

SCECLB109 Individual

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

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)?

Firstly, this is beyond legislative competency for the Senedd to enact because it seeks to alter matters outside of devolved powers.

Secondly, the state if being a woman is biological and the Assessment attached to this Bill does not correctly apply the definition of woman as being biological, that is to say, it attempts to conflate the term gender with that of sex.

A genuine equalities measure would require the wording of the Bill to correctly apply the of word woman, rather than permitting a redefinition of what a woman is.

This does not provide for equality and equity between the sexes, of which there are only two. It is clear that this Bill provides for male people to take up female quotas with no mechanism for this to be challenged, let alone rejected.

This is bad faith legislation and contrary to the Equality Act.

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

The CRO would be powerless to scrutinise or even point out where males are stating they are women and are legitimate female candidates.

The wording of the guidance has deliberately been formulated to define Woman as any candidate who declares themselves to be such. It is glaringly disingenuous and has no interest in ensuring there is a 50-50 balance between men and women candidates; it is greatly concerning that the authors of the draft will have purposefully worded the document to introduce and normalise self ID into Welsh legislation.

Again, this is both beyond the legislative competence of the Senedd and in clear contradiction to the Equality Act.

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?

There are two barriers to the implementation:

1. It is beyond the legislative competence of the Senedd and is therefore unlawful;
2. The wording of the Bill is in conflict with existing law that covers Wales, namely the Equality Act and discrimination safeguards within the workplace.

Are any unintended consequences likely to arise from the Bill?

No however there is one primary consequence of the Bill, which is the driving motivation for bringing it, and that is to redefine the word Woman to mean any adult who identifies as such; that is to say, to legitimise and give legal recognition that any man who identifies as a Woman must be treated as a Woman and must be recorded as such in government data output.

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

As the Bill is both in breach of Senedd competency and existing law governing England & Wales, it has already wasted valuable resources. In financial terms, the legal challenge which we know will be lodged against the Welsh Government to challenge the legality of the Bill, will be eye-watering.

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?

This is irrelevant as the Bill contravenes existing law which the Senedd does not have the power to amend, remove or extend.

That the Welsh government is not aware of this, is highly concerning.

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 competence to pass this proposed Bill which is expressly intended to introduce self ID into Wales.

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

It is extraordinary that the former leader of the Welsh government capitulated to the demands of Plaid Cymru by engaging in a behind closed doors negotiation to agree to support Closed Lists in exchange for bringing in self ID legislation.

Both parties' Senedd members wrongly believe that such secret tit for tat deals have been successfully hidden from the voting public.

They aren't.

We are aware that thos Bill represents the wants of certain highly placed individuals within the Senedd and that it has been influenced by Stonewall, an organisation that is continually discredited as presenting discriminatory and inaccurate information.

This Bill isn't about empowering women, if it were, the Bill word use the accurate language of Sex, not gender - gender not even being definable in terms of biology, data, rights and real life experiences in a society that's made up of males and females.

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

There are only two sexes - male and female.

Sex is immutable and it is an absolute truth that no human can change their sex.

A Woman is an adult human female.

A Man is an adult human male.

These are facts and not opinions.

The Senedd does not have the power to alter these facts or to change physical reality.

Anything else?

This legislation will face legal challenge.