

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 B McBurney | Evidence from B McBurney

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)?

My main contention is the inaccurate use of the word "gender". If you are actually talking about the biological sex make-up of the population as in male or female, then I could understand and support this as a way of getting more women involved. If women are adult human females - there is no other type of woman.

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

If your definition of woman is not, adult human female, then I cannot support this bill as it does not align with the protected characteristics of the Equality Act 2010. The protected characteristic is SEX not gender or gender identity. To base this entire bill on "gender" not sex is a nonsense. It actively discriminates against women.

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?

The largest barrier to this Bill is the inaccurate use of the word gender. Women is the name for adult human females based on our biological sex. If we can't agree on the definition of woman, then this Bill is not worth the paper it is written on. There is no other type of woman. Trans women are not women, they are trans women, in other words males who identify as women, but they are NOT women.

Are any unintended consequences likely to arise from the Bill?

Women could lose out on seats reserved for women because men who "identify" as women will be allowed to stand as women. This is disingenuous. Further your supporting documents make reference in the impact and risk assessment to non-binary. Non-binary is NOT a scientific term for woman and any person who thinks they are neither male or female should NOT be standing for a seat to represent women.

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

I doubt they have considered the finance in terms of the legal costs required to defend their indefensible position of trying to push through gender self ID by the back door. This is NOT devolved to Wales - Elin Jones MS, Presiding Officer made this point clearly on 11 March 2024 whereby she states that this would not be within the legislative competence of the Senedd because: a) relates to the reserved matters of equal opportunities and b) modifies the law on reserved matters, namely the Equality Act 2010. May I remind you again the Protected Characteristic is SEX not Gender nor gender identity.

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?

From what I see Welsh Ministers are incapable of following the Law as laid down in the Equality Act 2010. I have little confidence that anyone else employed by the Welsh Government is capable of following the letter of the law as laid down in the Equality Act 2010. Their persistence with the interpretation of the Act as directed by Stonewall leaves the Senedd wide open to litigation and humiliation. There is little competence shown by ministers or subordinates. The mantra Trans Women are Women is a "belief", but not one held by the wider public nor the law as set out in the Equality Act. We will not be bullied into accepting this.

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 Senedd is showing total incompetency in regard to legislative matters. Their continued deliberate misrepresentation of the Equality Act 2010 (which is NOT devolved matter) is shocking and downright disrespectful. Again for the avoidance of doubt, the protected characteristic is SEX not gender and certainly not gender identity. Women have Human Rights too and ours are clearly not being considered

in this bill which is deliberately hiding the fact that any man can self identify as a woman to take the reserved place for a woman. To allow this to happen is utterly disrespectful of women's rights. Despite quoting lots of statistics which are as a result of sex based data collection, which show that women work differently to men and make good leaders and decision makers, you are trying to bring men into this mix. This is bad faith and manipulation of the facts. It corrupts the data for the deliberate purpose to enable men to take over women's rightful places. Time and again you give examples of how women co-operate and negotiate differently to men, yet you would allow men to infiltrate women's experiences. WHY. This is not honest way of working and is not a good start to any quota. Which should incidentally be based on SEX.

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 should be binned. It is not fit for purpose, it is a LIE, it manipulates women into believing you are doing something for women, but you aren't if you include MEN who "identify" as women. This is dishonest, it is illegal and you have tried to slide this gender self ID through the back door by merely asking candidates to complete a gender statement as to whether they are a woman or not. Should this not be either a woman or a man. What is "not a woman". It was only by reading into the bill in detail, which many women would not do due to time pressures, that you find the truth behind this proposal. It really is quite disgusting. Have you not learned anything from the mess Scotland is in?

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

You have made something good and positive for women, into something about men who identify as women. This is a bill for trans identified men, and non-binary. This is not about women, this is about you sneaking through the back door your intention to hoodwink women into accepting the unacceptable. Gender identity ideology is a belief - it is not my belief, nor is it the belief of the majority of people in Wales. The Senedd is wrong to try to fool women into accepting this ideology. We do not accept men can be women, that men can change sex. Are male candidates for the Senedd asked to complete a gender statement of being male or not male? Can't you see how insulting this is, that you are giving away women's hard fought rights.

Anything else?

If you push this through we will see you in court.