

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 Rina Callingham | Evidence from Rina Callingham

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)?

The Bill states that in the last census, "the Welsh population was made up of 51.1% women and 48.9% men". This statement recognises the binary reality of biological sex - women & men, females & males. The Bill claims that its principles seek to recognise the disparity of the underrepresentation of women in the legislature. The clarity of this principle needs to be established if the contributions of women & the realities of their lived experiences in Wales are to be effectively recognised & supported.

The Bill then goes on to discuss "gender make-up" but does not clarify its meaning of the term gender. Gender is a social construct. Gender presentation does not always equate with biological sex & therefore cannot be used as a determining factor in ensuring the true representation of women. This distinction needs to be clarified & maintained.

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

Biological sex is the only determining factor in ensuring the eligibility of a candidate. What does "face value" mean? This Bill is meaningless if its stated principles of ensuring the true representation of biological women are not met.

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?

The Bill fails if it does not recognise that biological sex is the determining factor of eligibility that is required to establish its stated aims. Lip service is no service.

Are any unintended consequences likely to arise from the Bill?

Nebulous terminology such as "gender make-up" obfuscates the stated intentions of the Bill. It is not compatible with ensuring the true representation of women. Inevitably this contributes to the erosion of women's protected rights to equality, safety, dignity & privacy.

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

The Bill will impact unfairly on women if its distinctions between biological sex & gender make-up are not clarified.

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?

Unless the true intentions of the Bill are clarified it should not proceed.

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

There is no legislative competence if the Senedd does not clarify its support & understanding of the protection of women's rights to equality, privacy, dignity & safety.

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

Without clarity, the legislation has no quality & has the potential to adversely impact women's lives in Wales.

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

The use of the term "gender quotas" is nebulous when the supposed aim of the Bill is to ensure the recognition & equality of women.

Anything else?

Clarify your true intentions regarding the protections & representation of women. Currently, Wales seems a very uncertain place for women.