

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 Catrin Slade | Evidence from Catrin Slade

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)?

There is obviously a need for women to be better represented in Welsh Government. As women make up 51% of the population then women should be better represented than men. This is not "the gender make up of the population" but the biological sex make up of the population. Gender has no definition and is a social construct so this bill has no legal basis.

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

Seeing as you accept people on face value this is obviously open to abuse. If you accept that men can say they're women without any sort of challenge, then you are introducing self identification into Welsh politics which is not the law. The Llywydd's legal advice is that this is beyond legislative competence of Welsh Government as it affects the Equality Act 2010. Please learn from Scotland's mistake on this.

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?

Major barrier - Welsh Government is breaking the law so could be a costly legal case against UK Government as the Equality Act is not devolved. I think Welsh citizens would prefer to see money spent on improving services and not try and introduce self ID which affects 0.4% of the population (ONS 2021).

Are any unintended consequences likely to arise from the Bill?

This could do the exact opposite of what the intention is. If men who say they are women are allowed to be included in the "gender quota" then women will be less represented than ever. The only way to ensure fair representation of women is to base it on biological sex which is what the Equality Act 2010 intended. This ensures women's single sex services and safe spaces e.g. in toilets, changing rooms, prisons etc.. I'm not sure if this is an intended or unintended consequence in the sexist misogynistic society that is Wales in this day and age. (Plaid Cymru report, WRU report, BMA report on NHS) and that politicians in Wales were aware of this and did nothing (<https://www.bbc.co.uk/news/uk-wales-64488227>). Also work place sexism (<https://www.bbc.co.uk/news/uk-wales-60245709>) was ignored.

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

Naive. If you can't see the can of worms you're opening you shouldn't be in government. What happened in Scotland should be a warning to you. The cost would be enormous and as I said in a previous question it's not what Welsh population want money spent on.

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?

Equality Act 2010 is a reserved matter so WG does not have legislative competence on this matter. The inclusion of women's rights in all human rights legislation is based on sex and was meant to be biological sex. The use of "gender" has undermined these rights as it seems they can be conferred on men who say they are women. All laws need to be updated to include the word "biological" with sex so that women's rights are not negatively impacted.

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?

This bill is not fit for purpose. If WG wants to have fair representation for women i.e. biological women as there are no other sorts of women, then the use of the term "gender" should be discontinued as it has no legal meaning. Sex was always meant to mean biological sex and is the basis for discrimination of women since forever.

Anything else?

WG has been unduly influenced by organizations who support trans rights at the expense of women's rights. Every document e.g. LGTBQ+ Action Plan, RSE has e.g. Stonewall and Mermaids and other trans rights organization as consultees without a single women's rights organization being included. This has led WG to believe that most of the population supports their stance and that "transwomen are women and transmen are men". However, recent research shows that the majority, while supporting trans people to live their lives how they want, do not want self ID and therefore the eradication of women's safe spaces and rights.

<https://www.bbc.co.uk/news/uk-scotland-60214574>. If you want to bestow fair representation on women then ask women how they would draft a bill to ensure this happens.

What happened in Scotland should be a warning to you that women (and many men) do not support this and that they are willing to fund legal action to keep women's rights. This can only be a costly and unnecessary exercise in futility as happened in Scotland. Furthermore it will damage WG reputation and coffers.