



Opening Speech by Chairperson, Ms. Justice Mary Laffoy,

at the Fourth Meeting of the Citizens' Assembly

on the Eighth Amendment of the Constitution

The Grand Hotel, Malahide, Saturday 4th March, 2017

Welcome everyone to the fourth weekend of our consideration of the Eighth Amendment of the Constitution. Welcome back to all our members and to those joining us online and on RTE News Now.

We are steadily approaching the conclusion of our consideration of the Eighth Amendment. This weekend marks the last weekend that substantive material will be presented to the Assembly. Our fifth and final weekend on this topic will focus solely on formulating, agreeing and voting on the recommendations we will present to the Houses of the Oireachtas.

This weekend the Citizens' Assembly will be almost entirely dedicated to information, testimony and opinions brought to the Assembly via the submissions process. Later today the members will hear from women who have been directly affected by Eighth Amendment.

Tomorrow, 17 advocacy groups that made submissions to the Assembly will orally present to the members.

Saturday

However, we begin the weekend with a number of discrete legal sessions. The purpose of these sessions is to clarify outstanding legal issues raised by the members in feedback sessions and to provide an overview, in a neutral way, about the options available in law.

Emily Egan SC will present the first of the legal sessions on “The role of Article 40.3.3 in medical and parental decision-making”. Emily will be followed by John O’Dowd, Lecturer of Law in UCD, who will discuss on “The Constitutional Rights of the Unborn Within and Beyond the Eighth Amendment”.

As I mentioned, the purpose of these sessions is to address the outstanding legal issues raised by members regarding the Eighth Amendment, beyond simply the termination of pregnancy, for both the unborn and the parents.

Brian Murray SC will be joining us later this morning for a session focused on Legal Consequences of Retention, Repeal, or Amendment of Article 40.3.3 of the Constitution. This will be the first time that the citizens will engage directly with the possible legal options which they may consider.

I hasten to add that I am conscious that members have continuously sought clarity on the legal position of the impact of the Eighth Amendment in certain areas and of possible consequences to changes to the law as it currently stands. Legal clarity is very hard to achieve. Constitutional law by its very nature is open to interpretation and frequently exercises the minds of lawyers. There is not always uniformity in interpretation but this morning we are seeking to present you with a balanced overview of the case law in this area. The same caveat applies to Brian Murray’s discussion on the consequences of retaining the Eighth Amendment, repealing it and amending it.

This morning's proceedings on the law will mark the end of the facts based material being presented to the Assembly. From there we will move on to opinion and advocacy.

This afternoon then we will hear the personal stories of six women directly affected by the Eighth Amendment. I will explain the session in much greater detail after lunch but for the moment I would like to take the opportunity to sincerely thank each woman who agreed to be interviewed and share their experience.

Dr Mary Ryan from Maynooth University who carried out the interviews with each of the women will lead the session for us. She will provide us with the background as to how the women were selected and how the interviews were structured.

I think this afternoon's session will be moving and emotionally challenging but it is an essential aspect of our considerations.

Sunday

Tomorrow's proceedings will consist of presentations from advocacy groups who, again, all made submissions to the Assembly. We will hear from 17 groups, out of a total of 121 that made submissions.

We have attempted to accommodate as many groups representing various ideological positions and experiences as possible. I think it is reasonable to say that we were never going to be in a position to hear from every group that made a submission.

The members made their own suggestions as to which groups they wished to hear from and with regard to their preferences I identified the final 17 we would invite to present to us.

All advocacy group submissions are available to read on our website www.citizensassembly.ie.

In order to accommodate such a large number of groups, Sunday's proceedings have been extended to 4pm. This was a huge ask of the members who already dedicate so much of their free time to this task. I am most grateful that they agreed which will allow us to hear so many different perspectives. Without their dedication it would not be possible to do this challenging topic justice.

One of our key principles is respect and to date this principle has been adhered to. I would ask everyone to bear this in mind over the course of this weekend, particularly if presented with an opinion you may not necessarily like or agree with.

Conclusion

I would now like to call on Emily Egan, Senior Counsel, to begin this morning's session.