

## SCECLB87 Individual

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Senedd Cymru | Welsh Parliament

Y Pwyllgor Biliau Diwygio | Reform Bill Committee

Bil Senedd Cymru (Rhestrau Ymgeiswyr Etholiadol) | Senedd Cymru (Electoral Candidate Lists) Bill

Ymateb gan Unigolyn | Evidence from Individual

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### **What are your views on the general principles of the Bill and the need for legislation to deliver the Welsh Government's stated policy objective (to make the Senedd a more effective legislature by ensuring it is broadly representative of the gender make-up of the population)?**

I do not support the general principles of the Bill. They are outside the legislative competency of the Senedd. While I support the idea of ensuring electoral representation reflects the Welsh population, the approach and principles upon which the bill is based are fundamentally flawed and contentiously ideological. They herald the death of democracy in Wales, the elevation of party politics and party supremacy over democratic representation, and defy the principles of sex equality by redefining women to be a mixed sex category. The bill will enshrine in law male entitlement over the female sex, enabling male people to speak as if they are female on behalf of female people, and create a harmful illusion of "gender equality" through positive discrimination. It is counter to meritocracy and is not the way to achieve equality in politics in Wales. The premise of the bill is deeply disrespectful to half the population. The use of the word gender instead of sex is fraught with sexism and semantic inconsistency that is unworkable and inappropriate in a civilised, democratic and progressive nation.

### **What are your views on the system of enforcement and potential sanctions for non-compliance proposed in the Bill?**

It is a completely performative and meaningless exercise, guaranteed to bring the Senedd into disrepute, if not a laughing stock on the global stage and an embarrassment to the electorate. It is extremely likely to riddle the electoral process with legal challenge, risking needless waste of scant taxpayer funding. Sex is an objectively observable characteristic. Gender is transient sexism, manifest in nebulous ways, including the performance of abusive and sexist stereotypes. The Bill will be undoubtedly be exploited to manipulate candidate lists, with men temporarily claiming female status simply for political advancement, and to the detriment of female people. All people are provided a birth certificate with sex

accurately observed at birth in 99%+ of cases. At the very least that should be used, not unverifiable self declaration, which renders the entire exercise completely meaningless. But then it seems clear that this Bill isn't about ensuring equal representation of men and women, but about establishing sexist fantasy as Wales's new politically supreme religion.

### **Are there any potential barriers to the implementation of the Bill's provisions? If so, what are they, and are they adequately taken into account in the Bill and the accompanying Explanatory Memorandum and Regulatory Impact Assessment?**

It is not within the Senedd's competency. Equality is not devolved to Wales, and nor should it be if this is the approach that is taken. You have redefined the protected characteristic of sex and conflated multiple protected characteristics. It's totally inappropriate.

### **Are any unintended consequences likely to arise from the Bill?**

Innumerable, not least the decimation of recognition and rights for female people, who are not fairly defined by the Bill. Women is not a mixed sex category. If you wish to increase representation of TQ+ people (who may likely argue your approach is too "binary" as it is), then go about it another way. But that doesn't seem to be the true intent of the Bill. The Bill seems instead to want to redefine women specifically in law, undermine the EA2010 and further and more deeply entrench sexism and discrimination in Wales.

### **What are your views on the Welsh Government's assessment of the financial and other impacts of the Bill?**

Be prepared for expensive legal challenges all the way, whether or not the Bill is passed. undoubtedly there will be countless battles about the formation of lists and who is and isn't "really" a woman. Women are underrepresented in politics because of structural inequalities arising from issues directly related to being part of the female sex class, which women cannot identify out of and men cannot identify into. This bill does not address that and the chances of parties even finding enough women that can put aside work, childcare and family commitments to stand for election are slim. Until the entire culture of the Senedd changes, including by recognising the female sex class is not a "gender" that can be picked up and put down by self-identification, this entire exercise will remain a farce. Don't waste taxpayers funding on this and come up with better ways to increase female and LGBTQ+ representation in the Senedd, instead of conflating it all into a single sexist and unworkable Bill that violates the devolution agreement.

**What are your views on the balance between the information contained on the face of the Bill and what is left to subordinate legislation? Are the powers for Welsh Ministers to make subordinate legislation appropriate?**

Not enough information has been provided on this at the front of the consultation. On the documents linked to this question however, it does look like W and NW is listed, which seems to suggest “women” and “non-women”. What does that even mean? If you referred to women as non-men, that would be totally inappropriate. The linked documents must be a joke. Each document piles absurdity upon absurdity and would swiftly become offensive to even the most mild mannered and accommodating. I’m aghast at the cascade of nonsense that is flowing from this extremely ill-considered Bill.

**Do you have any views on matters relating to the legislative competence of the Senedd including compatibility with the European Convention on Human Rights?**

The Senedd does not have the legislative competency (and on the basis of this, nor should it ever). The Bill is unlikely to be compatible with the European Convention on Human Rights. The bill doesn’t ensure the free expression of the opinion of the people in the choice of the legislature, not least the closed list elements which favours the domination of established parties. Sex, not gender, is clearly listed in ECHR too, while the Bill refers to “gender” instead of sex and legally redefines women in such a way it constitutes discrimination.

**Do you have any views on matters related to the quality of the legislation, or to the constitutional or other implications of the Bill?**

The quality of the legislation is desperately poor, and it further destroys confidence in the general competency and moral integrity of Senedd and the Welsh government. Work for equality, but not like this. It undermines any argument that Wales is competent and capable of handling further devolution.

**Are there any other issues that you would like to raise about the Bill and the accompanying Explanatory Memorandum or any related matters?**

**Anything else?**

This bill is evidence of how divorced from the real world the Senedd and the Welsh government has become.