

# Press Release

23 July 2020



## FOR IMMEDIATE RELEASE

### COLOURS CAYMAN'S COMMENTS ON THE DOMESTIC PARTNERSHIP BILL 2020

*Colours Cayman* welcomes the publication by the Cayman Islands Government of the Domestic Partnership Bill 2020, gazetted on 26 June 2020 [the "Bill"].

However, while *Colours Cayman* acknowledges that this is a step in the right direction, the rule of law in the Cayman Islands will only be fully upheld when a bill is finally enacted into law that, at the very least, provides a legal framework that is '*functionally equivalent to marriage*', as the Court of Appeal determined was required by the Constitution.

*Colours Cayman* supports any genuine attempt by the Cayman Islands Government to comply with the Constitution and to uphold the rule of law in the Cayman Islands, which has been in breach for a number of years in respect of this matter. In the words of the Court of Appeal, there can be no excuse for further delay or prevarication and a legal framework must be provided irrespective of any appeal to the Privy Council.

Our organisation has taken time to assess the Bill in detail, in consultation with our in-house legal counsel, Dr Leonardo Raznovich and our external legal counsel, *Travers Smith LLP* in London, who have been assisting us pro bono. In our conclusion, while the draft Bill goes a long way towards complying with the Court of Appeal requirement for a legal framework functionally equivalent to marriage, it falls short in a small but significant number of very important legal aspects. In an effort to resolve these issues and responding to public consultation, *Colours Cayman* sent its recommendations to the Government last week. Since then, the government has actively engaged with *Colours Cayman*. After a productive meeting this week, we are pleased to report that our legal concerns have been taken into account and changes to the Bill will be implemented accordingly.

Of course, the government's preferred option of domestic partnerships rather than marriage is disappointing to many, to say the least, including *Colours Cayman* and we note that the Court of Appeal made it very clear that there is, contrary to popular belief, no prohibition in the Constitution preventing the legislator to extend marriage to same sex-couples.

*Colours Cayman* will continue to pursue the same rights with the same name. However, our organisation *does* believe in the rule of law and has respect for decisions of the Cayman Islands courts. Whichever side of the fence one is on, *Colours Cayman* will always be, above all, on the side of respect for the rule of law. This is why *Colours Cayman* respects that the decision must be followed. Hence, *Colours Cayman* supports the Bill, to the extent that the legal framework thereby introduced is, in the end with the agreed amendments, functionally equivalent to marriage and urges the Members of the Legislative Assembly to support the Bill next week.

**Billie Bryan, Founder & President,  
*Colours Cayman***