

## **SCECLB273 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 am in favour of working to ensure equal representation of men and women in the Senedd but have a concern re quotas which runs the risk of women being characterised as only being included to tick a box, rather than on merit. We have seen this happen time and again when quotas have been used and this approach may, in fact, serve to undermine the contribution of women rather than enhancing it. Could there not be a set of criteria which all candidates have to satisfy, regardless of gender? In this way everyone on the list will have got there in the same way by satisfying the same entry expectations.

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

You do not make any mention of biology. Are people to be biological women, or are transwomen also eligible to state that they are 'women'? This is a hornets' nest which this bill entirely ignores. I am happy that people's statements will be taken 'at face value' - what else can you do? What tests might you apply? (Shudder to think - although I suppose all candidates might be asked to provide birth certificates - a very easy way to provide evidence.) You say, 'If a list does not comply, the CRO will be able to invalidate the nomination papers' but you do not explain what happens next, which you do, to some extent, in the next para about national quotas. So, what happens if nomination papers are invalidated? And what happens if a non-compliant list is submitted over and over again? At some point, presumably, you have to accept the nominations or parts of Wales will not have representation. This requires clarification.

**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?**

I believe my previous comments apply here. The Bill will not be properly implemented as you wish it to be if non-compliant lists are repeatedly submitted.

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

Again, see above and previous.

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

I have nothing to say here as I am not really in a position to judge. We just have to hope you have got your sums right!!

**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?**

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

Only that I sincerely hope that the Senedd IS legislatively competent!

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

I think there are constitutional issues hidden within this in relation to the status of trans men and women which you appear to be ignoring. Whichever way you move you will either be constitutionally confirming that trans men and women are men and women, or that, constitutionally, they are not. Hang onto your hats!

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

Only those things I have already mentioned.

**Anything else?**

No - thank you.