

Citizens' Assembly

Note on Voting Arrangements and Procedure for Final Weekend on the Eighth Amendment

22nd/ 23rd April 2017

Background

This note supplements material already provided to the members of the Citizens' Assembly in the note entitled 'Outline of approach to be taken- Version 2'.

According to the resolution approving establishment of the Assembly:

“all matters before the Assembly will be determined by a majority of votes of members present and voting, other than the Chairperson who will have a casting vote in the case of an equality of votes”.

Voting Arrangements

Voting will be done in secret and will be anonymous. The process for each vote, irrespective of the number of ballots will be the same and is as follows:

- Members will register for and collect each ballot paper individually; ballots will not be individualised, but the Secretariat will keep a record of how many ballot papers have been issued and which Assembly members collected their ballot paper;
- Each of the Ballots which are designated 1, 2, 3, 4A, 4B, 4C will be differentiated by different colour paper;
- Members will then move on to cast their ballot in a booth. Members will be familiar with the booths being used as they are the same as those used in general/local elections and referendums. To allow the voting to happen as quickly and efficiently as possible there will be three booths in total;
- Completed ballot papers will then be placed in locked ballot boxes;

- Full details of where each of these steps will be carried out in the Tara Suite will be provided in the private session on Saturday morning.

Announcement and Presentation of Results

It is intended that the headline results of each ballot will be announced as soon as the votes have been counted and verified. The announcement will be done by the Chair in public session. Depending on the outcome of Ballot 1, there may be more than one vote and announcement over the weekend.

When the results are announced the following information will be provided:

- about the number of Citizens eligible to vote;
- the number of citizens who voted. In theory this figure should be the same as the first, but there may be reason why a discrepancy might arise, for example if a citizen decides not to cast their ballot;
- the outcome of the vote. The results will be presented in absolute terms as well as in percentage terms.

Once the counting has been concluded and verified, the ballot papers will be retained by the Secretariat until the work of the Assembly has been completed, after which they will be destroyed.

Determining the Majority

The following explanation is provided to clarify how it is intended to present the results of each of the Ballots. In each case clarification is also provided about how the majority will be determined in respect of each of the Ballots as they are currently drafted.

Ballot 1:

The results will provide details of the number of votes cast in respect of Option 1 and Option 2.

A majority will be determined by reference to the total votes cast in favour of Option 1 and Option 2.

Ballot 2:

The results will provide details of the number of votes cast in respect of Option 1, Option 2 and Prefer not to state an option.

A majority will be determined by reference to the total votes cast in favour of both Option 1 and Option 2.

Ballot 3:

The results will provide details of the number of votes cast in respect of Option 1, Option 2 and Prefer not to state an option.

A majority will be determined by reference to the total votes cast in favour of both Option 1 and Option 2.

Ballot 4A, 4B and 4C Part 1:

In Ballots 4A, 4B and 4C, the column where a citizen expresses their opinion have been alphabetised.

- The first column, *never for this reason*, is listed A;
- the middle three, *up to 12 weeks gestation only*, *up to 22 weeks gestation only*, and *with no restriction as to gestational age*, are listed B1, B2 and B3; and
- the last, *prefer not to state an opinion*, is listed C.

The middle three have been grouped in order to facilitate reporting of the results of the voting. Each option listed under B permits the termination of pregnancy up to certain, if any, gestational limits. As such these will be added together in the initial reporting, because collectively they represent all votes cast as to gestational limits on the termination of pregnancy or no gestational limit.

In reporting, the votes cast in each option listed under B, will then be broken down to show how the citizens have voted in relation to gestational limits, or none.

In relation to this ballot a majority for each individual recommendation will be determined in the initial reporting by reference to the votes cast for recommendations A and recommendations B1, B2 and B3 combined.

Ballot 4C Part 2:

The results will provide details of the number of votes cast in respect of Column I and Column II and Prefer not to state an option.

However for the avoidance of doubt, a majority will be determined by reference to the total votes cast in favour of both Column I and Column II

Casting Vote

The Oireachtas resolution provides that '*the Chairperson (who) will have a casting vote in the case of an equality of votes*'.

If in any of the ballots there is an equality of voting, the Chair will have the casting vote as provided for in the Resolution of the Oireachtas.

If in Ballots 4A, 4B or 4C Part 1, in respect of any of the 8 reasons there is equality of voting on recommendations B1, B2 and B3, the Chair will have the casting vote here also as provided for in the Resolution of the Oireachtas.

In practical terms, as we will to publish the actual number of votes cast for each ballot as well as the percentages, any required casting vote will be done by means of a verbal statement by the Chair.

Spoiled Votes

In national elections a vote which does not express a clear preference or which expresses multiple preferences is a spoiled vote. For the purposes of voting at the Citizens Assembly these categories will apply as follows:

1. The voter does not mark an X against any option for one or more questions. This should not be treated the same as a voter who has specifically marked an X in the "Prefer not to state an opinion" because in the latter case the intention of the voter is clear whereas in the former it is not clear whether the voter did not wish to express a preference or whether they simply overlooked that particular question. Therefore a ballot or part of a ballot which does not contain one X

mark should be counted as a spoiled vote for that particular question. That would not affect the validity of other questions on the same ballot paper.

2. The voter marks an X against more than one option in a single question. In this case it is again not possible to determine the intention of the voter so the vote should be treated as invalid.

ENDS