom, with extensive global experience. See <https://www.blackstonechambers.com/barristers/lord-pannick-qc/>
- The Government of Bermuda this week received their consent from the Court of Appeal in Bermuda to submit their formal Notice of Appeal to the Privy Council; that action will set into motion the rest of the steps and processes and the timing of the hearing in London.
- OUTBermuda is applying for their case to be expedited and heard in the Privy Council as soon as possible, to validate the will of Bermuda’s highest Court and to give absolute certainty to all Bermudian citizens and same-sex couples.
- OUTBermuda as well as Rod Ferguson and the other successful plaintiffs are proceeding to enforce the Court of Appeal’s Order against the Government for legal costs incurred. Once we are successful at the Privy Council, we estimate that the Bermuda Government will incur approximately \$3 million in covering their own legal expenses as well as ours.
- To be perfectly clear, today in Bermuda, same-sex couples are fully permitted to secure marriage licenses and have their marriages recognized. This right was declared by the Bermuda Supreme Court in 2017, and upheld by two subsequent court decisions. The ongoing legal battle and final hearing in the Privy Council, however, is necessary to make this basic human right *permanent and lasting* for all Bermuda citizens.

- Human rights advocates and leaders across the British Commonwealth of nations are watching these developments closely. Some experts believe these decisions will set favourable legal precedent on the marriage rights for same-sex couples in many other jurisdictions.

About OUTBermuda: OUTBermuda is a registered charity (#973), which promotes and supports the wellbeing, health, dignity, security, safety and protection of the LGBTQ community in Bermuda. Its website is www.OUTBermuda.org. Through its mission, OUTBermuda helps advance human rights, and the promotion of equality and diversity relating to the LGBTQ community in Bermuda.