

## SCECLB376 Individual

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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

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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 agree with the Welsh Presiding Officer who has noted that this Bill is not legislatively competent. Accordingly, the Bill may have to go to the Supreme court at high cost to Wales, both financially and in terms of reputation. This Bill will not achieve parity between the proportions of people of both sexes in Wales and the proportions of same in the Welsh parliament, but neither does it have to as a 50/50 split has been seen in this parliament previously without any discriminatory legislation. And please do note that this Bill fails to comply with the UK-wide Equality Act which applies to all countries in these islands, ie Equality law is reserved.

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

This Bill does not define what a woman (or 'not a woman') is therefore how can any sanctions be applied or appropriate.

**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?**

In failing to define what a woman (or 'not a woman') is, this bill fails to remove barriers to female participation in parliament.

### **Are any unintended consequences likely to arise from the Bill?**

The requirement for a 'gender statement' is clearly open to abuse by men who wish to self-identify as women as there appears to be no mechanism for checking the veracity of such information. This means that the bill cannot achieve its aims.

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

Please see previous comment ... the competency of this bill is debatable and resulting court costs could be unmanageable / unaffordable.

### **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?**

This Bill is not legally competent for the reasons mentioned previously.

### **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 bill fails to define key terms - including what a woman is - so cannot achieve its aims and is fundamentally flawed.

### **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?**

Equality Law is not devolved and this bill is therefore unnecessary and flawed.