

**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 SYLVIA HAYWARD-HARRIS

I, Sylvia Hayward-Harris, of 10 Berkeley Road, Pembroke HM07, Bermuda, MAKE OATH and SAY as follows:

1. I make this affidavit in support of the application of the Plaintiffs in this matter.
2. 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.

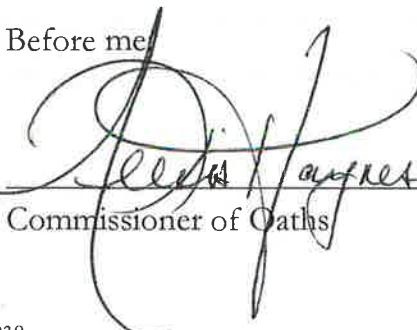
3. I am a proud Bermudian presently living between Bermuda and Atlanta for the last 12 years. I have been ordained as a Pastor since 2009 in the Vision Church of Atlanta, a Progressive Pentecostal denomination.
4. I joined the Vision Church in 2006 when I moved to Atlanta to be near my son who has made a home there, since he no longer feels comfortable or safe in Bermuda. He suffered a homophobic attack by several young men during one of his returns to the home of his youth. My son was already a member of Vision and had extolled its praises and the eloquence of then Pastor O.C.Allen III. I visited that first Sunday in Atlanta and was so blown away, I joined the church that very day - after having been out of the church for some 40 years.
5. The Vision Church of Atlanta, or simply "The Vision Church," as it's commonly called, is a place that welcomes all people on purpose, and LGBT people are no exception. It is a Christian, United Progressive Pentecostal Church, one of the fastest growing churches in the nation according to BET (Black Entertainment Television), the Fellowship Inc., and numerous journalists.
6. Our now Bishop OC Allen III says the idea from the very beginning was to create a place of worship for "people who felt like they did not have a space where they could be authentic, but with a caveat that this would be a place for everybody."
7. The Vision Church is home to one of Atlanta's most thriving LGBT congregations, with roots in the black Pentecostal tradition, but with a theology that leans towards inclusion instead of the exclusionary and harmful messages often heard in traditional churches.
8. Bishop Allen rejects the notion that a gospel of exclusion exemplifies the spirit of Christianity. He states that "It is impossible to be a place that excludes people and say that you're Christian; that is antithetical to Christianity. The notion of inclusion has always been a Christian ideal."
9. As their mission statement avers, the Vision Church is a Christ-centered ministry that is inclusive of all people, fully embracing in the life and ministry of the church people of every race, gender, culture, affectional orientation, family configuration, physical or mental condition, and all other distinctions which are the rich tapestry of God's creation.

10. Consequently, the Vision Church is a vibrant, active and diverse congregation. It is a community rooted in worship, fellowship, diversity, witness, spiritual development, service and justice. The Vision Church congregation offers all people the opportunity to explore and discover their destiny within the context of a safe and nurturing Christ-centered community.
11. Two Scriptures underpin the teachings of the Vision Church: Jesus says to us “I’ve come that you might have life and that life more abundantly” (John 10:10); and, in Jeremiah 29:11, God gives expression of His heart towards us...” For I know the thoughts and plans that I have for you, says the Lord, plans to prosper you and not to harm you, plans to give you hope and a future.”
12. The Vision Church is a Christ-centered, people-focused, vision-driven church for all people. It is a church where people can grow in Christ and become transformed so that they might transform their world.
13. That is the kind of church I wanted to bring to this island, but due to circumstances beyond my control, my mission was misinterpreted as a desire to start a “gay church,” which was a death knell in this homophobic environment. The island’s gay population either had already found precarious church homes (there being few accepting church on island and no affirming ministries), or had been so wounded by the church that they completely rejected all ministry. The bulk of the heterosexual folk who expressed interest and/or support were too afraid to attend for fear they might be mistakenly labeled as gay. In the end, I realized the only people who intended to show up were those curious (read pokey) folk who intended to spy to see just who was gay. That was a far cry from the dream, the mission that had fueled my decision to embark on the course of study that culminated in my ordination. In my hubris, I had envisioned bringing about a transformation to this community that would begin with the transformation of our families and children. I believed in and adopted the Mission Statement of the Vision Church of Atlanta as a place where dreams are made possible and where people are motivated to turn those dreams into a reality. My dream of inclusivity within the Bermudian Christian community was a bubble that has burst. Yet, I still firmly believe that equal treatment under the law is the right of all human beings, and is enshrined in our Constitution. That includes marriage between two consenting adults, regardless of gender or affectional orientation, except in cases of consanguinity.

14. To that end, I contend that I have just as much right to have my belief in inclusivity respected by the law, just as, and to the same extent as those who preach and practice exclusivity.
15. In practice, I have been a duly licensed officiant at two same sex marriages, the Caisey-Archer marriage on the 21st of August, 2017, and at the Tucker-Allerdyce marriage on the 4th of November 2017, amongst several other mixed sex marriages. In fact, just recently I had to decline yet another request to officiate at a third due to a conflicting engagement.
16. The passage of the ruling outlawing same sex marriage is an affront to those who truly believe in equal rights. It is discriminatory to my profession as a marriage officiant and it offends my belief in the God of Love and what my Bible studies affirm, that "whosoever believeth" is welcomed and not condemned at God's Table.
17. Furthermore, the Domestic Partnerships Act (DPA) and those parts of which abolish the crystalized right to same- sex marriage, hinders my religious rights, in that DPA prevents me from conducting same-sex marriages, something which is an important part of my religious beliefs (although I understand that it is not part of everyone's religious beliefs, it is a part of mine). The DPA also hinders the religious rights of those who want to celebrate a religious marriage recognized fully by the law.
18. As Bishop Desmond Tutu has famously said, "... We are made to tell the world that there are no outsiders. All are welcome: black, white, red, yellow, rich, poor, educated, not educated, male, female, gay, straight, all, all, all. We all belong to this family, this human family, God's family." ~ Desmond Tutu

SWORN by the said)
 SYLVIA HAYWARD-HARRIS)
 In the City of Hamilton)
 In Bermuda)
 On the 9 day of April 2018)



Before me

 Commissioner of Oaths

Alexis J. Haynes
Commissioner for Oaths
 Canon's Court
 22 Victoria Street
 PO Box HM 1179
 Hamilton HM EX
 Bermuda
 Date: 9 - APRIL - 2018.

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