

SCECLB345 Individual

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

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)?

As this bill seeks to address issues of equality (not a devolved power) by means of gender self-ID, it may indeed not achieve the aims it sets out to achieve if through speech alone a man can declare himself a woman for the purposes of gaining an electoral advantage. Thus, as this bill will likely be challenge in the Supreme Court it would be both costly to the Welsh people and because of my latter point not advance the standing of Women in the Welsh Parliament either.

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

The bill does not comply with the Equalities act and is open to abuse if there is no way to challenge a 'gender statement' whereby a man declares himself a woman to gain an electoral advantage. This undermines the purpose of the bill to advance women in parliament fundamentally.

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?

Yes the key barrier is that matters of equality are not devolved and that this bill could be challenged at the Supreme Court level at costly expense to the Welsh People. Learning from Scotlands drive for gender Self-ID should be taken.

Are any unintended consequences likely to arise from the Bill?

Yes, this bill could actively harm the advancement of women in Welsh Parliament if women politicians were to publicly challenge the inclusion of any men identifying as women on these lists they could be wrongfully accused of being transphobic and suffer reputational damage. This would not only discourage women from politics but make it risky for women to take part in Welsh politics for fear of their safety. Thus defeating the aims of the bill entirely.

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

Due to the likelihood of this bill going to the Supreme Court it could be financially very costly.

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?

The bill lacks clear definitions such as that of 'woman' making this difficult.

Do you have any views on matters relating to the legislative competence of the Senedd including compatibility with the European Convention on Human Rights?

The Welsh Presiding officer holds the view that this bill does not have legislative competence and I agree.

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

The consultation period is short and not well publicised.

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

No

Anything else?

I don't believe this bill will advance the role of women in Welsh government and at worst it could make it dangerous for women to participate in politics if they choose to publically challenge the inclusion of men identifying as women on these lists.