

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 Vanessa Howard | Evidence from Vanessa Howard

---

**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)?**

Legislation demands clarity. The term 'gender' is undefined. If the aim is to provide better representation for females, then the Bill should be clear, as per the Equality Act 2010, that sex is a protected characteristic and the disparity in representation between the sexes is what this Bill aims to address.

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

Unfortunately, without a clear definition of 'gender' and 'sex' it is unclear if the Bill is serious about the representation of females, or if non-compliance will include men who 'identify' as women. Without that clarity, suggestions around enforcement are somewhat redundant.

**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?**

Sex is a protected characteristic in the Equality Act 2010 but if metaphysical beliefs about gender identity become the basis of law and public policy, it will erase political recognition of sex, and the existence of female people as a specific class in law.

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

Sex is a protected characteristic in the Equality Act 2010. If men 'identifying as a woman' are included in representation, the quota is no longer female but mixed sex. Males could soon make up a greater percentage of representation.

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

I do not have a view on the financial impact.

**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?**

Again, clarity is essential. What is meant by 'gender'? What is meant by 'women'?

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

Article 14 (prohibition of discrimination) of the European Convention on Human Rights of 4 November 1950:

“The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.” Will WG adhere to sex as a protected characteristic?

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

Repeating once again, legislation demands clarity around terms.

**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?**