

CA – Chair’s video 2 for 13 February meeting

In this video I am going to explain how we propose to run our meeting on 13 February. I see our next meeting as a trial run for how we might organise the rest of our work on the other areas. We will find time to discuss the later work once we have all had the experience of a focussed session on the Constitution.

SLIDE 2

First let’s recall one of the reasons why this Assembly was called. The Convention on the Constitution in 2013 already recommended removing the “woman in the home clause” from our Constitution. The recommendation was accepted by the Government of the day but a referendum to give effect to that recommendation was never called. This was because discussions got stuck on how to do it. I hope that our Assembly can resolve the problem through our recommendations.

On 13 February I want us to focus on deciding what we will vote on in April. We will only vote once, at the end of our work, but what we will vote on needs to be prepared in advance. We have done a lot of preparatory work with legal experts and have sent you several videos that explain what can be set out in a Constitution and how it affects governments and citizens.

SLIDE 3

Our mandate is to focus on gender equality so we are going to concentrate on Article 41 which deals with the family. We have identified questions that tackle the core issues.

SLIDE 4

We propose to focus on

- The woman in the home clause
- And the definition of the family (which in Article 41 currently only relates to the married family).

The ballot paper will, by necessity, have more than one question.

SLIDE 5

It is sequential, meaning that each ballot depends on the outcome of earlier ballots. Depending on the votes on earlier questions we may not reach all of the later questions.

This is an example of one of the ballots from the former Citizens' Assembly in relation to the 8th Amendment.

SLIDE 6

You don't need to focus too much on the detail of this, the main point of this slide is that you will see that what the majority of members of that Assembly chose in Ballot 2 dictated which ballot paper they moved on to next.

SLIDE 7

And this shows you how this approach will work for women in the home.

First we will ask you to indicate your choice between three options:

- A. Do you want to keep the wording as it is?
- B. Do you want to delete these words in our Constitution?
- C. Or do you want to replace the deleted words by something else?

If you vote to keep the wording of the Constitution as it is now or if you vote to delete the current wording there is no need to vote further. However, if the majority choice is the "delete and replace" option you will all be asked to choose between two further options.

SLIDE 8

In this way, you can recommend to the Oireachtas the nature of the referendum which would then have to take place. However, you will not be recommending any particular wording. That will be job of the Attorney General, the Government and the Oireachtas later on if they decide to follow your recommendations. Rather than leaving everything up to the Oireachtas, you would be giving a clear indication about the change you want to see. For example, we will ask if you want to replace the "woman in the home clause" by including valuing and sharing of care in the text. And we will give you a choice

between a more aspirational, principles based language and a more rights based wording.

SLIDE 9

This flow chart shows how the sequential voting works. So you can see that if the majority votes to either retain Article 41.2 (Option A) or repeal it (Option B), then that is the end of the vote. However, if the majority votes for Option C, Repeal and replace, then this will bring the members to a second question in a subsequent ballot.

SLIDE 10

You have received a note (by email and by post) explaining all of this. The note contains the questions you will be asked to answer on 13 February in the form of a draft ballot paper. This is how it was done in previous assemblies and will allow you time to think about your views in advance of sharing them with the other members.

On 13 February we will have limited time and therefore limited possibilities to adjust the wording of the messages you want to send to the Oireachtas. But there will be time for discussion. I will do my utmost to follow your wishes so please do not feel restricted in your discussions. I only ask that you bear in mind the limits we are working to and that you bring a fair spirit of compromise to the meeting.

SLIDE 11

After discussion in your breakout groups we will ask you whether you agree that the questions in the paper are the questions you will vote on in April. You will not be voting on your final position – you will do this only once when you vote in our April session. You will indicate your preferences electronically. This means that by the end of the day I hope we will have agreed on the ballot paper on the constitutional issues. The secretariat will offer training on how you will indicate your preferences to anyone who would like to have it. And of course we will explain everything again in detail on 13 February.

When you have time to study the note and draft ballot paper I hope you will feel that we have been faithful to your feedback and that we have captured the spirit

and the direction of your views. As I have said before, your ownership of the ballot is what counts in the end. The secretariat and I are here to facilitate that process.

SLIDE 12

I am also proposing that we allow ourselves a little more time on 13 February to accommodate discussion in plenary. This means we will ask you to be available from 10.00 until 15.45 and only take one hour for lunch. I hope it will be possible for all of you to adjust to this slightly longer time frame.

We will start the meeting with an explanation of how the day will run. We will do an icebreaker poll so that we can all see how a Zoom poll works and ensure you are confident about how you will indicate your preferences later in the day. We will take each of the key questions in turn. After discussion in your breakout groups you will come back to a plenary session and indicate whether you can agree the ballot paper on Women in the Home. Then after another discussion session you will come back and let us know whether you can agree the ballot paper on the questions regarding the family.

If questions, issues or strong wishes for alternatives come up in the breakout groups we will discuss them in plenary after lunch. We will have a panel of lawyers available to answer any legal questions that might come up during the day.

I hope the approach I propose to take is clear. It follows closely on the previous model and the only differences come from the fact that we will be working online in a tighter time frame. If you have any questions about the process please send me an email so that we can clarify as many of your questions as possible in advance.

It is exciting to be coming to the point where all of our work begins to turn into recommendations. I believe you are ready and that what I propose will enable us to have a clear set of ballot papers by the end of Saturday. We will then keep them until voting day on 17/18 April which will be our final session. I'm looking forward to this next stage in our work and to seeing all of you on Saturday 13 February.