

SCECLB253 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)?

I support the principle that elected representatives should reflect the balance of male and female people in the population. I am deeply disturbed by the suggestion that candidates can declare whether they are a woman and that the declaration will be taken at face value. A woman, according to The Equality Act, is a female of any age. We do not have self ID in this country and I believe it is outside of the powers of the Welsh Government to introduce it. Indeed, a self ID declaration of being a woman will undermine the purpose of the Act. A government formed of 49% cis men and 51% men who identify as women will not help with representation of female people. It undermines the purpose of the Act to such an extent as to make it unfit for purpose.

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

This is completely unacceptable. We do not have self ID in this country and it is outside of the Welsh Government's powers to bring it in. CROs should fact check statements around whether the candidate is a woman. Transgender women who do not have a GRC are legally men and should not have access to resources at aside for women.

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 appears to try to modify the legal definition of what a woman is and looks to have an impact on the operation of The Equality Act. It is highly likely this would result in a Section 35 intervention, such as what has happened recently in Scotland. I am

actually astonished that the Welsh Government is pushing ahead with this. It highlights a lack of respect for the law, and will undermine public confidence in the Welsh Government, as well as result in an expensive and entirely predictable legal challenge. When public services are cut to the bone, this seems like a gratuitous waste of money.

Are any unintended consequences likely to arise from the Bill?

If brought into law, it is likely to result in fewer female candidates, as men with a transgender identity are likely to take up female places.

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

I'd like to see the justification for the cost of the likely legal challenge.

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?

I don't wish to comment on this.

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 Welsh Government does not have legislative competence to modify the definition of a woman. The relevant conflicting legislation is The Equality Act. I believe it also conflicts with duties under CEDAW.

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

See above

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

No

Anything else?

No