

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 Diana Bianchi | Evidence from Diana Bianchi

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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 believe that adoption by the Senedd of aims contained in UN Conventions to achieve "Gender Quality in Wales" happened without considering that the language does not reflect the language of the law in the UK and therefore goes against of the terms of the Equality Act 2010.

**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?**

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

I am concerned that the confusion between "sex" and "gender" which means that the proposed Bill is not compliant with the Equality Act 2010

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

I am concerned that because the terms "sex" and "gender" are used as if they are synonyms, when they are not, and this would lead to men who identify themselves as women being allowed to take places intended to be reserved for women.

Therefore the Bill would not achieve its purpose of ensuring equal representation of the sexes. It does not take into consideration women from different cultural, ethnic and religious backgrounds who would be excluded unless sex-based places are preserved.

**Anything else?**

I am very concerned that persisting in trying to enact poorly drafted legislation will bring the Senedd into disrepute.

Furthermore, unless the Bill is redrafted so as to ensure that the term "sex", not gender, is used to differentiate between men and women, I think there is a risk of a challenge being made in the courts, which would incur both reputational risk and financial costs for the Welsh Government.