

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 Sarah Richardson | Evidence from Sarah Richardson

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 Senedd is already evenly balanced by sex. Gender is a poorly defined term based on a social construct. A fair balance of biological sex is a good outcome for representation for Wales. However, self identification will enable anyone to claim they are a woman without verification, and is likely to lead to biological males identifying as women to take advantage of a bill aimed at improving the representation of biological females in the Senedd.

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

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?

Self identification of sex (not gender which is a social construct and only loosely related to sex) could lead to misrepresentation by some people who may get preference they are not entitled under the bill. Sex is a protected characteristic under the Equality Act 2010. Gender Identity is not. The Equality act includes gender reassignment which is different to gender identity.

Are any unintended consequences likely to arise from the Bill?

Yes, by self id only determining sex of the applicant, biological males can declare themselves as women, hence negating the sex equality aspirations of the bill.

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?

As above: Self identification of sex (not gender which is a social construct and only loosely related to sex) could lead to misrepresentation by some people who may get preference they are not entitled under the bill. Sex is a protected characteristic under the Equality Act 2010. Gender Identity is not. The Equality act includes gender reassignment which is different to gender identity. This is a poorly defined aspect of bill which could easily lead to negative outcomes for sex equality the Senedd.

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?