

## SCECLB301 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 support the intention to make the Senedd more representative of the general population it serves, but this must be done on the basis of sex, not gender. Sex is the protected characteristic. Everyone has a sex. Gender means different things to different people and the recent PSED guidance states that the terms gender and gender identity should not be used as they are understood differently by different people.

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

Woman is a sex-based category that means an adult human female. If someone registered male at birth has obtained a GRC, they may also be considered to be a woman under certain circumstances. However, self-identification as a woman (where woman is interpreted to be a gender identity, not a sex-based or legal category) is not legal or enforceable. If statements are taken at face value there can be no enforcement - so if people are prepared to lie about their gender to gain a higher place on the list then there will be nothing that can be done to prevent this.

Positive action is allowable under the Equality Act - where you identify that people with a certain protected characteristic are underrepresented and you take action to correct this. However, this must be based on the protected characteristic (in this case sex) not gender.

**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?**

How are you going to define gender in the Bill with relying on sexist and regressive stereotypes?

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

Is this Bill legal considering the Equality Act and PSED?

If you base this on self-identified gender not sex you will likely be discriminating against those who do not believe in the concept of gender (i.e. those with the protected belief of being gender critical)

If you do not base this on sex you will not end up with an equal balance between men and women. You will end up with men on the men's list and a mix of women and trans women (men who consider themselves to be women) on the women's list.

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

**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?**

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

**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?**