

**IN THE SUPREME COURT OF BERMUDA
CIVIL JURISDICTION**

2018: No. 99

**IN THE MATTER OF AN APPLICATION UNDER
THE BERMUDA CONSTITUTION 1968**

AND IN THE MATTER OF THE DOMESTIC PARTNERSHIP ACT 2018

BETWEEN:

OUTBERMUDA

First Plaintiff

-and-

MARYELLEN CLAUDIA LOUISE JACKSON

Second Plaintiff

-v-

THE ATTORNEY GENERAL

Defendant

AFFIDAVIT OF JULIA JANE LILY AIDOO-SALTUS

I, Julia Jane Lily Aidoo-Saltus (JJAS), of 9 Beach Road, Sandys SB 01, Bermuda, MAKE OATH and SAY as follows:

1. I reside at 9 Beach Road, Sandys SB01, Bermuda with my wife Judith Felicia Aidoo-Saltus (JFAS). I make this affidavit on behalf of the Plaintiffs. The facts set out herein are true. Where information was provided to me by others, the facts are true to the best of my information and belief.

2. I was born in Bermuda on 6 August 1963 and, notwithstanding absences for school and work, have lived and worked in Bermuda all my life. I am employed as a lawyer having been called to the Bermuda Bar on 26 September 2003.
3. I met my wife on Sunday 28 April 2016 and knew within 3 months of this meeting that we would be married.
4. On 5 May 2017, the *Godwin and Deroche v The Registrar General and others* [2017] SC (Bda) 36 Civ decision ruled in favor of same-sex marriage stating that the applicants “were discriminated against on the basis of their sexual orientation ...” and declared that same sex couples were entitled to be married under the Marriage Act 1944.
5. I discussed the change in Bermuda’s legal landscape with JFAS noting that it had been inconceivable that I could marry her in Bermuda previously. Moreover, it would be a miracle to be married at home in Bermuda, alongside friends and family. Based on this overnight discussion, JFAS and I planned to marry immediately in Bermuda.
6. JFAS and I submitted our application to marry to the Registrar-General immediately thereafter. The resulting wedding banns were published in The Royal Gazette on 13 May 2017. The idea of monogamous marriage is something that I strongly believe in, which is not surprising given that I grew up in a culture which values marriage highly. A civil union or domestic partnership would not suffice at all because it declares that my relationship with my wife has less worth than my brother’s relationship with his wife.
7. A caveat was submitted to the Registrar-General by Eugenia Simmons of 10 Church Valley Lane, Sandys MA 04, Bermuda on 22 May 2017 seeking to forbid the wedding to take place on the basis that there was “no provision in the Bermuda Marriage Act 1944 for persons of the same sex to marry” and that the judge “possibly erred”. The indignity of this is beyond words, that a perfect stranger thought it acceptable to object to my marriage, even after the court ruling in *Godwin*, but this is what happens when the Government says it is ok to treat people differently based on their sexual orientation, or to force one religious group’s views on others. This necessitated a formal application to the Supreme Court by the Registrar-General pursuant to section 18 of the Marriage Act 1944 to have the Caveat set aside. On 25 May 2017, Mr Justice Hellman issued a written ruling that


there was no legal foundation to forbid our marriage, citing *Godwin* and the caveat was removed, permitting us to marry at last.

8. JFAS and I were legally married on Wednesday 31 May 2017 in Bermuda by the Acting Registrar-General with the love and support of friends and family. Our marriage is the first same-sex marriage in Bermuda.
9. Having been married to JFAS for almost a year, there is no doubt that the state of matrimony bears only a passing resemblance to cohabitation. The celebration, community and sanctity that infuse all weddings added clarity, depth and a level of recognition to our relationship that we had not ever previously experienced. I now know with absolute certainty that there is a privilege inherent in the state of matrimony that we both recognize, acknowledge and enjoy.
10. Such recognition and acknowledgment remains both positive and negative. Notwithstanding this, my marriage has made abundantly clear who “my person” is whether I am at work, sitting in a doctor’s office, filing out a government form or lounging with friends and family. My wife is included in office functions as a matter of course. My wife is my next of kin in my medical records at my doctor’s office. My wife is acknowledged when completing a form at the Government Administration Building. My wife is chastised for not visiting family members. In summary, marriage has ushered us into all aspects of life in Bermuda.

SWORN by the said)
JULIA JANE LILY AIDOO-SALTUS)
In the City of Hamilton)
In Bermuda)
On the 10th day of April 2018)



Before me:



Commissioner of Oaths

Megan Denos
Commissioner for Oaths
Canon's Court
22 Victoria Street
P.O. Box HM 1179
Hamilton HM EX
Bermuda
Date: 10 April 2018

IN THE SUPREME COURT OF BERMUDA
CIVIL JURISDICTION
2018: No. 99

IN THE MATTER OF AN APPLICATION
UNDER THE BERMUDA CONSTITUTION 1968

AND IN THE MATTER OF THE DOMESTIC
PARTNERSHIP ACT 2018

BETWEEN:

OUTBERMUDA

First Plaintiff

-and-

MARYELLEN CLAUDIA LOUISE JACKSON

Second Plaintiff

-v-

THE ATTORNEY GENERAL

Defendant

AFFIDAVIT OF
JULIA JANE LILY AIDOO-SALTUS



aswlaw

ASW Law Limited | Crawford House
50 Cedar Avenue | Hamilton, HM11
BERMUDA

Attorneys for the Plaintiffs
RSAS/1760-001