

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 K J Hodson | Evidence from K J Hodson

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 agree with the aim of making the Senedd more representative of the sex balance in the population.

However, I disagree profoundly with the use of 'gender' rather than 'sex.' Sex is biological, reflected in UK law. Sex is immutable whereas gender is mutable and a cultural construct. The two are definitely not interchangeable and using 'gender' rather than 'sex' in the proposed legislation is not the way to reflect the biological male/female balance in the population.

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

This appears to be a means to establishing self-identification of sex in Wales. It is not acceptable that a biological male can claim to be a woman and that must not be challenged. It makes a mockery of any aim of achieving a "gender" balance in the Senedd. Many people would take this to mean a "sex" balance and would be shocked to discover that a biological man can gain a place on a list as a woman simply by stating he is female.

Furthermore, a GRC allows a person to be recognised as a gender opposite to their sex for some purposes; it does not change the biological fact that sex does not and cannot change.

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?

It would place Welsh Government on a collision course with UK law. Wanting Wales to be "first" and world leading in terms of social justice should not lead us into misusing language, perpetuating the confusion between sex and gender in Wales, and taking us into conflict with the 2010 Equality Act. Why is the Senedd intent on treading the same failed path of the Scottish Government?

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?

By allowing men who say they identify as women to take up places reserved for biological women in the Senedd, you will not achieve equality of representation for women. Men and women are shaped by cultural and societal forces in so many intangible ways: a man who says he is a woman has not lived as a woman, with menstruation; possible pregnancy; fear of male violence in the home or when walking home at night; consciousness of the male gaze; barriers in the work place and all the myriad other ways by which a girl's and woman's experience is shaped.

You will end up giving men who say they are women a voice, adding to the male voices already present.

Anything else?