



**Speech by Chairperson, Ms. Justice Mary Laffoy,  
at the Inaugural Meeting of the Citizens' Assembly  
Dublin Castle, Saturday 15 October at 2pm**

Introduction

Good afternoon everyone and welcome once again to the inaugural meeting of the Citizens' Assembly. It is a great honour for me to have been asked to act as Chairperson of the Assembly and to open its first meeting here today.

I would like to thank the Taoiseach, Mr. Enda Kenny T.D. for his opening address and in particular for outlining the context for the work we are about to undertake.

I would also like to thank our panel of speakers this afternoon – Mr Maurice Manning, Ms. Ita Mangan and Professor David Farrell. Their presentations have provided an interesting and illuminating backdrop to our work past, present and future.

I would also like to welcome Tom Arnold, Chairman of the Convention on the Constitution, which was, as we have heard from David Farrell, the highly regarded precursor to this Assembly. We have a lot to live up to Tom, and I would like to thank you and your team for the guidance and

support that you have already provided to me and the Secretariat to date.

However, perhaps most importantly, I want to welcome all of my fellow members here today.

Together we form the 100 citizens, entrusted by the Houses of the Oireachtas with the task to examine, make recommendations and report on a number of key issues facing Irish society.

I look forward to getting to know you all and working with each one of you over the coming months.

### Background and Assembly Work Programme

As the Taoiseach has outlined in his opening address, the Resolution approving the establishment of the Assembly was passed by both Houses of the Oireachtas in July this year. Under that Resolution, the Assembly has been furnished an ambitious work programme to complete over the coming year.

The Assembly has been tasked with the consideration of five discrete topics;

- the Eighth Amendment of the Constitution;
- how we best respond to the challenges and opportunities of an aging population;
- fixed term parliaments;
- the manner in which referenda are held;

- and how the State can make Ireland a leader in tackling climate change.

Under the Oireachtas Resolution, the Assembly will first consider, make recommendations and report to the Houses of the Oireachtas on the Eighth Amendment of the Constitution. The Assembly will then consider, make recommendations and report on each remaining matter as soon as it has completed its deliberations.

This is an ambitious programme of work and one we must complete within one year.

### Make-up of the 100 Members

The Oireachtas Resolution outlined how the Assembly was to be comprised; a Chairperson to be appointed by Government and 99 citizens entitled to vote at a referendum, randomly selected so as to be broadly representative of Irish society.

Following a competitive tendering process, RED C Research and Marketing Ltd was appointed to provide a representative sample of 99 members of the public for the Citizens' Assembly. The members before us today have been chosen at random and are broadly representative of demographic variables as reflected in the Census including age, gender, social class and regional spread.

The members are also on the electoral register and are eligible to vote in a referendum.

As was the case with the Convention on the Constitution, the names and general areas where members come from will be made available on the

Assembly's website ([www.citizensassembly.ie](http://www.citizensassembly.ie)) following this inaugural meeting.

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To the members of the Assembly gathered here for the first time today, there are some things I would like to share about both the work we about to undertake, and indeed your central role in this process.

Firstly, I hope that you will share with me the sense of privilege as Irish citizens of being asked to perform the task given to us by the Houses of the Oireachtas.

I also hope that this will be a substantial and inclusive national endeavour, one which, upon its conclusion, we can look back upon with some pride.

As Members you do not need to have any specialist knowledge of the topics in order to take part; it is my responsibility as Assembly Chair to make sure you have all the necessary material on all the relevant matters put before you in relation to each issue. It is our role collectively to consider that material and come to our own conclusions.

Let me be clear - at the very heart of this process is the requirement that your opinions are heard. There will be no right or wrong answers. There is no such thing as a stupid question. The Assembly is a safe space in which your views and concerns, your perceptions and questions, can find expression.

In other words this Assembly will provide an open and inclusive process to allow for informed discussion and debate, to allow all sides of the argument to be heard and to hear the opinions of the Members as you examine the issues in detail.

Some of you may be concerned that my legal background will mean that the focus of the Assembly's meetings will be very legalistic or that some background in law might be required.

Others may worry that perhaps consideration of the effects of existing or any proposed legal framework, in particular, its impact on Irish citizens, will not receive sufficient focus.

Let me assure you that I am fully aware of the need to explore all aspects of the issues before us, not just their legal implications.

I see my role as creating an environment where we can have a mature discussion about the issues before us. Where the material we consider is fair and balanced, and is presented in a format which is as accessible and comprehensive as possible.

#### How we will approach our work

There is no denying that the first topic we must consider, the Eighth Amendment of the Constitution, has been an exceptionally contentious, and sensitive issue, one that has been the subject of much public engagement and media commentary.

Whatever your views on the rights and wrongs of the Assembly as a vehicle for such a debate, I can only give my commitment that I as Chair will do my utmost to facilitate an open, transparent, detailed, and most importantly, a balanced discussion on this complex and challenging topic.

In order to achieve that balance right across the work programme of the Assembly it is essential that its structure, principles and rules and procedures make this balance possible. In this regard, the Assembly is fortunate to be able to build on the work of the Convention on the Constitution and the '*We the Citizens*' project before that.

This participative democracy model provides a platform for a cross-section of the public to hear presentations from experts and civil society groups and to engage in rational and reasoned discussion, and to then make recommendations to the Oireachtas on the options available. It is important to bear in mind that under the Constitution, the Oireachtas, our National Parliament, has the sole and exclusive power of making law for the State.

Later today in Private Session, the Members will consider the Key Principles and Rules and Procedures which will underpin our work, but it is useful now to refer to some of these to give the wider public a sense of how we will go about our work.

An underlying feature to all of our work will be *openness*; the Citizens' Assembly will operate with complete transparency with all plenary meetings being broadcast live at [www.citizensassembly.ie](http://www.citizensassembly.ie). All briefing material will be freely available. The Assembly will be open to hearing the views of all sections of society on any issue, including our Diaspora

and young people under 18 years of age, who are not directly represented in the Assembly membership.

In considering matters of public concern *fairness* is crucial and it is important that we allow the full spectrum of views to be heard on every issue and that our briefing material for Assembly members is of the highest quality.

*Equality of voice* amongst all Assembly members will be an essential part of how we undertake our work. Each member will be given an opportunity to voice his or her opinion, should he/she so wish.

Finally, I would like to say something about *respect*. It is important that members can freely and confidently make contributions and express their views without fear of harassment or criticism - this principle will apply both while the meetings of the Assembly are in session and, I must stress, in the periods between sessions.

I wish to make it abundantly clear at the outset that *any* individual or organisation which attempts to contact a Member to try to influence his/her views on a particular topic will be automatically excluded from taking part in the Assembly. In agreeing to undertake this task, the members before us today are giving freely of their time in service to the State.

As such they should feel able to take full part in the Assembly without being influenced or subject to any attempt to sway their views in any particular direction.

Any suggestion of influence or coercion would undermine the process and weaken the impact of the recommendations that the Assembly eventually makes.

Respect to the members is a core principle of the workings of the Assembly which will be assiduously adhered to.

It is clear to me that the complexity of the first topic; the Eighth Amendment of the Constitution, will mean that the Assembly will require more than one meeting to be able to fully understand the issues and to hear from all voices in the debate.

As this is the first meeting of the Assembly, and these details will ultimately be a matter for all Members to agree upon, it would be inappropriate of me to prejudge how the Assembly will approach its Work Programme. However, I believe we must seek to strike a balance between the time required to consider the matter in a comprehensive manner, while ensuring that the Members do not feel overburdened at any time.

As provided for in the Oireachtas resolution, an Expert Advisory Group is being established to assist the work of the Assembly in terms of preparing information and advice.

The Expert Advisory Group will be comprised of academics/practitioners across a number of specific fields of interest including:

- Political/ Social Science;
- Constitutional Law and Theory;

- Medical Law and Ethics;
- Medicine and Obstetrics.

The members of the Expert Advisory Group are being carefully chosen to ensure that they have the relevant expertise and experience and that they are impartial/ objective on the topics before the Assembly about which they are assisting.

Details of the Terms of Reference and Membership of the Expert Advisory Panel will be considered by the Assembly later today and, once agreed; details will be made available on the Assembly's website.

Early next week, the Assembly will be calling for submissions from representative groups, citizen organisations, other interest bodies and members of the public in relation to the Eighth Amendment of the Constitution. These submissions will also help to form the work programme for the debate.

I would encourage everyone with an interest in this topic to engage with the Assembly, either through the submissions process, or by logging on to the website to watch proceedings live and read the material before the Assembly.

### Conclusion

I believe that the success of the Assembly will depend on the openness with which we all approach our work and our readiness to ensure that all who wish to be heard have that opportunity.

As Franklin D. Roosevelt said; “Democracy cannot succeed unless those who express their choice are prepared to choose wisely. The real safeguard of democracy, therefore, is education. “

At the end of the day, it will be the members of the Assembly who decide on the recommendations to be made to the Oireachtas having been informed and educated to the greatest extent possible.

I reiterate that it will be the Assembly members who make the recommendations and that is the responsibility we have to discharge.

I very much look forward to working closely with all of you during the next 12 months.

This concludes the public session of the inaugural meeting of the Citizens’ Assembly. We next meet on 26<sup>th</sup> November, when we will begin consideration of the first topic; the Eighth Amendment of the Constitution.

ENDS

## Resolution Approving Establishment of the Citizens' Assembly

“Go ndéanann Dáil Éireann:

a cheadú go ndéanfar Tionól Saoránach a ghairm chun breithniú a dhéanamh ar na nithe seo a leanas agus chun cibé moltaí a dhéanamh is cuí leis agus chun tuairisciú do Thithe an Oireachtais:

- (i) an tOchtú Leasú ar an mBunreacht;
- (ii) conas is fearr is féidir linn tabhairt faoi na dúshláin agus na deiseanna a bhaineann le daonra atá ag dul in aois;
- (iii) parlaimintí ar théarma seasta;
- (iv) an modh ina seoltar reifrinn; agus
- (v) conas is féidir leis an Stát a chinntiú go mbeidh Éire ina ceannródaí maidir le dul i ngleic leis an athrú aeráide; agus

a thabhairt dá aire:

- gur 100 duine mar a leanas a bheidh i gcomhaltas an Tionóil:
  - Cathaoirleach a bheidh le ceapadh ag an Rialtas; agus
  - 99 saoránach atá i dteideal vótáil i reifreann, arna roghnú go hamasach sa chaoi go mbeidh siad ionadaitheach do shochaí na hÉireann i gcoitinne;
- féadfar ionadaithe a cheapadh faoi réir na gcritéar roghnóireachta thuas, agus beidh na hionadaithe sin in ann páirt a ghlacadh sna himeachtaí agus vótáil faoina n-ainm féin;
- comhaontóidh an Tionól a rialacha nóis imeachta féin d'fhonn a ghnó a sheoladh go héifeachtach ar shlí a bheidh chomh heacnamúil agus is féidir;

That Dáil Éireann

approves the calling of a Citizens' Assembly to consider the following matters and to make such recommendations as it sees fit and report to the Houses of the Oireachtas:

- (i) the Eighth Amendment of the Constitution;
- (ii) how we best respond to the challenges and opportunities of an ageing population;
- (iii) fixed term parliaments;
- (iv) the manner in which referenda are held; and
- (v) how the State can make Ireland a leader in tackling climate change; and

notes that:

- membership of the Assembly will consist of 100 persons as follows:
  - a Chairperson to be appointed by the Government; and
  - 99 citizens entitled to vote at a referendum, randomly selected so as to be broadly representative of Irish society;
- substitutes may be appointed subject to the selection criteria above, who will be entitled to contribute to the proceedings and vote in their own name;
- the Assembly will agree its own rules of procedure for the effective conduct of its business in as economical a manner as possible;
- the Assembly will first make a report and recommendation on the matter set

- sa chéad ásc, tabharfaidh an tionól tuarascáil, agus déanfaidh sé moladh, do Thithe an Oireachtais ar an ní a leagtar amach ag (i) thuas, agus ar an méid sin a fháil tarchuirfidh Tithe an Oireachtais an Tuarascáil lena breithniú chuig Coiste den Dá Theach, ar Coiste é a dhéanfaidh a chuid tátal a chur faoi bhráid na dTithe chun díospóireacht a dhéanamh orthu;
  - tuairisceoidh an Tionól do Thithe an Oireachtais agus déanfaidh sé moltaí dóibh ar gach ní eile a luaithe a bheidh a phléití críochnaithe aige agus, in aon chás, tráth nach déanaí ná bliain amháin ó dháta an chéad chruinnithe den Tionól;
  - iarrfar ar an Tionól freisin breithniú a dhéanamh ar cibé nithe eile a tharchuirfear chuige;
  - bunófar Gasra Comhairleach Saineolaithe chun cabhrú le hobair an Tionóil, ó thaobh faisnéis agus comhairle a ullmhú;
  - féadfaidh an Tionól aighneachtaí a iarraidh ó chomhlachtaí leasmhara agus glacadh leo agus lorgóidh sé cibé comhairle shaineolaíoch is dóigh leis is inmhianaithe;
  - déanfar gach ní a bheidh os comhair an Tionóil a chinneadh trí throllach de vótaí na gcomhaltaí a bheidh i láthair agus a vótálfaidh, seachas an Cathaoirleach a mbeidh vóta cinniúna aige nó aici i gcás comhionannas vótaí; agus
  - tabharfaidh an Rialtas freagra i dTithe na Oireachtais ar gach moladh a dhéanfaidh an Tionól agus, má tá sé chun glacadh leis an moladh, cuirfidh sé an creat ama in iúl ar lena linn atá sé ag brath aon reifreann gaolmhar a sheoladh;
- out at (i) above to the Houses of the Oireachtas, which on receipt will refer the report for consideration to a Committee of both Houses which will in turn bring its conclusions to the Houses for debate;
  - the Assembly will report and make recommendations to the Houses of the Oireachtas on each remaining matter as soon as it has completed its deliberations, but in any event not later than one year from the date of the first Assembly meeting;
  - the Assembly will also be asked to consider such other matters as may be referred to it;
  - an Expert Advisory Group will be established to assist the work of the Assembly in terms of preparing information and advice;
  - the Assembly may invite and accept submissions from interested bodies and will seek such expert advice as it considers desirable;
  - all matters before the Assembly will be determined by a majority of the votes of members present and voting, other than the Chairperson who will have a casting vote in the case of an equality of votes; and
  - the Government will provide in the Houses of the Oireachtas a response to each recommendation of the Assembly and, if accepting the recommendation, will indicate the timeframe it envisages for the holding of any related referendum."

July 2016