



**Cynulliad Cenedlaethol Cymru
Cofnod y Trafodion**

**The National Assembly for Wales
The Record of Proceedings**

**Dydd Mercher, 28 Chwefror 2007
Wednesday, 28 February 2007**

Cynnwys
Contents

- | | |
|----|--|
| 3 | Cwestiynau i'r Gweinidog Cyllid
Questions to the Finance Minister |
| 19 | Cwestiynau i'r Gweinidog dros Addysg, Dysgu Gydol Oes a Sgiliau
Questions to the Minister for Education, Lifelong Learning and Skills |
| 37 | Pwynt o Drefn
Point of Order |
| 39 | Cymeradwyo'r Plant Protection Products (Amendment) Regulations 2007 o dan Reol Sefydlog Rhif 25 adran 3
Approval of the Plant Protection Products (Amendment) Regulations 2007 under Standing Order No. 25 section 3 |
| 41 | Dirprwyo Swyddogaethau o dan Ddeddf Plant a Mabwysiadu 2006 i'r Prif Weinidog
Delegation of Functions under the Children and Adoption Act 2006 to the First Minister |
| 42 | Dirprwyo Swyddogaethau o dan Ddeddf Hapchwarae 2005 i'r Prif Weinidog
Delegation of Functions under the Gambling Act 2005 to the First Minister |
| 44 | Atal Rheolau Sefydlog
Suspension of Standing Orders |
| 46 | Dirprwyo Swyddogaethau o dan Ddeddf Gwasanaeth Iechyd Gwladol 2006 a Deddf Gwasanaeth Iechyd Gwladol (Cymru) 2006 i'r Prif Weinidog
Delegation of Functions under the National Health Service Act 2006 and the National Health Service (Wales) Act 2006 to the First Minister |
| 47 | Cymeradwyo Newidiadau yng Nghyllideb Gwasanaeth Seneddol y Cynulliad yn Ystod y Flwyddyn
Approval of In-year Changes within the Assembly Parliamentary Service Budget |
| 49 | Cymeradwyo Newidiadau yn y Prif Grwpiau Gwariant yn Ystod y Flwyddyn
Approval of In-year Changes within Main Expenditure Groups |
| 54 | Adroddiad y Pwyllgor Iechyd a Gwasanaethau Cymdeithasol ar y Mesur Iechyd Meddwl
The Health and Social Services Committee's Report on the Mental Health Bill |
| 76 | Dadl Fer: Gwleidyddion: Gwehilion a Gweilch Ysglyfaethus neu Gwroniaid a Gwrol Ryfelwyr
Short Debate: Politicians: Pariahs and Predators or Paladins and Paragons |

Yn y golofn chwith, cofnodwyd y trafodion yn yr iaith y llefarwyd hwy ynnddi yn y Siambr.
Yn y golofn dde, cynhwyswyd cyfieithiad o'r areithiau hynny.

In the left-hand column, the proceedings are recorded in the language in which they were spoken in the Chamber. In the right-hand column, a translation of those speeches has been included.

*Cyfarfu'r Cynulliad am 2 p.m. gyda'r Llywydd yn y Gadair.
The Assembly met at 2 p.m. with the Presiding Officer in the Chair.*

Cwestiynau i'r Gweinidog Cyllid Questions to the Finance Minister

Y Grant Amddifadedd The Deprivation Grant

Q1 Jenny Randerson: Will the Minister make a statement on the deprivation grant awarded to local councils in Wales? OAQ1108(LGP)

The Finance Minister (Sue Essex): The deprivation grant is provided to local councils in Wales to support the delivery of better-quality public services in the more deprived areas of Wales. This year the grant amounts to £22 million, an increase of £0.5 million on last year.

Jenny Randerson: I understand that there is a formula on which the deprivation grant is based. You referred to the more deprived areas of Wales. How do you drill down from ward-based figures for the formula in terms of deprivation to the smaller pockets of deprivation, and does the grant take into account the actual numbers living in deprived circumstances or simply the percentage of the population living in deprived circumstances? I am concerned because, in our urban areas, wards are much larger and deprivation often goes unseen in ward-based figures.

Sue Essex: I agree with you absolutely. The small area statistics that the Office for National Statistics produces are some of the most revealing. Like you, I represent an area of Cardiff and there needs to be a drilling down into those smaller areas. The current formula relates to population but also to the index of multiple deprivation. Interestingly, as I am sure that you will know, a major piece of work is going on to look at the formula on need and deprivation and I have asked the distribution sub-group, which looks after this, to use that evidence to see whether there needs to be any changes in how we treat deprivation overall. Smaller area statistics,

C1 Jenny Randerson: A wnaiff y Gweinidog ddatganiad am y grant amddifadedd a ddyfernir i gynghorau lleol yng Nghymru? OAQ1108(LGP)

Y Gweinidog Cyllid (Sue Essex): Darperir y grant amddifadedd i gynghorau lleol yng Nghymru i gynorthwyo'r gwaith o ddarparu gwasanaethau cyhoeddus o ansawdd gwell yn ardaloedd mwy difreintiedig Cymru. Eleni cyfanswm y grant yw £22 miliwn, cynnydd o £0.5 miliwn ers y llynedd.

Jenny Randerson: Deallaf fod y grant amddifadedd yn seiliedig ar fformiwla. Yr oeddech yn cyfeirio at ardaloedd mwy difreintiedig Cymru. Sut ydych chi'n symud i lawr o ffigurau'n seiliedig ar wardiau ar gyfer y fformiwla o ran amddifadedd i'r pocedi llai o amddifadedd, ac a yw'r grant yn ystyried y niferoedd gwirioneddol sy'n byw mewn amgylchiadau difreintiedig, neu ddim ond canran y boblogaeth sy'n byw mewn amgylchiadau difreintiedig? Yr wyf yn bryderus oherwydd yn ein hardaloedd trefol mae wardiau lawer yn fwy o faint, ac yn aml nid yw amddifadedd yn amlwg mewn ffigurau sy'n seiliedig ar wardiau.

Sue Essex: Cytunaf yn llwyr â chi. Yr ystadegau ardal fach y mae'r Swyddfa Ystadegau Gwladol yn eu cynhyrchu yw rhai o'r rhai mwyaf dadlennol. Fel chi, yr wyf fi'n cynrychioli ardal o Gaerdydd ac mae angen symud i lawr at yr ardaloedd llai hynny. Mae'r fformiwla bresennol yn ymwneud â phoblogaeth, ond hefyd â'r mynegai amddifadedd lluosog. Yn ddiddorol iawn, fel y gwyddoch, mae'n siŵr, mae gwaith pwysig yn mynd ymlaen i edrych ar y fformiwla ar angen ac amddifadedd, ac yr wyf wedi gofyn i'r is-grŵp dosbarthu, sy'n gofalu am hyn, ddefnyddio'r dystiolaeth honno i weld a oes angen gwneud unrhyw newidiadau yn y

particularly where there is a high concentration of numbers, should be part and parcel of that review of deprivation.

David Lloyd: The average annual increase in deprivation grant in recent years has only been 1.9 per cent—less than inflation. Have you any plans for the deprivation grant increase to be more than the rate of inflation at any point?

Sue Essex: The rate of growth this year reflects inflation. In Cardiff, for example, it is going up 3.1 per cent, so that is slightly above inflation, as it was last year. My answer to your question, Dai, is in line with the reply that I gave to Jenny. We may well be looking at treating deprivation in a different way once we have the outcome of this intensive work that is being done on the need to spend. That is what is most important, and then, as Jenny said, we need to apply that to population groupings in the most fair and reasonable way.

David Lloyd: While we are considering further studies, it is worth noting that some of our most deprived council areas, such as Merthyr, Blaenau Gwent and Torfaen, which should benefit the most from any deprivation-based grant, are the self-same areas that have some of the highest council tax bills in Wales. How do you plan to mitigate the effect of high council tax bills on those least able to pay them?

Sue Essex: The deprivation grant is a top-up grant and it reflects need and deprivation and the councils that you talked about are benefiting considerably. Over £2 million has gone to Merthyr, £4 million has gone to Rhondda Cynon Taf and £2 million has gone to Neath Port Talbot, so you can see that the deprivation grant provides substantial extra money to those authorities most in need.

The other issue is the way that we look at the revenue support grant. Every year, when we decide the distribution—and you will know this, Dai, being a member of that group—we have a long, convoluted discussion around

ffordd yr ydym yn trin amddifadedd yn gyffredinol. Dylai ystadegau ardaloedd llai, yn enwedig lle mae niferoedd uchel, fod yn rhan annatod o'r adolygiad hwnnw o amddifadedd.

David Lloyd: Dim ond 1.9 y cant yw'r cynnydd blynyddol cyfartalog yn y grant amddifadedd dros y blynyddoedd diwethaf—llai na chwyddiant. A oes gennych unrhyw gynlluniau i gynyddu'r grant amddifadedd i fwy na'r gyfradd chwyddiant ar unrhyw adeg?

Sue Essex: Mae'r gyfradd twf eleni yn adlewyrchu chwyddiant. Yng Nghaerdydd, er enghraifft, mae'n cynyddu 3.1 y cant, felly mae hynny ychydig yn fwy na chwyddiant, fel yr oedd y llynedd. Mae fy ateb i'ch cwestiwn, Dai, yn unol â'r ateb a roddais i Jenny. Mae'n ddigon posibl y byddwn yn edrych ar amddifadedd mewn ffordd wahanol pan gawn ganlyniad y gwaith helaeth hwn sy'n mynd ymlaen ar yr angen i wario. Dyna'r peth pwysicaf, ac yna, fel y dywedodd Jenny, mae angen inni gymhwyso hynny i grwpiau o'r boblogaeth yn y ffordd fwyaf teg a rhesymol.

David Lloyd: Tra ydym yn ystyried astudiaethau pellach, mae'n werth sylwi mai rhai o'n hardaloedd cyngor mwyaf difreintiedig, fel Merthyr, Blaenau Gwent a Thor-faen, a ddylai elwa fwyaf o unrhyw grant yn seiliedig ar amddifadedd yw'r union ardaloedd sydd â rhai o'r biliau treth gyngor uchaf yng Nghymru. Sut ydych yn bwriadu lliniaru effaith biliau treth gyngor uchel ar y rheini sydd leiaf tebygol o allu eu talu?

Sue Essex: Grant atodol yw'r grant amddifadedd ac mae'n adlewyrchu angen, ac amddifadedd ac mae'r cynghorau yr oeddech yn sôn amdanynt yn elwa'n sylweddol. Cafodd Merthyr dros £2 filiwn, Rhondda Cynon Taf £4 miliwn a Chastell-nedd Port Talbot £2 filiwn. Felly, gallwch weld bod y grant amddifadedd yn darparu arian ychwanegol sylweddol i'r awdurdodau hynny sydd â'r angen mwyaf.

Y mater arall yw'r ffordd yr ydym yn edrych ar y grant cynnal refeniw. Bob blwyddyn, pan fyddwn yn penderfynu'r dosbarthiad—a byddwch yn gwybod hyn, Dai, gan eich bod yn aelod o'r grŵp hwnnw—cawn drafodaeth

the formula, but I always go back to the per-head support that we give, to ensure that it is in line. When you look at the league table—although I do not like calling it that—of spend, you will see that those authorities that are most in need and have the most deprived communities come to the top: Blaenau Gwent is first, Merthyr is second and so on. In terms of what we are doing, the Government is giving a lead on that. In terms of council tax, as you will know, I have long argued that if you have a property tax then you have to have a substantial and good benefits system that ameliorates the effect on lower-income groups.

Laura Anne Jones: Minister, as you say, the Welsh index of multiple deprivation is an official measure of deprivation, made up of seven separate domains. One of these is geographical access to services. Do you agree that this Government's decision to close many more post offices will significantly affect people's ability to access vital services? In some rural communities, the post office is the only service. Do you agree that, in effect, this Labour Government, in taking this service away, is increasing the number of deprived people, according to the measures that you use to measure deprivation?

Sue Essex: I do not think that post offices are included in the measures, but I think that we would all agree with the tenor of what you say—access to post offices is important. Many post offices have also been closed in urban areas, and it does cause difficulties for those who are not so mobile. I have long thought, and I have certainly argued this on my patch, that post offices need to work in a different way. I have had long conversations with the post office about how we can be more innovative with regard to what a post office looks like, and have them share premises with garages, other kinds of shops, and perhaps even doctors' surgeries. That might be a way of keeping some of these post offices alive. I think that there is much more capacity for innovation to do just as you say and to keep these post office services alive for all communities in Wales.

hir, gymhleth am y fformiwla, ond byddaf bob amser yn dychwelyd at y cymorth fesul pen a roddwn, i sicrhau ei fod yn cyd-fynd. Pan edrychwch ar y tabl cynghrair—er nad wyf yn hoffi ei alw'n hynny—o wariant, fe welwch fod yr awdurdodau hynny sydd â'r angen mwyaf ac sydd â'r cymunedau mwyaf difreintiedig yn cyrraedd y brig: Blaenau Gwent yn gyntaf, Merthyr yn ail, ac ati. O ran yr hyn a wnawn, mae'r Llywodraeth yn arwain ar hynny. O ran treth gyngor, fel y gwyddoch, yr wyf wedi dadlau ers tro, os oes gennych dreth eiddo yna rhaid ichi gael system fudd-daliadau sylweddol a da sy'n lleddfu'r effaith ar grwpiau incwm is.

Laura Anne Jones: Weinidog, fel y dywedwch, mae mynegai amddifadedd lluosog Cymru yn fesur swyddogol o amddifadedd, sy'n cynnwys saith maes gwahanol. Un o'r rhain yw'r gallu daearyddol i gael gwasanaethau. A gytunwch y bydd penderfyniad y Llywodraeth hon i gau llawer mwy o swyddfeydd post yn effeithio'n sylweddol ar allu pobl i gael gwasanaethau hanfodol? Mewn rhai cymunedau gwledig, swyddfa'r post yw'r unig wasanaeth. A gytunwch, fod y Llywodraeth Lafur hon, i bob diben wrth ddileu'r gwasanaeth hwn yn cynyddu nifer y bobl ddifreintiedig, yn ôl y mesurau a ddefnyddiwch i fesur amddifadedd?

Sue Essex: Nid wyf yn credu bod swyddfeydd post wedi'u cynnwys yn y mesurau, ond credaf y byddem i gyd yn cytuno â byrdwn yr hyn a ddywedwch—mae gallu cael swyddfeydd post yn bwysig. Mae nifer o swyddfeydd post eisoes wedi'u cau mewn ardaloedd trefol, ac mae'n peri anawsterau i'r rheini sy'n cael trafferth i symud o gwmpas. Yr wyf wedi meddwl ers tro, ac yn bendant wedi dadlau dros hyn yn fy ardal i, fod angen i swyddfeydd post weithio mewn ffordd wahanol. Yr wyf wedi cael sgysiau hir â swyddfa'r post am y ffordd y gallwn fod yn fwy arloesol o ran yr hyn mae swyddfeydd post yn ei gynnig, a'u cael i rannu adeiladau â garejys, mathau eraill o siopau, a meddygfeydd hyd yn oed, efallai. Gallai hynny fod yn ffordd i gadw rhai o'r swyddfeydd post hyn ar agor. Credaf fod llawer mwy o gyfle i fod yn arloesol a gwneud yn union fel y dywedwch a chadw gwasanaethau'r swyddfeydd post hyn yn fyw

i bob cymuned yng Nghymru.

Trefniadau Etholiadol Electoral Arrangements

Q2 The Leader of the Welsh Liberal Democrat Group (Michael German): What discussions has the Minister held recently with the UK Government regarding changes that she is considering making to the electoral arrangements for local government? OAQ1126(LGP)

Sue Essex: You will not be surprised to hear that I have had no discussions with the UK Government regarding any plans to make changes to electoral arrangements. The 2008 local government elections will be held using the same electoral system as previously.

Michael German: That is an unsurprising reply, but you have just responded to the Local Government and Public Involvement in Health Bill by asking for powers to come to the National Assembly. This is one of the first Bills to transfer powers automatically to the post-May Assembly. You have not asked for powers in relation to the frequency of elections or the number of councillors per ward. Could you explain why you have not asked for those powers to be transferred here?

Sue Essex: We discussed this in committee last week, and you did not ask that question then, and neither did anyone else. I do not think that there has ever been an issue around the frequency of elections—no-one has ever raised that point with me before. As you know, the whole point of Measure-making powers is that we ask for powers over those areas in which we intend to make changes. Subsequently, if you want those powers, that can be done through an Order in Council. It is not that you cannot get the powers, it is just that you go through a different process.

The number of councillors per ward is clearly a matter for the Local Government Boundary Commission for Wales, and the next Assembly will have the power to give advice and set the context for the work that the boundary commission does. I think that I am

C2 Arweinydd Grŵp Democratiaid Rhyddfrydol Cymru (Michael German): Pa drafodaethau y mae'r Gweinidog wedi eu cael yn ddiweddar gyda Llywodraeth y DU ynglŷn â'r newidiadau y mae'n ystyried eu cyflwyno yn y trefniadau etholiadol ar gyfer llywodraeth leol? OAQ1126(LGP)

Sue Essex: Ni fydd yn syndod ichi glywed nad wyf wedi cael dim trafodaethau gyda Llywodraeth y DU ynglŷn ag unrhyw gynlluniau i newid trefniadau etholiadol. Cynhelir etholiadau llywodraeth leol 2008 gan ddefnyddio'r un system etholiadol ag o'r blaen.

Michael German: Nid yw'r ymateb hwnnw'n fy synnu, ond yr ydych newydd ymateb i'r Mesur Llywodraeth Leol a Chynnwys y Cyhoedd mewn Iechyd drwy ofyn am bwerau i'r Cynulliad Cenedlaethol. Hwn yw un o'r Mesurau cyntaf i drosglwyddo pwerau'n awtomatig i'r Cynulliad ar ôl mis Mai. Nid ydych wedi gofyn am bwerau o ran amllder etholiadau na nifer y cynghorwyr i bob ward. A allech egluro pam nad ydych wedi gofyn am drosglwyddo'r pwerau hynny yma?

Sue Essex: Trafodwyd hyn yn y pwyllgor yr wythnos diwethaf, ac ni ofynnwyd y cwestiwn hwnnw bryd hynny, gennyh chi na neb arall. Ni chredaf fod problem wedi codi erioed ynglŷn ag amllder etholiadau—nid oes neb wedi codi'r pwynt hwnnw gyda mi o'r blaen. Fel y gwyddoch, holl bwrrpas pwerau i greu Mesurau yw ein bod yn gofyn am bwerau ar gyfer y meysydd hynny yr ydym yn bwriadu eu newid. Yna, os ydych am gael y pwerau hynny, gellir eu cael drwy Orchymyn yn y Cyfrin Gyngor. Nid yw hyn yn golygu na allwch gael y pwerau, ond eich bod yn mynd drwy broses wahanol.

Mater i'r Comisiwn Ffiniau Llywodraeth Leol i Gymru yn amlwg yw pennu nifer y cynghorwyr i bob ward, a bydd gan y Cynulliad nesaf y pŵer i roi cyngor a gosod y cyd-destun ar gyfer y gwaith y mae'r comisiwn ffiniau yn ei wneud. Credaf fy mod

right in saying that that work will start in 2008. yn gywir wrth ddweud y bydd y gwaith hwnnw'n dechrau yn 2008.

Cynnydd yn y Dreth Gyngor Council Tax Rises

Q3 Lisa Francis: Will the Minister make a statement on council tax rises in Mid and West Wales? OAQ1139(LGP)

C3 Lisa Francis: A wnaiff y Gweinidog ddatganiad am gynnydd yn y dreth gyngor yng Nghanolbarth a Gorllewin Cymru? OAQ1139(LGP)

Sue Essex: No full figures are available for this year yet. Local authorities have until 9 March to set their council tax levels and until 15 March to let us know about them.

Sue Essex: Nid oes ffigurau llawn ar gael eto ar gyfer eleni. Mae gan awdurdodau lleol tan 9 Mawrth i bennu eu lefelau treth gyngor a than 15 Mawrth i roi gwybod i ni amdanynt.

Lisa Francis: Gwynedd Council has stated that consistent underfunding by your Government—over three years the council has received the second lowest grant increase in Wales—is probably going to force it to increase council tax by 4.8 per cent in April. In addition, it anticipates that there will be cuts to services, and the squeeze will last for the next three years. This will inevitably cause resentment towards the council, as people will see a deterioration in services that they will have to pay more for. What would your advice to this local authority be?

Lisa Francis: Mae Cyngor Gwynedd wedi dweud bod y tanariannu cyson gan eich Llywodraeth chi—cyngor Gwynedd sydd wedi cael y cynnydd grant isaf ond un yng Nghymru dros y tair blynedd diwethaf—fwy na thebyg yn mynd i orfodi'r Cyngor i gynyddu'r dreth gyngor 4.8 y cant ym mis Ebrill. Hefyd, mae'n rhagweld y bydd yn rhaid cwtogi gwasanaethau, a bydd y wasgfa'n parhau am y tair blynedd nesaf. Yn anochel bydd hyn yn gwneud pobl yn ddig wrth y cyngor, oherwydd byddant yn gweld dirywiad yn y gwasanaethau y bydd yn rhaid iddynt dalu mwy amdanynt. Beth fyddai eich cyngor i'r awdurdod lleol hwn?

Sue Essex: We frequently hear this complaint from Gwynedd.

Sue Essex: Clywn y gŵyn hon gan Wunedd dro ar ôl tro.

2.10 p.m.

To return to my original answer to Dai Lloyd, I cannot remember its exact position in the league table, but I can tell you that Gwynedd was pretty high up, and so it certainly comes in at the uppermost part of the table, as regards the support that we provide per head of population through the revenue support grant. I am rather surprised, therefore, that Gwynedd makes this complaint every single year.

I ddychwelyd at fy ateb gwreiddiol i Dai Lloyd, ni allaf gofio ei hunion safle yn nhabl y gynghrair, ond gallaf ddweud wrthyf fod Gwynedd mewn safle gweddol uchel, felly, yn sicr mae yn rhan uchaf y tabl o ran y cymorth a ddarparwn y pen o'r boblogaeth drwy'r grant cynnal refeniw. Felly, yr wyf yn synnu braidd bod Gwynedd yn gwneud y gŵyn hon bob blwyddyn.

I also hold fairly regular discussions with Gwynedd Council, which I must say are quite constructive. Inevitably, we talk about services and bringing about greater efficiencies, and the council is a very active member of the regional grouping in north Wales that is there to ensure some of

Yn ogystal, byddaf yn cael trafodaethau gweddol reolaidd gyda Chyngor Gwynedd, a rhaid imi ddweud eu bod yn eithaf adeiladol. Yn anochel, yr ydym yn siarad am wasanaethau a sicrhau gwell effeithlonrwydd, ac mae'r cyngor yn aelod gweithgar iawn o'r grŵp rhanbarthol yn y gogledd sy'n ceisio

these efficiencies. Therefore, the first part of my response to you is that I do not think that Gwynedd is getting a bad deal when compared with anyone else—and the Welsh Local Government Association has issued a press release saying that it thought the settlement reasonable. Secondly, we are doing a considerable amount to support Gwynedd and other local authorities, to help them to make more efficient use of their resources. I wish them good luck in north Wales, as they are taking a lead in some important areas.

Kirsty Williams: Minister, you will probably be aware that Powys County Council shares some of Gwynedd Council's concerns over how council taxes are having to rise because of what it sees as less than generous settlements from this Government. Perhaps more important is what it sees as the failure of this Government to look at the costs associated with delivering local government services in mainly rural areas. You have been trying to resolve this issue by considering changes to the formula, but we have yet to see those changes introduced. Could you please tell us when you feel we will be in a position to update the formula, so that proper weighting can be given to the cost of delivering services in rural constituencies such as mine, Brecon and Radnorshire?

Sue Essex: To reassure you, Kirsty, the costs of dispersal—or 'sparsity', as some people refer to it—have always been included in this formula, ever since the Assembly was set up. Therefore, there is a weighting on that and it is applied to different elements. The work on sparsity and deprivation is taking place now, as we speak. The contract has been let to an outside company that is well experienced in this work. Therefore, I would guess that, by the time that you—or whoever—comes back post May, there could be an early update at the group that sits on the partnership council.

One area that I am sure will interest you is ensuring that some of those weightings relate to changes in policy. That is why I think that

sicrhau rhai o'r mesurau effeithlonrwydd hyn. Felly, y rhan gyntaf o'm hymateb ichi yw nad wyf yn credu bod Gwynedd yn cael ei thrin yn wael o'i chymharu ag unrhyw un arall—ac mae Cymdeithas Llywodraeth Leol Cymru wedi cyhoeddi datganiad i'r wasg yn dweud ei bod yn credu bod y setliad yn rhesymol. Yn ail, yr ydym yn gwneud llawer iawn i gefnogi Gwynedd ac awdurdodau lleol eraill, i'w helpu i ddefnyddio'u hadnoddau'n fwy effeithlon. Dymunaf bob lwc iddynt yn y gogledd, gan eu bod yn arwain mewn rhai meysydd pwysig.

Kirsty Williams: Weinidog, mae'n debyg eich bod yn gwybod bod gan Gyngor Sir Powys rai o'r un pryderon â Chyngor Gwynedd ynglŷn â'r ffordd y mae'r dreth gyngor yn gorfod codi oherwydd yr hyn a ystyria'n setliadau cybyddlyd gan y Llywodraeth hon. |Pwysicach, efallai, yw'r hyn y mae'n ei ystyried yn fethiant gan y Llywodraeth hon i ystyried y costau sy'n gysylltiedig â darparu gwasanaethau llywodraeth leol mewn ardaloedd gwledig yn bennaf. Yr ydych wedi bod yn ceisio datrys y mater hwn drwy ystyried newidiadau yn y fformiwla, ond ni chyflwynwyd y newidiadau hynny hyd yma. A allech ddweud wrthym pryd y credwch y byddwn mewn sefyllfa i ddiweddarar'r fformiwla, fel y gellir rhoi'r pwysoliad priodol i'r gost o ddarparu gwasanaethau mewn etholaethau gwledig fel fy etholaeth i ym Mrycheiniog a Sir Faesyfed?

Sue Essex: I dawelu'ch meddwl, Kirsty, mae costau gwasgaru—neu 'dneurwydd poblogaeth', fel y'i gelwir gan rai—wedi eu cynnwys yn y fformiwla bob amser ers sefydlu'r Cynulliad. Felly, pwysolir hynny ac fe'i cymhwysir i elfennau gwahanol. Mae gwaith ar dneurwydd poblogaeth ac amddifadedd yn mynd ymlaen yn awr, wrth inni siarad. Rhoddwyd y contract i gwmni allanol sydd â llawer o brofiad yn y gwaith hwn. Felly, byddwn yn tybio erbyn i chi—neu bwy bynnag—ddychwelyd wedi'r etholiad ym mis Mai, y gallai'r newyddion diweddaraf fod ar gael yn y grŵp sydd ar y cyngor partneriaeth.

Un maes yr wyf yn siŵr a fydd o ddiddordeb ichi yw sicrhau bod rhai o'r pwysoliadau hynny'n ymwneud â newidiadau mewn

the work on social services will be interesting. We know that greater emphasis will be placed on trying to keep people in their homes, so, in that regard, it will all be around the need to spend and ensuring that, as always, it is kept in relation to how we see our policy. The same will be true of the need to spend on deprivation. It will be interesting, as we need to get a far better understanding of what that means and of the extra costs for local authorities.

polisi. Dyna pam y credaf y bydd y gwaith ar wasanaethau cymdeithasol yn ddiddorol. Gwyddom y bydd mwy o bwyslais ar geisio cadw pobl yn eu cartrefi, felly, o ran hynny, bydd a wnelo â'r angen i wario a sicrhau, fel bob amser, ei fod yn dal yn gysylltiedig â'r ffordd y gwelwn ein polisi. Bydd yr un peth yn wir am yr angen i wario ym maes amddifadedd. Bydd yn ddiddorol, gan fod angen inni gael dealltwriaeth lawer gwell o'r hyn a olygir wrth hynny, a'r costau ychwanegol ar gyfer awdurdodau lleol.

Safonau Craidd ar gyfer Gwasanaethau Cyhoeddus Core Standards for Public Services

C4 Owen John Thomas: A wnaiff y Gweinidog ddatganiad am safonau craidd ar gyfer gwasanaethau cyhoeddus? OAQ1124(LGP)

Q4 Owen John Thomas: Will the Minister make a statement on core standards for public services? OAQ1124(LGP)

Sue Essex: 'Making the Connections—Delivering Beyond Boundaries' sets out our top five areas for action, which include the development of a clear statement of national standards for key services. In the first phase, we will draw on existing frameworks and standards to produce a limited set of standards, bringing them together and promoting them more effectively.

Sue Essex: Mae 'Creu'r Cysylltiadau—Cyflawni ar Draws Ffiniau' yn gosod allan ein pum prif faes gweithredu, sy'n cynnwys datblygu datganiad clir o safonau cenedlaethol ar gyfer gwasanaethau allweddol. Yn y cam cyntaf, byddwn yn defnyddio fframweithiau a safonau presennol i gynhyrchu set gyfyngedig o safonau, eu dwyn ynghyd â'u hyrwyddo'n fwy effeithiol.

Owen John Thomas: In Labour's recent election policy proposals, your Government said,

Owen John Thomas: Yng nghynigion polisi Llafur yn ddiweddar ar gyfer yr etholiad, dywedodd eich Llywodraeth,

'What matters is the quality of the local schools and local health and social care... We will...transform our public services...to make Wales an exemplar in how small countries deliver public services'.

Yr hyn sy'n bwysig yw ansawdd yr ysgolion lleol a gofal iechyd a gofal cymdeithasol lleol...Byddwn yn...trawsnewid ein gwasanaethau cyhoeddus...i wneud Cymru yn esiampl o'r ffordd y bydd gwledydd bach yn darparu gwasanaethau cyhoeddus.

Now let us look at the reality. In education, your Government is actively pursuing a policy of closing small community schools. In health, the ambulance service is in crisis: 689 beds are blocked; Health Commission Wales is £33 million in the red; the new GP contract is £40 million over budget; and free homecare for the disabled has been abandoned. The list goes on and on. Do you not—

Gadewch inni ystyried y realiti yn awr. Ym maes addysg, mae eich Llywodraeth yn gweithredu polisi o gau ysgolion cymunedol bach. Ym maes iechyd, mae'r gwasanaeth ambiwlans yn wynebu argyfwng; mae 689 o welyau wedi'u blocio; mae Comisiwn Iechyd Cymru mewn dyled o £33 miliwn; mae'r contract newydd i feddygon teulu £40 miliwn yn fwy na'i gyllideb; a rhoddwyd y gorau i ofal cartref am ddim i bobl anabl. Mae'r rhestr yn ddiwedd. Onid ydych—

Y Llywydd: Trefn. Nid dadl yw hon, Owen,

The Presiding Officer: Order. This is not a

felly hoffwn glywed cwestiwn.

Owen John Thomas: My question is this. Do you not agree, Minister, that your Government's legacy is one of firefighting, of lurching from one crisis to another, of making policy on the hoof, and of failing to deliver public services time and again?

Sue Essex: No.

Jonathan Morgan: Yesterday, Cardiff County Council voted through a council tax increase of some 4.1 per cent. Your group on the council abstained and sat on their hands. Do you agree with the decision that your group made?

The Presiding Officer: Order. Jonathan Morgan knows what I am going to say. It is not appropriate for us, as democratic representatives in this fine Assembly building, to second-guess the decisions of equally fine elected members in other buildings.

Michael German: Minister, can you see any connection between the Wanless and Beecham reports reports, particularly with regard to healthcare? Wanless said that we were doing the right things, but in the wrong places, and Beecham said that we had to make new connections. Given the problems that we witnessed over the weekend with regard to connections between accident and emergency departments, ambulance services, the general practitioner out-of-hours service and so on, can you see a connection between those two reports?

Sue Essex: There are connections. I am trying to remember back to when I sat on the little group that oversaw the Wanless report. Derek Wanless got to the heart of many of the issues that are familiar to us from the Beecham report about joined-up decision-making and providing services that are as local as possible to people.

On the ambulance service, again, I was very interested to see many of the conclusions being drawn from the problems with that service, because they chime very much with my experience as a constituency AM, which

debate, Owen, so I want to hear a question.

Owen John Thomas: Fy nghwestiwn yw hyn. Onid ydych yn cytuno, Weinidog, mai nodwedd eich Llywodraeth yw ymateb i argyfyngau wrth iddynt godi, gwegian o un argyfwng i'r llall, llunio polisi wrth fynd ymlaen, a methu â darparu gwasanaethau cyhoeddus drosodd a thro?

Sue Essex: Nac ydwyf.

Jonathan Morgan: Ddoe, pleidleisiodd Cyngor Sir Caerdydd dros gynyddu'r dreth gyngor tua 4.1 y cant. Ymataliodd eich grŵp ar y cyngor a phenderfynu peidio â phleidleisio. A gytunwch â'r penderfyniad a wnaeth eich grŵp?

Y Llywydd: Trefn. Mae Jonathan Morgan yn gwybod beth yr wyf yn mynd i'w ddweud. Nid yw'n briodol i ni, fel cynrychiolwyr democrataidd yn yr adeilad Cynulliad gwych hwn, sgil-feirniadu penderfyniadau gan aelodau etholedig llawn mor rhagorol mewn adeiladau eraill.

Michael German: Weinidog, a allwch weld unrhyw gysylltiad rhwng adroddiad Wanless ac adroddiad Beecham, yn enwedig o ran gofal iechyd? Dywedodd Wanless ein bod yn gwneud y pethau cywir, ond yn y manau anghywir, a dywedodd Beecham fod yn rhaid inni greu cysylltiadau newydd. O gofio'r problemau a welsom dros y penwythnos gyda chysylltiadau rhwng adrannau damweiniau ac achosion brys, gwasanaethau ambiwlans, y gwasanaeth meddygon teulu y tu allan i oriau, ac ati, a allwch weld cysylltiad rhwng y ddau adroddiad hynny?

Sue Essex: Mae yna gysylltiadau. Yr wyf yn ceisio cofio'n ôl i'r adeg pan oeddwn yn rhan o'r grŵp bach a fu'n goruchwyllo adroddiad Wanless. Aeth Derek Wanless at wraidd nifer o'r materion sy'n gyfarwydd inni o adroddiad Beecham ynglŷn â gwneud penderfyniadau cydgysylltiedig a darparu gwasanaethau sydd mor lleol â phosibl i bobl.

O ran y gwasanaeth ambiwlans, unwaith eto, yr oedd gennyf ddiddordeb mawr gweld nifer o'r casgliadau'n deillio o'r problemau gyda'r gwasanaeth hwnnw, oherwydd maent yn cydfynd yn dda iawn â'm profiad fel AC

is that the ambulance service—certainly this is the case with the ambulance staff whom I speak to—is often not providing an emergency service, but is being asked to do a GP’s job without the equipment or responsibility. That shows that changes need to be made. We need to take the burden of providing non-emergency services off the ambulance service and allow it to do the emergency work that it wants to do. Underlying your question is the fact that all the different elements need to work together to solve some of these problems: it is not just down to the ambulance service, but to the commissioning, the secondary healthcare and the GP out-of-hours service. It is a classic example of the need for groups to come together to see where the problems lie and where there are issues of service improvement.

Michael German: Thank you for that answer—clearly, that is a correct diagnosis. However, having made the diagnosis, what will the prescription be? How do you change the silo culture that you have, I think, described, to one in which there is intercommunication without the Government itself taking the lead in this matter? The Government is the only agency that can drive these people together, because we are talking about local government, the health service and a variety of other agencies.

Sue Essex: This should not have to be down to Government, provided that the policies, provisions and resources are right. Clearly, we are putting more resources into the ambulance service. This is largely a question about health, rather than local government. However, I think that the local health boards—which are the commissioners of many of these services, and are the geographical expression of many of the services—need to take up these issues. I do not know whether there are sufficient fora that meet regularly to review performance, because, as you know, the heart of the Beecham report is that the citizen comes first and that you need to look carefully at performance and keep an eye on it and, if it is not being achieved, then sometimes you have to look at more than one organisation. That is one of the key lessons of Beecham.

etholaeth, sef nad yw’r gwasanaeth ambiwlans—yn sicr, mae hyn yn wir am y staff ambiwlans yr wyf yn siarad â hwy—yn aml yn darparu gwasanaeth brys, ond bod gofyn iddynt wneud swydd meddyg teulu heb yr offer na’r cyfrifoldeb. Dengys hynny fod angen gwneud newidiadau. Mae angen inni gymryd y baich o ddarparu gwasanaethau nad ydynt yn wasanaethau brys oddi ar y gwasanaeth ambiwlans, a chaniatáu iddo wneud y gwaith brys y mae am ei wneud. Wrth wraidd eich cwestiwn mae’r ffaith bod angen i’r holl wahanol elfennau gydweithio i ddatrys rhai o’r problemau hyn: nid cyfrifoldeb y gwasanaeth ambiwlans yn unig yw hyn, ond mae a wnelo â’r comisiynu, y gofal iechyd eilaidd a’r gwasanaeth meddygon teulu y tu allan i oriau. Mae’n enghraifft berffaith o’r angen i grwpiau ddod ynghyd i weld ble mae’r problemau a ble mae angen gwella gwasanaethau.

Michael German: Diolch am yr ateb hwnnw—yn amlwg, mae’n ddiagnosis cywir. Fodd bynnag, wedi gwneud y diagnosis, beth fydd y presgripsiwn? Sut yr ydych yn newid y diwylliant seilo yr ydych wedi’i ddisgrifio, mi gredaf, i ddiwylliant lle y mae yna rynggyfathrebu heb i’r Llywodraeth ei hun arwain yn y mater hwn? Y Llywodraeth yw’r unig asiantaeth a all gael y bobl hyn i gysylltu â’i gilydd, oherwydd yr ydym yn siarad am lywodraeth leol, y gwasanaeth iechyd ac amrywiaeth o asiantaethau eraill.

Sue Essex: Nid cyfrifoldeb y Llywodraeth ddylai hyn fod, ar yr amod bod y polisiau, y darpariaethau a’r adnoddau’n gywir. Yn amlwg, yr ydym yn rhoi mwy o adnoddau yn y gwasanaeth ambiwlans. Mater o iechyd yw hwn yn bennaf, yn hytrach na llywodraeth leol. Fodd bynnag, credaf fod angen i’r byrddau iechyd lleol-sef comisiynwyr nifer o’r gwasanaethau hyn, ac sy’n fynegiant daeryddol o nifer o’r gwasanaethau-fynd i’r afael â’r materion hyn. Ni wn a oes digon o fforymau sy’n cyfarfod yn rheolaidd i adolygu perfformiad, oherwydd, fel y gwyddoch, craidd adroddiad Beecham yw bod y dinesydd yn dod yn gyntaf a bod angen ichi edrych yn ofalus ar berfformiad a chadw llygad arno, ac os na wneir hynny, yna weithiau rhaid ichi edrych ar fwy nag un sefydliad. Dyna un o wersi allweddol Beecham.

Cynghorau Tref a Chymuned Town and Community Councils

Q5 Carl Sargeant: Will the Minister make a statement on support for town and community councils in Wales? OAQ1094(LGP)

Sue Essex: Assembly Government policy aims to enhance the role, functions and potential of community and town councils as locally elected statutory bodies. Measures under way include sponsorship of One Voice Wales, the development of a toolkit and model charter to facilitate effective working relationships with unitary authorities, and a national training strategy.

Carl Sargeant: Town and community councils have a particularly important role to play in commenting on local planning applications. It is estimated that planning departments issue around 500 to 1,500 applications to town and community councils and only get an 80 per cent response to those. A difficulty arises when town and community councillors make an observation as town and community councillors, but are then debarred from speaking at county level. What plans does the Minister have to issue guidance on the circulation of planning issues, training and information events that will enable councillors to represent their community and speak in county councils even if they have made observations as a local and community councillor?

2.20 p.m.

Sue Essex: You have picked up a real nitty-gritty issue that has been mentioned to me on many occasions. We are reviewing the code of conduct, and will be looking at those issues. I know that Ruth Kelly is doing work around the problem of councillors being constrained in terms of representing their communities and making their voice heard, which is the way that it has been interpreted at times.

I will go back and look at the draft code to see whether it addresses this, and, if not, I will speak to One Voice Wales to see what

C5 Carl Sargeant: A wnaiff y Gweinidog ddatganiad am gefnogaeth i gynghorau tref a chymuned yng Nghymru? OAQ1094(LGP)

Sue Essex: Nod polisi Llywodraeth y Cynulliad yw gwella rôl, swyddogaethau a photensial cynghorau tref a chymuned fel cyrff statudol wedi eu hethol yn lleol. Ymhlith y camau gweithredu sydd ar droed mae noddi Un Llais Cymru, datblygu pecyn cymorth a siarter model i hyrwyddo perthynas weithio effeithiol ag awdurdodau unedol, a strategaeth hyfforddi genedlaethol.

Carl Sargeant: Mae gan gynghorau tref a chymuned rôl arbennig o bwysig i'w chwarae wrth roi sylwadau am geisiadau cynllunio lleol. Amcangyfrifir bod adrannau cynllunio yn cyflwyno rhwng tua 500 a 1,500 o geisiadau i gynghorau tref a chymuned ond yn cael ymateb i ddim ond 80 y cant o'r rheini. Cyfyd anhawster pan fydd cynghorwyr tref a chymuned yn gwneud sylw fel cynghorwyr tref a chymuned, ond yna'n cael eu hatal rhag siarad ar lefel sirol. Pa gynlluniau sydd gan y Gweinidog i gyhoeddi canllawiau ar ddsbarthu materion cynllunio, digwyddiadau hyfforddiant a gwybodaeth a fydd yn galluogi cynghorwyr i gynrychioli eu cymuned a siarad mewn cynghorau sir hyd yn oed os byddant wedi gwneud sylwadau fel cynghorydd lleol a chymuned?

Sue Essex: Yr ydych wedi codi mater pwysig iawn y soniwyd amdano wrthyf droeon. Yr ydym yn adolygu'r cod ymddygiad, a byddwn yn ystyried y materion hynny. Gwn fod Ruth Kelly yn gwneud gwaith sy'n ymwneud â rhwystro cynghorwyr rhag cynrychioli eu cymunedau a lleisio'u barn, sef y ffordd y mae wedi ei ddehongli ar brydiau.

Af yn ôl i edrych ar y cod drafft i weld a yw'n mynd i'r afael â hyn, ac os nad yw byddaf yn siarad ag Un Llais Cymru i weld

we can do. The key issue here is that, as the law states, or as the law has been interpreted through the courts, those people who make the final decision on a planning application, that is, those who sit on the planning committee, should have not made a decision for or against the planning application until they have seen all of the evidence in front of them in the report. As long as that is not breached, I think that councillors are free to make their views heard. However, that is the rationale behind some of the restrictions.

Janet Davies: Minister, I believe that you played an important role in setting up the town and community council association, One Voice Wales. A significant number of councils left the association last year, apparently because they were dissatisfied with its performance, and also because the subscriptions were set on the basis of the number of properties in their area, which was inflated well above the number recognised by the relevant unitary councils. Anecdotally, it appears that even greater numbers will leave for the same reason next year. Are you concerned about this, and, if you are, what action will you take?

Sue Essex: The subscription level aside, I think that One Voice Wales is a much more effective organisation this year, and some of the problems experienced by the north Wales town and community councils, in relation to the dislocation between them and One Voice Wales, have been largely overcome. I would be surprised if the subscription drops. Only one council has written to me to say that it was leaving One Voice Wales because of its concern about the subscription. I will go back to One Voice Wales to see whether it has any intention of changing it. Ultimately, it is its decision, but I will talk to the organisation. I am due to meet it next week, and I will see then whether it is making a move on this and whether there is a wider problem, as you suggest.

Glyn Davies: Minister, when One Voice Wales was set up, many of the larger councils and other town and community councils, predominantly those in north Wales, refused to join. The Government's response was that

beth y gallwn ei wneud. Y mater allweddol yma, fel y mae'r gyfraith yn ei ddweud, neu fel y dehonglwyd y gyfraith yn y llysoedd, yw na ddylai'r bobl hynny sy'n gwneud y penderfyniad terfynol ar gais cynllunio, hynny yw, y rhai sydd ar y pwyllgor cynllunio, fod wedi gwneud penderfyniad o blaid nac yn erbyn y cais cynllunio nes iddynt weld yr holl dystiolaeth o'u blaenau yn yr adroddiad. Ar yr amod na thorrir hynny, credaf fod cynghorwyr yn rhydd i fynegi eu barn. Fodd bynnag, dyna'r rhesymeg y tu ôl i rai o'r cyfyngiadau.

Janet Davies: Weinidog, credaf ichi chwarae rôl bwysig yn y gwaith o sefydlu'r gymdeithas cynghorau tref a chymuned, Un Llais Cymru. Gadawodd nifer sylweddol o gynghorau y gymdeithas y llynedd, mae'n debyg am nad oeddent yn fodlon ar ei pherfformiad, a hefyd am fod y tanysgrifiadau wedi eu gosod ar sail niferoedd yr eiddo yn eu hardal, a oedd lawer yn fwy na'r nifer a gydnabuwyd gan y cynghorau unedol perthnasol. Yn anecdotaidd, ymddengys y bydd hyd yn oed mwy ohonynt yn gadael y flwyddyn nesaf, am yr un rheswm. A ydych yn pryderu am hyn, ac os felly, pa gamau gweithredu a gymerwch?

Sue Essex: Ac eithrio'r lefel danysgrifio, credaf fod Un Llais Cymru yn gorff llawer mwy effeithiol eleni, ac mae rhai o'r problemau a gafodd cynghorau tref a chymuned yn y gogledd, mewn cysylltiad â'r ymddieithrio rhyngddynt ac Un Llais Cymru, wedi eu datrys. Byddwn yn synnu pe bae'r tanysgrifio'n disgyn. Dim ond un cyngor sydd wedi ysgrifennu ataf i ddweud ei fod yn gadael Un Llais Cymru oherwydd ei bryder am y tanysgrifiad. Af yn ôl at Un Llais Cymru i weld a oes ganddo unrhyw fwriad i'w newid. Yn y pen draw ei benderfyniad ef ydyw, ond af i siarad â'r sefydliad. Trefnwyd imi gyfarfod â'r sefydliad yr wythnos nesaf, ac fe welaf bryd hynny a yw'n gwneud cynnydd gyda'r mater hwn ac a oes problem fwy cyffredinol, fel yr awgrymwyd.

Glyn Davies: Weinidog, pan sefydlwyd Un Llais Cymru, gwrthododd nifer o'r cynghorau mwy a chynghorau tref a chymuned eraill, yn y gogledd yn bennaf, ymuno. Ymateb y Llywodraeth oedd nad oedd am drafod gyda'r

it was not going to discuss or negotiate with those councils, only with One Voice Wales. Is that still the position, and what attempts are you making to include everyone in your discussions? Are you now having discussions with those councils that have not joined One Voice Wales?

Sue Essex: I went to speak to the North Wales Association of Town and Larger Community Councils in Rhyl two weeks ago, and we had a good discussion. Therefore, I am neither sending them to Coventry nor not communicating with them. As I said to Janet, One Voice Wales has made a great deal of effort, and I commend the new chief executive, Simon White, because he has made a great effort to reach out to those councils. I believe that there is a worker based in north Wales, and I think that some of the concerns, particularly those around whether they could have their own grouping—which I think have been overcome; I think that has been recognised as being possible—have been addressed and some of those differences have been bridged. Carl will know better than I do, but I certainly think that things have calmed down.

cynghorau hynny, dim ond gydag Un Llais Cymru. Ai dyna'r sefyllfa o hyd, a pha ymdrechion a wnewch i gynnwys pawb yn eich trafodaethau? A ydych yn awr yn cael trafodaethau gyda'r cynghorau hynny nad ydynt wedi ymuno ag Un Llais Cymru?

Sue Essex: Euthum i siarad â Chynghorau Tref a Chymuned Cymdeithas Gogledd Cymru yn y Rhyl bythefnos yn ôl, a chawsom drafodaeth dda. Felly, nid wyf yn gwrthod siarad â hwy, ac nid wyf yn gwrthod cyfathrebu â hwy ychwaith. Fel y dywedais wrth Janet, mae Un Llais Cymru wedi ymdrechu'n galed, a chymeradwyaf y prif weithredwr newydd, Simon White, oherwydd mae wedi ymdrechu'n galed i gyfathrebu â'r cynghorau hynny. Credaf fod yna weithiwr yn y gogledd, a chredaf fod rhai o'r pryderon, yn enwedig y pryderon ynghylch a allent gael eu grŵp eu hunain—sydd wedi eu datrys, mi gredaf; credaf i hynny gael ei gydnabod fel cais posibl—gael sylw a bod rhai o'r gwahaniaethau hynny wedi eu datrys. Bydd Carl yn gwybod mwy na fi, ond credaf yn sicr fod pethau wedi ymdawelu.

Rheoli Cyllidebau The Managements of Budgets

Q6 Lynne Neagle: What discussions has the Minister held with Welsh local government regarding the managements of budgets for the current financial year? OAQ1092(LGP)

C6 Lynne Neagle: Pa drafodaethau y mae'r Gweinidog wedi eu cael gyda llywodraeth leol Cymru ynglŷn â rheoli cyllidebau ar gyfer y flwyddyn ariannol gyfredol? OAQ1092(LGP)

Sue Essex: Local authorities are responsible for managing their budgets in line with established principles and the duty placed upon them for sound financial management.

Sue Essex: Mae awdurdodau lleol yn gyfrifol am reoli eu cyllidebau yn unol ag egwyddorion sefydledig a'r ddyletswydd sydd arnynt i reoli arian yn gadarn.

Lynne Neagle: As you know, I continue to be concerned that the Assembly Government could be doing more to follow through on its pledge to require our partners in local government to work towards their education spending targets. In particular, I feel that the Assembly Government should be working pro-actively, on an ongoing basis, particularly with local authorities that are well short of their target. Can you provide an update on what work you are undertaking in this area to ensure that all local authorities

Lynne Neagle: Fel y gwyddoch, yr wyf yn dal i gredu y gallai Llywodraeth y Cynulliad wneud mwy i gadw ei haddewid i'w gwneud yn ofynnol i'n partneriaid mewn llywodraeth leol weithio tuag at eu targedau gwario ym maes addysg. Yn benodol, credaf y dylai Llywodraeth y Cynulliad fod yn rhagweithiol, yn barhaus, yn enwedig gydag awdurdodau lleol sydd ymhell o gyrraedd eu targed. A allwch roi'r newyddion diweddaraf inni am y gwaith yr ydych yn ei wneud yn y maes hwn i sicrhau bod pob awdurdod lleol

make significant progress in meeting their education spend targets?

Sue Essex: On 18 January, Jane Davidson and I sent a letter to all local authorities stating very clearly our expectations for efficiency and setting out the recommendations from the schools committee that was set up. During the summer, I met with all local authorities. With all those authorities that were spending less than the indicator-based assessment, I made a particular point of going through the committee's recommendations, so that there could be no doubt about exactly what was intended.

Leanne Wood: What guidance have you given to local authorities on auctioning council assets? Rhondda Cynon Taf County Borough Council has recently raised £3.7 million in an auction in London by selling off former schools sites and other land. One of the schools sites sold was that of Blaen Clydach School, a school that received £50,000 in a grant from the Communities First partnership to renovate the school yard. Do you think that the Communities First partnership should have that money back?

Sue Essex: I do not think that I have to issue guidance; I am not expected to do so. However, I shall look at the case that you mention. It is the first time that I have heard about it. I will then respond to you, if that is suitable.

yn gwneud cynnydd sylweddol i gyrraedd eu targedau gwario ym maes addysg?

Sue Essex: Ar 18 Ionawr, anfonodd Jane Davidson a minnau lythyr at bob awdurdod lleol yn dweud yn glir beth yw ein disgwyliadau o ran effeithlonrwydd ac yn gosod allan argymhellion y pwyllgor ysgolion a sefydlwyd. Yn ystod yr haf, cyfarfûm â'r holl awdurdodau lleol. Gyda'r awdurdodau hynny a oedd yn gwario llai na'r asesiad ar sail dangosyddion, euthum ati'n unswydd i fynd drwy argymhellion y pwyllgor, fel na ellid cael unrhyw amheuaeth ynglŷn â beth yn union a fwriadwyd.

Leanne Wood: Pa ganllawiau a roddwyd i awdurdodau lleol ar arwerthu asedau'r cyngor? Yn ddiweddar, mae Cyngor Bwrdeistref Sirol Rhondda Cynon Taf wedi codi £3.7 miliwn mewn arwerthiant yn Llundain drwy werthu hen safleoedd ysgol a thir arall. Un o'r safleoedd ysgol a werthwyd oedd safle Ysgol Blaen Clydach, ysgol a gafodd £50,000 o arian grant gan bartneriaeth Cymunedau yn Gyntaf i adnewyddu iard yr ysgol. A ydych yn credu y dylai partneriaeth Cymunedau yn Gyntaf gael yr arian hwnnw'n ôl?

Sue Essex: Nid wyf yn credu bod yn rhaid imi roi canllawiau; ni ddisgwylir imi wneud hynny. Fodd bynnag, byddaf yn edrych ar yr achos y soniwch amdano. Dyma'r tro cyntaf imi glywed amdano. Yna rhof ymateb ichi, os bydd hynny'n briodol.

Penodi Crwneriaid The Appointment of Coroners

C7 Rhodri Glyn Thomas: Pa drafodaethau a gafodd y Gweinidog gyda llywodraeth leol ynghylch penodi crwneriaid? OAQ1098(LGP)

Sue Essex: I have not had such discussions, because coroner services are not devolved and remain the responsibility of the Department for Constitutional Affairs. The DCA is currently in dialogue with local authorities and other key stakeholders on all aspects of the long-awaited coroners' reform Bill.

Q7 Rhodri Glyn Thomas: What discussions has the Minister held with local government regarding the appointment of coroners? OAQ1098(LGP)

Sue Essex: Nid wyf wedi cael trafodaethau o'r fath, am nad yw gwasanaethau crwneriaid wedi eu datganoli, a chyfrifoldeb yr Adran Materion Cyfansoddiadol ydynt o hyd. Mae'r Adran Materion Cyfansoddiadol wrthi'n trafod gydag awdurdodau lleol a rhanddeiliaid allweddol eraill bob agwedd ar y Mesur hirddisgwyliedig i ddiwygio'r drefn crwneriaid.

Rhodri Glyn Thomas: Byddwch yn ymwybodol bod newidiadau ar droed a fydd yn golygu y bydd crwneriaid yn cael eu penodi ar sail poblogaeth. Mae gan hynny oblygiadau mawr i Gymru oherwydd bod crwner rhan amser ar hyn o bryd, bron yn ddieithriad, ym mhob ardal awdurdod lleol yng Nghymru. Bydd y system newydd yn golygu y bydd gennym o bosibl gyn lleied â dau neu dri o grwneriaid yng Nghymru. A ydych yn cydnabod y gallai hynny fod yn broblem enfawr? Gofynnaf y cwestiwn fel cadeirydd y grŵp amlbleidiol ar ymgymerwyr a threfnwyr angladdau, sydd yn pryderi yn fawr ynglŷn ag oblygiadau hyn oherwydd y byddai'n golygu y byddai'n anodd cael gafael ar grwneriaid i wneud y gwaith hanfodol y maent yn ei wneud. A ydych yn bwriadau cael trafodaethau ar oblygiadau'r newidiadau hyn i Gymru gyda Harriet Harman, y Gweinidog sydd â chyfrifoldeb dros hyn, yn y dyfodol agos?

Sue Essex: This is the first time that I have heard of any concerns. If you would like to give me the details that you have as chair of that all-party group, I will certainly take those up. However, as I say, this is the first time that such concerns have been expressed to me.

William Graham: I endorse what the previous speaker said. I am sure that you will agree that we are well served by the part-time coroners in Wales at the moment, with there being only a few delays in varying areas. There is usually a good reason for any delays. I hope that you will make adequate representation to the appropriate department that, if there is a new system, there should be enough new paid appointments to adequately reflect the difficulties of the geography in Wales.

Sue Essex: I shall copy you in on the letter.

Rhodri Glyn Thomas: You will be aware that changes are afoot which will mean that coroners will be appointed based on the population. That has great implications for Wales, because at present there is a part-time coroner, almost without exception, for each local authority area in Wales. The new system will mean that we may have as few as two or three coroners in Wales. Do you acknowledge that that could be a huge problem? I ask the question as the chair of the all-party group on undertakers and funeral directors, which is extremely concerned about the implications of this, because it would mean that it would be difficult to get hold of coroners to do the essential work that they do. Do you intend to have discussions in the near future with Harriet Harman, the Minister with responsibility for this, about the implications of this change for Wales?

Sue Essex: Dyma'r tro cyntaf imi glywed am unrhyw bryderon. Os hoffech roi imi'r manylion sydd gennych fel cadeirydd y grŵp hollbleidiol hwnnw, byddaf yn sicr yn ymdrin â hwy. Fodd bynnag, fel y dywedais, dyma'r tro cyntaf imi glywed am bryderon o'r fath.

William Graham: Yr wyf yn cadarnhau'r hyn a ddywedodd y siaradwr blaenorol. Yr wyf yn siŵr y cytunwch fod crwneriaid rhan-amser Cymru yn ein gwasanaethu'n dda ar hyn o bryd, gydag ychydig oedi'n unig mewn amrywiol ardaloedd. Fel rheol bydd rheswm da dros unrhyw oedi. Gobeithio y byddwch yn cyflwyno sylwadau digonol i'r adran briodol gan ddweud, os bydd system newydd, y dylid sicrhau bod digon o swyddi newydd am dâl ar gael i adlewyrchu'r anawsterau daaryddol yng Nghymru.

Sue Essex: Anfonaf gopi o'r llythyr atoch.

Aelwydydd Incwm Isel Low Income Households

Q8 Jocelyn Davies: What assessment has the Minister made of the impact of council tax on low income households? OAQ1096(LGP)

C8 Jocelyn Davies: Pa asesiad y mae'r Gweinidog wedi'i wneud o effaith y dreth gyngor ar aelwydydd incwm isel? OAQ1096(LGP)

Sue Essex: The Assembly Government does not hold details of what individuals earn, and so such an assessment is not possible. The latest available figures show that around 280,000 people claim council tax benefit in Wales.

Jocelyn Davies: Minister, perhaps you can tell us why you continue to support the current system, which sees Assembly Members, for example, paying only about 2.1 per cent of their incomes on council tax; Ministers paying only 1.1 per cent of their incomes, but pensioners paying, on average, 6.2 per cent of their incomes?

Sue Essex: We come back to old discussions about whether, on top of income tax, there should be a locally derived tax. As you know, there have been many discussions on that over the past year. It has all been considered by Sir Michael Lyons. What many people—not just I—feel is that a property tax is a useful tool at a local level. It has its limitations, as you know. However, a property tax should be cushioned by a proper benefit or credit system for people on low incomes. In my view, that side of it needs to be put in place for a property tax to work.

2.30 p.m.

Y Dreth Gyngor Council Tax

Q9 Jocelyn Davies: Will the Minister make a statement on council tax increases since 1999? OAQ1121(LGP)

Sue Essex: The average annual increase in band D council tax since 1999-2000 is 6.9 per cent. However, the 2006-07 increase of 4.5 per cent is the second lowest average increase since the introduction of council tax, the lowest increase being 3.8 per cent for 2005-06. Local authorities are currently setting their budgets for 2007-08, but I have no reason to believe that they will be excessive.

Jocelyn Davies: Council tax bills in Wales have actually gone up by 60 per cent since 1999, and 94 per cent since 1997. However, the increase in some of our most deprived

Sue Essex: Nid oes gan Lywodraeth y Cynulliad fanylion am gyflogau unigolion, ac felly nid yw asesiad o'r fath yn bosibl. Dengys y ffigurau diweddaraf fod tua 280,000 o bobl yn hawlio budd-dal treth gyngor yng Nghymru.

Jocelyn Davies: Weinidog, efallai y gallwch ddweud wrthym pam eich bod yn dal i gefnogi'r system bresennol, lle mae Aelodau Cynulliad, er enghraifft, yn talu dim ond tua 2.1 y cant o'u hincwm fel treth gyngor; lle mae Gweinidogion yn talu dim ond 1.1 y cant o'u hincwm, ond lle mae pensiynwyr yn talu 6.2 y cant o'u hincwm, ar gyfartaledd?

Sue Essex: Yr ydym yn dychwelyd at hen drafodaethau am y cwestiwn a ddylid cael treth leol, ar ben treth incwm. Fel y gwyddoch, cafwyd nifer o drafodaethau am hynny yn ystod y flwyddyn ddiwethaf. Mae Syr Michael Lyons wedi ystyried y cyfan. Barn nifer o bobl—nid fy marn i'n unig—yw bod treth eiddo yn ddull defnyddiol ar lefel leol. Mae iddi ei chyfyngiadau, fel y gwyddoch. Fodd bynnag, dylid lleihau effaith y dreth eiddo drwy gael system fudd-daliadau neu system gredyd go iawn i bobl ar incwm isel. Yn fy marn i, mae angen gweithredu hynny er mwyn i dreth eiddo weithio.

C9 Jocelyn Davies: A wnaiff y Gweinidog ddatganiad am godiadau yn y dreth gyngor er 1999? OAQ1121(LGP)

Sue Essex: Y cynnydd blynyddol yn y dreth gyngor ar gyfer band D ar gyfartaledd er 1999-2000 yw 6.9 y cant. Fodd bynnag, y cynnydd o 4.5 y cant yn 2006-07 yw'r cyfartaledd isaf ond un ers cyflwyno'r dreth gyngor, a'r cynnydd isaf oedd 3.8 y cant yn 2005-06. Mae awdurdodau lleol wrthi'n gosod eu cyllidebau ar gyfer 2007-08, ond nid oes gennyf reswm o gwbl dros gredu y byddant yn ormodol.

Jocelyn Davies: Mae biliau'r dreth gyngor yng Nghymru wedi codi 60 y cant er 1999 mewn gwirionedd, a 94 y cant er 1997. Fodd bynnag, mae'r cynnydd yn rhai o'n

areas is even more startling. Residents in Blaenau Gwent have seen an 80 per cent increase since 1999, and a 135 per cent increase since 1997. Therefore, do you believe that the current settlement for Blaenau Gwent is sufficient to avoid another above-inflation increase on its council tax bills?

Sue Essex: I do not know what Blaenau Gwent County Borough Council is going to set out, but, as I have said, I have done my best over the past few years in terms of the size of the settlement going to local authorities and the other areas of spend. Sometimes, we just look at the revenue support grant, but considerable amounts of money are going across in special grants, and in support to the Communities First programme, and so on. Much of that spending benefits communities such as Blaenau Gwent, Merthyr, and other places. Therefore, you need to look at overall Government spending in areas to make comparisons.

On whether it is fair, that formula is agreed by everyone—local government and us, and political parties and us. As I have said this in the Chamber before, if you go up the hill at Blaenavon, leave Blaenau Gwent, and go down into Monmouth, you will find that the difference in spend between those areas is some £350 per head of the population. That is the difference made by our linking the formula to deprivation. There will be people who agree and disagree that that is too great a difference. If you are in Monmouthshire, you might think that it is too great a difference—and people there frequently say so. If you are elsewhere, you may think that it is not enough of a difference. However, that formula is agreed with everyone, and, up until now, everyone has agreed that that support on deprivation is reasonable and fair, bearing in mind the huge other areas of spend that go to support those communities, particularly on the Communities First agenda.

hardaloedd mwyaf difreintiedig hyd yn oed yn fwy syfrdanol. Mae trigolion Blaenau Gwent wedi gweld cynnydd o 80 y cant er 1999, a chynnydd o 135 y cant er 1997. Felly, a ydych yn credu bod y setliad cyfredol ar gyfer Blaenau Gwent yn ddigonol i osgoi codiad arall uwchlaw chwyddiant ym miliau'r dreth gyngor yn yr ardal honno?

Sue Essex: Ni wn beth fydd penderfyniad Cyngor Bwrdeistref Sirol Blaenau Gwent, ond fel y dywedais, yr wyf wedi gwneud fy ngorau glas dros y blynyddoedd diwethaf o ran maint y setliad a gaiff awdurdodau lleol a'r meysydd gwariant eraill. Weithiau, dim ond ar y grant cynnal refeniw y byddwn yn edrych, ond mae symiau sylweddol o arian yn cael eu rhoi mewn grantiau arbennig, ac i gefnogi'r rhaglen Cymunedau yn Gyntaf, ac ati. Mae llawer o'r gwariant hwnnw o fudd i gymunedau fel Blaenau Gwent, Merthyr, a lleoedd eraill. Felly, mae angen i chi edrych ar wariant cyffredinol y Llywodraeth mewn ardaloedd er mwyn cymharu.

O ran tegwch, mae pawb yn cytuno ar y fformiwla honno—llywodraeth leol a ninnau, a phleidiau gwleidyddol a ninnau. Fel yr wyf wedi sôn yn y Siambwr gynt, os dringwch yr allt ym Mlaenafon, gan adael Blaenau Gwent a chyrraedd Trefynwy, fe welwch fod y gwahaniaeth mewn gwariant rhwng yr ardaloedd hynny tua £350 y pen o'r boblogaeth. Dyna'r gwahaniaeth a wneir drwy gysylltu'r fformiwla ag amddifadedd. Bydd yna bobl sy'n cytuno ac yn anghytuno bod y gwahaniaeth hwnnw'n rhy fawr. Os ydych yn Sir Fynwy, efallai y credwch fod y gwahaniaeth yn rhy fawr—ac mae pobl yno'n dweud hynny'n aml. Os ydych yn byw rywle arall, efallai y credwch nad oes digon o wahaniaeth. Fodd bynnag, mae pawb yn cytuno ar y fformiwla honno, a hyd yn hyn mae pawb wedi cytuno bod y cymorth hwnnw o ran amddifadedd yn rhesymol ac yn deg, o gofio'r meysydd gwariant mawr eraill sy'n cael eu neilltuo i gefnogi'r cymunedau hynny, yn enwedig ar yr agenda Cymunedau yn Gyntaf.

Lefelau'r Dreth Gyngor Council Tax Levels

Q10 Janet Ryder: What recent discussions **C10 Janet Ryder:** Pa drafodaethau y mae'r

has the Minister held regarding council tax levels? OAQ1113(LGP)

Sue Essex: As I indicated, councils are currently setting their tax levels. As you know, Janet, I have asked councils to act reasonably and to limit any increases to 5 per cent, and not to go above that figure. My current understanding is that local authorities in Wales are respecting that limit.

Janet Ryder: We have all heard the 4.5 per cent rise in bills mentioned, and, despite the threat of a cap of 5 per cent, North Wales Police has announced that limiting an increase to 5 per cent will lead to job losses, which is why it has set an increase of 6.75 per cent. You will be aware that police budgets have been hit very hard by their need to develop plans for the proposed merger, and the fiasco that went with that. Do you regret your Government's failure to secure full recompense from the Home Office for all the work that the police authorities carried out in that regard, and will you take up that cause again to try to get that money back from the Home Office, and back into police budgets to be spent on front-line policing?

Sue Essex: I am concerned that North Wales Police, unlike the other three police authorities, has set its budget at 6.75 per cent, way above the 5 per cent that I would have thought was adequate for it this year. There was the issue of the merger, and some substantial repay has been put in place there, but that is not the key reason why it has set its budget at 6.75 per cent. I urge everyone on the North Wales Police Authority to reconsider that, and I hope that they will readjust that figure down to 5 per cent, or below.

Gweinidog wedi eu cael yn ddiweddar am lefelau'r dreth gyngor? OAQ1113(LGP)

Sue Essex: Fel y dywedais, mae cynghorau wrthi'n gosod eu lefelau treth. Fel y gwyddoch, Janet, yr wyf wedi gofyn i gynghorau weithredu'n rhesymol a chyfyngu unrhyw gynnydd i 5 y cant, a pheidio â mynd dros y ffigur hwnnw. Yn ôl a ddeallaf ar hyn o bryd, mae awdurdodau lleol yng Nghymru yn parchu'r terfyn hwnnw.

Janet Ryder: Yr ydym wedi clywed bob un am y cynnydd o 4.5 y cant mewn biliau, ac er y bygythiad o osod terfyn o 5 y cant, mae Heddlu Gogledd Cymru wedi cyhoeddi y bydd cyfyngu'r cynnydd i 5 y cant yn arwain at golli swyddi, a dyna pam mae wedi gosod codiad o 6.75 y cant. Fe wyddoch fod yr angen i heddluoedd ddatblygu cynlluniau ar gyfer yr uno arfaethedig, a'r helbul a oedd ynghlwm wrth hynny, wedi cael effaith fawr ar eu cyllidebau. A ydych yn gresynu at fethiant eich Llywodraeth i sicrhau ad-daliad llawn gan y Swyddfa Gartref am yr holl waith a wnaethpwyd gan yr awdurdodau heddlu yn y cyswllt hwnnw, ac a fyddwch yn codi'r mater hwnnw eto i geisio adennill yr arian hwnnw gan y Swyddfa Gartref, a'i ddychwelyd i gyllidebau'r heddlu i'w wario ar blismona rheng flaen?

Sue Essex: Yr wyf yn pryderu bod Heddlu Gogledd Cymru, yn wahanol i'r tri awdurdod heddlu arall, wedi gosod ei gyllideb ar 6.75 y cant, sydd ymhell dros y 5 y cant y byddwn wedi tybio a fyddai'n ddigonol ar gyfer eleni. Yr oedd y broses uno yn ystyriaeth, ac mae ad-daliad sylweddol wedi'i roi mewn perthynas â hynny, ond nid dyna'r prif reswm pam y mae wedi gosod ei gyllideb ar 6.75 y cant. Anogaf bawb yn Awdurdod Heddlu Gogledd Cymru i ailystyried hynny, a gobeithio y byddant yn ailgymhwyso'r ffigur hwnnw i lawr 5 y cant, neu'n is.

Cwestiynau i'r Gweinidog dros Addysg, Dysgu Gydol Oes a Sgiliau Questions to the Minister for Education, Lifelong Learning and Skills

Y Baich Biwrocraidd The Bureaucratic Burden

Q1 Jonathan Morgan: Will the Minister confirm whether the bureaucratic burden on

C1 Jonathan Morgan: A wnaiff y Gweinidog gadarnhau a yw'r baich

teachers has increased or decreased since she became Minister? OAQ1263(ELL)

biwrocataidd ar athrawon wedi cynyddu ynteu leihau ers iddi fod yn Weinidog? OAQ1263(ELL)

The Minister for Education, Lifelong Learning and Skills (Jane Davidson): I can confirm that it has decreased. Our work with the workload agreement monitoring group local authorities, and the school workload advisory panel has significantly improved the position for teachers in Wales with regard to reducing bureaucratic burdens, and will continue to do so.

Y Gweinidog dros Addysg, Dysgu Gydol Oes a Sgiliau (Jane Davidson): Gallaf gadarnhau ei fod wedi lleihau. Mae ein gwaith gyda grŵp monitro'r cytundeb llwyth gwaith, awdurdodau lleol a'r panel cynghori ar lwyth gwaith ysgolion wedi gwella'r sefyllfa i athrawon yng Nghymru yn sylweddol o ran lleihau beichiau biwrocataidd, a bydd yn parhau i wneud hynny.

Jonathan Morgan: I am grateful to the Minister for that reply, except for the fact that many teachers would beg to differ with the detail of it, particularly those who work in the field of special educational needs. I am a governor of the Eglwys Newydd Primary School in Whitchurch. I believe that you have visited the school; you have certainly spoken with the headteacher in the past. This morning, she explained in some detail to me the increased bureaucracy facing the special educational needs co-ordinator, who has to fill in a raft of paperwork simply to ensure that pupils with special needs get the support that they need from Cardiff council. In fact, she told me that the special educational needs co-ordinator spends more time filling in forms than assessing the needs of the children and providing the support that they need. I urge you, Minister, to examine the problem that special educational needs co-ordinators face in our schools in Wales, to ensure that the bureaucratic burden is reduced.

Jonathan Morgan: Yr wyf yn ddiolchgar i'r Gweinidog am yr ateb hwnnw, ar wahân i'r ffaith y byddai nifer o athrawon yn anghytuno â'r manylion, yn enwedig y rheini sy'n gweithio ym maes anghenion addysgol arbennig. Yr wyf yn un o lywodraethwyr Ysgol Gynradd yr Eglwys Newydd. Credaf eich bod wedi ymweld â'r ysgol; yr ydych yn sicr wedi siarad â'r pennaeth yn y gorffennol. Y bore yma, esboniodd wrthyf, yn eithaf manwl, y fiwrocraatiaeth gynyddol sy'n wynebu'r cydlynnydd anghenion addysgol arbennig, sy'n gorfod gwneud llwyth o waith papur i sicrhau bod disgyblion ag anghenion arbennig yn cael y cymorth y mae arnynt ei angen gan gyngor Caerdydd. Yn wir, dywedodd wrthyf fod y cydlynnydd anghenion addysgol arbennig yn treulio mwy o amser yn llenwi ffurflenni nag yn asesu anghenion y plant a rhoi'r cymorth y mae arnynt ei angen. Yr wyf yn eich annog, Weinidog, i archwilio'r broblem sy'n wynebu cydlynwyr anghenion addysgol arbennig yn ein hysgolion yng Nghymru, er mwyn sicrhau bod y baich biwrocataidd yn cael ei leihau.

Jane Davidson: Monitoring at local level has shown that all teachers receive their entitlement of a minimum of 10 per cent time for planning, preparation and assessment. That is the commitment contained in the workload agreement. This has been welcomed by teachers, and it has impacted positively on their work-life balance. However, if you wish to raise a specific instance in a specific school, please write to me and I would be happy to look at it.

Jane Davidson: Mae gwaith monitro lleol wedi dangos bod pob athro yn cael ei hawl o 10 y cant o leiaf o'i amser i wneud gwaith cynllunio, paratoi ac asesu. Dyna'r ymrwymiad yn y cytundeb llwyth gwaith. Mae'r ymrwymiad hwnnw wedi'i groesawu gan athrawon, ac mae wedi cael effaith gadarnhaol ar eu cydbwysedd bywyd a gwaith. Fodd bynnag, os hoffech godi achos penodol mewn ysgol benodol, ysgrifennwch ataf a byddaf yn ddigon bodlon edrych arno.

Owen John Thomas: Deallaf fod biwrocraatiaeth wedi'i lleihau ychydig mewn

Owen John Thomas: I understand that bureaucracy has been reduced slightly in

ysgolion cynradd, ond nid felly ysgolion uwchradd. Yr wyf yn falch nad yw'r tasgau asesu safonol bellach yn orfodol, ond yr wyf yn poeni—fel y mae'r ysgolion—am lefel y fiwrocratiaeth sy'n deillio o asesiadau athrawon, yn arbennig oherwydd y manylder sydd ei angen wrth baratoi'r adroddiadau. Maent yn fanwl iawn ac yn cymryd amser hir i baratoi. Mae hefyd gofyn i'r athrawon gysoni eu hasesiadau, ac yr ydych am wneud hyn dros Gymru gyfan. Deallaf fod hynny'n golygu y bydd gofyn i athrawon deithio yn bell i fynychu cyrsiau, y bydd yn gostus i'r ysgolion, ac yn golygu mwy o waith i ysgolion uwchradd.

Jane Davidson: Fel y dywedais wrth Jonathan, mae'r bobl sy'n monitro'r cytundeb pwysau gwaith athrawon ar y lefel leol wedi dweud yn glir bod athrawon yn y sector cynradd a'r sector cyfun yn hawlio'r 10 y cant o'r amser sydd ar gael iddynt i gynllunio, paratoi ac asesu. Yr wyf wedi ymrwymo i sicrhau bod y gwaith o gyflwyno'r trefniadau asesu newydd yn cael llawer o gefnogaeth. Yr wyf wedi cael sgwrs hir a phositif gyda'r undebau ledled Cymru. Mae'r ymgynghoriad wedi ei gwneud yn glir bod y rhan fwyaf o bobl—mwy na 70 y cant, a mwy na 90 y cant o bobl yn ôl atebion rhai o'r cwestiynau—yn gefnogol i hyn.

William Graham: Minister, you will know that it is claimed in recent publications in England that headteachers' workloads have increased to more than 65 hours per week in the past two years. That is a major burden, as implementation falls on heads and their deputies. How can you ensure that this does not happen in Wales?

Jane Davidson: I have asked the school workload advisory panel, which is entirely independent of the Assembly Government, to look at the issues for headteachers, particularly those of small schools. When Susan Lewis, the chief inspector, came to committee, she talked about the fact that some headteachers still have to learn to delegate more effectively, which was interesting—and you were there also. However, we are acutely conscious of the fact that headteachers in very small schools

primary schools, but not so in secondary schools. I am pleased that standard assessment tasks are no longer mandatory, but I am worried—as are schools—about the level of bureaucracy stemming from teacher assessments, especially as a result of the detail required in preparing the reports. They are very detailed and take a long time to prepare. Teachers also need to ensure that their assessments are consistent, and you want to do this across Wales. I understand that that means that teachers will be asked to travel great distances to attend courses, that it will be costly for schools, and will mean more work for secondary schools.

Jane Davidson: As I said to Jonathan, the people who monitor the teachers' workload agreement at the local level have stated clearly that teachers in the primary and comprehensive sector get their entitlement of 10 per cent of time for planning, preparation and assessment. I am committed to ensuring that the work of implementing the new assessment arrangements is given plenty of support. I have had long and positive discussions with unions throughout Wales. The consultation has made it clear that most people—more than 70 per cent, and more than 90 per cent according to the answers given to some questions—are supportive of this.

William Graham: Weinidog, fe wyddoch am yr honiad mewn cyhoeddiadau'n ddiweddar yn Lloegr fod llwyth gwaith penaethiaid wedi cynyddu i fwy na 65 awr yr wythnos yn ystod y ddwy flynedd diwethaf. Mae hwnnw'n faich mawr, gan mai penaethiaid a'u dirprwyon sy'n gyfrifol am y broses weithredu. Sut y gallwch sicrhau nad yw hyn yn digwydd yng Nghymru?

Jane Davidson: Yr wyf wedi gofyn i'r panel cynghori ar lwyth gwaith ysgolion, sy'n gwbl annibynnol ar Lywodraeth y Cynulliad, edrych ar y materion sy'n berthnasol i benaethiaid, yn enwedig penaethiaid ysgolion bach. Pan ddaeth Susan Lewis, y prif arolygydd, i'r pwyllgor, soniodd am y ffaith ei bod yn rhaid i rai penaethiaid o hyd ddysgu sut i ddirprwyo'n fwy effeithiol, a oedd yn ddiddorol—ac yr oeddech chi yno hefyd. Fodd bynnag, yr ydym yn ymwybodol iawn o'r ffaith nad oes gan benaethiaid mewn

have no-one to whom to delegate work. Therefore, I have asked the school workload advisory panel to report to us on that issue.

William Graham: Thank you very much for that answer, Minister. Could you therefore clarify how you intend to ensure that there is sufficient recruitment of headteachers in Wales?

2.40 p.m.

Jane Davidson: Recruitment for headteachers in Wales has been very effective, and we now have more than 1,000 people trained up to the new standard; we now require a higher level of professionalism and new headteachers must acquire the national professional qualification for headship. We are extremely pleased that more people are qualified and that there are places available for them to go throughout both the English and Welsh sectors.

Mick Bates: Bureaucratic burdens come in all forms, and it is the unnecessary bits of paper that cause the real problem. Take for example the recent transport plan sent to all Powys staff in a lovely folder. It was sent to inform staff that they could get to work using public transport. I have received many examples from constituents, but I will just give you one: a member of staff in Welshpool was informed that it would take only 40 minutes on public transport to get to a school that they walked to every day in four minutes. Do you not think, Minister, that that is an insult to these people? Was the preparation of these plans a useful bit of bureaucracy or did it, in fact, add to their bureaucratic burden?

Jane Davidson: The point of the school workload advisory panel is to review the documentation going to schools, and to advise the Assembly Government of what is going to schools—it advises my department and it can advise us to advise other departments. However, we are only one of the organisations that send information to schools. We have made a commitment to be

ysgolion bach iawn neb i ddirprwyo gwaith iddynt. Felly, yr wyf wedi gofyn i'r panel cynghori ar lwyth gwaith ysgolion gyflwyno adroddiad inni ar y mater hwnnw.

William Graham: Diolch yn fawr iawn ichi am yr ateb hwnnw, Weinidog. A allech gadarnhau, felly, sut yr ydych yn bwriadu sicrhau bod digon o bennaethiaid yn cael eu recriwtio yng Nghymru?

Jane Davidson: Mae'r broses o recriwtio penaeithiaid yng Nghymru wedi bod yn effeithiol iawn, a bellach mae gennym dros 1,000 o bobl sydd wedi'u hyfforddi yn unol â'r safon newydd; mae lefel uwch o broffesiynoldeb yn ofynnol bellach, a rhaid i bennaethiaid newydd ennill y cymhwyster proffesiynol cenedlaethol ar gyfer prifathrawiaeth. Yr ydym yn falch iawn bod cymhwyster gan fwy o bobl, a bod lleoedd ar gael iddynt ar draws y sectorau Cymraeg a Saesneg.

Mick Bates: Mae beichiau biwrocraidaidd i'we gweld ar lawer ffurf, a'r darnau diangen o bapur sy'n achosi'r broblem wirioneddol. Cymerwch, er enghraifft, y cynllun cludiant yn ddiweddar a anfonwyd at bob aelod o staff Powys mewn ffolder hyfryd. Fe'i hanfonwyd i roi gwybod i staff y gallent ddefnyddio cludiant cyhoeddus i fynd i'r gwaith. Yr wyf wedi cael nifer o enghreifftiau gan etholwyr, ond dyma un ohonynt i chi: cafodd aelod o staff yn y Trallwng wybod na fyddai'n cymryd mwy na 40 munud ar gludiant cyhoeddus i gyrraedd ysgol y mae'n cerdded iddi bob dydd mewn pedair munud. Onid ydych yn creud Weinidog, fod hynny'n sarhad ar y bobl hyn? A oedd y gwaith o baratoi'r cynlluniau hyn yn fiwrocraatiaeth ddefnyddiol neu a oedd, mewn gwirionedd, yn ychwanegu at eu baich biwrocraidaidd?

Jane Davidson: Diben y panel cynghori ar lwyth gwaith ysgolion yw adolygu'r ddogfennaeth a anfonir i ysgolion, a rhoi gwybod i Lywodraeth y Cynulliad am yr hyn sy'n cael ei anfon i ysgolion—mae'n cynghori fy adran a gall ein cynghori ni i gynghori adrannau eraill. Fodd bynnag, dim ond un o'r sefydliadau sy'n anfon gwybodaeth i ysgolion ydym ni. Yr ydym

absolutely clear that, for example, we only ever consult 10 per cent of schools randomly, so that we do not overload them with documents. The school workload advisory panel works very effectively at keeping us properly advised of these issues.

wedi ymrwymo i fod yn hollol glir, er enghraifft, mai â 10 y cant o ysgolion yn unig y byddwn yn ymgynghori ar hap, fel na fyddwn yn eu gorlwytho â dogfennau. Mae'r panel cynghori ar lwyth gwaith ysgolion yn gweithio'n effeithiol iawn i roi cyngor priodol inni am y materion hyn.

Datblygu Llwybrau Dysgu 14-19 **Developing 14-19 Learning Pathways**

Q2 Denise Idris Jones: Will the Minister make a statement about developing 14-19 learning pathways? OAQ1283(ELL)

C2 Denise Idris Jones: A wnaiff y Gweinidog ddatganiad am ddatblygu llwybrau dysgu 14-19? OAQ1283(ELL)

Jane Davidson: The 14-19 learning pathways are new learning opportunities, backed up by new financial support, ultimately leading to the Welsh baccalaureate qualification. In 2007-08, £32.5 million of additional money has been made available for their implementation.

Jane Davidson: Mae'r llwybrau dysgu 14-19 yn gyfleoedd dysgu newydd, sy'n cael eu hategu gan gymorth ariannol newydd, gan arwain yn y pen draw at gymhwyster bagloriaeth Cymru. Yn 2007-08, mae £32.5 miliwn o arian ychwanegol wedi'i neilltuo i'w rhoi ar waith.

Denise Idris Jones: Do you agree that ensuring parity of esteem between academic and vocational qualifications must be a key priority if we are to deliver the right skills for a prosperous Wales? What actions are you taking, working with trade unions, business groups and organisations such as the sector skills councils, to ensure that we achieve our objective?

Denise Idris Jones: A ydych yn cytuno ei bod yn rhaid i sicrhau'r un parch at gymwysterau academiaidd a chymwysterau galwedigaethol fod yn flaenoriaeth allweddol os ydym i sicrhau'r sgiliau cywir ar gyfer Cymru lewyrchus? Pa gamau yr ydych yn eu cymryd, drwy weithio gydag undebau llafur, grwpiau busnes a sefydliadau fel y cynghorau sgiliau sector, i sicrhau ein bod yn cyflawni ein hamcan?

Jane Davidson: We work very effectively with trade unions through the Wales union learning fund. A critical aspect of that is improving skills at all levels, including basic skills, which was a key recommendation of Lord Sandy Leitch's report on upskilling the UK. Allied to that, we have the Employer's Pledge, unique to Wales, which is a partnership between unions and employers, which Lord Sandy Leitch now wants to be delivered across the UK, because of the quality of that commitment. The sector skills councils will have an increasingly important role to play, particularly in looking at advising the Government and others on which qualifications should be given support as we develop a new suite of vocational qualifications. The new diplomas that are being developed in England and will be piloted, which give 14 vocational choices over the next few years, will then be

Jane Davidson: Yr ydym yn gweithio'n effeithiol iawn gydag undebau llafur drwy gronfa ddysgu undebau Cymru. Un agwedd hollbwysig ar hynny yw gwella sgiliau ar bob lefel, gan gynnwys sgiliau sylfaenol, a oedd yn un o'r argymhellion allweddol yn adroddiad yr Arglwydd Sandy Leitch ar uwchsgilio yn y DU. Yn gysylltiedig â hynny, mae gennym Addewid y Cyflogwr, sy'n unigryw i Gymru, sef partneriaeth rhwng undebau a chyflogwyr y mae'r Arglwydd Sandy Leitch yn dymuno gweld ei gyflwyno ledled y DU yn awr, oherwydd ansawdd yr ymrwymiad hwnnw. Bydd gan y cynghorau sgiliau sector ran fwyfwy pwysig i'w chwarae, yn enwedig wrth geisio cynghori'r Llywodraeth ac eraill ar ba gymwysterau y dylid eu cefnogi wrth inni ddatblygu cymwysterau galwedigaethol newydd. Yna, caiff y diplomâu newydd sy'n cael eu datblygu yn Lloegr ac a gaiff eu

incorporated into the Welsh baccalaureate, so it will have strong vocational routes for our young people. It is an exciting vocational future in which our young people will acquire the key skills required for both employment and university.

Jocelyn Davies: What is your view on raising the school-leaving age from 16 to 18?

Jane Davidson: I am not in favour of compulsorily raising the school-leaving age from 16 to 18, because the number of people in that age range not involved in education, employment or training at the moment is very small. If we want to focus on those young people, we need to focus on their needs and to ensure that the right kinds of opportunities are available for them. I am a great believer in the voluntary approach. This Government has done more than any previous Government in Wales to ensure that there is a better and more fit-for-purpose curriculum, leading through the Welsh baccalaureate, and our new project in terms of supporting those who are commonly, in statistical terms, called NEET—not in employment, education or training. Since I came in as Minister, we have been arguing that we should encourage all young people to stay in education until the age of 19, but that should be voluntary.

Mark Isherwood: On Monday, I attended a conference in Coleg Llysfasi in Denbighshire on developing 14-19 learning pathways. We were told that it costs £2,300 to release one pupil from a school to attend college one day a week, and only saves the school £400. We also heard that the threat to charge for post-16 transport works against the agenda, and will penalise the most excluded young people. What research have you undertaken to establish the full amount of funding required for the development of 14-19 learning pathways and what costs have been identified?

Jane Davidson: As I said in my initial answer, in addition to the funding that already goes to schools, colleges and work-based learning providers, there is £32.5

treialu, ac a fydd yn rhoi 14 o ddewisiadau galwedigaethol dros yr ychydig flynyddoedd nesaf, yn cael eu hymgorffori ym magloriaeth Cymru. Felly, bydd yn cynnwys llwybrau galwedigaethol cryf i'n pobl ifanc. Mae'n ddyfodol galwedigaethol cyffrous, lle bydd ein pobl ifanc yn ennill y sgiliau allweddol angenrheidiol ar gyfer cyflogaeth a phrifysgol.

Jocelyn Davies: Beth yw eich barn am godi oed gadael yr ysgol o 16 i 18?

Jane Davidson: Nid wyf o blaid codi oed gadael yr ysgol o 16 i 18 yn orfodol, gan fod nifer y bobl yn yr ystod oedran honno nad ydynt yn ymwneud ag addysg, cyflogaeth na hyfforddiant ar hyn o bryd yn fach iawn. Os ydym am ganolbwyntio ar y bobl ifanc hynny, mae angen inni ganolbwyntio ar eu hanghenion a sicrhau bod y mathau iawn o gyfleoedd ar gael iddynt. Yr wyf yn credu'n gryf yn y dull gwirfoddol. Mae'r Llywodraeth hon wedi gwneud mwy nag unrhyw Lywodraeth flaenorol yng Nghymru i sicrhau bod yna gwricwlwm gwell sy'n fwy addas at y diben, gan arwain drwy fagloriaeth Cymru, a'n prosiect newydd i gefnogi'r rheini a elwir yn gyffredin, mewn ystadegau, yn NEET—pobl nad ydynt mewn addysg, cyflogaeth na hyfforddiant. Ers imi ddod yn Weinidog, yr ydym wedi bod yn dadlau y dylem annog pob person ifanc i aros mewn addysg tan iddo gyrraedd 19 oed, ond dylai hynny fod yn wirfoddol.

Mark Isherwood: Ddydd Llun, yr oeddwn mewn cynhadledd ar ddatblygu llwybrau dysgu 14-19 yng Ngholeg Llysfasi yn sir Ddinbych. Dywedwyd wrthym ei bod yn costio £2,300 i ryddhau un disgybl ysgol i fynd i'r coleg am un diwrnod yr wythnos, ac yn arbed dim ond £400 i'r ysgol. Clywsom hefyd fod y bygythiad i godi tâl am gludiant ôl-16 yn gweithio'n groes i'r agenda, a bydd yn cosbi'r bobl ifanc sy'n cael eu hallgáu fwyaf. Pa waith ymchwil yr ydych wedi ei wneud i bennu'r swm llawn o arian sydd ei angen i ddatblygu llwybrau dysgu 14-19 a pha gostau a nodwyd?

Jane Davidson: Fel y dywedais yn fy ateb cychwynnol, yn ogystal â'r arian a roddir eisoes i ysgolion, colegau a darparwyr dysgu'n seiliedig ar waith, caiff £32.5 miliwn

million this year to start the new learning pathways. When the network development plans for the 14-19 networks are agreed by the Assembly Government, and that information becomes available to all Members, you will see that there a huge number of new courses are available. The agenda is focused on the learner; it is about ensuring that learners acquire the skills that best fit their talents, and about ensuring that no school or college thinks that they can do this on their own. The Chief Inspector of Education and Training in Wales has said that, and 14-19 co-ordinators in local authorities are absolutely clear that if we are to achieve this, we must do it in partnership, which means learners get better opportunities. I would hope that you would support that.

ei ddarparu eleni i gychwyn y llwybrau dysgu newydd. Pan fydd Llywodraeth y Cynulliad yn cytuno ar y cynlluniau datblygu rhwydwaith ar gyfer y rhwydweithiau 14-19, a'r wybodaeth honno ar gael i bob Aelod, fe welwch fod nifer fawr o gyrсияu newydd ar gael. Mae'r agenda'n canolbwyntio ar y dysgwr; mae'n golygu sicrhau bod dysgwyr yn ennill y sgiliau sy'n gweddu orau i'w doniau, ac yn golygu sicrhau nad oes yr un ysgol na choleg sy'n credu y gall wneud hyn yn annibynnol. Mae Prif Arolygydd Addysg a Hyfforddiant yng Nghymru wedi dweud hynny, ac mae cydgysylltwyr 14-19 mewn awdurdodau lleol yn gwbl eglur, os ydym i ddatblygu hyn, ei bod yn rhaid inni ei wneud mewn partneriaeth, sy'n golygu bod dysgwyr yn cael cyfleoedd gwell. Byddem yn gobeithio y byddech yn cefnogi hynny.

Datblygu Astudiaethau Tir Developing Land-based Studies

Q3 Brynle Williams: Will the Minister make a statement on the Welsh Assembly Government's commitment to developing land-based studies in north Wales? OAQ1248(ELL)

C3 Brynle Williams: A wnaiff y Gweinidog ddatganiad am ymrwymiad Llywodraeth Cynulliad Cymru i ddatblygu astudiaethau tir yn ngogledd Cymru? OAQ1248(ELL)

Jane Davidson: Between 2005 and 2007, capital investment of £1.3 million has been made in Coleg Llysfasi and the Welsh College of Horticulture, on top of recurrent funding of £5.3 million. Both colleges are currently involved in two major projects to develop land-based studies for Wales.

Jane Davidson: Rhwng 2005 a 2007, gwnaed buddsoddiad cyfalaf o £1.3 miliwn yng Ngholeg Llysfasi a Choleg Garddwriaeth Cymru, yn ychwanegol at gyllid rheolaidd o £5.3 miliwn. Mae'r ddau goleg yn ymwneud â dau brosiect mawr ar hyn o bryd i ddatblygu astudiaethau tir i Gymru.

Brynle Williams: Minister, your recent report to the Education and Lifelong Learning Committee highlighted land-based studies, as well as modern foreign languages, mathematics and science, as subjects that are considered vulnerable and strategically important. Do you share the belief in the strategic importance of land-based education in north Wales and are you fully committed to securing its long-term future?

Brynle Williams: Weinidog, yr oedd eich adroddiad yn ddiweddar i'r Pwyllgor Addysg a Dysgu Gydol Oes yn tynnu sylw at astudiaethau tir, yn ogystal ag ieithoedd tramor modern, mathemateg a gwyddoniaeth, fel pynciau a ystyrir yn rhai sy'n agored i ddioddef ac sy'n strategol bwysig. A ydych chi hefyd yn credu ym mhwsigrwydd strategol addysg y tir yn y gogledd, ac a ydych wedi ymrwymo'n llwyr i sicrhau ei dyfodol hirdymor?

Jane Davidson: I am absolutely committed to securing the long-term future of land-based studies in north Wales and I hope that the institutions involved are also committed to delivering the most effective outcome in order to secure that future.

Jane Davidson: Yr wyf wedi ymrwymo'n llwyr i sicrhau dyfodol hirdymor astudiaethau tir yn y gogledd, a gobeithio bod y sefydliadau dan sylw hefyd wedi ymrwymo i sicrhau'r canlyniad mwyaf effeithiol er mwyn sicrhau'r dyfodol hwnnw.

Alun Ffred Jones: A wnewch ymuno â mi i longyfarch Coleg Meirion Dwyfor, safle Glynllifon, sy'n arbenigo mewn cyrsiau cefn gwlad, ar ei lwyddiant yn cynyddu nifer y myfyrwyr a'i gyrsiau ar adeg anodd i amaeth a'r economi cefn gwlad yn gyffredinol? Er mwyn cyrraedd y nod yr ydych newydd ei nodi, sut yn union yr ydych yn bwriadu hyrwyddo'r gwaith hwn ar y safleoedd hynny yng ngogledd Cymru?

Jane Davidson: Credaf mai'r peth mwyaf hanfodol yw rôl y cyngor sgiliau sector. Y bore yma, yr oedd Carwyn Jones yn Llanfair-ym-Muallt gyda Lantra i drafod y datblygiadau mwyaf pwysig yng nghefn gwlad. Yr ydym yn gweithio'n agos gyda'r cyngor sgiliau sector ar beth yw'r pethau mwyaf pwysig yn yr agenda hwn.

Carl Sargeant: Minister, I welcome your comment that you are committed to land-based studies in north Wales. Do you agree that the outcome for the learner is paramount, regardless of whether that learning is achieved through land-based study at the Welsh College of Horticulture or another college? If so, do you agree with me and the independent study that clearly said that, in terms of outcomes for learners, it would be a better for Deeside College to merge with the Welsh College of Horticulture? If so, what are your proposals to support that?

Jane Davidson: Ultimately, these are matters for the governing bodies. However, it is important to say three things in this context. The first is that the specialist, land-based element at the Welsh College of Horticulture comprises only 38 per cent of its courses—the majority of what the college does is general further education, and there are several other such general providers in the area.

2.50 p.m.

Secondly, I am always keen to operate on the basis of evidence, and an entirely independent report that looked at whether there should be a merger between the Welsh College of Horticulture and Deeside College or the North East Wales Institute of Higher Education came out strongly in favour of Deeside College. That is a matter for the

Alun Ffred Jones: Will you join me in congratulating the Glynllifon site of Coleg Meirion Dwyfor, which specialises in countryside courses, on successfully increasing its number of students and courses at what is a difficult time for agriculture and the rural economy in general? In order to achieve the goal that you have just noted, how exactly do you intend to promote this work at those sites in north Wales?

Jane Davidson: I think the most essential aspect is the role played by the sector skills council. This morning, Carwyn Jones was in Builth Wells with Lantra to discuss the most important rural developments. We work closely with the sector skills council on identifying the most important things in this agenda.

Carl Sargeant: Weinidog, yr wyf yn croesawu eich sylw eich bod wedi ymrwymo i astudiaethau tir yn y gogledd. A gytunwch fod y canlyniad i'r dysgwr yn hollbwysig, pa un a yw'n dysgu drwy astudiaeth tir yng Ngholeg Garddwriaeth Cymru ynteu mewn coleg arall? Os felly, a gytunwch â mi a'r astudiaeth annibynnol a ddywedai'n glir, o ran canlyniadau i ddysgwyr, y byddai'n well i Goleg Glannau Dyfrdwy uno â Choleg Garddwriaeth Cymru? Os felly, beth yw eich cynigion i gefnogi hynny?

Jane Davidson: Yn y pen draw, materion i'r cyrff llywodraethu yw'r rhain. Fodd bynnag, mae'n bwysig dweud tri pheth yn y cyddestun hwn. Y cyntaf yw mai dim ond 38 y cant o'i gyrsiau yw'r elfen tir arbenigol yng Ngholeg Garddwriaeth Cymru—addysg bellach gyffredinol yw'r rhan fwyaf o'r hyn a wnaiff y coleg, ac mae nifer o ddarparwyr cyffredinol eraill o'r fath yn yr ardal.

Yn ail, yr wyf bob amser yn awyddus i weithredu ar sail tystiolaeth, ac yr oedd adroddiad cwbl annibynnol, a oedd yn edrych ar y syniad o uno Coleg Garddwriaeth Cymru â Choleg Glannau Dyfrdwy neu Athrofa Addysg Uwch y Gogledd-ddwyrain, yn cefnogi Coleg Glannau Dyfrdwy yn gryf. Mater i'r corff llywodraethu ei ystyried yw

governing body to consider.

hwnnw.

I understand that the principal of NEWI has proposed tripartite discussions between his institution, Deeside College and the Welsh College of Horticulture to find a way forward for how best land-based studies may be offered in north Wales in the future, and I welcome this development, but, referring back to my answer to Brynle's question, it is essential that any future institutional arrangements are based on secure finances and planning and lead to excellence in delivery.

Deallaf fod pennaeth NEWI wedi cynnig trafodaethau teirffordd rhwng ei sefydliad ef, Coleg Glannau Dyfrdwy a Choleg Garddwriaeth Cymru i chwilio am ffordd ymlaen ar gyfer y dull gorau o gynnig astudiaethau tir yn y gogledd yn y dyfodol. Yr wyf yn croesawu'r datblygiad hwn, ond i gyfeirio'n ôl at fy ateb i gwestiwn Brynle, mae'n hanfodol i unrhyw drefniadau sefydliadol yn y dyfodol fod yn seiliedig ar gyllid a chynllunio cadarn ac arwain at ragoriaeth darparu.

Gwasanaethau Cwnsela Counselling Services

Q4 Val Lloyd: Will the Minister make a statement on school-based counselling service provision in Wales? OAQ1247(ELL)

C4 Val Lloyd: A wnaiff y Gweinidog ddatganiad am ddarparu gwasanaethau cwnsela yn yr ysgol yng Nghymru? OAQ1247(ELL)

Jane Davidson: A draft strategy for developing school-based counselling services was issued for consultation on 16 February. I have also announced the allocation of £200,000 this year and £200,000 in the next financial year to fund 3,000 to 4,000 extra counselling sessions per year for children and young people.

Jane Davidson: Cyflwynwyd strategaeth ddrafft i ddatblygu gwasanaethau cwnsela yn yr ysgol ar gyfer ymgynghori ar 16 Chwefror. Yr wyf hefyd wedi cyhoeddi dyraniad o £200,000 eleni a £200,000 yn y flwyddyn ariannol nesaf i ariannu rhwng 3,000 a 4,000 o sesiynau cwnsela ychwanegol y flwyddyn i blant a phobl ifanc.

Val Lloyd: The news that counselling provision is to be expanded, so that all children can have access to that much-needed support, is welcome. Can you give details of what work is being, or will be, undertaken to staff the extra counselling places in schools and ensure that diversity in race, gender, belief and sexual orientation is fully catered for?

Val Lloyd: Mae'r newyddion i'w croesawu fod darpariaeth cwnsela i gael ei hehangu, fel y gall pob plentyn gael y cymorth hwnnw y mae ei angen yn fawr. A allwch roi manylion am y gwaith sy'n cael ei wneud, neu a fydd yn cael ei wneud, i staffio lleoedd cwnsela ychwanegol mewn ysgolion ac i sicrhau bod amrywiaeth o ran hil, rhyw, cred a thueddfryd rhywiol yn cael ystyriaeth lawn?

Jane Davidson: We worked closely with the Office of the Children's Commissioner for Wales on the final strategy, which has gone out for consultation and has been warmly welcomed. In the meantime, we have ensured that where local authorities already have arrangements for counselling—I think that 10 local authorities this year have them—we have given them additional money to extend counselling sessions. Three local authorities have convinced my officials that they can have appropriate opportunities in place for the next financial year, and they will

Jane Davidson: Buom yn gweithio'n agos gyda Swyddfa Comisiynydd Plant Cymru ar y strategaeth derfynol, sy'n destun ymgynghori ar hyn o bryd ac sydd wedi ei groesawu'n fawr. Yn y cyfamser, yr ydym wedi sicrhau, ar gyfer awdurdodau lleol sydd â threfniadau cwnsela eisoes—credaf fod trefniadau gan 10 awdurdod lleol eleni—ein bod wedi rhoi arian ychwanegol iddynt i ehangu sesiynau cwnsela. Mae tri awdurdod lleol wedi darbwylo fy swyddogion y gallant gynnig cyfleoedd priodol yn y flwyddyn ariannol nesaf, a byddant felly hefyd yn cael

therefore also have a share of money for the next financial year. After the consultation, there will be a proper bid in the context of the comprehensive spending review in relation to driving the counselling strategy forward.

Janet Ryder: Val Lloyd said that all children should be able to access those counselling services—indeed, that should be the case. However, you have clearly said that only 10 counties currently offer that service; another three will do so next year. By which year do you anticipate that every council in Wales will have a counselling strategy in place that you will accept, so that we can truly say that every child can access the counselling services that should be available to them?

Jane Davidson: As we have discussed on several occasions, and as the consultation itself, which was agreed by an external reference group, including representation by the children's commissioner, makes absolutely clear, this will be a relatively slow process, because we need to work with existing mechanisms, we need to grow new counsellors in the system, and we need to ensure that everybody is properly trained and that the funding is in place to deliver. With regard to ongoing funding to implement the strategy, we have said that between 2008 and 2010 we would see there being additions of £1 million and then a further £1.5 million, followed by another £2.5 million, which means cumulative funding of a further £5 million, to deliver the strategy for all children. However, we first need to be clear about funding the outcome of the consultation, and there will be substantial work on that going into the comprehensive spending review.

Janet Ryder: It has taken nearly three years following Peter Clarke's initial recommendation in the Clywch report for you to even come up with a consultation on a strategy. The consultation document has a timetabled action plan at the back, and some of those actions, for example, for the recruitment and training of new counsellors, are not due until 2008. I therefore ask you again: by which year do you anticipate we will have a Wales-wide counselling service

cyfran o'r arian ar gyfer y flwyddyn ariannol nesaf. Ar ôl yr ymgynghori, bydd cais priodol yng nghyd-destun yr adolygiad cynhwysfawr o wariant mewn cysylltiad â symud y strategaeth gwnsela yn ei blaen.

Janet Ryder: Dywedodd Val Lloyd y dylai pob plentyn allu cael y gwasanaethau cwnsela hynny—yn wir, dyna a ddylai digwydd. Fodd bynnag, yr ydych wedi dweud yn glir mai 10 sir yn unig sy'n cynnig y gwasanaeth hwnnw ar hyn o bryd; bydd tair arall yn gwneud hynny y flwyddyn nesaf. Erbyn pa flwyddyn y rhagwelwch y bydd gan bob cyngor yng Nghymru strategaeth gwnsela y byddwch yn ei derbyn, fel y gallwn ddweud yn hollol eirwir y gall pob plentyn gael y gwasanaethau cwnsela a ddylai fod ar gael iddo?

Jane Davidson: Fel yr ydym wedi'i drafod droeon, ac fel y mae'r ymgynghoriad ei hun, a gytunwyd gan grŵp cyfeirio allanol, gan gynnwys cynrychiolwyr y comisiynydd plant, yn ei gwneud yn gwbl glir, bydd y broses hon yn un gymharol araf, oherwydd mae angen inni weithio gyda'r mecanweithiau sydd eisoes yn bodoli, mae angen datblygu swyddogion cwnsela newydd yn y system, ac mae angen inni sicrhau bod pawb yn cael yr hyfforddiant priodol a bod y cyllid ar gael i'w ddarparu. O ran cyllid parhaus i weithredu'r strategaeth, yr ydym wedi dweud, rhwng 2008 a 2010, y byddem yn gweld ychwanegiadau o £1 filiwn ac yna £1.5 miliwn arall, a ddilynir gan £2.5 miliwn arall, sy'n golygu cyllid cronol o £5 miliwn ychwanegol, i ddarparu'r strategaeth i bob plentyn. Fodd bynnag, mae angen inni yn gyntaf fod yn glir ynghylch ariannu canlyniad yr ymgynghori, a bydd gwaith sylweddol ar hynny yn rhan o'r adolygiad cynhwysfawr o wariant.

Janet Ryder: Mae wedi cymryd yn agos i dair blynedd yn dilyn argymhellion cychwynnol Peter Clarke yn adroddiad Clywch i chi hyd yn oed gynnal ymgynghoriad ar strategaeth. Mae'r ddogfen ymgynghori'n cynnwys cynllun gweithredu gydag amserlen ar y cefn, ac nid yw rhai o'r camau gweithredu hynny, er enghraifft, ar gyfer recriwtio a hyfforddi swyddogion cwnsela newydd, i'w cyflawni tan 2008. Felly, gofynnaf ichi unwaith eto: erbyn pa

that all schools can access, wherever they are in Wales. Have you a date in mind, or not?

Jane Davidson: Janet, as I have said to you a number of times in committee, while you are always happy to do work on the back of a postage stamp or an envelope, I am only happy to work on the basis of evidence and data. The whole point of this debate is that Wales is leading the way—we will be the only part of the UK to have such a strategy. It is a huge commitment, and we need to be absolutely sure that we are moving in the right direction. We need to work alongside some of the specialist delivery services—such as specialist child and adolescent mental health services, other health services, substance misuse treatment services, sexual health advice services and social services—whose work may be affected by the expansion of counselling provision. When I have data and evidence, as a Minister who relies on data and evidence for delivery, I will give that to you.

Peter Black: Among other things, the counselling service is an important part of child protection measures, and that is one reason why it was recommended in the Clywch report. Additional measures, such as school nurses and advocacy, are also an important part of child protection measures. What roles will school nurses and advocacy have as part of your overall approach to child protection and, in particular, to this counselling strategy?

Jane Davidson: They would fit in with the other specialist services that I outlined, which will need to be looked at alongside the provision of counselling. There is already a commitment to having school nurses in place by 2010 in the national service framework for children, young people and maternity services. I am confident that we will be able to get this strategy broadly in place in the lifetime of the next Assembly, but I believe in operating on the basis of evidence, and I would need detailed work to be done on the back of the responses to the consultation before I am prepared to give a proper

flwyddyn y rhagwelwch y bydd gennym wasanaeth cwnsela i Gymru gyfan y gall pob ysgol ei gael, ble bynnag y mae yng Nghymru. A oes gennych ddyddiad mewn golwg ai peidio?

Jane Davidson: Janet, fel yr wyf wedi'i ddweud wrthy ch droeon yn y pwyllgor, er eich bod chi bob amser yn barod i weithio ar gefn stamp neu amlen, yr wyf fi'n fodlon gweithio ar sail tystiolaeth a data yn unig. Holl ddiben y drafodaeth hon yw bod Cymru'n arwain y ffordd—ni fydd yr unig ran o'r DU gyda strategaeth o'r fath. Mae'n ymrwymiad enfawr, ac mae angen inni fod yn gwbl sicr ein bod yn symud i'r cyfeiriad cywir. Mae angen inni weithio ochr yn ochr â rhai o'r gwasanaethau darparu arbenigol—megis gwasanaethau iechyd meddwl arbenigol i blant a'r glasoed, gwasanaethau iechyd eraill, gwasanaethau trin camddefnyddio sylweddau, gwasanaethau cynghori iechyd rhyw a gwasanaethau cymdeithasol—y gallai ehangu'r ddarpariaeth cwnsela effeithio arnynt. Pan fydd gennyf ddata a thystiolaeth, fel Gweinidog sy'n dibynnu ar ddata a thystiolaeth i ddarparu, fe'u rhoddaf ichi.

Peter Black: Ymysg pethau eraill, mae'r gwasanaeth cwnsela yn rhan bwysig o fesurau amddiffyn plant, ac mae hynny'n un rheswm pam y cafodd ei argymhell yn adroddiad Clywch. Mae mesurau ychwanegol, megis nyrsys ysgol ac eiriolwyr, hefyd yn rhan bwysig o fesurau amddiffyn plant. Pa rôl fydd gan nyrsys ysgol ac eiriolwyr fel rhan o'ch dull cyffredinol o amddiffyn plant ac, yn arbennig, y strategaeth gwnsela hon?

Jane Davidson: Byddent yn gweddu i'r gwasanaethau arbenigol eraill a amlinellais. Bydd angen edrych ar y rheini ochr yn ochr â darparu gwasanaethau cwnsela. Mae ymrwymiad i ddarparu nyrsys ysgol erbyn 2010 eisoes wedi'i nodi yn y fframwaith gwasanaeth cenedlaethol ar gyfer gwasanaethau plant, pobl ifanc a mamolaeth. Yr wyf yn hyderus y byddwn yn gallu gweithredu'r strategaeth hon i bob pwrpas yn ystod oes y Cynulliad nesaf. Ond credaf mewn gweithredu ar sail tystiolaeth, a byddai angen imi weld gwaith manwl yn cael ei wneud yn sgîl yr ymatebion i'r ymgynghori

commitment. I know that others would be prepared to do it without such work.

Peter Black: Does that also include the advocacy unit? Would that also be by the end of the next Assembly?

Jane Davidson: The advocacy unit is the responsibility of Brian Gibbons, so I will ask him to write to you about that.

cyn imi fod yn barod i wneud ymrwymiad priodol. Gwn y byddai eraill yn barod i'w wneud heb waith o'r fath.

Peter Black: A yw hynny hefyd yn cynnwys yr uned eiriolaeth? A fyddai hynny hefyd erbyn diwedd y Cynulliad nesaf?

Jane Davidson: Brian Gibbons sy'n gyfrifol am yr uned eiriolaeth, felly, gofynnaf iddo ysgrifennu atoch ynghylch hynny.

Cynorthwyo Rhieni Assisting Parents

Q5 Gwenda Thomas: Will the Minister make a statement on how the Welsh Assembly Government is assisting parents to return to work across Wales? OAQ1225(ELL)

Jane Davidson: Helping more people into work is a major priority for the Welsh Assembly Government, and the forthcoming European structural fund convergence programme will develop more intensive support for parents to help them in acquiring employability skills, while also addressing the barriers, including childcare, that prevent them from making the transition into work.

Gwenda Thomas: I am sure that you will want to join me in welcoming the recently established integrated children's centre in Resolven in my constituency. The setting-up of this centre was possible due to £1.2 million of Objective 1 funding, together with money from the Big Lottery Fund, the Welsh Assembly Government, and Neath Port Talbot County Borough Council. The centre will be run by Building Blocks, a charitable community-based enterprise set up three years ago by parents who faced barriers in returning to work. The centre will cater for children from birth up to 12 years of age, and will be open from 7 a.m. to 7 p.m., with a range of different day care facilities. It is also able to offer training for parents to enable them to return to employment. I am sure that you will agree that congratulations are due to all those who have been involved in developing this project.

Jane Davidson: I am happy to congratulate those involved in developing the project.

C5 Gwenda Thomas: A wnaiff y Gweinidog ddatganiad am y ffordd y mae Llywodraeth Cynulliad Cymru yn cynorthwyo rhieni i ddychwelyd i waith ledled Cymru? OAQ1225(ELL)

Jane Davidson: Mae helpu mwy o bobl i gael gwaith yn brif flaenoriaeth i Lywodraeth Cynulliad Cymru, a bydd y rhaglen cydgyfeirio cronfeydd strwythurol Ewropeaidd sydd ar ddod yn datblygu cymorth dwysach i rieni i'w helpu i feithrin sgiliau cyflogadwyedd. Bydd hefyd yn mynd i'r afael â'r rhwystrau, gan gynnwys gofal plant, sy'n eu hatal rhag dechrau gweithio.

Gwenda Thomas: Yr wyf yn siŵr y byddwch am ymuno â mi i groesawu'r ganolfan plant integredig a sefydlwyd yn ddiweddar yn Resolven yn fy etholaeth. Yr oedd sefydlu'r ganolfan hon yn bosibl oherwydd £1.2 miliwn o arian Amcan 1, ynghyd ag arian o'r Gronfa Loteri Fawr, Llywodraeth Cynulliad Cymru, a Chyngor Bwrdeistref Sirol Castell-nedd Port Talbot. Caiff y ganolfan ei rhedeg gan Building Blocks, menter gymunedol elusennol a sefydlwyd dair blynedd yn ôl gan rieni a oedd yn wynebu rhwystrau rhag dychwelyd i weithio. Bydd y ganolfan yn darparu ar gyfer plant hyd at 12 oed, a bydd ar agor o 7am i 7pm gydag amrywiaeth o wahanol gyfleusterau gofal dydd. Gall hefyd gynnig hyfforddiant i rieni i'w galluogi i ddychwelyd i weithio. Yr wyf yn siŵr y cytunwch y dylid llongyfarch pawb a fu'n rhan o'r gwaith o ddatblygu'r prosiect hwn.

Jane Davidson: Yr wyf yn falch cael llongyfarch y rheini a fu'n datblygu'r

What is exciting about the integrated children's centres is that they come through with such different models. Some are coming through from local authorities, others from the voluntary sector, and some from parental support. Not only do they provide all the early years support and act as a hub for major social services delivery in a particular area, but, uniquely for Wales, they also provide open-access play, because of our commitment as an Assembly Government to the play agenda. I am also delighted that we have more integrated children's centres than we initially targeted, because they are so important in our communities.

prosiect. Yr hyn sy'n gyffrous am y canolfannau plant integredig yw eu bod yn datblygu gyda modelau mor wahanol. Sefydli rhai gan awdurdodau lleol, eraill gan y sector gwirfoddol, a rhai drwy gymorth rhieni. Maent nid yn unig yn darparu'r holl gymorth blynyddoedd cynnar ac yn gweithredu fel canolbwynt i ddarparu gwasanaethau cymdeithasol o bwys mewn ardal benodol, ond, yn unigryw i Gymru, maent hefyd yn darparu cyfleoedd chwarae agored, oherwydd ein hymrwymiad fel Llywodraeth y Cynulliad i'r agenda chwarae. Yr wyf hefyd wrth fy modd fod gennym fwy o ganolfannau plant integredig na'r targed gwreiddiol, gan eu bod mor bwysig yn ein cymunedau.

3.00 p.m.

Helen Mary Jones: Gwn eich bod yn ymwybodol bod tystiolaeth sy'n dangos ei bod yn anos i fenywod Cymraeg eu hiaith ddychwelyd i'r gwaith. Un o'r prif resymau am hynny ydyw diffyg gofal plant drwy gyfrwng y Gymraeg yn y blynyddoedd cynnar ac yn y blynyddoedd rhwng 7 a 14 mlwydd oed. Yr wyf yn ymwybodol bod y Llywodraeth yn gwneud ymchwil ar y pwnc, fel y buom yn trafod yn y cyfarfod pwyllgor y bore yma, ond a allwch roi amcangyfrif o ran pryd y byddwch, fel Llywodraeth—os ydych yn y Llywodraeth, wrth gwrs—yn gallu paratoi cynllun gwaith a fydd yn ymateb i'r anghenion? Gwyddom y bydd yr ymchwil yn dangos i chi bod angen gwneud hynny. Felly, pryd fydd gennym gynllun gwaith i ddatrys y broblem honno a sicrhau bod menywod Cymraeg eu hiaith yn gallu dychwelyd i'r gwaith, os ydynt yn dymuno, yn yr un modd â menywod Saesneg eu hiaith?

Helen Mary Jones: I know you are aware of evidence which shows that it is more difficult for Welsh-speaking women to return to work. One of the main reasons for that is the lack of Welsh-medium childcare in the early years and between the ages of 7 and 14. I am aware that the Government is researching into this subject, as we discussed at the committee meeting this morning, but can you give an estimate of when you, as a Government—if you are in Government, of course—will be able to prepare an action plan to respond to that demand? We know the research will show that that needs to be done. Therefore, when will we have an action plan to resolve that problem and to ensure that Welsh-speaking women are able to return to work, if they so wish, in the same way as English-speaking women?

Jane Davidson: Mae'r cwestiwn hwnnw'n bwysig. Dyna pam yr wyf wedi comisiynu'r ymchwil, er mwyn inni gael tystiolaeth ar gyfer y dyfodol. Fel y dywedais yng nghyfarfod y pwyllgor y bore yma, mae'n bwysig i ddweud y rhoddir dyletswydd newydd ar awdurdodau lleol ym mis Ebrill 2008 o safbwynt gofal plant, a fydd yn cynnwys dyletswydd dros blant sy'n siarad Cymraeg. Felly, mae'r dyletswydd yn bwysig. Gobeithiaf gyflwyno'r adroddiad i'r Pwyllgor Addysg, Dysgu Gydol Oes a

Jane Davidson: That is an important question. That is why I have commissioned the research, so that we have evidence for the future. As I said in committee this morning, it is important to note that there will be a new duty on local authorities in April 2008 in terms of childcare, which will include a duty in respect of Welsh-speaking children. Therefore, this duty is important. I hope to present the report to the Education, Lifelong Learning and Skills Committee, and I was pleased to provide that the report was

Sgiliau ac yr oeddwn yn falch o gael darparu bod yr adroddiad ar gael i'r Pwyllgor Cyfle Cyfartal.

Alun Cairns: This question ties in with inactivity rates and the importance of flexibility among employers in terms of their employment approach. Do you also recognise that many parents are reluctant to return to work because they have had special educational needs when they were at school, which were not corrected? Therefore, as a result, there may be reluctance on their part to get that extra training and support.

Earlier today, Scott Quinnell was at the Assembly to talk about the Dore method of overcoming some learning disabilities. What analysis have you conducted of that? You kindly sent an official to the meeting, which was attended by all Assembly Members. What progress do you hope to make on studying this method in the near future?

Jane Davidson: You are right that there are a number of adults who were unable to perform effectively in school. That is why we have an all-age basic skills strategy, namely to look at ways of ensuring that we can provide better and more effective support for them as adults, not least because a number of them become a lot more interested when they have children, who they want to be able to support in terms of acquiring skills in school at the next generation.

In terms of particular initiatives in any of the areas of additional learning needs, my officials are always happy to make evaluations, which is why I was happy to send an official to the meeting that you called today. Where we have found unequivocal evidence for any programme, we have often worked with voluntary organisations in making that advice available across Wales. However, we always need to have strong evidence for particular programmes and ensure that they meet the needs of the broadest group that is affected by whatever the condition is.

Y Llywydd: Tynnwyd cwestiwn 6, OAQ1234 (ELL), cwestiwn 7, OAQ1260

available to the Committee on Equality of Opportunity.

Alun Cairns: Mae'r cwestiwn hwn yn ymwneud hefyd â chyfraddau anweithgarwch a phwysigrwydd hyblygrwydd ymhlith cyflogwyr o ran eu dulliau cyflogi. A ydych hefyd yn cydnabod bod nifer o rieni'n amharod i ddychwelyd i weithio am fod ganddynt anghenion addysgol arbennig pan oeddent yn yr ysgol, anghenion na chawsant eu cywiro? Felly, o ganlyniad, efallai eu bod yn amharod i gael yr hyfforddiant a'r gefnogaeth ychwanegol hynny.

Yn gynharach heddiw, bu Scott Quinnell yn y Cynulliad i siarad am ddull Dore o oresgyn rhai anabledau dysgu. Pa ddadansoddiad o hynny yr ydych wedi'i wneud o hynny? Yr oeddech cystal ag anfon swyddog i'r cyfarfod, lle'r oedd pob Aelod Cynulliad yn bresennol. Pa gynnydd yr ydych yn gobeithio'i wneud o ran astudio'r dull hwn yn y dyfodol agos?

Jane Davidson: Yr ydych yn llygad eich lle wrth ddweud bod nifer o oedolion wedi methu â pherfformio'n effeithiol yn yr ysgol. Dyna pam mae gennym strategaeth sgiliau sylfaenol i bob oed, er mwyn ystyried ffyrdd i sicrhau y gallwn roi cymorth gwell a mwy effeithiol iddynt yn oedolion, yn rhannol am fod nifer ohonynt yn dechrau dangos llawer mwy o ddiddordeb pan fyddant yn dod yn rhieni ac yn dymuno helpu eu plant i ddysgu sgiliau yn yr ysgol yn y genhedlaeth nesaf.

O ran mentrau penodol yn unrhyw rai o'r meysydd anghenion dysgu ychwanegol, mae fy swyddogion bob amser yn barod i werthuso, a dyna pam yr oeddwn yn falch anfon swyddog i'r cyfarfod a drefnwyd gennych heddiw. Lle yr ydym wedi gweld tystiolaeth ddiamwys ynghylch unrhyw raglen, yr ydym yn aml wedi gweithio gyda chyrrff gwirfoddol i ddarparu'r cyngor hwnnw ledled Cymru. Fodd bynnag, mae arnom angen tystiolaeth gref bob amser ynghylch rhaglenni penodol, ac mae angen inni sicrhau eu bod yn diwallu anghenion y grŵp ehangaf yr effeithir arno gan ba gyflwr bynnag.

The Presiding Officer: Question 6, OAQ1234 (ELL), question 7, OAQ1260

(ELL), a chwestiwn 8, OAQ1259 (ELL) yn ôl.

(ELL), and question 8, OAQ1259 (ELL) were withdrawn.

Gwneud Ysgolion yn Addas i'r Pwrpas Making Schools Fit for Purpose

Q9 Kirsty Williams: Will the Minister make a statement on the Welsh Assembly Government's objective of making all schools fit for purpose by 2010? OAQ1272(ELL)

C9 Kirsty Williams: A wnaiff y Gweinidog ddatganiad am amcan Llywodraeth Cynulliad Cymru o wneud pob ysgol yn addas at y diben erbyn 2010? OAQ1272(ELL)

Q10 Michael German: Will the Minister make a statement on how long it will take to make all Welsh schools fit for purpose? OAQ1270(ELL)

C10 Michael German: A wnaiff y Gweinidog ddatganiad am faint o amser a gymer i wneud pob ysgol yng Nghymru yn addas at y diben? OAQ1270(ELL)

Jane Davidson: Having already exceeded our manifesto commitment on spending £560 million by spending £667 million, we are consulting each local authority on individual dates to achieve the fitness for purpose target, as set out in 'The Learning Country: Vision into Action', which was published in October 2006.

Jane Davidson: A ninnau wedi rhagori ar yr ymrwymiad yn ein maniffesto i wario £560 miliwn drwy wario £677 miliwn, yr ydym yn ymgynghori â phob awdurdod lleol ynglŷn â dyddiadau unigol i gyrraedd y targed o fod yn addas at y diben, fel y mae wedi ei osod allan yn 'Y Wlad sy'n Dysgu: Gweledigaeth ar Waith', a gyhoeddwyd ym mis Hydref 2006.

Kirsty Williams: You may have spent more money than you intended but you and the Labour Party made a promise that all schools would be fit for purpose by 2010. It was a promise to the children of Trefonnen School, who cannot see the blackboard; the children of Ysgol Cedewain, whose walls are falling in; the children of Brecon High School, who have to dodge buckets that are littered throughout the corridors of their school to catch rain water; and the children of Glanrhyd Primary School, who need a new school altogether. You may have spent more money but the point is that you have failed to keep the promise that you made to those children: that their schools would be fit for purpose by 2010. Will you apologise to them?

Kirsty Williams: Hwyrach eich bod wedi gwario mwy o arian na'r bwriad, ond gwnaethoch chi a'r Blaid Lafur addewid y byddai pob ysgol yn addas at y diben erbyn 2010. Yr oedd yn addewid i blant Ysgol Trefonnen, na allant weld y bwrdd du; y plant yn Ysgol Cedewain lle mae muriau eu hysgol yn disgyn; plant Ysgol Uwchradd Aberhonddu, sy'n gorfod osgoi bwcedi sydd wedi eu gosod yma a thraw yng nghoridorau eu hysgol i ddal dŵr glaw; a phlant Ysgol Gynradd Glanrhyd, lle mae angen ysgol newydd sbon arnynt. Efallai eich bod wedi gwario mwy o arian, ond y pwynt yw eich bod wedi methu â chadw'r addewid a wnaethoch i'r plant hynny: sef y byddai eu hysgolion yn addas at y diben erbyn 2010. A wnewch ymddiheuro iddynt?

Jane Davidson: You are conveniently but inappropriately linking what the Labour Party said as a manifesto commitment with a commitment that we made in partnership with local authorities while in Government, which must be delivered in partnership with local authorities. Our manifesto commitment, as I have clearly stated, was to spend £560 million on school buildings, and I repeat that

Jane Davidson: Mae'n gyfleus ond yn amhriodol ichi gysylltu'r hyn a ddywedodd y Blaid Lafur mewn ymrwymiad maniffesto ag ymrwymiad a wnaethom mewn partneriaeth ag awdurdodau lleol tra oeddem mewn grym, ymrwymiad y mae'n rhaid ei gyflawni mewn partneriaeth ag awdurdodau lleol. Yr ymrwymiad yn ein maniffesto, fel y dywedais yn glir, oedd gwario £560 miliwn

we have spent £667 million. In doing so, we have refurbished, renewed or created new schools in every part of Wales. There is still a major challenge for local authorities to deliver on their part of this, which is to ensure that they have the right schools in the right places for the number of pupils that they have in their area, and to ensure that they have proper asset management plans. They have been asked for asset management plans since 2002, and they were asked to deliver them by 2004. You should go back to your local authority and ask it to ensure that it has an asset management plan fully in place in Powys as soon as possible to deliver the outcomes that you and I want to see—*[Interruption.]*

The Presiding Officer: Order. I am about to call your honourable friend, the leader of the Welsh Liberal Democrat Group.

Michael German: I find your response quite outrageous, Minister. How can you not know what is in a Labour Party manifesto? You quoted one sentence but you completely forgot the next sentence, which says that you will ensure that all schools are fit for purpose by 2010—even I can remember it. If it is difficult I will send you a copy. If you are saying that your commitment in a manifesto is different from your commitment as a Minister, are you therefore saying that we should not believe anything in your manifesto? Can you answer that, and tell us whether the pupils of Croesyceiliog Comprehensive School and Llanyrafon school, where the heating bills are extensive and the windows do not shut, should believe your promises?

Jane Davidson: We have invested more in school buildings than any other Government has done in Wales. There has been a fantastic set of outcomes and everywhere you go in Wales, you will see new and refurbished buildings. We can only deliver on some of our aspirations if our partners also deliver on their parts. The target that we laid out in 'Wales: A Better Country', published in 2003, was always recognised as being aspirational and ambitious, but it has served its purpose. It has acted as a catalyst and has focused local authorities into undertaking and

ar adeiladau ysgolion, a dywedaf eto ein bod wedi gwario £667 miliwn. Drwy wneud hynny, yr ydym wedi adnewyddu ysgolion neu wedi creu rhai newydd ym mhob rhan o Gymru. Mae gan awdurdodau lleol her fawr o hyd i'w cyflawni, sef sicrhau bod ganddynt yr ysgolion cywir yn y mannau cywir ar gyfer nifer y disgyblion sydd ganddynt yn eu hardal, a sicrhau bod ganddynt gynlluniau priodol i reoli asedau. Gofynnwyd iddynt am gynlluniau rheoli asedau er 2002, a gofynnwyd iddynt eu cyflwyno erbyn 2004. Dylech fynd yn ôl at eich awdurdod lleol a gofyn iddo sicrhau bod ganddo gynllun rheoli asedau ar waith ym Mhowys cyn gynted â phosibl er mwyn sicrhau'r canlyniadau yr ydych chi a minnau am eu gweld—*[Torri ar draws.]*

Y Llywydd: Trefn. Yr wyf ar fin galw ar eich cyfaill anrhydeddus, arweinydd Grŵp Democratiaid Rhyddfrydol Cymru.

Michael German: Mae eich ymateb yn warthus, yn fy marn i, Weinidog. Sut yn y byd na wyddoch yr hyn sydd ym maniffesto'r Blaid Lafur? Dyfynnwyd un frawddeg gennych ond hepgorwyd y frawddeg nesaf yn llwyr, sy'n dweud y byddwch yn sicrhau bod pob ysgol yn addas at y diben erbyn 2010—gallaf fi hyd yn oed gofio hynny. Os yw'n anodd, anfonaf gopi atoch. Os ydych yn dweud bod eich ymrwymiad mewn maniffesto yn wahanol i'ch ymrwymiad fel Gweinidog, a ydych yn dweud felly na ddylem gredu dim yn eich maniffesto? A allwch ateb hynny, a dweud wrthym a ddylai disgyblion Ysgol Gyfun Croesyceiliog ac ysgol Llanyrafon, sy'n wynebu biliau gwresogi mawr a lle nad yw'r ffenestri yn cau, gredu eich addewidion?

Jane Davidson: Yr ydym wedi buddsoddi mwy mewn adeiladau ysgolion nag a wnaeth unrhyw Lywodraeth arall yng Nghymru. Mae wedi arwain at ganlyniadau gwych, a ble bynnag yr ewch yng Nghymru, fe welwch adeiladau newydd neu rai wedi'u hadnewyddu. Gallwn gyflawni rhai o'n dyheadau dim ond os bydd ein partneriaid hefyd yn cyflawni eu rhan hwy. Cydnabuwyd o'r dechrau fod y targed a nodwyd gennym yn 'Cymru: Gwlad Well', a gyhoeddwyd yn 2003, yn un uchelgeisiol y dylid anelu ato, ond mae wedi ateb ei ddiben. Mae wedi bod

developing capital investment strategies, but those must also be linked into much needed school reorganisation proposals to ensure that their schools will be fit to meet the demands of the curriculum in the twenty-first century. I hope that you are confident that your authorities are up to the challenge, because they are being found a little wanting in the context of the delivery of this agenda.

Jeff Cuthbert: Putting aside the fact that it is not yet 2010 and that we are still three years away, do you agree—[*Interruption.*] My basic arithmetic is up to scratch, even if yours is not. Do you agree that we should congratulate the Labour-led Caerphilly County Borough Council that has been prepared to take some tough decisions regarding dealing with surplus places, and which has also invested massively in the development of a new primary school for Ysgol Ifor Bach in Abertridwr? That is an example of where we are putting money into new school buildings.

Jane Davidson: I am happy to congratulate Caerphilly County Borough Council because it is an authority that is taking the actions that need to be taken where appropriate, which is about local delivery. It is an authority that has committed to spend effectively on education in school buildings. It is important for all Members to note that an Assembly Government of any political persuasion can provide substantial funding, and this Government has provided more funding than any Government has done before. However, who runs the schools? It is local authorities that run the schools in their areas and they need to do the necessary work to ensure that they are fit for purpose. You should be encouraging your local authorities to do that.

3.10 p.m.

David Lloyd: Mae galw cynyddol am fwy o ysgolion cyfrwng Cymraeg yn Abertawe, er enghraifft yn Nhreforys a Dyfnant, ac y mae tystiolaeth gadarn leol i'r perwyl hwnnw. Felly, fel Gweinidog, sut yr ydych yn asesu'r galw hwnnw am ragor o ysgolion cyfrwng Cymraeg wrth ddyrannu arian ar gyfer

yn gatalydd ac wedi cymell awdurdodau lleol i baratoi a datblygu strategaethau buddsoddi cyfalaf. Ond rhaid i'r rheini hefyd fod yn gysylltiedig â chynigion i ad-drefnu ysgolion, cynigion y mae dirfawr angen amdanynt, er mwyn sicrhau y bydd eu hysgolion yn ateb gofynion y cwricwlwm yn yr unfed ganrif ar hugain. Gobeithio eich bod yn hyderus fod eich awdurdodau yn abl i ateb yr her, oherwydd nid ydynt yn cyrraedd y nod ar hyn o bryd o ran darparu'r agenda hon.

Jeff Cuthbert: Gan anwybyddu'r ffaith nad ydym wedi cyrraedd 2010 eto a bod tair blynedd arall i fynd, a ydych yn cytuno—[*Torri ar draws.*]. Yr wyf yn gallu gwneud symiau syml, hyd yn oed os na allwch chi eu gwneud. A gytunwch y dylem longyfarch Cyngor Bwrdeistref Sirol Caerffili o dan arweiniad Llafur sydd wedi bod yn barod i wneud rhai penderfyniadau anodd ynglŷn â lleoedd dros bi ddatblygu ysgol gynradd newydd ar gyfer Ysgol Ifor Bach yn Abertridwr? Mae hon yn enghraifft o'r ffordd yr ydym yn gwario arian ar adeiladau newydd i ysgolion.

Jane Davidson: Mae'n bleser gennyf longyfarch Cyngor Bwrdeistref Sirol Caerffili, oherwydd mae'n awdurdod sy'n cymryd y camau y mae angen eu cymryd lle mae hynny'n addas, sef darparu'n lleol. Awdurdod ydyw sydd wedi ymrwymo i wario'n effeithiol ar addysg ar adeiladau ysgolion. Mae'n bwysig i bob Aelod sylwi y gall Llywodraeth Cynulliad o unrhyw blaid ddarparu arian sylweddol, ac mae'r Llywodraeth hon wedi rhoi mwy o arian nag unrhyw Lywodraeth erioed o'r blaen. Fodd bynnag, pwy sy'n rhedeg yr ysgolion? Yr awdurdodau lleol sy'n rhedeg yr ysgolion yn eu hardaloedd, ac mae angen iddynt wneud y gwaith angenrheidiol i sicrhau eu bod yn addas at y diben. Dylech fod yn annog eich awdurdodau lleol i wneud hynny.

David Lloyd: There is increasing demand for more Welsh-medium schools in Swansea, for example in Morrision and Dunvant, and there is strong local evidence to support that. Therefore, as Minister, how do you assess that demand for more Welsh-medium schools when allocating money for school buildings?

adeiladau ysgolion?

Jane Davidson: Mae hynny'n rhan o swydd yr awdurdod lleol. Felly, bydd yn rhaid ichi gael y ddadl gyda'r awdurdod lleol gan mai hwnnw sy'n rhedeg pethau ynglŷn ag ysgolion yn ei ardal. Mae dyletswydd ar yr awdurdod lleol i ddarganfod faint o bobl sydd am gael addysg cyfrwng Cymraeg ac i wneud i ysgolion gefnogi hynny.

Lisa Francis: I am sure that you would agree that 'fit for purpose' means that all communities should have free access to send their children to the school of their choice. You will be aware that councils across Wales are now considering charging for the extra distance travelled by youngsters on buses to Welsh-medium schools. Welsh-medium pupils, who sometimes have to travel miles to school, may now be charged for the extra distance that they travel beyond their nearest available school, even if that is an English one. It is not really fit for purpose to introduce what amounts to a Welsh-language stealth tax such as this, is it? What will you do to work with councils to dissuade them from going down this route, which will inevitably have a detrimental effect on the aims of your Government's Welsh-language strategy, 'Iaith Pawb'?

Jane Davidson: It is important to say that school transport strategies are the responsibility of local authorities. We and the UK Government lay down specific legislative requirements in this context. We have recently issued guidance that came out of work that we undertook in our Education and Lifelong Learning Committee on school transport, which has been fairly warmly welcomed. Consultation ended on 9 February. We have already committed ourselves to introducing new legislation on school transport issues in the next Assembly Government, but you should always take up issues with your local authority.

Jane Davidson: That is part of the local authority's job. Therefore, you will have to debate this with the local authority since it is the local authority which runs things with regard to schools in its area. The local authority has a duty to find out how many people want Welsh-medium education and to make schools support that.

Lisa Francis: Fe gytunwch, mae'n siŵr fod 'yn addas at y diben' yn golygu y dylai pobl ym mhob cymuned gael rhwydd hynt i anfon eu plant i'w dewis ysgol. Fe wyddoch fod cynghorau ledled Cymru erbyn hyn yn ystyried codi am y pellter ychwanegol a deithir gan bobl ifanc ar y bws i ysgolion cyfrwng Cymraeg. Mae'n bosibl y bydd disgyblion cyfrwng Cymraeg, sydd weithiau'n teithio filltiroedd i'r ysgol, yn gorfod talu am y pellter ychwanegol a deithiant y tu hwnt i'r ysgol agosaf sydd ar gael iddynt, hyd yn oed os ysgol cyfrwng Saesneg yw honno. Nid yw cyflwyno'r hyn sy'n dreth lechwraidd fel hon ar yr iaith Gymraeg yn addas at y diben, does bosibl? Beth fyddwch yn ei wneud i weithio gyda chynghorau i'w darbwyllio i beidio â dilyn y llwybr hwn, a fydd yn anochel yn cael effaith andwyol ar nodau strategaeth eich Llywodraeth ar yr iaith Gymraeg, 'Iaith Pawb'?

Jane Davidson: Mae'n bwysig dweud mai awdurdodau lleol sy'n gyfrifol am strategaethau cludiant ysgolion. Yr ydym ni a Llywodraeth y DU yn gosod gofynion deddfwriaethol penodol yn y cyd-destun hwn. Cyhoeddwyd canllawiau gennym yn ddiweddar yn deillio o waith a wnaethom yn ein Pwyllgor Addysg a Dysgu Gydol Oes ar gludiant ysgolion, ac mae hwnnw wedi ei groesawu'n gynnes. Daeth yr ymgynghoriad i ben ar 9 Chwefror. Yr ydym eisoes wedi ymrwmo i gyflwyno deddfwriaeth newydd ar gludiant ysgolion yn y Cynulliad nesaf, ond dylech bob amser godi'r materion gyda'ch awdurdod lleol.

Cyfrifoldebau Penaethiaid Ysgolion Cynradd Primary School Headteacher Responsibilities

Q11 Jonathan Morgan: Will the Minister outline the responsibilities of a primary

C11 Jonathan Morgan: A wnaiff y Gweinidog amlinellu cyfrifoldebau

school headteacher? OAQ1264(ELL)

penaethiaid ysgolion cynradd?
OAQ1264(ELL)

Jane Davidson: The statutory responsibilities of a headteacher are contained in part 9 of 'School Teachers' Pay and Conditions Document 2006', in pages 98 to 105. Those are set out in primary and secondary legislation. Headteachers are responsible for the day-to-day organisation, management and control of a school and advise the governing body on prescribed issues.

Jane Davidson: Mae cyfrifoldebau statudol pennaeth wedi eu cynnwys ar dudalennau 98 i 105 yn rhan 9 o 'Dogfen Cyflog ac Amodau Athrawon Ysgol 2006'. Mae'r rheini wedi'u gosod allan mewn deddfwriaeth sylfaenol ac eilaidd. Penaethiaid sy'n gyfrifol am drefniadaeth a rheolaeth ysgol o ddydd i ddydd, a hwy sy'n cynghori'r corff llywodraethol ar faterion rhagnodedig.

Jonathan Morgan: You might be aware that a number of schools in Cardiff are without caretaker support. Many headteachers now have additional responsibilities, including opening and closing schools, dealing with the heating system and handling any minor routine maintenance works. I understand that the reason for that is that caretakers have not been replaced quickly enough when they have left for another post or that there have not been substitute caretakers for those who are on long-term sick leave. I understand that the local authority had a central pool of caretakers some years ago, who could provide that support in the event of a caretaker leaving or being on the sick, but of course, that has now been scrapped. Will you examine this with some urgency because the additional pressures put on those headteachers are quite unacceptable?

Jonathan Morgan: Efallai eich bod yn gwybod bod nifer o ysgolion yng Nghaerdydd heb gymorth gofalwr. Mae gan nifer o bennaethiaid gyfrifoldebau ychwanegol yn awr, gan gynnwys agor a chau'r ysgol, delio â'r system wresogi ac ymdrin ag unrhyw fân waith cynnal a chadw. Deallaf mai'r rheswm am hynny yw nad yw gofalwyr newydd wedi eu penodi'n ddigon cyflym pan fydd gofalwyr wedi gadael am swydd arall, neu bod gofalwyr dros dro heb fod ar gael yn lle'r rheini sy'n absennol oherwydd salwch am gyfnod hir. Deallaf fod gan yr awdurdod lleol gronfa ganolog o ofalwyr rai blynyddoedd yn ôl, a allai roi'r cymorth hwn pan oedd gofalwr yn gadael neu'n sâl, ond wrth gwrs mae hynny wedi'i ddileu erbyn hyn. A wnewch ystyried hyn ar fyrder gan fod y pwysau ychwanegol ar bennaethiaid yn hollol annerbyniol?

Jane Davidson: I suggest that you take it up with the local authority.

Jane Davidson: Awgrymaf ichi godi hyn gyda'r awdurdod lleol.

Pwynt o Drefn Point of Order

Mark Isherwood: Point of order. I have just received, as other Members may have, a statement on job losses at Airbus. Could we have a statement from the Minister later this afternoon on those job losses, which I understand equate to 8 per cent of the workforce over a five to six-year period?

Mark Isherwood: Pwynt o drefn. Yr wyf fi, fel yr Aelodau eraill o bosibl, newydd gael datganiad am ddileu swyddi yn Airbus. A allwn gael datganiad gan y Gweinidog yn ddiweddarach y prynhawn yma am y swyddi hyn a gollir, sy'n cyfateb i 8 y cant o'r gweithlu dros gyfnod o bum i chwe blynedd, fe ddeallaf?

The Presiding Officer: In reply to that point of order, it is open to the Government to decide whether it wishes to issue a statement through a Minister later today. Clearly, I am

Y Llywydd: Mewn ymateb i'r pwynt o drefn hwnnw, gall y Llywodraeth benderfynu a yw am gyhoeddi datganiad drwy gyfrwng Gweinidog yn ddiweddarach heddiw. Yn

in the Government's hands on this matter.

In a private discussion that I had this morning about the possibility of tabling an urgent question on the matter, the Government indicated to me, informally, as it always does on such occasions when I request information, that it might be prepared to offer a written statement.

I see that the Business Minister is now in her place, but she will not have heard the request that was just made. I am sure that you were briefly out of the Chamber consulting, Minister, but Mark Isherwood has made a point of order asking for a statement on Airbus. I was in the process of responding by saying that I understood that a written statement would perhaps be offered later, although, of course, there is the facility for the Government to make a statement at any time, if it wished to do so—up to 5 p.m. today, say. If the Government were not to do so—*[Interruption.]* Order. There is no need for you to shout. I am making a ruling, and when I rule in the Assembly, I expect you to listen; otherwise, what is the point of asking for a ruling?

Alun Cairns: I apologise.

The Presiding Officer: I am trying to be as helpful as possible, so that the Assembly can discuss a matter, which I know is of concern to us all, as quickly as possible.

The Business Minister (Jane Hutt): Further to this point of order, I have only just received the latest information, and so a written statement will be issued this afternoon.

The Presiding Officer: I am grateful to the Minister for that response. I also say to Mark Isherwood, who raised the possibility of having a statement, that, when we have had an opportunity to consider that written statement—because, again, as is my practice, there is no mystery about these things—if it appears to me as though it would be appropriate for the Assembly to have an opportunity to pursue the matter via an urgent question on Tuesday, I would look

amalg, yr wyf yn nwylo'r Llywodraeth yn y mater hwn.

Mewn trafodaeth breifat a gefais y bore yma ynglŷn â phosibilrwydd cyflwyno cwestiwn brys ar y mater, dywedodd y Llywodraeth wrthyf, yn anffurfiol, fel y bydd yn ei wneud bob amser ar adegau o'r fath pan fyddaf yn gwneud cais am wybodaeth, y gallai fod yn barod i gynnig datganiad ysgrifenedig.

Gwelaf fod y Trefnydd yn ei sedd bellach, ond ni fydd wedi clywed y cais a wnaed yn awr. Yr wyf yn siŵr eich bod allan o'r Siambr am gyfnod byr yn ymgynghori, Weinidog, ond mae Mark Isherwood wedi gwneud pwynt o drefn yn gofyn am ddatganiad am Airbus. Yr oeddwn wrthi'n ymateb gan ddweud fy mod yn deall efallai y byddai datganiad ysgrifenedig yn cael ei gynnig yn ddiweddarach. Ond mae'n bosibl, wrth gwrs, i'r Llywodraeth wneud datganiad ar unrhyw adeg, os yw'n dymuno gwneud hynny—hyd at 5 p.m. heddiw, dyweder. Pe na bai'r Llywodraeth yn gwneud hynny—*[Torri ar draws.]* Trefn. Nid oes angen gweiddi. Yr wyf yn gwneud dyfarniad, a phan fyddaf yn gwneud dyfarniad, disgwyliaf ichi wrando; neu pa ddiben gofyn am ddyfarniad?

Alun Cairns: Yr wyf yn ymddiheuro.

Y Llywydd: Yr wyf yn ceisio bod mor gymwynasgar â phosibl, er mwyn i'r Cynulliad allu trafod mater sydd o bwys inni i gyd, fe wn, mor gyflym â phosibl.

Y Trefnydd (Jane Hutt): Ymhellach i'r pwynt o drefn hwn, newydd gael y wybodaeth ddiweddaraf yr ydwyf, ac felly cyhoeddir datganiad ysgrifenedig y prynhawn yma.

Y Llywydd: Yr wyf yn ddiolchgar i'r Gweinidog am yr ymateb hwnnw. Dywedaf hefyd wrth Mark Isherwood, a gododd y posibilrwydd o gael datganiad, pan fyddwn wedi cael cyfle i ystyried y datganiad ysgrifenedig hwnnw—oherwydd, unwaith eto, yn ôl fy arfer, nid oes unrhyw ddirgelwch ynghylch y pethau hyn—os yw'n ymddangos imi y byddai'n briodol i'r Cynulliad gael cyfle i fynd ar drywydd y mater drwy gwestiwn brys ddydd Mawrth, byddwn o

favourably on that, as would my advisers.

blaid hynny, a'm cynghorwyr hefyd.

Carl Sargeant: Further to this point of order, this morning, no statement had been made by Airbus; the statement was made at 2 p.m. this afternoon, prior to Plenary. I agree that it would be inappropriate to prejudge any statement, and I have tabled an urgent question for next Tuesday, which I think will be helpful. Following a written statement from the Minister today, that will enable us to give a full and frank response to the company.

Carl Sargant: Ymhellach at y pwynt o drefn hwn, y bore yma nid oedd unrhyw ddatganiad wedi'i wneud gan Airbus; gwnaed y datganiad am 2 p.m. y prynhawn yma, cyn y Cyfarfod Llawn. Cytunaf y byddai'n amhriodol rhagfarnu unrhyw ddatganiad, ac yr wyf wedi cyflwyno cwestiwn brys ar gyfer dydd Mawrth nesaf, a chredaf y bydd hynny'n ddefnyddiol. Yn dilyn datganiad ysgrifenedig gan y Gweinidog heddiw, bydd hynny'n yn ein galluogi i roi ymateb llawn ac agored i'r cwmni.

The Presiding Officer: I am very grateful to you for what you have said. Of course, it is not for anyone but the holder of my office to determine whether to allow an urgent question. However, I have borne this matter in mind. The difficulty that we have is that our current procedures require two hours' notice for an urgent question to be allowed, and an hour's notice to allow a motion to propose that the Assembly adjourns to consider a matter of public importance. That notice must be given one hour before the beginning of the meeting, so we are not currently very clever at being able to discuss matters quickly. That may or may not be a bad thing. I suspect that, in this case, it is just as well that we have an opportunity to reflect. However, on the basis of what has been said, and following further consideration with my advisers, I can indicate that it would be quite appropriate for us to have an urgent question—or indeed a statement, were the Government to volunteer one—on Tuesday.

Y Llywydd: Yr wyf yn ddiolchgar iawn ichi am yr hyn a ddywedasoch. Wrth gwrs, nid cyfrifoldeb neb heblaw deiliad fy swydd i yw penderfynu a ddylid caniatáu cwestiwn brys. Fodd bynnag, yr wyf wedi cadw'r mater hwn mewn cof. Yr anhawster a wynebwn yw bod ein gweithdrefnau presennol yn ei gwneud yn ofynnol rhoi rhybudd o ddwy awr ar gyfer caniatáu cwestiwn brys, a rhybudd o awr i ganiatáu cynnig bod y Cynulliad yn ystyried mater o bwysigrwydd cyhoeddus. Rhaid rhoi'r rhybudd hwnnw awr cyn dechrau'r cyfarfod, felly, ar hyn o bryd nid ydym yn dda iawn am drafod materion yn gyflym. Gall hynny fod yn beth da neu'n beth drwg. Yn yr achos hwn tybiaf ei bod lawn cystal bod gennym gyfle i fyfyr. Fodd bynnag, ar sail yr hyn a ddywedwyd, ac ar ôl ystyriaeth bellach gyda'm cynghorwyr, gallaf ddweud y byddai'n hollol briodol inni gael cwestiwn brys—neu ddatganiad, yn wir, pe bai'r Llywodraeth yn cynnig un—ddydd Mawrth.

Cymeradwyo'r Plant Protection Products (Amendment) Regulations 2007 o dan Reol Sefydlog Rhif 25 adran 3

Approval of the Plant Protection Products (Amendment) Regulations 2007 under Standing Order No. 25 section 3

The Minister for Environment, Planning and Countryside (Carwyn Jones): I propose that

Y Gweinidog dros yr Amgylchedd, Cynllunio a Chefn Gwlad (Carwyn Jones): Cynigiaf fod

the National Assembly for Wales, acting under Standing Order No. 25.13:

Cynulliad Cenedlaethol Cymru, gan weithredu'n unol â Rheol Sefydlog Rhif 25.13:

1. approves the draft the Plant Protection

1. yn cymeradwyo'r rheoliadau drafft, the

Products (Amendment) Regulations 2007, a copy of which was laid in the Table Office on 13 February 2007; and

Plant Protection Products (Amendment) Regulations 2007, y gosodwyd copi ohonynt yn y Swyddfa Gyflwyno ar 13 Chwefror 2007; a

2. notes the explanatory memorandum for this Order laid in the Table Office on 13 February 2007. (NDM3494)

2. yn nodi'r memorandwm esboniadol ar gyfer y Gorchymyn hwn a osodwyd yn y Swyddfa Gyflwyno ar 13 Chwefror 2007. (NDM3494)

The Presiding Officer: I call Mick Bates. Sorry, I see that he no longer wishes to speak on this item. Given that no other Members have indicated that they wish to speak, let us move to the vote.

Y Llywydd: Galwaf ar Mick Bates. Mae'n ddrwg gennyf, gwelaf nad yw'n dymuno siarad ar yr eitem hon mwyach. Gan nad oes unrhyw Aelodau eraill wedi nodi eu bod yn dymuno siarad, gadewch inni bleidleisio.

*Cynnig (NDM3494): O blaid 44, Ymatal 0, Yn erbyn 0.
Motion (NDM3494): For 44, Abstain 0, Against 0.*

Pleidleisiodd yr Aelodau canlynol o blaid:
The following Members voted for:

Andrews, Leighton
Barrett, Lorraine
Bates, Mick
Black, Peter
Butler, Rosemary
Cairns, Alun
Chapman, Christine
Cuthbert, Jeff
Davidson, Jane
Davies, Jocelyn
Dunwoody, Tamsin
Essex, Sue
Francis, Lisa
German, Michael
Gibbons, Brian
Graham, William
Gregory, Janice
Griffiths, John
Gwyther, Christine
Hart, Edwina
Hutt, Jane
Idris Jones, Denise
Isherwood, Mark
James, Irene
Jones, Alun Ffred
Jones, Ann
Jones, Carwyn
Jones, Helen Mary
Law, Trish
Lewis, Huw
Lloyd, David
Lloyd, Val
Mewies, Sandy
Morgan, Jonathan
Morgan, Rhodri
Neagle, Lynne
Pugh, Alun
Randerson, Jenny
Ryder, Janet
Sargeant, Carl
Thomas, Catherine

Thomas, Gwenda
Thomas, Owen John
Wood, Leanne

*Derbyniwyd y cynnig.
Motion carried.*

**Dirprwyo Swyddogaethau o dan Ddeddf Plant a Mabwysiadu 2006 i'r Prif
Weinidog
Delegation of Functions under the Children and Adoption Act 2006 to the First
Minister**

The Business Minister (Jane Hutt): I **Y Trefnydd (Jane Hutt):** Cynigiaf fod propose that

the National Assembly for Wales, acting under section 62(1)(b) of the Government of Wales Act 1998, resolves to delegate all functions of the National Assembly contained in and under the Children and Adoption Act 2006 to the Assembly First Minister, save those which by law cannot be so delegated. (NDM3495)

Cynulliad Cenedlaethol Cymru, gan weithredu'n unol ag adran 62(1)(b) o Ddeddf Llywodraeth Cymru 1998, yn penderfynu dirprwyo i Brif Weinidog y Cynulliad holl swyddogaethau'r Cynulliad Cenedlaethol a gynhwysir yn ac o dan Ddeddf Plant a Mabwysiadu 2006 ac eithrio'r rhai na ellir, yn ôl y gyfraith, eu dirprwyo yn y modd hwnnw. (NDM3495)

The Presiding Officer: I call Jenny Randerson. No, I see that the Member no longer wishes to speak. It would be helpful to me if Members would indicate to me earlier when they no longer wish to speak, so that I do not have to call out their names.

Y Llywydd: Galwaf ar Jenny Randerson. Na, gwelaf nad yw'r Aelod yn dymuno siarad mwyach. Byddai'n ddefnyddiol imi pe bai Aelodau'n dweud wrthyf yn gynharach pan na fyddant yn dymuno siarad mwyach, fel nad oes raid imi alw eu henwau.

Gan nad oes neb yn dymuno siarad am yr eitem hon, galwaf am bleidlais.

As no-one wishes to speak to this item, I call for a vote.

3.20 p.m.

*Cynnig (NDM3495): O blaid 43, Ymatal 0, Yn erbyn 0.
Motion (NDM3495): For 43, Abstain 0, Against 0.*

Pleidleisiodd yr Aelodau canlynol o blaid:
The following Members voted for:

Andrews, Leighton
Barrett, Lorraine
Bates, Mick
Black, Peter
Butler, Rosemary
Cairns, Alun
Chapman, Christine
Cuthbert, Jeff
Davidson, Jane
Dunwoody, Tamsin
Essex, Sue
Francis, Lisa
German, Michael
Gibbons, Brian
Graham, William

Gregory, Janice
 Griffiths, John
 Gwyther, Christine
 Hart, Edwina
 Hutt, Jane
 Idris Jones, Denise
 Isherwood, Mark
 James, Irene
 Jones, Alun Ffred
 Jones, Ann
 Jones, Carwyn
 Jones, Helen Mary
 Law, Trish
 Lewis, Huw
 Lloyd, David
 Lloyd, Val
 Mewies, Sandy
 Morgan, Jonathan
 Morgan, Rhodri
 Neagle, Lynne
 Pugh, Alun
 Randerson, Jenny
 Ryder, Janet
 Sargeant, Carl
 Thomas, Catherine
 Thomas, Gwenda
 Thomas, Owen John
 Wood, Leanne

*Derbyniwyd y cynnig.
 Motion carried.*

Dirprwyo Swyddogaethau o dan Ddeddf Hapchwarae 2005 i'r Prif Weinidog Delegation of Functions under the Gambling Act 2005 to the First Minister

The Minister for Culture, Welsh Language and Sport (Alun Pugh): I propose that

the National Assembly for Wales, acting under section 62(1)(b) of the Government of Wales Act 1998, resolves to delegate all functions of the National Assembly contained within the Gambling Act 2005 to the Assembly First Minister, save those which by law cannot be so delegated. (NDM3496)

Gambling, as Members know, is not a devolved matter. The Gambling Act 2005 introduced a number of reforms to the laws on gambling. The Act introduced a regulatory system to govern the provision of all gambling in Great Britain, including providing a unified regulator for gambling in the Gambling Commission. However, the legislation is most commonly known for introducing legislation on casinos. The Assembly was not an applicant to host a casino, because only local authorities had the ability to apply. Following an open

Y Gweinidog dros Ddiwylliant, y Gymraeg a Chwaraeon (Alun Pugh): Cynigiau fod

Cynulliad Cenedlaethol Cymru, gan weithredu'n unol ag adran 62(1)(b) o Ddeddf Llywodraeth Cymru 1998, yn penderfynu dirprwyo i Brif Weinidog y Cynulliad holl swyddogaethau'r Cynulliad Cenedlaethol a gynhwysir yn Neddf Hapchwarae 2005, ac eithrio'r rhai na ellir, yn ôl y gyfraith, eu dirprwyo yn y modd hwnnw. (NDM3496)

Fel y gŵyr Aelodau, nid yw hapchwarae yn fater sydd wedi ei ddatganoli. Yr oedd Deddf Hapchwarae 2005 yn cyflwyno nifer o ddiwygiadau yn y cyfreithiau ar hapchwarae. Yr oedd y Ddeddf yn cyflwyno system reoleiddio i reoli darparu'r holl hapchwarae ym Mhrydain Fawr, gan gynnwys darparu rheoleiddiwr unedig ar gyfer hapchwarae yn y Comisiwn Hapchwarae. Fodd bynnag, mae'r deddfwriaeth yn fwyaf adnabyddus am gyflwyno deddfwriaeth ar gasinos. Ni wnaeth y Cynulliad gais am gynnal casino, gan mai dim ond awdurdodau lleol a oedd yn

competition, some 17 local authority areas across the UK have been selected to host one of the new classifications of casino. Manchester gets the regional or the supercasino, while Swansea gets one of the eight smaller casinos. The recommendation is now before the Secretary of State at the Department for Culture, Media and Sport, but, before the final decision is taken by Parliament, a statutory consultation has to take place with us.

We are still a corporate body for the next few weeks, hence the delegation. Scottish Ministers will similarly be consulted. The matter before the Assembly, therefore, is the usual process of delegating this function to the First Minister, rather than entering into a wider debate on the merits of taking part in gambling.

Owen John Thomas: Weinidog, rhaid i mi gyfaddef ac ymfalchïo yn y ffaith nad oeddwn yn gefnogol i'r syniad o ddod â chasino enfawr i Gaerdydd, a gweld yr holl elw yn gadael pocedi pobl Caerdydd ac yn mynd i mewn i bocedi rhywrai arall sydd, siŵr o fod, yn byw y tu allan i Gymru. Sylwais fod llyfryn wedi'i baratoi gan y Llywodraeth yn rhybuddio pobl o'r bygythiad i'w hiechyd. Mae hapchwarae yn gallu datblygu i fod yn heintus i lawer o bobl, ac mae llawer o deuluoedd yn dioddef o'r herwydd. Gobeithiaf, pan ddaw'r cyfle i ni ystyried cael casino llai o faint yng Nghaerdydd, neu yn unrhyw le arall yng Nghymru, y byddwn yn edrych arno'n anffafriol.

The Minister for Culture, Welsh Language and Sport (Alun Pugh): As I said, this debate is about the delegation of function rather than the wider merits of gambling. I know that some people think that casinos are a good thing, and that Cardiff bay should look a bit more like Las Vegas; other people, of course, will take an entirely different view.

gallu gwneud cais. Ar ôl cystadleuaeth agored, mae tua 17 o ardaloedd awdurdodau lleol ledled y DU wedi'u dewis i gynnal un o'r dosbarthiadau newydd o gasinos. Manceinion sy'n cael y casino rhanbarthol neu'r casino enfawr, tra bydd Abertawe yn cael un o'r wyth casino llai. Mae'r argymhelliad bellach gerbron yr Ysgrifennydd Gwladol yn yr Adran dros Ddiwylliant, y Cyfryngau a Chwaraeon, ond cyn i'r Senedd wneud y penderfyniad terfynol, rhaid ymgynghori'n statudol â ni.

Yr ydym yn dal yn gorff corfforaethol am yr ychydig wythnosau nesaf, sy'n esbonio'r dirprwyo. Yn yr un modd, ymgynghorir â Gweinidogion yr Alban. Y mater gerbron y Cynulliad, felly, yw'r broses arferol o ddirprwyo'r swyddogaeth hon i'r Prif Weinidog, yn hytrach na chychwyn dadl ehangach ar rinweddau hapchwarae.

Owen John Thomas: Minister, I must admit that I take pleasure in the fact that I was never supportive of the idea of having a supercasino in Cardiff, and seeing all that profit leaving the pockets of people in Cardiff and into the pockets of others, who probably live outside Wales. I notice a booklet has been prepared by the Government, warning people of the dangers to their health. Gambling can become addictive to many people, and many families suffer as a result. I hope, when the time comes for us to consider having a smaller casino in Cardiff, or anywhere else in Wales, that we will look upon the proposal unfavourably.

Y Gweinidog dros Ddiwylliant, y Gymraeg a Chwaraeon (Alun Pugh): Fel y dywedais, mae a wnelo'r ddadl hon â dirprwyo swyddogaeth yn hytrach na rinweddau hapchwarae yn fwy cyffredinol. Gwn fod rhai pobl yn credu bod casinos yn beth da, ac y dylai bae Caerdydd edrych yn debycach i Las Vegas; bydd gan eraill, wrth gwrs, farn gwbl wahanol.

*Cynnig (NDM3496): O blaid 44, Ymatal 0, Yn erbyn 0.
Motion (NDM3496): For 44, Abstain 0, Against 0.*

Pleidleisiodd yr Aelodau canlynol o blaid:
The following Members voted for:

Andrews, Leighton
 Barrett, Lorraine
 Bates, Mick
 Black, Peter
 Butler, Rosemary
 Cairns, Alun
 Chapman, Christine
 Cuthbert, Jeff
 Davidson, Jane
 Davies, Andrew
 Dunwoody, Tamsin
 Essex, Sue
 Francis, Lisa
 German, Michael
 Gibbons, Brian
 Graham, William
 Gregory, Janice
 Griffiths, John
 Gwyther, Christine
 Hart, Edwina
 Hutt, Jane
 Idris Jones, Denise
 Isherwood, Mark
 Jones, Alun Ffred
 Jones, Ann
 Jones, Carwyn
 Jones, Helen Mary
 Law, Trish
 Lewis, Huw
 Lloyd, David
 Lloyd, Val
 Mewies, Sandy
 Morgan, Jonathan
 Morgan, Rhodri
 Neagle, Lynne
 Pugh, Alun
 Randerson, Jenny
 Sargeant, Carl
 Sinclair, Karen
 Thomas, Catherine
 Thomas, Gwenda
 Thomas, Owen John
 Thomas, Rhodri Glyn
 Wood, Leanne

Derbyniwyd y cynnig.

Motion carried.

Atal Rheolau Sefydlog Suspension of Standing Orders

Y Llywydd: Yn ôl Rheolau Sefydlog Rhifau 37.5 a 37.6, yr wyf wedi caniatáu cynnig i ohirio'r Rheolau Sefydlog er mwyn inni allu trafod eitem 6.

The Presiding Officer: In accordance with Standing Orders Nos. 37.5 and 37.6, I have allowed a motion to suspend Standing Orders to enable us to discuss item 6.

The Business Minister (Jane Hutt): I propose that

Y Trefnydd (Jane Hutt): Cynigiau fod

the National Assembly for Wales in accordance with Standing Orders Nos. 37.5 and 37.6:

Cynulliad Cenedlaethol Cymru yn unol â Rheolau Sefydlog Rhifau 37.5 a 37.6:

suspends Standing Order No. 6.13 to allow the motion to delegate functions contained in national health service Acts (NDM3517) tabled on Wednesday, 28 February 2007 to be considered in Plenary on Wednesday, 28 February 2007. (NDM3516)

yn atal Rheol Sefydlog Rhif 6.13 er mwyn caniatáu i'r cynnig i ddirprwyo swyddogaethau o dan Ddeddfau'r gwasanaeth iechyd gwladol (NDM3517) a gyflwynwyd ddydd Mercher, 28 Chwefror 2007 gael ei ystyried yn y Cyfarfod Llawn ddydd Mercher, 28 Chwefror 2007. (NDM3516)

Y Llywydd: Mae angen mwyafrif o ddwy ran o dair o i dderbyn y cynnig.

The Presiding Officer: A two-thirds majority is required for the motion to be carried.

*Cynnig (NDM3516): O blaid 44, Ymatal 0, Yn erbyn 0.
Motion (NDM3516): For 44, Abstain 0, Against 0.*

Pleidleisiodd yr Aelodau canlynol o blaid:
The following Members voted for:

Andrews, Leighton
Barrett, Lorraine
Bates, Mick
Black, Peter
Butler, Rosemary
Cairns, Alun
Chapman, Christine
Cuthbert, Jeff
Davidson, Jane
Davies, Andrew
Dunwoody, Tamsin
Essex, Sue
Francis, Lisa
German, Michael
Gibbons, Brian
Graham, William
Gregory, Janice
Griffiths, John
Gwyther, Christine
Hart, Edwina
Hutt, Jane
Idris Jones, Denise
Isherwood, Mark
Jones, Alun Ffred
Jones, Ann
Jones, Carwyn
Jones, Helen Mary
Law, Trish
Lewis, Huw
Lloyd, David
Lloyd, Val
Mewies, Sandy
Morgan, Jonathan
Morgan, Rhodri
Neagle, Lynne
Pugh, Alun
Randerson, Jenny
Sargeant, Carl
Sinclair, Karen
Thomas, Catherine
Thomas, Gwenda
Thomas, Owen John
Thomas, Rhodri Glyn

Wood, Leanne

*Derbyniwyd y cynnig.
Motion carried.*

**Dirprwyo Swyddogaethau o dan Ddeddf Gwasanaeth Iechyd Gwladol 2006 a
Deddf Gwasanaeth Iechyd Gwladol (Cymru) 2006 i'r Prif Weinidog
Delegation of Functions under the National Health Service Act 2006 and the
National Health Service (Wales) Act 2006 to the First Minister**

The Minister for Health and Social Services (Brian Gibbons): I propose that

the National Assembly, acting under section 62(1)(b) of the Government of Wales Act 1998, resolves to delegate the functions of the National Assembly contained in and under the National Health Service (Wales) Act 2006 and the National Health Service Act 2006 to the Assembly First Minister, save those which by law cannot be so delegated. (NDM3517)

Y Llywydd: Gwelaf nad oes neb eisiau siarad ar y cynnig hwn ychwaith. Felly, gan ein bod yn cael diwrnod mor dawedog, awn yn syth at y bleidlais.

Y Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol (Brian Gibbons): Cynigiad fod

Cynulliad Cenedlaethol Cymru, gan weithredu'n unol ag adran 62(1)(b) o Ddeddf Llywodraeth Cymru 1998, yn penderfynu dirprwyo i Brif Weinidog y Cynulliad holl swyddogaethau'r Cynulliad Cenedlaethol a gynhwysir yn ac o dan Ddeddf Gwasanaeth Iechyd Gwladol (Cymru) 2006 a Deddf Gwasanaeth Iechyd Gwladol ac eithrio'r rhai na ellir, yn ôl y gyfraith, eu dirprwyo yn y modd hwnnw. (NDM3517)

The Presiding Officer: I see that no-one wishes to speak on this motion either. Therefore, since we are having such a quiet day, we will move straight to the vote.

*Cynnig (NDM3517): O blaid 44, Ymatal 0, Yn erbyn 0.
Motion (NDM3517): For 44, Abstain 0, Against 0.*

Pleidleisiodd yr Aelodau canlynol o blaid:
The following Members voted for:

Andrews, Leighton
Barrett, Lorraine
Bates, Mick
Black, Peter
Butler, Rosemary
Cairns, Alun
Chapman, Christine
Cuthbert, Jeff
Davidson, Jane
Davies, Andrew
Dunwoody, Tamsin
Essex, Sue
Francis, Lisa
German, Michael
Gibbons, Brian
Graham, William
Gregory, Janice
Griffiths, John
Gwyther, Christine
Hart, Edwina
Hutt, Jane
Idris Jones, Denise
Isherwood, Mark

James, Irene
 Jones, Alun Ffred
 Jones, Ann
 Jones, Carwyn
 Jones, Helen Mary
 Law, Trish
 Lloyd, David
 Lloyd, Val
 Mewies, Sandy
 Morgan, Jonathan
 Morgan, Rhodri
 Neagle, Lynne
 Pugh, Alun
 Randerson, Jenny
 Sargeant, Carl
 Sinclair, Karen
 Thomas, Catherine
 Thomas, Gwenda
 Thomas, Owen John
 Thomas, Rhodri Glyn
 Wood, Leanne

*Derbyniwyd y cynnig.
 Motion carried.*

**Cymeradwyo Newidiadau yng Nghyllideb Gwasanaeth Seneddol y Cynulliad yn
 Ystod y Flwyddyn
 Approval of In-year Changes within the Assembly Parliamentary Service Budget**

William Graham: I propose that

the National Assembly for Wales, acting under Standing Order No. 21.14, adopts the revised 2006-07 budget for the Assembly Parliamentary Service, as presented in the Assembly Parliamentary Service revised budget for 2006-07 table, laid before the Assembly on 20th February 2007. (NDM3499)

As Chair of the House Committee, I propose this motion on the committee's behalf. In doing so, I will add some explanation to aid Members' understanding of the need for these revisions.

The House Committee has, for the first time, decided that it is necessary to seek an increase in the Assembly Parliamentary Service's budget for the current year. This is a planned increase to meet the costs of preparations needed as a result of the Government of Wales Act 2006, and to reflect the full annual costs following the opening of the Senedd. Over the course of the year, the committee has approved additional spend totalling around £2.5 million, although it has met almost £700,000 of that through in-

William Graham: Cynigiau fod

Cynulliad Cenedlaethol Cymru, gan weithredu'n unol â Rheol Sefydlog Rhif 21.14, yn mabwysiadu cyllideb ddiwygiedig 2006-07 ar gyfer Gwasanaeth Seneddol y Cynulliad, fel y'i cyflwynwyd yn y tabl, the Assembly Parliamentary Service revised budget for 2006-07, a osodwyd gerbron y Cynulliad ar 20 Chwefror 2007. (NDM3499)

Fel Cadeirydd Pwyllgor y Tŷ, cynigiau y cynnig hwn ar ran y pwyllgor. Wrth wneud hynny, egluraf ychydig er mwyn helpu'r Aelodau i ddeall pam y mae angen y diwygiadau hyn.

Am y tro cyntaf, mae Pwyllgor y Tŷ wedi penderfynu ei bod yn angenrheidiol ceisio codiad yng nghyllideb Gwasanaeth Seneddol y Cynulliad ar gyfer y flwyddyn gyfredol. Mae hwn yn godiad sydd wedi'i gynllunio i dalu costau'r angenrheidiol o ganlyniad i Ddeddf Llywodraeth Cymru 2006, ac i adlewyrchu'r costau blynyddol llawn ers agor y Senedd. Yn ystod y flwyddyn, mae'r pwyllgor wedi cymeradwyo gwariant ychwanegol, sef cyfanswm o tua £2.5 miliwn, er ei fod wedi talu bron £700,000 o

year savings in the budget. The balance, of around £1.8 million, representing the increase in the budget as set out in the supporting document, would also be funded by savings in the committee's budget, these being brought forward from previous years in the form of accrued end-year flexibility.

The important point to emphasise is that no services will be affected by this increase, as this accrued end-year flexibility budget is already available for the committee to use. Members are asked to approve the revised budget of £32.845 million, which will ensure an appropriate budget to reflect the planned expenditure required for the additional commitments made over the course of the year. I repeat that the proposed increase in the Assembly Parliamentary Service's budget under this motion will be funded by end-year flexibility, accrued through savings in the service's budget in previous years, and held by the committee for this very purpose.

Owen John Thomas: Cefnogaf y cynnig yn ffurfiol.

Y Llywydd: Diolch yn fawr, Owen John. Ni welaf neb arall sy'n bwriadu siarad am y mater hwn, sydd yn ychydig o ryddhad i mi, felly galwaf am bleidlais.

hynny drwy arbedion yn y gyllideb yn ystod y flwyddyn. Byddai'r gweddill o ryw £1.8 miliwn, sef y cynnydd yn y gyllideb fel sydd wedi ei osod allan yn y ddogfen ategol, hefyd yn cael ei ariannu drwy arbedion yng nghyllideb y pwyllgor. Byddai'r rhain yn cael eu dwyn ymlaen o flynyddoedd blaenorol ar ffurf hyblygrwydd cronodig diwedd blwyddyn.

Y pwynt pwysig i'w bwysleisio yw na fydd y cynnydd hwn yn effeithio ar unrhyw wasanaethau, gan fod y gyllideb hyblygrwydd cronodig diwedd y flwyddyn hon eisoes ar gael i'r pwyllgor ei defnyddio. Gofynnir i'r Aelodau gymeradwyo'r gyllideb ddiwygiedig o £32.845 miliwn, a fydd yn sicrhau cyllideb briodol i adlewyrchu'r gwariant a gynlluniwyd sy'n ofynnol ar gyfer yr ymrwymadau ychwanegol a wnaed dros y flwyddyn. Dywedaf eto y caiff y cynnydd arfaethedig yng nghyllideb Gwasanaeth Seneddol y Cynulliad ei ariannu drwy hyblygrwydd diwedd y flwyddyn, a gronnir drwy arbedion yng nghyllideb y gwasanaeth mewn blynyddoedd blaenorol, ac a ddelir gan y pwyllgor at yr union ddiben hwn.

Owen John Thomas: I formally support the motion.

The Presiding Officer: Thank you, Owen John. I see that no-one else wants to speak to this matter, which is quite a relief to me, therefore I call for a vote.

*Cynnig (NDM3499): O blaid 45, Ymatal 0, Yn erbyn 0.
Motion (NDM3499): For 45, Abstain 0, Against 0.*

Pleidleisiodd yr Aelodau canlynol o blaid:
The following Members voted for:

Andrews, Leighton
Barrett, Lorraine
Bates, Mick
Black, Peter
Butler, Rosemary
Cairns, Alun
Chapman, Christine
Cuthbert, Jeff
Davidson, Jane
Davies, Andrew
Dunwoody, Tamsin
Essex, Sue
Francis, Lisa
German, Michael
Gibbons, Brian
Graham, William

Gregory, Janice
 Griffiths, John
 Gwyther, Christine
 Hart, Edwina
 Hutt, Jane
 Idris Jones, Denise
 Isherwood, Mark
 James, Irene
 Jones, Alun Ffred
 Jones, Ann
 Jones, Carwyn
 Jones, Laura Anne
 Law, Trish
 Lewis, Huw
 Lloyd, David
 Lloyd, Val
 Mewies, Sandy
 Morgan, Jonathan
 Morgan, Rhodri
 Neagle, Lynne
 Pugh, Alun
 Randerson, Jenny
 Sargeant, Carl
 Sinclair, Karen
 Thomas, Catherine
 Thomas, Gwenda
 Thomas, Owen John
 Williams, Kirsty
 Wood, Leanne

*Derbyniwyd y cynnig.
 Motion carried.*

Cymeradwyo Newidiadau yn y Prif Grwpiau Gwariant yn Ystod y Flwyddyn Approval of In-year Changes within Main Expenditure Groups

The Finance Minister (Sue Essex): I propose that

the National Assembly, in accordance with Standing Order No. 21.13, approves the changes to main expenditure groups for the financial year 2006-07 laid in the Table Office and e-mailed to Assembly Members on Wednesday, 21 February. (NDM3500)

This motion is a tidying up of the 2006-07 budget in readiness for the financial year end. The changes shown in the tables have been reported to committees over the past few months, so these should be familiar to you.

There are several transfers of existing provision between the main expenditure groups; all these transfers are routine in nature, and have no overall financial impact. A description of each transfer is given in the notes in table 1, which is attached to the

Y Gweinidog Cyllid (Sue Essex): Cynigiaf fod

Cynulliad Cenedlaethol, yn unol â Rheol Sefydlog Rhif 21.13, yn cymeradwyo'r newidiadau i'r prif grwpiau gwariant ar gyfer y flwyddyn ariannol 2006-07, a osodwyd yn y Swyddfa Gyflwyno ac a e-bostiwyd at Aelodau'r Cynulliad ar ddydd Mercher, 21 Chwefror. (NDM3500)

Mae'r cynnig hwn yn rhoi trefn ar gyllideb 2006-07 yn barod ar gyfer diwedd y flwyddyn ariannol. Mae'r newidiadau a ddangosir yn y tablau wedi'u cyflwyno i bwyllgorau dros y misoedd diwethaf, felly, dylent fod yn gyfarwydd ichi.

Mae yna nifer o drosglwyddiadau darpariaeth bresennol rhwng y prif grwpiau gwariant; mae pob un o'r trosglwyddiadau hyn yn rhai rheolaidd, ac ni chânt unrhyw effaith ariannol gyffredinol. Rhoddir disgrifiad o bob trosglwyddiad yn y nodiadau yn nhabl 1,

motion. In addition to transfers between portfolios, the motion also increases the Assembly budget this year. This increase is as a result of three things: the take-up of carry-forward provision, commonly known as end-year flexibility; transfers from other Government departments; and increases in annually managed expenditure funded directly by the Treasury. Details of these changes are set out in the tables that have been issue to all Members. The additional end-year flexibility has been drawn down as part of the spring supplementary estimate, and will be used to meet the cost of activities previously unfunded. The Assembly's financial monitoring systems will be updated to reflect these changes as soon as possible.

I take this opportunity to repeat that we are on course to spend about 99.5 per cent of our departmental expenditure limit. This is an extremely good match of spend to estimate—I believe that it is, if not the best, certainly well up with other elements of Government across the UK. I pay tribute to all those people who have worked so hard to support us in this achievement.

I also want to comment on the regrettable speculation that there has been among some members of the press that this is somehow a poor performance. Nothing could be further from the truth. We have reduced our underspend year in, year out, and this year is a remarkable success.

3.30 p.m.

I will also comment on the fact that some people are suggesting that that money is completely up for grabs. Again, I believe that I have been transparent with everyone, particularly during the course of the budget discussions. I think that it is well known that priority will be given to meeting NHS waiting times in end-of-year flexibility. We are currently spending about £84 million on that. As end-of-year flexibility expenditure is non-recurrent, it does not appear in the Assembly budget. However, I am always

sydd wedi ei gysylltu wrth y cynnig. Yn ogystal â'r trosglwyddiadau rhwng portffolios, mae'r cynnig hefyd yn cynyddu cyllideb y Cynulliad eleni. Mae'r cynnydd hwn yn ganlyniad i dri pheth: defnyddio darpariaeth cario ymlaen, a elwir yn gyffredinol yn hyblygrwydd diwedd blwyddyn; trosglwyddiadau o adrannau eraill y Llywodraeth; a chynnydd mewn gwariant a reolir yn flynyddol a ariennir yn uniongyrchol gan y Trysorlys. Mae manylion y newidiadau hyn wedi eu gosod allan yn y tablau a roddwyd i bob Aelod. Mae'r hyblygrwydd diwedd blwyddyn ychwanegol wedi'i ddefnyddio fel rhan o'r amcangyfrif atodol ar gyfer y gwanwyn, ac fe'i defnyddir i dalu am weithgareddau a oedd heb eu hariannu gynt. Caiff systemau monitro ariannol y Cynulliad eu diweddarau i adlewyrchu'r newidiadau hyn cyn gynted â phosibl.

Achubaf ar y cyfle hwn i ddweud eto ein bod ar y trywydd cywir i wario tua 99.5 y cant o'n terfyn gwariant adrannol. Mae'r gwariant hwn yn cyfateb yn dda iawn i'r amcangyfrif—credaf ei fod yn sicr ymhlith y gorau o elfennau eraill y Llywodraeth ledled y DU, os nad y gorau. Yr wyf yn rhoi teyrnged i'r holl bobl hynny sydd wedi gweithio mor galed i'n cefnogi i gyflawni hyn.

Yr wyf hefyd am wneud sylwadau am y dyfalu a fu ymhlith rhai aelodau o'r wasg fod hwn, rywsut, yn berfformiad gwael. Nid yw hynny'n wir o gwbl. Yr ydym wedi lleihau ein tanwario o flwyddyn i flwyddyn, ac mae'r flwyddyn hon yn llwyddiant rhyfeddol.

Cyfeiriaf hefyd at y ffaith bod rhai'n awgrymu bod yr arian hwnnw ar gael yn hawdd. Unwaith eto, credaf i mi fod yn eglur wrth bawb, yn arbennig yn ystod y trafodaethau am y gyllideb. Credaf ei bod yn gwbl hysbys y bydd blaenoriaeth i fodloni amserau aros y GIG mewn trefniadau hyblyg diwedd blwyddyn. Yr ydym ar hyn o bryd yn gwario tua £84 miliwn ar hynny. Gan nad yw gwariant trefniadau hyblyg diwedd blwyddyn yn wariant rheolaidd, nid yw'n ymddangos yng nghyllideb y Cynulliad. Fodd bynnag, yr

happy to provide information where needed. So, with those few cautionary points, and I understand our position with regard to the electoral cycle, I hope that we can all agree that accurate information on the budget should be distributed, certainly to the public. Therefore, I hope that Members will support this motion.

David Lloyd: I thank the Minister for the briefing yesterday, which was a valuable experience. As the Minister said, these are annual technical adjustments to budget lines, and Plaid Cymru will support them, although I note in passing that the £84 million for waiting lists could be interpreted as the latest in a line of one-off non-recurring allocations to try to solve waiting list issues—exactly what the auditor general mentioned some time ago as not being the way to produce the right results. Be that as it may, my fundamental question is on whether the Minister can confirm the level of the Assembly budget reserves for the next year.

Jenny Randerson: I would like to take up Dai Lloyd's final point. It would be helpful, Minister, if you could clarify that. The waiting list money is not built in in a way that I would regard as desirable—there should be regular funding on a reliable basis every year to ensure that we deal with patients promptly, and do not have to react with an end-of-year handout. However, I understand, Minister, that this money recurs every year and you use end-of-year flexibility towards the waiting list money for the next year. However, I hope that you can make some comments about long-term plans to build that into the regular budget.

I also want to make a comment about the amount of end-of-year flexibility—the anticipated £67.5 million. Unlike Plaid Cymru and, I think, the Conservatives, the Welsh Liberal Democrats were not surprised that that money was available. That sort of sum is available every year and is a result of the balancing act that every Finance Minister has to make to ensure that there is not an

wyf bob amser yn fodlon darparu gwybodaeth lle y mae ei hangen. Felly, gan gofio'r ychydig rybuddion hynny, a deallaf ein sefyllfa o ran y cylch etholiadol, gobeithio y gallwn i gyd gytuno y dylid dosbarthu gwybodaeth gywir am y gyllideb, yn sicr i'r cyhoedd. Felly, gobeithio y bydd yr Aelodau'n cefnogi'r cynnig hwn.

David Lloyd: Diolchaf i'r Gweinidog am y sesiwn briffio ddoe, a oedd yn brofiad gwerthfawr. Fel y dywedodd y Gweinidog, addasiadau technegol blynyddol yn llinellau'r gyllideb yw'r rhain, a bydd Plaid Cymru yn eu cefnogi, er yr hoffwn ddweud wrth fynd heibio y gellid dehongli'r £84 miliwn ar gyfer rhestrau aros fel y dyraniad diweddaraf mewn cyfres o ddyraniadau unigol nad ydynt yn ddyraniadau rheolaidd i geisio datrys problemau rhestrau aros—sef yr union beth y dywedodd yr archwilydd cyffredinol na fyddai'n cynhyrchu'r canlyniadau cywir. Boed a fo am hynny, fy nghwestiwn sylfaenol yw a all y Gweinidog gadarnhau lefel y cronfeydd wrth gefn yng nghyllideb y Cynulliad am y flwyddyn nesaf.

Jenny Randerson: Hoffwn ychwanegu at bwynt olaf Dai Lloyd. Byddai'n ddefnyddiol, Weinidog, pe gallech egluro hynny. Nid yw arian y rhestrau aros wedi'i gynnwys mewn ffordd y byddwn i'n ei hystyried yn ddymunol—dylid darparu cyllid rheolaidd ar sail ddibynadwy bob blwyddyn er mwyn sicrhau ein bod yn ymdrin â chleifion yn brydlon, ac nid gorfod ymateb gyda chyllid ychwanegol ar ddiwedd blwyddyn. Fodd bynnag, deallaf, Weinidog, fod y cyllid hwn yn cael ei ddyrannu bob blwyddyn a'ch bod yn defnyddio trefniadau hyblyg diwedd blwyddyn ar gyfer cyllid rhestrau aros y flwyddyn ganlynol. Fodd bynnag, gobeithio y gallwch roi rhai sylwadau am gynlluniau hirdymor i gynnwys hwnnw yn y gyllideb reolaidd.

Hoffwn wneud sylw hefyd am swm trefniadau hyblyg diwedd blwyddyn—rhagwelir swm o £67.5 miliwn. Yn wahanol i Blaid Cymru a'r Ceidwadwyr, mi gredaf, nid oedd yn syndod i Ddemocratiaid Rhyddfrydol Cymru fod yr arian hwnnw ar gael. Mae'r math hwnnw o swm ar gael bob blwyddyn ac mae'n ganlyniad i'r gwaith cydbwysio y mae'n rhaid i bob Gweinidog

overspend. You are bound to have a small amount of end-of-year flexibility. We regard that money as a reasonable amount, and an amount that you would expect. However, I make no apology for suggesting that a tiny part of that £67.5 million could be allocated to the prostate cancer patients awaiting brachytherapy treatment. I will take this opportunity to say that I am pleased that the Minister finally saw the light on brachytherapy and that money has now been allocated for that. I think that it is a very good use of a very small amount of extra money that had to be found at the end of the year.

Sue Essex: On the waiting time initiative, I think that it is a good example of how Government can use end-of-year money to increase provision. It will hopefully—and we have always intended it to be the case—ease out that peak that we had in terms of pressure on waiting times and waiting lists. It has been successful and has been appreciated by many people who were waiting for treatment. I hope that, as Jenny said, come the next spending review, this will either be assimilated into the budget properly or, as we hope, there will be a balance that would mean that extra money is not needed.

As you rightly say, Jenny, this is 0.5 per cent, and I would not want it to go any less than that, because, in a budget of £14 billion, we do not want to see an overspend. Remember that we are managing a budget of £14 billion, therefore, to come in with such a small underspend is a credit to everyone involved, and I pay credit to everyone involved, because the Welsh Assembly Government budget is a very diverse budget, and so much of it goes out to other organisations. We want to see that money going out do the kind of good work that we all intend it for. However, as you rightly judge, there always has to be a little bit of flexibility to ensure that you do not overspend. We do not exactly know what that will be; I said 0.5 per cent, but it is not until all the calculations have been made that we will know exactly what that is. We estimate it to be around £67 million, and we hope that it will be near to that, but that is an estimate. However, it will be available to add

Cyllid ei wneud i sicrhau na fydd gorwario. Mae'n anochel y bydd gennych ychydig hyblygrwydd diwedd blwyddyn. Ystyriwn fod yr arian hwnnw'n swm rhesymol, ac yn swm y byddech yn ei ddisgwyl. Fodd bynnag, nid wyf yn ymddiheuro am awgrymu y gellid dyrannu rhan fach o'r £67.5 miliwn hwnnw i'r cleifion sydd â chanser y brostad sy'n aros am driniaeth brachitherapi. Hoffwn achub ar y cyfle hwn i ddweud fy mod yn falch fod y Gweinidog, o'r diwedd, wedi gweld y goleuni ynglŷn â brachitherapi a bod arian bellach wedi'i ddyrannu ar ei gyfer. Credaf fod hynny'n ddefnydd da iawn o swm bach iawn o arian ychwanegol yr oedd yn rhaid dod o hyd iddo ar ddiwedd y flwyddyn.

Sue Essex: O ran y fenter amserau aros, credaf ei bod yn enghraifft dda o'r ffordd y gall y Llywodraeth ddefnyddio arian diwedd blwyddyn i gynyddu darpariaeth. Gobeithio y bydda dyma fu ein bwriad o'r cychwyn-yn gwella'r sefyllfa honno a gawsom lle y cyrhaeddodd y pwysau ar amserau aros a rhestrau aros uchafbwynt. Mae wedi bod yn llwyddiannus ac wedi ei werthfawrogi gan lawer o bobl a oedd yn aros am driniaeth. Gobeithio, fel y dywedodd Jenny, yn ystod yr adolygiad nesaf o wariant y caiff hyn naill ai ei gymathu i'r gyllideb yn iawn neu, fel y gobeithiwn, y bydd cydbwysedd a fyddai'n golygu nad oes angen arian ychwanegol.

Fel yr oeddech yn ei ddweud, Jenny, yn hollol gywir, 0.5 y cant yw'r swm hwn, ac ni fyddwn am iddo fod yn llai na hynny, oherwydd mewn cyllideb o £14 biliwn nid ydym am weld gorwario. Cofiwch ein bod yn rheoli cyllideb o £14 biliwn, felly, mae'r ffaith fod gennym danwariant mor fach yn glod i bawb sy'n rhan o'r broses, ac yr wyf yn rhoi teyrnged i bawb dan sylw, gan fod cyllideb Llywodraeth Cynulliad Cymru yn gyllideb amrywiol iawn, a chymaint ohoni'n cael ei dyrannu i sefydliadau eraill. Yr ydym am weld yr arian hwnnw'n mynd i wneud y gwaith da yr ydym i gyd yn bwriadu iddo'i wneud. Fodd bynnag, yr ydych yn llygad eich lle wrth ddweud bod yn rhaid cael rhywfaint o hyblygrwydd er mwyn osgoi gorwariant. Ni wyddom yr union swm hwnnw; soniais am 0.5 y cant, ond ni fyddwn yn gwybod yn union faint fydd y swm hwnnw nes bydd yr holl gyfrifiadau wedi'u gwneud. Amcangyfrifwn y bydd tua £67 miliwn, a

to the reserves or to carry on for next year to meet waiting times initiatives. In passing, we have made an announcement on Aberfan, and that sum of money has come out of the reserves, but I know that every single person in this Chamber supports what I believe is a wise use of money for that special cause.

gobeithio y bydd yn agos at hynny, ond amcangyfrif yw hynny. Fodd bynnag, bydd ar gael i'w ychwanegu at y cronfeydd wrth gefn neu i'w gario ymlaen i'r flwyddyn nesaf i fodloni mentrau amserau aros. Gyda llaw, gwnaethom gyhoeddiad ar Aber-fan, ac mae'r arian hwnnw wedi dod allan o'r cronfeydd wrth gefn. Ond gwn fod pob un yn y Siambr hon yn cefnogi'r hyn sydd, yn fy marn i, yn ddefnydd doeth o arian ar gyfer yr achos arbennig hwnnw.

*Cynnig (NDM3500): O blaid 46, Ymatal 0, Yn erbyn 0.
Motion (NDM3500): For 46, Abstain 0, Against 0.*

Pleidleisiodd yr Aelodau canlynol o blaid:
The following Members voted for:

Andrews, Leighton
Barrett, Lorraine
Bates, Mick
Black, Peter
Butler, Rosemary
Chapman, Christine
Cuthbert, Jeff
Davidson, Jane
Davies, Andrew
Dunwoody, Tamsin
Essex, Sue
Francis, Lisa
German, Michael
Gibbons, Brian
Graham, William
Gregory, Janice
Griffiths, John
Gwyther, Christine
Hart, Edwina
Hutt, Jane
Idris Jones, Denise
Isherwood, Mark
Jones, Alun Ffred
Jones, Ann
Jones, Carwyn
Jones, Helen Mary
Jones, Laura Anne
Law, Trish
Lewis, Huw
Lloyd, David
Lloyd, Val
Mewies, Sandy
Morgan, Jonathan
Morgan, Rhodri
Neagle, Lynne
Pugh, Alun
Randerson, Jenny
Ryder, Janet
Sargeant, Carl
Sinclair, Karen
Thomas, Catherine
Thomas, Gwenda
Thomas, Owen John
Thomas, Rhodri Glyn
Williams, Kirsty
Wood, Leanne

*Derbyniwyd y cynnig.
Motion carried.*

Adroddiad y Pwyllgor Iechyd a Gwasanaethau Cymdeithasol ar y Mesur Iechyd Meddwl

The Health and Social Services Committee's Report on the Mental Health Bill

Y Llywydd: Yr ydym yn awr yn trafod adroddiad gwerthfawr y Pwyllgor Iechyd a Gwasanaethau Cymdeithasol ar y Mesur Iechyd Meddwl.

The Presiding Officer: We will now discuss the valuable report by the Health and Social Services Committee on the Mental Health Bill.

Rhodri Glyn Thomas: Cynigiau fod

Rhodri Glyn Thomas : I propose that

Cynulliad Cenedlaethol Cymru, yn unol â Rheol Sefydlog Rhif 6.6, yn nodi adroddiad y Pwyllgor Iechyd a Gwasanaethau Cymdeithasol ar y Mesur Iechyd Meddwl a osodwyd yn y Swyddfa Gyflwyno ar 7 Chwefror 2007. (NDM3498)

the National Assembly for Wales, in accordance with Standing Order No. 6.6, notes the report of the Health and Social Services Committee on the Mental Health Bill which was laid in the Table Office on 7 February 2007. (NDM3498)

Diolch yn fawr, Lywydd, am eich canmoliaeth o'r adroddiad. Yr ydym yn gobeithio bydd yr adroddiad hwn yn ddefnyddiol, nid yn unig i'r Cynulliad ond hefyd yn y drafodaeth ehangach ar y Mesur Iechyd Meddwl drafft yng Nghymru.

Thank you, Presiding Officer, for your praise for this report. We hope that this report will be useful not only to the Assembly, but also in the wider debate on the draft Mental Health Bill in Wales.

Nid dyma'r tro cyntaf inni fod yn y sefyllfa hon. Yn ôl yn 2002, edrychodd y Pwyllgor Iechyd a Gwasanaethau Cymdeithasol, bryd hynny dan gadeiryddiaeth Kirsty Williams, ar y Mesur drafft oedd gerbron Tŷ'r Cyffredin ar y pryd. Nid oeddwn ar y Pwyllgor Iechyd a Gwasanaethau Cymdeithasol ar y pryd, ond yr wyf wedi edrych ar ei adroddiad, a oedd yn feirniadol o'r Mesur drafft hwnnw. Cydnabu'r pwyllgor yr angen am Fesur—yr ydym i gyd yn cydnabod bod angen mawr am Ddeddf iechyd meddwl newydd. Nid yw Deddf Iechyd Meddwl 1983 yn ddigonol yn y sefyllfa bresennol. Nid yw'n cyfateb ag anghenion y presennol ac nid yw'n ymwneud â'r datblygiadau meddygol a chlinigol sydd wedi digwydd yn ystod y ddau ddegawd diwethaf. Y casgliad bryd hynny oedd y byddai'r Mesur drafft yn gwneud mwy o ddrwg nac o les a bod perygl i sefyllfa ddatblygu yng Nghymru lle y byddai gwasanaethau iechyd meddwl yn ymateb i argyfyngau yn unig ac yn methu â chynnig gwasanaeth amgenach i bobl â phroblemau iechyd meddwl.

This is not the first time we have faced this situation. Back in 2002, the Health and Social Services Committee, under the chairmanship of Kirsty Williams at the time, looked at the draft Bill which was then before the House of Commons. I was not a member of the Health and Social Services Committee at the time, but I have looked at its report, which was critical of the draft Bill. The committee recognised the need for a Bill—we all recognise that a new mental health Act is desperately needed. The Mental Health Act 1983 is not adequate in the current situation. It does not meet current needs and it does not deal with the medical and clinical developments seen over the past two decades. The conclusion at that time was that the draft Bill would do more harm than good and that there was a danger that a situation would arise where mental health services in Wales responded only to crises, and would be unable to offer alternative services for people with mental health problems.

Mae'n bwysig cofio, yn y cyd-destun hwnnw, bod un o bob pedwar o boblogaeth Cymru yn debygol o wynebu problemau iechyd meddwl ar ryw adeg. Mae tuedd wedi bod inni feddwl am problemau iechyd meddwl fel rhywbeth sydd yn effeithio ar leiafrif yn ein cymdeithas, ond mae'n rhywbeth fydd yn effeithio arnom i gyd mewn rhyw ffordd neu'i gilydd. Byddwn i gyd yn adnabod rhywun—aelod o'r teulu neu gydnabod—a fydd yn wynebu'r mathau hyn o broblemau ac a fydd angen y gwasanaeth hwn.

Wrth edrych yn ôl i 2002, un o'r problemau eraill a oedd yn amlwg bryd hynny oedd tuedd yn y ddeddfwriaeth nid i leihau'r stigma sydd ynghlwm â phroblemau iechyd meddwl ond i'w gynyddu. Mae hynny wedi bod yn gonsŷrn i'r Pwyllgor Iechyd a Gwasanaethau Cymdeithasol o 2002 ymlaen. Yr oeddem mewn sefyllfa debyg yn 2004—yr oeddwn ar y Pwyllgor Iechyd a Gwasanaethau Cymdeithasol bryd hynny, a gadeiriwyd gan David Melding. Cofiaf David Melding, Kirsty Williams a minnau yn mynd gerbron y cydbwyllgor a oedd yn adolygu'r ddeddfwriaeth o dan gadeiryddiaeth yr Arglwydd Carlile. Cofiaf Jane Hutt, y Gweinidog cyfrifol ar y pryd, yn ceisio argyhoeddi'r pwyllgor y gallai'r gwasanaeth yng Nghymru ymateb i ofynion y ddeddfwriaeth ddrafft ac y gellid ei weithredu yng Nghymru.

3.40 p.m.

Gwnaeth David Melding, Kirsty Williams a minnau hi'n glir i'r cydbwyllgor nad oeddem yn credu bod hynny'n wir a'n bod yn poeni bod y ddeddfwriaeth ddrafft yn gosod llawer o bwyslais ar y fframwaith gwasanaeth cenedlaethol a bod fframwaith Lloegr llawer yn gryfach ac wedi'i ddatblygu i raddau llawer mwy na fframwaith Cymru. Yr oedd y ddibyniaeth ar y fframwaith gwasanaeth yn golygu y byddai'r problemau yn dwysáu yng Nghymru. Os edrychwch ar adroddiad y cydbwyllgor, gwelwch fod y dadleuon a gyflwynasom yn 2004, fel Aelodau o'r gwrthbleidiau, wedi cario'r dydd ac ymgorfforwyd llawer o'n pryderon yn yr adroddiad. Yn anffodus, ni ymatebodd y Llywodraeth yn gadarnhaol i'r adroddiad

It is important to remember, in this context, that one in four people in Wales is likely to face mental health problems at some stage. There has been a tendency for us to believe that mental health problems affect a minority in society, but they will affect us all in some way or other. We will all know someone—a relative or acquaintance—who will face these kinds of problems and who will need this service.

Looking back to 2002, one of the other problems that became apparent at that time was the tendency in the legislation not to reduce the stigma associated with mental health problems, but to increase it. That has been of concern to the Health and Social Services Committee since 2002. We were in a similar situation in 2004—I was on the Health and Social Services Committee at that time, when it was chaired by David Melding. I can recall David Melding, Kirsty Williams and myself appearing before the joint committee responsible for reviewing the legislation, chaired by Lord Carlile. I remember Jane Hutt, the Minister responsible at the time, trying to convince the committee that the service in Wales could respond to the requirements of the draft legislation and that it could be implemented in Wales.

David Melding, Kirsty Williams and I made it clear to the joint committee that we did not believe that to be true, and that we were concerned that the draft legislation placed a great deal of emphasis on the national service framework, and that the framework in England was much stronger and far more developed than the framework in Wales. The dependency on the service framework meant that the problems would get worse in Wales. If you look at the joint committee report, you will see that the arguments we put forward in 2004, as opposition Members, carried the day, and many of our concerns were included in the report. Unfortunately, the Government did not respond positively to that report.

hwnnw.

One issue that we raised in 2004 was the fact that the draft legislation that was before the House of Commons did not reflect the National Assembly's priorities or policies. We were also concerned, again, about an increase in the stigma attached to mental health issues. We were concerned that we would be moving to a position in which there would be crisis management only and there would not be adequate provision for people with mental health issues. Many of the organisations that came to us in 2004 told us exactly what they told us in 2002, which is that if the legislation were implemented, the situation in Wales would be made worse.

We are in exactly the same situation in 2007. In 2006, we received written evidence from 11 organisations and we invited two organisations to give evidence in committee: Hafal, which is a major organisation that represents people with severe mental health issues, and the Law Society. Those two organisations look at the situation from different perspectives, but they came to exactly the same conclusion and members of the Health and Social Services Committee will remember that their advice was clear: that the draft legislation would mean a poorer service in Wales for those suffering from mental health problems, and would mean a tremendous strain on provision. They stated quite clearly that the draft legislation, once again, does not identify or address the needs of Wales, which are very different from the needs of England. The committee, therefore, came to a conclusion and Jenny Randerson put a motion to the committee that clearly stated that we feel that the draft legislation does not address the needs of Wales. Furthermore, it called on the Minister and the Government of Wales to draw down the necessary framework legislation so that we can create a Welsh Bill that not only would address the issues in Wales, but would be addressed solely to meeting the needs of Wales.

Having looked at the committee evidence on Westminster's three attempts to address this

Un mater a godwyd gennym yn 2004 oedd y ffaith nad oedd y ddeddfwriaeth ddrafft a oedd ger bron Tŷ'r Cyffredin yn adlewyrchu blaenoriaethau na pholisïau'r Cynulliad Cenedlaethol. Yr oeddem yn pryderu hefyd, unwaith eto, am gynyddu'r stigma sy'n gysylltiedig â materion iechyd meddwl. Yr oeddem yn pryderu y byddem yn symud i sefyllfa lle mai rheoli argyfyngau'n unig a fyddai'n digwydd a lle na fyddai darpariaeth ddigonol ar gyfer pobl sydd â phroblemau iechyd meddwl. Dywedodd nifer o'r sefydliadau a gysylltodd â ni yn 2004 yn union yr hyn yr oeddent wedi ei ddweud wrthym yn 2002, sef y byddai gweithredu'r ddeddfwriaeth yn gwneud y sefyllfa'n waeth yng Nghymru.

Yr ydym yn yr un sefyllfa'n union yn 2007. Yn 2006, cawsom dystiolaeth ysgrifenedig gan 11 o sefydliadau, a gwahoddwyd dau sefydliad gennym i roi tystiolaeth i'r pwyllgor: sef Hafal, y sefydliad pwysig sy'n cynrychioli pobl sydd â phroblemau iechyd meddwl difrifol, a Chymdeithas y Cyfreithwyr. Mae'r ddau sefydliad hwnnw'n edrych ar y sefyllfa o wahanol safbwyntiau, ond daethant i'r un casgliad yn union, a bydd aelodau'r Pwyllgor Iechyd a Gwasanaethau Cymdeithasol yn cofio bod eu cyngor yn glir, sef y byddai'r ddeddfwriaeth ddrafft yn golygu gwasanaeth gwaeth yng Nghymru i'r rheini sydd â phroblemau iechyd meddwl, ac y byddai'n rhoi pwysau aruthrol ar y ddarpariaeth. Dywedwyd yn glir ganddynt nad yw'r ddeddfwriaeth ddrafft, unwaith eto, yn nodi anghenion Cymru nac yn ymdrin â hwy, ac mae'r rheini'n wahanol iawn i anghenion Lloegr. Felly, daeth y pwyllgor i gasgliad a chyflwynodd Jenny Randerson gynnig i'r pwyllgor a oedd yn dweud yn glir ein bod yn credu nad yw'r ddeddfwriaeth ddrafft yn ymdrin ag anghenion Cymru. At hynny, galwodd ar y Gweinidog a Llywodraeth Cymru i roi'r ddeddfwriaeth fframwaith angenrheidiol ar waith er mwyn inni allu creu Mesur i Gymru a fyddai nid yn unig yn mynd i'r afael ag anghenion Cymru, ond a fyddai'n ymwneud yn benodol â diwallu anghenion Cymru.

Ar ôl ystyried tystiolaeth y pwyllgor ar dair ymgais gan San Steffan i ymdrin â'r mater

issue, I do not have any confidence in Westminster's ability to create a Mental Health Bill that can meet the needs of the people of Wales. Therefore, I think that it is our responsibility, as an Assembly, to call for framework legislation so that we can get the Bill here, discuss it with organisations and users of the provision and clinicians, and create legislation that will meet our needs. We took a vote on the motion that was put to committee and all three opposition Members who were present voted for it and all three Government Members who were present abstained. They were given the opportunity to challenge the advice and evidence given to us by Hafal and the Law Society, and to challenge the decision taken by the committee. I presume that they took a principled view in abstaining and, therefore, I would not expect them to oppose the proposal that was put to committee now. In noting this report, I ask the Minister to respond positively to our call for a Welsh mental health Bill created in this place to meet the needs of the people of Wales. I look forward to hearing the Minister's response.

Gwenda Thomas: I have carefully considered the committee's report, and although I am able to support most of the committee's findings, I am disappointed that there is no specific reference to the needs of children and young people, and no reference to the need for a clear strategy to facilitate a smooth transition from childhood to adulthood. The 1983 Act that this Bill seeks to amend in a limited way is largely concerned with the circumstances in which a person—an adult or a young person—with a mental disorder can be detained for treatment for that disorder without his or her consent.

There is nothing explicit in the Bill with regard to children's rights or to the United Nations convention on the rights of the child, nor is there a set of guiding principles as there is on the face of Scottish mental health legislation, although I note that the Government is now reconsidering the position on this matter. In contrast, the Children Act 1989 set out principles in the legislation itself, and there is widespread agreement that these provisions would give

hwn, nid oes gennyf ddim hyder yng ngallu San Steffan i greu Mesur Iechyd Meddwl a all ddiwallu anghenion pobl Cymru. Felly, credaf ei fod yn gyfrifoldeb arnom, fel Cynulliad, i alw am ddeddfwriaeth fframwaith er mwyn inni allu trosglwyddo'r Mesur i Gymru, ei drafod gyda sefydliadau a defnyddwyr y ddarpariaeth a chlinigwyr, a chreu deddfwriaeth a fydd yn diwallu ein hanghenion. Cawsom bleidlais ar y cynnig a gyflwynwyd ger bron y pwyllgor, a phleidleisiodd y tri Aelod o'r gwrthbleidiau a oedd yn bresennol o'i blaid, ond ymatalodd y tri Aelod o'r Llywodraeth a oedd yn bresennol. Rhoddwyd cyfle iddynt herio'r cyngor a'r dystiolaeth a gyflwynwyd ger ein bron gan Hafal a Chymdeithas y Cyfreithwyr, ac i herio penderfyniad y pwyllgor. Cymeraf mai o ran egwyddor yr oeddent yn ymatal, ac felly, ni fyddwn yn disgwyl iddynt wrthwynebu'r cynnig a gyflwynwyd gerbron y pwyllgor yn awr. Wrth nodi'r adroddiad hwn, gofynnaf i'r Gweinidog ymateb yn gadarnhaol i'n galwad i greu Mesur iechyd meddwl i Gymru yn y lle hwn i ddiwallu anghenion pobl Cymru. Edrychaf ymlaen at glywed ymateb y Gweinidog.

Gwenda Thomas: Yr wyf wedi ystyried adroddiad y pwyllgor yn ofalus, ac er y gallaf gefnogi'r rhan fwyaf o ddarganfyddiadau'r pwyllgor, yr wyf yn siomedig nad oes cyfeiriad penodol at anghenion plant a phobl ifanc, na chyfeiriad at yr angen am strategaeth glir i hwyluso'r broses o drosglwyddo'n ddiraffferth o blentynod i fod yn oedolyn. Mae'r Ddeddf 1983 y mae'r Mesur hwn yn ceisio'i gwella, mewn ffordd gyfyngedig, yn ymwneud yn bennaf â'r amgylchiadau pan ellir cadw unigolyn—boed yn oedolyn neu'n berson ifanc—sydd ag anhwylder meddwl er mwyn ei drin am yr anhwylder hwnnw heb ei ganiatâd.

Nid oes dim penodol yn y Mesur o ran hawliau plant neu gonfensiwn y Cenhedloedd Unedig ar hawliau'r plentyn, ac nid oes ychwaith gyfres o egwyddorion arwain fel sydd ar wyneb deddfwriaeth iechyd meddwl yr Alban. Sylwaf, er hynny, fod y Llywodraeth bellach yn ailystyried y sefyllfa gyda'r mater hwn. I'r gwrthwyneb, mae'r Deddf Plant 1989 yn gosod allan egwyddorion yn y ddeddfwriaeth ei hun, a chytunir yn eang y byddai'r darpariaethau

confidence to service users and would be a valuable guide to practitioners.

The Bill does make some reference to children and young people, for example, clause 28 includes provision for community treatment orders. However, the charity Young Minds has said that the Bill is at odds with the children Acts. The charity Mind has called for the introduction of safeguards for children and young people. In written evidence to the Health and Social Services Committee, West Wales Action for Mental Health said that the Bill

‘misses the opportunity to provide age appropriate assessment, treatment and supervision for children treated under the mental health act’.

Much of the debate in the House of Lords refers to children and young people, and that has resulted in amendments being tabled on the subject of advocacy, age-appropriate settings, medical assessment by a children and adolescent mental health services specialist prior to the imposition of compulsion for a child or young person and on the appointment of clinical supervisors when the patient is a minor under 18.

I felt it important to make this contribution, and I hope that the Assembly can raise concerns regarding provision for children and young people during the passage of this Bill. I acknowledge the assistance of the Members’ research service in gleaning this information.

Helen Mary Jones: In my contribution, I see no need to go into detail about the issues raised; the committee’s report speaks for itself, and does so powerfully.

As Members have already been told, we received almost no evidence to support this Bill, and no evidence whatsoever from within Wales to support it. The oral submissions from Hafal and the Law Society, coming, as Rhodri Glyn Thomas said, from two totally different perspectives as regards this legislation, were absolutely compelling. The Law Society said that the legislation was

hyn yn rhoi hyder i ddefnyddwyr gwasanaethau, ac y byddent yn ganllaw gwerthfawr i ymarferwyr.

Mae’r Mesur yn cyfeirio i ryw raddau at blant a phobl ifanc. Er enghraifft, mae cymal 28 yn cynnwys darpariaeth ar gyfer gorchmynion triniaeth gymunedol. Fodd bynnag, mae’r elusen Young Minds wedi dweud bod y Mesur yn groes i’r Deddfau plant. Mae’r elusen Mind wedi galw am gyflwyno mesurau diogelwch i blant a phobl ifanc. Mewn tystiolaeth ysgrifenedig i’r Pwyllgor Iechyd a Gwasanaethau Cymdeithasol, dywedodd Gweithredu dros Iechyd Meddwl Gorllewin Cymru fod y Mesur

yn colli’r cyfle i ddarparu asesiadau, triniaeth a goruchwyliaeth sy’n briodol i oed i blant sy’n cael eu trin o dan y ddeddf iechyd meddwl.

Mae rhan helaeth o’r ddadl yn Nhŷ’r Arglwyddi yn cyfeirio at blant a phobl ifanc, ac mae hynny wedi arwain at gyflwyno gwelliannau o ran eiriolaeth, lleoliadau sy’n briodol i oed, asesiadau meddygol gan arbenigwr iechyd meddwl plant a’r glasod cyn gosod gorfodaeth ar blentyn neu berson ifanc, a phenodi goruchwylwyr clinigol pan fydd y claf dan 18 oed.

Teimlwn ei bod yn bwysig gwneud y cyfraniad hwn, a gobeithio y gall y Cynulliad ddileu pryderon ynghylch darpariaeth ar gyfer plant a phobl ifanc yn ystod hynt y Mesur hwn. Cydnabyddaf gymorth gwasanaeth ymchwil yr Aelodau wrth grynhoi’r wybodaeth hon.

Helen Mary Jones: Yn fy nghyfraniad, ni chredaf fod angen manylu ar y materion a godwyd; mae adroddiad y pwyllgor yn siarad drosto’i hun, a hynny’n rymus iawn.

Fel y dywedwyd wrth Aelodau eisoes, ni chawsom ddim tystiolaeth bron i ategu’r Mesur hwn, na thystiolaeth o fath yn y byd o Gymru i’w ategu. Yr oedd y cyflwyniadau llafar gan Hafal a Chymdeithas y Cyfreithwyr, o ddau safbwynt hollol wahanol o ran y ddeddfwriaeth hon, fel y dywedodd Rhodri Glyn Thomas, yn hollol gymhellol. Dywedodd Cymdeithas y Cyfreithwyr fod y

unworkable; Hafal told us that the legislation would be unjust.

This proposal is worse than the legislation that the Westminster Government was forced to withdraw, but the previous health committee, as Rhodri Glyn Thomas also said, rejected it wholeheartedly in 2002, calling at that time for separate Wales powers. This proposed legislation is punitive, it has no statement of guiding principles, it contains no right to advocacy, and it contains no right to receive treatment to balance the compulsion.

From a personal perspective I believe that there may be a case for compulsion within the community if it is an alternative to hospitalisation, but there can certainly be no moral justification for compulsion if there is not a balancing and compensatory right to be assessed and then to receive your treatment. If this legislation goes through as it is, it would be possible for a mental health patient in Wales to be compelled to receive treatment that is not made available to them, and that would be unthinkable unjust.

3.50 p.m.

All the things that were wrong in 2002 are in this Bill, but there are none of the redeeming features of the original Bill, which the Government was forced to withdraw. The present legislation is not adequate; no-one is saying that it is. It is exceedingly old, and it has not moved with the times. However, the users' organisations, in their evidence to our committee, were absolutely clear and unambiguous that they would prefer to stick with the 1983 legislation than face the consequences of this legislation today.

I believe that there is strong evidence that there would be a consensus in Wales to do things differently, and do them better. As a political community with a small 'p', we would be much less likely to be swayed by tabloid hysteria, and we would be likely to come forward with a framework that would be more supportive and more focused on the needs and rights of patients and carers, which

ddeddfwriaeth yn anymarferol; dywedodd Hafal wrthym y byddai'r ddeddfwriaeth yn anghyfiawn.

Mae'r cynnig hwn yn waeth na'r ddeddfwriaeth y gorfodwyd Llywodraeth San Steffan i'w diddymu, ond fe'i gwrthodwyd yn llwyr gan y pwyllgor iechyd blaenorol yn 2002, fel y dywedodd Rhodri Glyn Thomas hefyd, gan alw bryd hynny am bwerau ar wahân i Gymru. Mae'r ddeddfwriaeth arfaethedig hon yn cosbi, nid oes ynddi unrhyw ddatganiad o egwyddorion arwain, nid yw'n cynnwys unrhyw hawl i eiriolaeth, nac unrhyw hawl i gael triniaeth i gydbwysu'r orfodaeth.

O safbwynt personol, credaf y gall fod achos dros orfodaeth yn y gymuned os yw'n ddewis yn lle aros yn yr ysbyty. Ond yn sicr ni ellir cyfiawnhau gorfodaeth ar sail foisol os nad oes hawl gytbwys a chydadferol i gael eich asesu ac yna i gael eich triniaeth. Os derbynir y ddeddfwriaeth hon fel y mae, byddai'n bosibl i gleifion iechyd meddwl yng Nghymru gael eu gorfodi i gael triniaeth nad yw ar gael iddynt, a byddai hynny'n anghredadwy o anghyfiawn.

Mae'r holl bethau a oedd yn anghywir yn 2002 wedi'u cynnwys yn y Mesur hwn, ond dim un o nodweddion achubol y Mesur gwreiddiol y bu'n rhaid i'r Llywodraeth ei ddiddymu. Nid yw'r ddeddfwriaeth bresennol yn ddigonol; nid oes neb yn dweud ei bod hi'n ddigonol. Mae'n eithriadol o hen, ac nid yw wedi datblygu gyda'r oes. Fodd bynnag, yr oedd sefydliadau'r defnyddwyr, yn eu tystiolaeth i'n pwyllgor, yn hollol glir a diamwys y byddai'n well ganddynt barhau gyda deddfwriaeth 1983 nag wynebu canlyniadau'r ddeddfwriaeth hon heddiw.

Credaf fod tystiolaeth gref y byddai consensws yng Nghymru o blaid gwneud pethau'n wahanol, a'u gwneud yn well. Fel cymuned gymharol wleidyddol, byddai sylw gorffwyll yn y papurau tabloid lawer yn llai tebygol o ddylanwadu arnom, a byddem yn debygol o gyflwyno fframwaith a fyddai'n fwy cefnogol ac yn canolbwyntio mwy ar anghenion a hawliau cleifion a gofalwyr.

would, therefore, be better for the wider public too. We must remember in this debate that the person that a mental health patient is most likely to hurt is themselves, and if they can receive the help, support and treatment that they need, when they need it, then that will make them much less likely to become a danger to anybody else or to themselves.

We have a separate national service framework in Wales. There are issues around the implementation of that framework, but the framework itself has some things to commend it. The evidence that we received from Hafal was clear: its representatives believed that the national service framework in Wales would be undermined if this legislation were put into place. There is an alternative model in the Scottish legislation, to which Gwenda Thomas referred. It is not a perfect model, and lessons are being learned from its implementation, but it is a model that, here in Wales, with Wales-only legislation, we could learn from.

I support the points that Gwenda Thomas made about the need for any Welsh legislation to have at its heart the needs of children and young people, and particularly the difficulty in terms of the transition from children's to adults' services, which can fail young people, and devastatingly so, just at the point where they most need support.

It is time for a change for the better for mental health service users in Wales. It is unthinkable that, with the new powers that the Assembly will have after May, Labour members who were prepared to support a Wales-only approach two years ago will not do so now. I simply cannot believe that, but then they frequently do things that I simply cannot believe—consistency is not their watchword. I urge all Assembly Members to listen to service users and their carers, to organisations like Hafal and MIND and to the organisations that I am sure will have made representations to you in your own constituencies and regions.

Mental health is supposed to be one of the

Byddai hynny, felly, yn well i'r cyhoedd ehangach hefyd. Rhaid inni gofio yn y ddadl hon mai'r sawl y mae claf iechyd meddwl yn fwyaf tebygol o'i frifo yw ef ei hun, ac os gall gael y cymorth, y gefnogaeth a'r driniaeth y mae arno'u hangen, pan fydd arno'u hangen, yna bydd hynny'n ei wneud lawer yn llai tebygol o fod yn berygl i unrhyw un arall neu iddo'i hun.

Mae gennym fframwaith gwasanaeth cenedlaethol ar wahân yng Nghymru. Mae yna broblemau o ran gweithredu'r fframwaith hwnnw, ond mae yn y fframwaith ei hun rai pethau o'i blaid. Yr oedd y dystiolaeth a gawsom gan Hafal yn glir: yr oedd ei gynrychiolwyr yn credu y câi'r fframwaith gwasanaeth cenedlaethol yng Nghymru ei danseilio pe rhoddid y ddeddfwriaeth hon ar waith. Mae model gwahanol yn neddfwriaeth yr Alban y cyfeiriodd Gwenda Thomas ato. Nid yw'n fodel perffaith, ac mae gwersi'n cael eu dysgu o hyd wrth ei weithredu, ond mae'n fodel y gallem ni, yma yng Nghymru, gyda deddfwriaeth sy'n ymwneud â Chymru'n unig, ddysgu ohono.

Ategaf y pwyntiau a wnaeth Gwenda Thomas ynghylch yr angen am sicrhau bod anghenion plant a phobl ifanc wrth wraidd unrhyw ddeddfwriaeth i Gymru, ac yn arbennig yr anhawster o ran trosglwyddo o wasanaethau plant i wasanaethau oedolion, sy'n gallu methu pobl ifanc, a hynny mewn ffordd mor ddifrodus, pan fydd angen cymorth arnynt fwyaf.

Mae'n bryd sicrhau newid er gwell i ddefnyddwyr gwasanaethau iechyd meddwl yng Nghymru. Ni ellir amgyffred, gyda'r pwerau newydd a fydd gan y Cynulliad ar ôl mis Mai, na fydd aelodau Llafur a oedd yn barod i gefnogi dull i Gymru'n unig ddwy flynedd yn ôl, yn gwneud hynny mwyach. Ni allaf gredu hynny, ond yna maent yn aml yn gwneud pethau na allaf eu credu—nid yw cysondeb yn rhan o'u geirfa. Anogaf holl Aelodau'r Cynulliad i wrando ar ddefnyddwyr gwasanaethau a'u gofalwyr, ar sefydliadau fel Hafal a MIND ac ar y sefydliadau a fydd, yn siŵr gennyf fi, wedi cyflwyno sylwadau ichi yn eich etholaethau a'ch rhanbarthau.

Mae iechyd meddwl i fod yn un o brif

Labour Assembly Government's top priorities; how can we not, as an Assembly, want power to deliver on those priorities? I commend this committee report to the National Assembly, and fervently call upon the Government to act upon the committee's recommendations.

Jonathan Morgan: In eight years we have had three attempts by the United Kingdom Government to reform mental health services. The first Bill was disastrous, and was ditched. The second was disastrous, and was also ditched. The third Bill is disastrous, and looks as though it will be torn limb from limb as it proceeds through the House of Lords and the House of Commons. I congratulate Lord Carlile of Berriew for his sterling work in this area, and indeed all those members of the House of Lords who have contributed to the debates that have taken place thus far. Their speeches and contributions have demonstrated how deeply damaging this piece of legislation is.

You would have thought that, after 10 years in power, the Labour Government would have realised that you do not reform mental health services by introducing something that looks like a criminal justice Bill—because that is exactly what this is. It is not about reforming mental health legislation; it is about ensuring that criminal justice Bills are brought in at an increasingly faster rate—faster than those brought in by any other Government in the history of the United Kingdom, and this Bill falls very much within that category.

The evidence that we received was consistent. It is not always the case that evidence taken in committees is consistent across the board, regardless of the organisations that are there to assist us. However, all of the evidence was consistent in respect of the concerns about the supervised community treatment orders, the definition of a mental disorder, and a treatability test.

When reading about the process that had been put in place to draw to a conclusion this

flaenoriaethau Llywodraeth Lafur y Cynulliad; sut na allwn, fel Cynulliad, fod eisiau cael y grym i weithredu'r blaenoriaethau hynny? Cymeradwyaf adroddiad y pwyllgor hwn i'r Cynulliad Cenedlaethol, a galwaf yn daer am i'r Llywodraeth weithredu argymhellion y pwyllgor.

Jonathan Morgan: Mewn wyth mlynedd, cafwyd tair ymgais gan Lywodraeth y Deyrnas Unedig i ddiwygio gwasanaethau iechyd meddwl. Yr oedd y Mesur cyntaf yn drychinebus, a rhoddwyd y gorau iddo. Yr oedd yr ail yn drychinebus, a rhoddwyd y gorau i hwnnw hefyd. Mae'r trydydd Mesur yn drychinebus, ac mae'n edrych yn debygol y caiff ei dynnu'n ddarnau wrth iddo fynd drwy Dŷ'r Arglwyddi a Thŷ'r Cyffredin. Hoffwn longyfarch Arglwydd Carlile o Aberriw am ei waith clodwiw yn y maes hwn, ac yn wir i'r holl aelodau hynny o Dŷ'r Arglwyddi sydd wedi cyfrannu at y dadleuon a gafwyd hyd yma. Mae eu hareithiau a'u cyfraniadau wedi dangos mor eithriadol niweidiol yw'r ddeddfwriaeth hon.

Byddech wedi meddwl, ar ôl 10 mlynedd mewn grym, y byddai'r Llywodraeth Lafur wedi sylweddoli na ellir diwygio gwasanaethau iechyd meddwl drwy gyflwyno rhywbeth sy'n edrych fel Mesur cyfiawnder troseddol-oherwydd dyna'n union yw'r Mesur hwn. Nid oes a wnelo â diwygio deddfwriaeth iechyd meddwl; mae a wnelo â sicrhau bod Mesurau cyfiawnder troseddol yn cael eu cyflwyno'n gyflymach o hyd ac o hyd—yn gyflymach na'r rhai a gyflwynwyd gan unrhyw Lywodraeth arall yn hanes y Deyrnas Unedig, ac mae'r Mesur hwn yn sicr yn perthyn i'r categori hwnnw.

Yr oedd y dystiolaeth a gawsom yn gyson. Nid yw'r dystiolaeth a gesglir mewn pwyllgorau bob amser yn gyson ym mhob agwedd, waeth pa sefydliadau sydd yno i'n cynorthwyo. Fodd bynnag, yr oedd yr holl dystiolaeth yn gyson o ran y pryderon am y gorchmynion triniaeth gymunedol dan oruchwyliaeth, y diffiniad o anhwylder meddwl, a phrawf triniadwyaeth.

Wrth ddarllen am y broses a roddwyd ar waith i ddirwyn y trydydd fersiwn drafft hwn

third draft Bill of the UK Government, I was concerned that the Assembly Government did not seek the opportunity to have framework powers within this third Bill. Why on Earth did Rhodri Morgan and Brian Gibbons not say to their colleagues in London, 'We in Wales would like to do something different and as a result, we would like to see the powers conferred to the Assembly so that Wales can do its own thing'? At the very least, they could have asked for a Welsh section in the Bill. We do not even have that. It is an England and Wales Bill and it is deeply flawed. The Assembly Government and the Minister for Health and Social Services, in particular, have let down the people of Wales by not pursuing this to ensure that Wales could do its own thing.

When we examined the detail of the Bill, particularly the supervised community treatment orders, it was interesting to hear what the Law Society had to say. It said that it was deeply concerned by the proposal and that it was:

'both ethically dubious and would undermine therapeutic relationships in the community.'

I thought that that was absolutely critical. That was the view of the Law Society, which is not normally known for being so outspoken and so critical in these matters. That was the Law Society criticising the UK Government for introducing something that was:

'both ethically dubious and would undermine therapeutic relationships in the community.'

It was absolutely damning.

Also, in terms of the definition of a mental disorder, the Law Society said that the Bill should retain a modified version of the current exclusions, or at the very least, include a set of statutory principles on its face to guide professional decision makers. The Government's response to that has been weak and has lacked intellectual rigour and I am sorry that we are now facing a Bill that is

o Fesur Llywodraeth y DU i ben, yr oeddwn yn bryderus na wnaeth Llywodraeth y Cynulliad gais am bwerau fframwaith o fewn y trydydd Mesur hwn. Pam ar wyneb y ddaear na ddywedodd Rhodri Morgan a Brian Gibbons wrth eu cyd-aelodau yn Llundain 'Hoffem ni yng Nghymru wneud rhywbeth gwahanol, ac o ganlyniad hoffem i'r Cynulliad gael y pwerau fel y gall Cymru wneud ei phenderfyniadau ei hun'? Gallent o leiaf fod wedi gofyn am adran yn y Mesur sy'n benodol i Gymru. Nid oes gennym hynny hyd yn oed. Mae'n Fesur i Gymru a Lloegr ac mae'n ddiffygiol iawn. Mae Llywodraeth y Cynulliad a'r Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol, yn arbennig, wedi siomi pobl Cymru drwy beidio â gweithredu ar hyn i sicrhau y gallai Cymru wneud ei phenderfyniadau ei hun.

Pan archwiliwyd manylion y Mesur gennym, yn arbennig y gorchmynion triniaeth gymunedol dan oruchwyliaeth, yr oedd yn ddi-ddorol clywed yr hyn a oedd gan Gymdeithas y Cyfreithwyr i'w ddweud. Dywedodd fod y cynnig yn peri pryder mawr iddi a'i fod:

yn amheus yn foesebol ac y byddai'n tanseilio perthynas therapiwtig yn y gymuned.

Yr oedd hynny'n hollbwysig, yn fy marn i. Dyna farn Cymdeithas y Cyfreithwyr, nad yw'n adnabyddus fel rheol am fod mor ddiflwyn ar dafod ac mor feirniadol yn y materion hyn. Yr oedd Cymdeithas y Cyfreithwyr yn beirniadu Llywodraeth y DU am gyflwyno rhywbeth a oedd:

yn amheus yn foesebol ac y byddai'n tanseilio perthynas therapiwtig yn y gymuned.

Yr oedd yn hollol ddamniol.

Hefyd, o ran y diffiniad o anhwylder meddwl, dywedodd Cymdeithas y Cyfreithwyr y dylai'r Mesur gadw fersiwn wedi'i addasu o'r eithriadau presennol, neu o leiaf y dylai gynnwys cyfres o egwyddorion statudol ar ei wyneb i dwys pobl broffesiynol sy'n gwneud penderfyniadau. Mae ymateb y Llywodraeth i hynny wedi bod yn wan ac yn ddiffygiol o ran grym deallusol,

so damaging to patients in Wales.

Hafal was particularly concerned about the treatability test. Nothing in this Bill confers a legal right to treatment and assessment, which is in the Scottish legislation and is by no means perfect, but it is something that should be in the England and Wales Bill. It is incredible that the UK Government wishes to introduce a Bill reforming mental health services, which does nothing to outline a legal right to treatment and assessment; it simply does not make sense. When I asked Hafal whether, if the Bill proceeded unamended through the House of Lords and then through the House of Commons, it would prefer to see the Bill implemented as an Act of Parliament or stick with the 1983 legislation, Hafal said that it was so bad that it would rather stick with the present mental health legislation.

I hope that it is not too late for the Minister for Health and Social Services and the First Minister to try to convince their colleagues in London that we in Wales should have an opt-out. I have always believed that reforming mental health services in Wales and across the UK could prove to be one of the last great social reforms for our country. I believe that this Bill is a dreadful missed opportunity. If we do not get the opt-out now in this Bill, I surely hope that the next Assembly, whatever its make-up, will use the first Assembly Measure to reform mental health services in Wales.

Jenny Randerson: It was a great disappointment to me that, having said that he would consider them, the Minister decided not to seek framework powers in relation to mental health. I do not believe that his reasons, as given to us in committee, held water. What he cited were cross-border issues. He said that it would be confusing for a person who goes to England and is sectioned under the Mental Health Act 1983 there and ends up in an English hospital rather than a Welsh hospital. That is not a legitimate reason. If we believe in that as a

ac mae'n flin gennyf ein bod bellach yn wynebu Mesur sydd mor niweidiol i gleifion yng Nghymru.

Yr oedd Hafal yn pryderu'n arbennig am y prawf triniadwyaeth. Nid oes dim yn y Mesur hwn yn rhoi hawl gyfreithiol i drin ac asesu, fel sydd yn neddfwriaeth yr Alban ac nad yw'n berffaith o bell ffordd, ond mae'n rhywbeth y dylid ei gynnwys yn y Mesur i Gymru a Lloegr. Mae'n anhygoel bod Llywodraeth y DU yn awyddus i gyflwyno Mesur yn diwygio gwasanaethau iechyd meddwl, nad yw'n gwneud dim i amlinellu hawl gyfreithiol i drin ac asesu; nid yw'n gwneud synnwyr. Pan ofynnais i Hafal, pe bai'r Mesur yn mynd rhagddo heb ei wella drwy Dŷ'r Arglwyddi ac yna drwy Dŷ'r Cyffredin, a fyddai'n well ganddo weld y Mesur yn cael ei roi ar waith fel Deddf Seneddol neu barhau gyda deddfwriaeth 1983, dywedodd Hafal ei fod mor wael y byddai'n well ganddo barhau gyda'r ddeddfwriaeth bresennol ar iechyd meddwl.

Gobeithio nad yw'n rhy hwyr i'r Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol a'r Prif Weinidog geisio darbwyllo'u cyd-aelodau yn Llundain y dylai fod gennym ni yng Nghymru y dewis i eithrio. Yr wyf erioed wedi credu y gallai diwygio'r gwasanaethau iechyd meddwl yng Nghymru a ledled y DU fod yn un o'r diwygiadau cymdeithasol sylweddol olaf i'n gwlad. Credaf ein bod wedi colli cyfle gwych yn y Mesur hwn. Os na chawn y dewis i eithrio yn awr yn y Mesur hwn, gobeithio i'r nefoedd y bydd y Cynulliad nesaf, waeth beth fydd ei gyfansoddiad, yn defnyddio Mesur cyntaf y Cynulliad i ddiwygio gwasanaethau iechyd meddwl yng Nghymru.

Jenny Randerson: Siom o'r mwyaf oedd bod y Gweinidog wedi penderfynu peidio â gwneud cais am bwerau fframwaith mewn perthynas ag iechyd meddwl, ar ôl dweud y byddai'n eu hystyried. Nid wyf yn credu bod ei resymau, fel y'u rhoddwyd inni yn y pwyllgor, yn dal dŵr. Materion trawsffiniol oedd yr hyn a ddyfynnwyd ganddo. Dywedodd y byddai'n ddryslyd i unigolyn sy'n mynd i Loegr ac yn cael ei gadw yno o dan Ddeddf Iechyd Meddwl 1983 a'i anfon i ysbyty meddwl yn Lloegr yn hytrach nag i ysbyty yng Nghymru. Nid yw hwnnw'n

reason, we might as well all shut up shop. If you look at health issues generally, you will see that there are dozens of cross-border issues. Health services always suffer—if you want to put it that way—from cross-border issues, and we have managed to deal with them.

4.00 p.m.

I am pleased that the committee accepted my proposal that we should ask the Minister formally to reconsider his decision. It is not too late to change your mind, Minister, and to ask for those framework powers. The whole ethos of the Bill that is currently going through Parliament is out of kilter with the approach that all parties in the Assembly have taken to mental health issues and human rights in Wales. I strongly advocate that Wales should seek these powers and use them to produce something that is much more along the lines of the Scottish legislation, which is generally accepted as being far better than the proposals in Westminster. For instance, the Mental Health (Care and Treatment) (Scotland) Act 2003 is based on 10 guiding principles, but there are no guiding principles in the proposed legislation for England and Wales. The Scottish Act has been in force for some time, and has generally been welcomed; it has received considerable support.

I welcome Gwenda's comments on her concerns about child and adolescent mental health in the Westminster Bill. I also welcome her comments about the Scottish legislation.

It takes something to unite Hafal and the Law Society, but the proposal in Westminster has managed it. When this third attempt at a mental health Bill was published, the Law Society issued a press release with the headline 'Government gets mental health reforms wrong again'. That sums it up—the Law Society does not normally speak in such terms. In committee, we heard universal condemnation of the proposed legislation, criticising the sledgehammer-to-crack-a-nut proposals, as the Law Society calls them, for dealing with the tiny number of people with severe personality disorders who are free in

rheswm dilys. Os credwn fod hwnnw'n rheswm, waeth inni roi'r ffidil yn y to. Os ystyriwch faterion iechyd yn gyffredinol, fe welwch fod yna ddwsinau o faterion trawsffiniol. Mae gwasanaethau iechyd bob amser yn dioddef-fel petai-o ganlyniad i faterion trawsffiniol, ac yr ydym wedi llwyddo i ymdrin â hwy.

Yr wyf yn falch fod y pwyllgor wedi derbyn fy nghynnig y dylem ofyn yn swyddogol i'r Gweinidog ailystyried ei benderfyniad. Nid yw'n rhy hwyr i newid eich meddwl, Weinidog, a gofyn am y pwerau fframwaith hynny. Mae ethos cyffredinol y Mesur sydd ar ei hynt drwy'r Senedd ar hyn o bryd yn mynd yn groes i ddull yr holl bleidiau yn y Cynulliad o ran materion iechyd meddwl a hawliau dynol yng Nghymru. Apeliaf yn gryf y dylai Cymru geisio'r pwerau hyn a'u defnyddio i greu rhywbeth tebycach i ddeddfwriaeth yr Alban, sy'n cael ei dderbyn yn gyffredinol yn llawer gwell na'r cynigion yn San Steffan. Er enghraifft, seiliwyd Deddf Iechyd Meddwl (Gofal a Thriniaeth) (Yr Alban) 2003 ar 10 egwyddor sylfaenol, ond nid oes egwyddorion sylfaenol hyn y ddeddfwriaeth a gynigir ar gyfer Cymru a Lloegr. Bu Deddf yr Alban mewn grym ers cryn amser, ac mae wedi ei chroesawu'n gyffredinol; mae wedi cael cryn gefnogaeth.

Croesawaf sylwadau Gwenda am ei phryderon am iechyd meddwl plant a phobl ifanc ym Mesur San Steffan. Croesawaf hefyd ei sylwadau am y ddeddfwriaeth yn yr Alban.

Mae'n cymryd rhywbeth arbennig i uno Hafal a Chymdeithas y Cyfreithwyr, ond mae'r cynnig yn San Steffan wedi llwyddo i wneud hynny. Pan gyhoeddwyd y trydydd ymgais hwn i gael Mesur iechyd meddwl, cyhoeddodd Cymdeithas y Cyfreithwyr ddatganiad i'r wasg gyda'r pennawd bod y Llywodraeth wedi camddiwygio iechyd meddwl unwaith eto. Mae hynny'n dweud y cyfan—nid yw Cymdeithas y Cyfreithwyr yn siarad fel hynny fel rheol. Yn y pwyllgor, clywsom gondemniad cyffredinol o'r ddeddfwriaeth arfaethedig, beirniadaeth o'r cynigion sy'n llawdrwm yn nhyb Cymdeithas

our society.

The UK Government has swallowed the tabloid agenda on this issue, as it has done on many occasions, in a way in which the Assembly Labour Government is not prone to do, and so I am surprised that the Assembly Government has considered going along with it. For example, the proposed compulsory supervised community treatment orders work completely differently from the community treatment orders in operation in Scotland, which must be authorised by an independent tribunal. The approach to ensuring advocacy is far more enlightened in Scotland, where there is right to free, independent advocacy. The Westminster legislation does provide a way out of the approach to have the nearest relation to act as spokesperson, but it is a tortuous process. You would have to pursue it actively, which many people would not be in a position to do; whereas, in Scotland, you can choose who you wish to act as your representative, and that person can be a friend, a carer, a family member, or even a fellow service user.

In conclusion, I know that you are a fair-minded man, Minister, and I hope that you will use your fair mind on this occasion to reconsider your decision and seek framework powers.

Leanne Wood: This Mental Health Bill is yet another attack from New Labour on our civil liberties. Let us make no mistake—it is an attack on the civil liberties of all of us. Mental illness should not be seen as something that happens to someone else; it can happen to any of us at any point in our lives. I have personal experience of trying to access mental health services, and I am sure that Members have dealt with such constituency cases, if not in their private lives. The picture is not good. All too often, people are unable to access the services and support that they need.

There is a huge need to improve on the Mental Health Act 1983. In particular, people

y Cyfreithwyr, i ymdrin â'r nifer fach o bobl sydd ag anhwylderau personoliaeth difrifol ac sy'n byw yn rhydd yn ein cymdeithas.

Mae Llywodraeth y DU wedi dilyn agenda'r papurau tabloid yn y mater hwn, fel y mae wedi ei wneud droeon, mewn ffordd nad yw Llywodraeth Lafur y Cynulliad yn dueddol o'i wneud, ac felly yr wyf yn synnu bod Llywodraeth y Cynulliad wedi ystyried cydfynd â hi. Er enghraifft, mae'r gorchmynion triniaeth gymunedol orfodol o dan oruchwyliaeth a gynigir yn gweithio mewn ffordd hollol wahanol i'r gorchmynion triniaeth gymunedol sy'n gweithredu yn yr Alban, sy'n cael eu hawdurdodi gan driwlynys annibynnol. Mae'r ffordd i sicrhau eiriolaeth lawer yn fwy goleuedig yn yr Alban, lle mae hawl i eiriolaeth annibynnol am ddim. Mae deddfwriaeth San Steffan yn cynnig ffordd yn lle cael y perthynas agosaf i weithredu fel cynrychiolydd, ond mae'n broses droellog. Byddai'n rhaid ichi fynd ati i'w geisio, ac mae nifer o bobl heb fod mewn sefyllfa i wneud hynny. Ond yn yr Alban, gallwch ddewis pwy a ddymunwch i weithredu fel eich cynrychiolydd, a gall hwnnw fod yn gyfaill, yn ofalwr, yn aelod o'r teulu, neu hyd yn oed rywun arall sy'n defnyddio'r gwasanaeth.

I gloi, gwn eich bod yn ddyn teg, Weinidog, a gobeithio y byddwch yn defnyddio'ch meddwl teg y tro hwn i ailystyried eich penderfyniad a cheisio pwerau fframwaith.

Leanne Wood: Mae'r Mesur Iechyd Meddwl hwn yn ymosodiad arall gan Lafur Newydd ar ein hawliau sifil. Peidiwch â chamdeall—mae'n ymosodiad ar hawliau sifil pob un ohonom. Ni ddylid ystyried salwch meddwl fel rhywbeth sy'n digwydd i rywun arall; gall ddigwydd i unrhyw un ohonom unrhyw bryd yn ein bywydau. Mae gennyf brofiad personol o geisio cael gafael ar wasanaethau iechyd meddwl, ac yr wyf yn siŵr fod Aelodau wedi delio ag achosion o'r fath i etholwyr, os nad yn eu bywydau preifat. Nid yw'r darlun yn un da. Lawer yn rhy aml, mae pobl yn methu cael y gwasanaethau a'r cymorth y mae arnynt eu hangen.

Mae angen mawr am wella Ddeddf Iechyd Meddwl 1983. Yn arbennig, dylid rhoi'r hawl

should be given the right to assessment and treatment. Why, then, is this opportunity being missed, and why, instead, are we talking about introducing legislation that will allow people to be detained without any useful treatment being available to them, even if they have not committed an offence? There is huge stigma attached to people with mental health problems and, as Jenny Randerson just pointed out, the tabloid press does not help in this regard. If this legislation is passed, the stigma will get much worse.

Parties across the Assembly are on common ground as regards having a different kind of mental health system in Wales, and for mental health legislation to be made in Wales. We should be free to follow our own agenda in Wales.

When I was first elected to the Assembly, I spent some time speaking to groups of mental health service users in different locations throughout Wales. There was a clear feeling that the national service framework that the Assembly had drawn up was the right approach. There were plenty of criticisms regarding its implementation and the lack of resources for the strategy, but, generally, people were very happy with the Assembly's approach to mental health. Of course, the situation will change drastically if this Bill is passed. It contradicts the national service framework's aims to promote service user and carer empowerment. It is a disempowering piece of legislation.

Our legislation in Wales should look more like the Scottish model, even though, as has been pointed out, that is not perfect. I call on the Government today, as others have, to implement the recommendations in this committee report fully and, particularly, to seek the framework powers on this legislation so that we can protect people's civil liberties and human rights in Wales, and not just watch while Westminster takes those rights away.

Kirsty Williams: Although I am no longer a member of the Health and Social Services

i bobl gael asesiad a thriniaeth. Pam, felly, y caiff y cyfle hwn ei gollu, a pham yr ydym, yn hytrach, yn siarad am gyflwyno deddfwriaeth a fydd yn caniatáu i bobl gael eu cadw o dan orchymyn heb i unrhyw driniaeth ddefnyddiol fod ar gael iddynt, hyd yn oed os nad ydynt wedi cyflawni trosedd? Mae stigma mawr yn gysylltiedig â phobl sydd â phroblemau iechyd meddwl, ac fel y tynnodd Jenny Randerson ein sylw ato, nid yw'r wasg tabloid yn helpu yn hyn o beth. Os caiff y ddeddfwriaeth hon ei phasio, bydd y stigma'n mynd lawer yn waeth.

Mae pleidiau ar draws y Cynulliad yn gytûn o ran cael gwahanol fath o system iechyd meddwl yng Nghymru, ac i ddeddfwriaeth iechyd meddwl gael ei llunio yng Nghymru. Dylem fod yn rhydd i ddilyn ein hagenda ein hunain yng Nghymru.

Pan gefais fy ethol gyntaf i'r Cynulliad, treuliais ychydig o amser yn siarad â grwpiau o ddefnyddwyr gwasanaethau iechyd meddwl mewn gwahanol fannau ledled Cymru. Yr oedd teimlad clir mai'r fframwaith gwasanaeth cenedlaethol a luniwyd gan y Cynulliad oedd y dull cywir. Yr oedd digon o feirniadu am ei weithredu a'r diffyg adnoddau i'r strategaeth, ond yn gyffredinol, yr oedd pobl yn fodlon iawn â dull y Cynulliad o fynd i'r afael ag iechyd meddwl. Wrth gwrs, bydd y sefyllfa'n newid yn llwyr os caiff y Mesur hwn ei dderbyn. Mae'n gwrthdweud nod y fframwaith gwasanaeth cenedlaethol i hyrwyddo rhoi grym i ddefnyddwyr gwasanaeth a gofalwyr. Mae'n ddarn o ddeddfwriaeth sy'n gwneud pobl yn ddi-rym.

Dylai ein deddfwriaeth yng Nghymru fod yn debycach i enghraifft yr Alban, er nad yw honno'n berffaith, fel y nodwyd. Galwaf ar y Llywodraeth heddiw, fel y gwnaeth eraill, i weithredu'r argymhellion yn yr adroddiad pwyllgor hwn yn llawn, ac yn arbennig i geisio'r pwerau fframwaith yn y ddeddfwriaeth hon fel y gallwn ddiogelu hawliau sifil pobl a hawliau dynol yng Nghymru, nid dim ond gwyllo tra bydd San Steffan yn cymryd yr hawliau hynny oddi wrthym.

Kirsty Williams: Er nad wyf bellach yn aelod o'r Pwyllgor Iechyd a Gwasanaethau

Committee, old habits die hard, and my experience of the previous two Bills put forward by Westminster compels me to speak out on this one. It has produced yet another Bill and, once again, has got it badly wrong. There are three main areas of concern that I wish to comment on.

The first area of concern is that of definition. The 2006 Bill makes no mention of people who have a severe personality disorder or who present a danger to others, yet it does contain powers of detention that might be appropriate for people who are dangerous. At the same time, it makes those powers applicable to people who do not present a danger to others. The cumulative effect of the wide definition of mental disorder contained in the Bill, the imprecise definitions of 'appropriate treatment' and the lack of a requirement that treatment should have a therapeutic benefit will be that people who are ill but not dangerous will be detained or subjected to medication without adequate treatment safeguards.

Compulsory community treatment orders are highly controversial, and evidence of their efficacy is patchy to say the least. Without appropriate safeguards, which are available under the Scottish model, it could lead to patients being put off from seeking help in the first place. It could harm the therapeutic relationship that patients have developed with those who seek to care for and help them, and it could also lead to a reliance on the pharmaceutical treatment of mental disorder to the exclusion of any other course of treatment.

The conditions of the compulsory community treatment orders are currently framed so widely that they could include a condition that patient abstain from particular conduct. In short, as the Law Society said, we are moving towards a system that creates psychiatric anti-social behaviour orders for people in Wales. Someone could become a part of that simply after having a 24-hour stay in an in-patient unit; they could then come out of that unit and find themselves being caught up in this psychiatric ASBO system.

Cymdeithasol, mae'n anodd newid hen arferion, ac mae fy mhrofiad o'r ddau Fesur blaenorol a gynigiwyd gan San Steffan yn fy ngorfodi i leisio fy marn am hwn. Mae wedi llunio Mesur arall, ac unwaith eto mae wedi gwneud y cyfan yn hollol anghywir. Mae tri phrif bryder yr hoffwn gynnig sylwadau arnynt.

Y pryder cyntaf yw diffiniad. Nid yw Mesur 2006 yn sôn am bobl sydd ag anhwylder personoliaeth difrifol nac am y rheini sy'n berygl i eraill. Eto mae'n cynnwys pwerau cadw a allai fod yn briodol i bobl sy'n beryglus. Ar yr un pryd, mae'n gwneud y pwerau hynny'n gymwys i bobl nad ydynt yn berygl i eraill. Bydd effaith gronnydus y diffiniad eang o anhwylder meddwl a gynhwysir yn y Mesur, y diffiniadau amhenodol o 'driniaeth briodol' a'r ffaith nad oes gofyniad y dylai triniaeth fod o fudd therapiwtig yn golygu y caiff pobl sy'n sâl ond nad ydynt yn beryglus eu cadw o dan orchymyn, neu eu trin â meddyginiaeth heb gamau diogelwch priodol.

Mae gorchmynion triniaeth gymunedol orfodol yn ddadleuol iawn, ac mae'r dystiolaeth o'u heffeithiolrwydd yn ddarniog a dweud y lleiaf. Heb gamau diogelwch priodol, sydd ar gael o dan fodel yr Alban, gallai beri i gleifion beidio â cheisio cymorth yn y lle cyntaf. Gallai niweidio'r berthynas therapiwtig y mae cleifion wedi'i datblygu â'r rheini sy'n ceisio gofalu amdanynt a'u helpu, a gallai hefyd arwain at ddiwynnu ar driniaeth fferyllol o anhwylderau meddwl ar draul unrhyw fath arall o driniaeth.

Mae amodau'r gorchmynion triniaeth gymunedol orfodol mor eang ar hyn o bryd fel y gallent gynnwys amod bod claf yn ymatal rhag ymddygiad penodol. Yn fyr, fel y dywedodd Cymdeithas y Cyfreithwyr, yr ydym yn symud tuag at system sy'n creu gorchmynion ymddygiad gwrthgymdeithasol seiciatrig i bobl yng Nghymru. Gallai rhywun ddod yn rhan o hynny ar ôl aros mewn uned i gleifion mewnol am 24 awr yn unig; gallai adael yr uned honno wedyn a chael ei ddal yn y system ASBO seiciatrig hon.

I cite my colleague, Lord Alderdice, who is well qualified in this field, in this week's debate on compulsory treatment orders in the House of Lords.

'To embark on compulsion from an early stage is, at best, unwise and, at worst, professionally irresponsible.'

I suggest that he knows better than some people who drafted this Bill.

4.10 p.m.

The provisions set out in the case of *L. v. Bournemouth Community and Mental Health NHS Trust* are also defective. For example, a review of a person's detention can be triggered only by care managers or hospital authorities, and not by a relative, a carer or a patient's representative. The cost associated with patients changing who acts as their nearest relative is in the order of some £400, I believe, which is also unacceptable.

What needs to change? We need principles on the face of the Bill, as in the Mental Health (Care and Treatment) (Scotland) Act 2003. We need a narrower definition of 'mental disorder', with exceptions, such as those for people with a learning disability. We need a clear definition of appropriate treatment, which must include therapeutic benefit for patients. We need a far tighter definition of 'supervised compulsory treatment orders', covering their imposition, review and revocation, and we need the involvement of relatives and carers in *Bournemouth* cases. Ultimately, what we need is to get away from this Bill altogether, and to have the opportunity for the Assembly to draft laws that are appropriate for this nation.

The Minister talks of cross-border issues and complications, but we have had those for the last eight years in the health service. Some, the Minister has sought to sort out, such as prescription charges, but others, he has sought to ignore, such as differential waiting times for English and Welsh patients, and differential access to certain treatments. We are now in a situation about which he can do nothing. I suggest to all colleagues in this

Dyfynnaf fy nghyd-aelod, yr Arglwydd Alderdice, sy'n gymwys iawn yn y maes hwn, yn y ddadl yr wythnos hon yn Nhŷ'r Arglwyddi ar orchmynion triniaeth orfodol.

Mae dechrau ar orfodaeth yn gynnar ar ei orau yn annoeth, ac ar ei waethaf yn broffesiynol anghyfrifol.

Awgrymaf ei fod yn gwybod mwy na rhai o'r bobl a ddrafftiodd y Mesur hwn.

Mae'r darpariaethau a nodir yn achos *L. v. Bournemouth Community and Mental Health NHS Trust* yn ddiffygiol. Er enghraifft, rheolwyr gofal neu awdurdodau ysbyty'n unig sy'n gallu gofyn am adolygiad o'r rhesymau dros gadw rhywun o dan orchymyn, nid perthynas, gofalwr neu gynrychiolydd y claf. Credaf ei bod yn costio tua £400 i glaf newid y sawl sy'n gweithredu fel ei berthynas agosaf, sydd hefyd yn annerbyniol.

Beth y mae angen ei newid? Mae angen egwyddorion ar wyneb y Mesur hwn, yn debyg i Ddeddf Iechyd Meddwl (Gofal a Thriniaeth) (Yr Alban) 2003. Mae angen diffiniad culach o 'anhwylder meddwl', gydag eithriadau, megis y rheini ar gyfer pobl sydd ag anabledd dysgu. Mae angen diffiniad cliriach o driniaeth addas, a rhaid iddo gynnwys budd therapiwtig i gleifion. Mae angen diffiniad tynnach o 'orchmynion triniaeth orfodol dan oruchwyliaeth' sy'n cwmpasu sut y cânt eu gosod, eu hadolygu a'u dirymu, ac mae angen cynnwys perthnasau a gofalwyr mewn achosion *Bournemouth*. Yn y pen draw, yr hyn y mae arnom ei angen yw ymbellhau o'r Mesur hwn yn gyfan gwbl, a chael y cyfle i'r Cynulliad lunio deddfau sy'n briodol i'r genedl hon.

Mae'r Gweinidog yn sôn am faterion trawsffiniol a chymhlethodau, ond yr ydym wedi cael y rheini yn y gwasanaeth iechyd yn ystod yr wyth mlynedd diwethaf. Mae'r Gweinidog wedi ceisio datrys rhai ohonynt, megis taliadau presgripsiwn, ond mae wedi ceisio anwybyddu eraill, megis gwahanol amserau aros i gleifion yng Nghymru a Lloegr a gwahanol fynediad i driniaethau penodol. Yn awr yr ydym mewn sefyllfa na

Chamber that the only cross-border issue that we have before us is the fact that we have a Welsh Labour Assembly Government that is not prepared to stand up to its colleagues across the border, and which is not prepared to stand up for Welsh patients.

The Minister for Health and Social Services (Brian Gibbons): As colleagues have said, this is the third attempt to update mental health laws. The difficulties outlined indicate how hard it is to promote health services for people with serious illnesses, while addressing the equally important issues of civil liberty and public protection. The very fact that this is the third attempt is clear evidence of that.

In the context of the contributions that we have heard today, it is important to highlight the fact that there are a number of important and significant devolution elements to this Bill. For example, we have powers to set out the professional groups that can perform the key functions in this legislation, by determining which professions can act as approved clinicians, responsible clinicians, and approved mental health professionals, and also the competencies that these professionals need if they are to improve. Equally, in relation to the *Bournewood* safeguards, as proposed through the Mental Capacity Act 2005, we have powers that set out who can assess whether a person is being deprived of their liberty, what training they need to do the assessments, and the time required to complete those assessments. It is also important to note that these powers give us the opportunity to monitor how these safeguards are put in place.

Furthermore, probably the single most important devolution element in this proposed legislation is the option of developing a code of practice for Wales. Since the code of practice was first introduced in the Mental Health Act 1983, it has always been a joint code. However, we now have the opportunity to develop a specific Welsh code, which would allow us

all wneud dim yn ei chylch. Awgrymaf wrth bob un o'm cyd-Aelodau yn y Siambr hon mai'r unig fater trawsffiniol sydd o'n blaenau yw'r ffaith fod gennym Lywodraeth Lafur yn y Cynulliad nad yw'n fodlon wynebu ei chyd-aelodau ar draws y ffin, ac nad yw'n barod i gefnogi cleifion yng Nghymru.

Y Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol (Brian Gibbons): Fel y mae cyd-Aelodau wedi ei ddweud, dyma'r trydydd ymgais i ddiweddarau deddfau iechyd meddwl. Mae'r anawsterau a amlinellir yn dangos mor anodd yw hyrwyddo gwasanaethau iechyd i bobl sydd â salwch difrifol, ac ar yr un pryd fynd i'r afael â materion sydd yr un mor bwysig, megis hawliau sifil a diogelu'r cyhoedd. Mae'r ffaith mai dyma'r trydydd ymgais yn dystiolaeth glir o hynny.

Yng nghyd-destun y cyfraniadau a glywsom heddiw, mae'n bwysig tynnu sylw at y ffaith fod nifer o elfennau datganoli pwysig a sylweddol yn y Mesur hwn. Er enghraifft, mae gennym bwerau i bennu'r grwpiau proffesiynol a all gyflawni'r swyddogaethau allweddol yn y ddeddfwriaeth hon, drwy bennu pa weithwyr proffesiynol a all weithredu fel clinigwyr cymeradwy, clinigwyr cyfrifol a gweithwyr iechyd meddwl proffesiynol cymeradwy, yn ogystal â'r cymwyseddau y mae ar y gweithwyr proffesiynol hyn eu hangen os ydynt i wella. Yn yr un modd, mewn perthynas â chamau diogelwch *Bournewood*, fel y cynigiwyd drwy Ddeddf Galluedd Meddyliol 2005, mae gennym bwerau sy'n gosod allan pwy all asesu a yw rhywun yn cael ei amddifadu o'i ryddid, pa hyfforddiant y mae arnynt ei angen i wneud asesiadau, a'r amser angenrheidiol i gwblhau'r asesiadau hynny. Mae hefyd yn bwysig sylwi bod y pwerau hyn yn rhoi'r cyfle inni fonitro sut y gweithredir y camau diogelwch hyn.

At hynny, mae'n debyg mai'r elfen ddatganoli unigol bwysicaf yn y ddeddfwriaeth arfaethedig hon yw'r dewis i ddatblygu cod ymarfer i Gymru. Er i'r cod ymarfer gael ei gyflwyno gyntaf yn Neddf Iechyd Meddwl 1983, mae wedi bod yn god ar y cyd erioed. Fodd bynnag, yn awr mae gennym gyfle i ddatblygu cod sy'n benodol i Gymru ac a fydd yn ein galluogi i osod

to set out guidance for people working in the health services in Wales, in relation to admissions and guidance on medical treatment. This code of practice will be underpinned by our national service framework and the mental health strategies that we are pursuing in Wales, and it will be laid before the Assembly.

Much of the debate has focused on whether it was correct to seek framework powers under this Bill. As I said in committee, when any of these pieces of legislation come before me, as Minister, I instinctively look to see whether there are opportunities to develop devolution in Wales—not to prove some macho point of being different for the sake of it, or merely to show that that we can do it in Wales, but to demonstrate that there will be better outcomes for patients, society and the NHS.

Taking this into account, I felt that seeking framework powers in the context of the present legislation was, potentially, counter-productive. However, we need to remember—and I am surprised that none of my colleagues in the Chamber have mentioned this—that, from May this year, we will have new competencies to further develop legislation in this area. Consequently, we do not need to consider framework powers, because the option for change remains, and will exist in a new fashion after the Government of Wales Act 2006 comes into effect.

Jenny Randerson: Minister, are you seriously suggesting that we go along with this piece of bad legislation and then seek an Order in Council later to get our own legislation, which would mean changing our mental health legislation twice?

Brian Gibbons: No. I will develop the argument later, Jenny.

We know that the 1983 Act is a complex and tightly interwoven piece of legislation, and that only certain parts of that Act are devolved to the Assembly, with the other parts remaining the responsibility of the UK Government. In particular, those parts of the

canllawiau i bobl sy'n gweithio ym maes gwasanaethau iechyd yng Nghymru, mewn perthynas â derbyniadau a chanllawiau ar driniaeth feddygol. Caiff y cod ymarfer hwn ei ategu gan ein fframwaith gwasanaeth cenedlaethol a'r strategaethau iechyd meddwl a geisiwn yng Nghymru, a chaiff ei gyflwyno i'r Cynulliad.

Mae llawer o'r ddadl wedi canolbwyntio ar y cwestiwn a oedd yn gywir ceisio pwerau fframwaith o dan y Mesur hwn. Fel y dywedais yn y pwyllgor, pan ddaw unrhyw ddarn o ddeddfwriaeth ger fy mron, fel Gweinidog, yn reddfodol byddaf yn edrych i weld a oes cyfleoedd i ddatblygu datganoli yng Nghymru—nid er mwyn profi pwynt *macho* o fod yn wahanol er mwyn bod yn wahanol, nac er mwyn dangos yr hyn y gallwn ei wneud yng Nghymru, ond er mwyn dangos y bydd canlyniadau gwell i gleifion, y gymdeithas a'r GIG.

O gofio hyn, teimlais fod ceisio pwerau fframwaith yng nghyd-destun y ddeddfwriaeth bresennol o bosibl yn wrthgynhyrchiol. Fodd bynnag, mae angen inni gofio—ac yr wyf yn synnu nad oes neb o'm cyd-Aelodau yn y Siambr wedi crybwyll hyn—y bydd gennym alluoedd newydd, o fis Mai eleni, i ddatblygu deddfwriaeth ymhellach yn y maes hwn. O ganlyniad, nid oes angen inni ystyried pwerau fframwaith, gan fod y dewis i newid yn parhau, a bydd yn bodoli ar ffurf newydd ar ôl i Ddeddf Llywodraeth Cymru 2006 ddod i rym.

Jenny Randerson: Weinidog, a ydych o ddifrif yn awgrymu y dylem gytuno â'r darn hwn o ddeddfwriaeth wael ac yna geisio Gorchymyn yn y Cyfrin Gyngor yn ddiweddarach i gael ein deddfwriaeth ein hunain, a fyddai'n golygu newid ein deddfwriaeth iechyd meddwl ddwywaith?

Brian Gibbons: Nac ydwyf. Byddaf yn datblygu'r ddadl yn ddiweddarach, Jenny.

Gwyddom fod Deddf 1983 yn ddeddfwriaeth gymhleth wedi'i phlethu'n dynn, ac mai rhannau penodol yn unig o'r Ddeddf honno sydd wedi'u datganoli i'r Cynulliad, a Llywodraeth y DU yn gyfrifol am y rhannau eraill o hyd. Yn arbennig, nid yw'r rhannau

Act that relate to people in the criminal justice system are not devolved, and I would not like to see a situation in which there were different standards in operation in Wales for people with mental health problems in the civil system and for people with mental health problems in the non-devolved criminal justice system. For example, if we were to seek powers to have a different definition of mental disorder or different criteria for detention, that could lead to differing care and treatment regimes being in place in the same care setting—one set for those coming in through the courts under the England-and-Wales Act, and another for those being admitted from the community. Patients with identical clinical presentations, needing the same treatment regimes, would be under different legal regimes by virtue of this different approach. Indeed, the same patient could come under a different legal framework, depending on the circumstances in which they became ill.

Equally important is the consideration—which Jenny mentioned—that there is a long, porous border between England and Wales. We know that Health Commission Wales funds something in the order of five dozen people in high-secure hospitals and 68 patients in other units outside Wales. Possibly 10 per cent to 20 per cent of all low-secure placements commissioned by LHBs are in England. Powys Local Health Board uses Shelton hospital in Shrewsbury for many of its mental health admissions. If we were to develop a radically different framework from that operating in England, we could create a situation whereby patients detained in institutions in England would find it very difficult to be discharged from England into the health service in Wales because of the incompatibility of the two mental health legislative frameworks. Indeed, the same situation could exist for patients from England placed in Wales.

In practice, the legal framework by which mental health services—particularly compulsory mental health services—are delivered is extremely difficult and complex. I have no doubt that it would be technically possible to draw up framework legislation

hynny o'r Ddeddf sy'n ymwneud â phobl yn y system cyfiawnder troseddol wedi'u datganoli, ac ni hoffwn weld sefyllfa lle y byddai safonau gwahanol ar waith yng Nghymru ar gyfer pobl sydd â phroblemau iechyd meddwl yn y system sifil ac ar gyfer pobl sydd â phroblemau iechyd meddwl yn y system cyfiawnder troseddol sydd heb ei datganoli. Er enghraifft, pe byddem yn ceisio pwerau i gael diffiniad gwahanol o anhwylder meddwl neu feini prawf gwahanol ar gyfer cadw cleifion, gallai hynny arwain at roi gwahanol gyfundrefnau gofal a thrin ar waith yn yr un man gofal-un ar gyfer y rheini sy'n dod drwy'r llysoedd o dan Ddeddf Cymru a Lloegr, ac un arall ar gyfer y rheini sy'n cael eu derbyn o'r gymuned. Byddai cleifion sydd â'r un cyflyrau clinigol ac angen yr un cyfundrefnau trin arnynt o dan gyfundrefnau cyfreithiol gwahanol oherwydd y dull gwahanol hwn. Yn wir, gallai'r un claf ddod o dan fframwaith cyfreithiol gwahanol, yn ôl yr amgylchiadau sydd wedi arwain at ei salwch.

Yr un mor bwysig yw'r ystyriaeth—a grybwyllwyd gan Jenny—fod y ffin rhwng Cymru a Lloegr yn hawdd iawn ei chroesi. Gwyddom fod Comisiwn Iechyd Cymru yn ariannu tua thrigain o bobl mewn ysbytai diogelwch uchel a 68 o gleifion mewn unedau eraill y tu allan i Gymru. Mae'n bosibl bod rhwng 10 y cant ac 20 y cant o'r holl leoliadau diogelwch isel a gomisiynir gan fyrdau iechyd lleol yn Lloegr. Mae Bwrdd Iechyd Lleol Powys yn defnyddio ysbyty Shelton yn Amwythig ar gyfer nifer o'i dderbyniadau iechyd meddwl. Pe byddem yn datblygu fframwaith cwbl wahanol i hwnnw sydd ar waith yn Lloegr, gallem greu sefyllfa lle y byddai cleifion a gedwir mewn sefydliadau yn Lloegr yn ei chael yn anodd iawn cael eu rhyddhau o Loegr i'r gwasanaeth iechyd yng Nghymru am na fyddai'r ddau fframwaith deddfwriaethol iechyd meddwl yn cyfateb i'w gilydd. Yn wir, gallai'r un sefyllfa fodoli ar gyfer cleifion o Loegr a gâi eu rhoi yng Nghymru.

Mewn gwirionedd, mae'r fframwaith cyfreithiol ar gyfer darparu gwasanaethau iechyd meddwl—yn enwedig gwasanaethau iechyd meddwl gorfodol—yn anodd ac yn gymhleth iawn. Nid oes gennyf amheuaeth na fyddai'n bosibl yn dechnegol i lunio pwerau

powers under this proposed legislation. However, for the reasons that I have outlined, we could easily create an extremely complex and confusing framework of legislation with a wide range of anomalies and ambiguities, which could ultimately not be of benefit to patients. The difference between this area and other areas of health policy is that we are dealing with treatments that are subject to being made compulsory. Therefore, there is a requirement for clarity and certainty.

The issue here is that, if we are deciding on the framework by which people are going to be treated in a compulsory context, it should not be decided by an accident of geography, depending on which side of the border one becomes ill or is placed, or on an accident of timing, depending on whether one is part of the criminal justice process at the time. Treatment should be given on the basis of clinical criteria.

4.20 p.m.

Jonathan Morgan: May I suggest, as the Minister is clearly struggling, that he organise a meeting as quickly as possible with, perhaps, Lord Carlile in particular, because I think that he needs some assistance.

Brian Gibbons: The situation, Jonathan, is that we have a different criminal system operating, which is non-devolved, we have a devolved health system, and patients are treated across the border. Therefore, the scope for anomalies, inconsistencies and ambiguities exists.

Helen Mary Jones: Will you take a further intervention, Minister?

Brian Gibbons: I need to finish, Helen.

We need to remember that this Bill is not set in stone. It is going through Parliament as we speak, and it is clear from the debates that are going on in the House of Commons that it is difficult to anticipate what its final shape will be. It is therefore better that we see what progress is made in the House of Commons and the final shape of the Bill. Having seen

deddfwriaeth fframwaith o dan y ddeddfwriaeth arfaethedig hon. Fodd bynnag, am y rhesymau a amlinellais, gallem yn hawdd greu fframwaith deddfwriaeth cymhleth a dryslyd iawn gydag ystod eang o anghysonderau ac amwysterau, ac yn y pen draw ni fyddai hynny o unrhyw les i gleifion. Y gwahaniaeth rhwng y maes hwn a meysydd polisi ieched eraill yw ein bod yn ymdrin â thriniaethau a all gael eu gwneud yn orfodol. Felly, mae angen eglurder a sicrwydd.

Y mater dan sylw yw hyn: os ydym yn penderfynu'r fframwaith ar gyfer trin pobl mewn cyd-destun gorfodol, ni ddylid gwneud y penderfyniad ar sail daearyddiaeth, yn ôl pa ochr o'r ffin y mae rhywun yn sâl neu'n cael ei roi, nac ar sail amser, yn ôl a yw rhywun yn rhan o'r broses cyfiawnder troseddol ar y pryd. Dylid rhoi triniaeth ar sail meini prawf clinigol.

Jonathan Morgan: A allaf awgrymu, gan fod y Gweinidog yn amlwg yn cael trafferthion, y dylai drefnu cyfarfod cyn gynted â phosibl, hwyrach gyda'r Arglwydd Carlile yn arbennig, oherwydd credaf fod arno angen ychydig gymorth.

Brian Gibbons: Y sefyllfa, Jonathan, yw bod gennym system droseddol wahanol ar waith, nad yw wedi'i datganoli. Mae gennym system ieched wedi ei datganoli, a chaiff cleifion eu trin ar draws y ffin. Felly, mae lle ar gyfer anomaleddau, anghysondebau ac amwyseddau.

Helen Mary Jones: A dderbyniwch ymyriad arall, Weinidog?

Brian Gibbons: Mae angen imi orffen, Helen.

Mae angen inni gofio nad yw'r Mesur hwn yn derfynol. Mae ar ei hynt drwy'r Senedd ar hyn o bryd, ac mae'n glir o'r dadleuon sy'n mynd ymlaen yn Nhŷ'r Cyffredin ei bod yn anodd rhagweld beth fydd ei ffurf derfynol. Mae'n well, felly, inni weld pa gynnydd a wneir yn Nhŷ'r Cyffredin a ffurf derfynol y Mesur. Ar ôl gweld ffurf derfynol y Mesur,

the final shape of the Bill, we can then use the new opportunities that are available to us under the Government of Wales Act 2006 to devise policies in line with our priorities in Wales.

Rhodri Glyn Thomas: Mae'n siŵr ei bod yn gyfrifoldeb ar Gadeirydd pwyllgor i geisio bod mor ddiuedd ag y gall fod mewn sefyllfa fel hon, ac i beidio ag ymddangos fel pe bai'n cynrychioli un safbwynt wleidyddol. Fodd bynnag, ar ôl gwrando ar eich ymateb, Weinidog, mae'n rhaid i mi ddweud fy mod wedi dod i'r casgliad nag ydych wedi gwrando o gwbl ar y dystiolaeth sydd wedi cael ei gosod gerbron y Pwyllgor Iechyd a Gwasanaethau Cymdeithasol dair gwaith—yn 2002, 2004, ac eto yn 2006-07.

Mae'r dystiolaeth yn gwbl glir. Mae'r mudiadau sy'n ymwneud â phobl sydd ag anghenion iechyd meddwl, Cymdeithas y Cyfreithwyr, a mudiadau eraill, yn dweud wrthym y bydd gweithredu'r ddeddfwriaeth hon—ac yr oedd hyn hefyd yn wir yn 2004 a 2002—yn gwaethygu'r sefyllfa. Mae'n well ganddynt fyw gydag amodau deddfwriaeth sydd dros 20 mlwydd oed—deddfwriaeth sy'n cael ei chydabod yn ddeddfwriaeth ddiffygiol ac sydd wedi hen fynd heibio ei dyddiad o werth a pherthnasedd—na cheisio gweithredu'r ddeddfwriaeth hon.

Dechreuasoch, Weinidog, drwy ddweud ei bod yn anodd darparu'r gwasanaeth hwn. Nid wyf am eich herio ar hynny, ond fe'ch heriaf ar eich awgrym ei bod yn amhosibl. Nid yw'n amhosibl darparu ar gyfer pobl ag anghenion iechyd meddwl; yn wir, mae'n gyfrifoldeb arnom wneud hynny.

Y gwir amdani yw bod San Steffan wedi ceisio deirgwaith i wneud hyn, ac mae wedi methu deirgwaith, a'r cyfan sydd gennym yn y ddeddfwriaeth ddrafft hon yw deddfwriaeth sy'n sylfaenol wallus. Nid oes modd gweithio ar ddeddfwriaeth sy'n sylfaenol wallus drwy geisio ei hamodi a'i chymhwyso i anghenion Cymru. Mae'n sylfaenol wallus—dyna mae'r dystiolaeth yn ei ddweud, a dyna pam yr ydym yn gofyn am y pwerau fframwaith hyn i greu deddfwriaeth yng Nghymru ar gyfer pobl Cymru. Os oedd hynny'n bosibl yn 2002 a 2004—a phleidleisiodd aelodau eich plaid dros gael y pwerau hyn yn 2002 a

gallwn wedyn ddefnyddio'r cyfleoedd newydd sydd ar gael inni o dan Ddeddf Llywodraeth Cymru 2006 i lunio polisïau'n unol â'n blaenoriaethau ni yng Nghymru.

Rhodri Glyn Thomas: I am sure it is the responsibility of a committee Chair to try to be as unbiased as possible in a situation like this, and not to appear as though he or she was representing one political viewpoint. However, having listened to your response, Minister, I have to say that I have come to the conclusion that you have not listened at all to the evidence which has been put before the Health and Social Services Committee three times—in 2002, 2004 and again in 2006-07.

The evidence is clear. The organisations that deal with people who have mental health needs, the Law Society, and other organisations tell us that implementing this legislation—and this was also true in 2004 and 2002—will make the situation worse. They would rather live with the conditions of legislation which is more than 20 years old—legislation which is recognised as being deficient and which is well past its sell-by date and its relevance—than to try to implement this legislation.

You began, Minister, by saying that it is difficult to provide this service. I do not wish to challenge you on that, but I challenge you on your suggestion that it is impossible. It is not impossible to provide for people with mental health needs; indeed, it is our responsibility to do so.

The truth is that Westminster has tried three times to do this and has failed three times, and all we have in this draft legislation is legislation which is fundamentally flawed. It is not possible to work on legislation which is fundamentally flawed by trying to make stipulations and adapt it to the needs of Wales. It is fundamentally flawed—that is what the evidence says, and that is why we ask for these framework powers to create legislation in Wales for the people of Wales. If that was possible in 2002 and 2004—and members of your party voted in favour of drawing these powers down in 2002 and

2004—dylai fod yn fwy posibl, ac yn fwy angenrheidiol, yn 2007.

2004—it should be more possible, and more necessary, in 2007.

Cyfeiriaf yn gyflym at y cyfraniadau a wnaed y prynhawn yma. Cytunaf yn llwyr â'r hyn a ddywedodd Gwenda Thomas am anghenion pobl ifanc. Maent yn cael eu hanwybyddu yn y ddeddfwriaeth ddrafft hon. Mae cyfle wedi cael ei fethu, a dyna pam yr ydym eisiau'r cyfle i gael y pwerau i greu deddfwriaeth yng Nghymru a fydd yn ateb rhai o'r problemau hyn.

I will refer briefly to the contributions made this afternoon. I agree entirely with what Gwenda Thomas said about the needs of young people. They are ignored in this draft legislation. An opportunity has been missed, and that is why we want the opportunity to have the powers to create legislation in Wales that will answer some of these problems.

Rhoddodd Helen Mary Jones ddadl bwerus dros yr angen am ddeddfwriaeth Gymreig. Gwnaeth Jonathan Morgan gyfraniad pwerus hefyd a dywedodd mai'r hyn sydd gennym yn y fan hon yw ymgais i gael Mesur sy'n ymwneud â chyfiawnder troseddol, yn hytrach na darpariaeth ar gyfer pobl sydd ag angen ac sy'n haeddu gwasanaeth sylfaenol. Yr wyf finnau hefyd yn synnu na wnaed ymgais gan Lywodraeth Cynulliad Cymru i sicrhau pwerau i greu ddeddfwriaeth yn y maes hwn.

Helen Mary Jones made a powerful argument for the need for Welsh legislation. Jonathan Morgan also made a powerful contribution and said that what we have here is an attempt to have a Bill which deals with criminal justice rather than provide for people with a need and who deserve a basic service. I too am surprised that the Welsh Assembly Government has made no attempt to secure powers to create legislation in this field.

Dywedodd y diweddar Peter Clarke, y comisiynydd plant, yn fwy nag unwaith wrth Lywodraeth Cymru: os nad ydych yn mynd i wneud unrhyw beth am iechyd meddwl ac anghenion pobl ifanc a phlant yng Nghymru o ran iechyd meddwl, peidiwch â chyfeirio ato. Os nad yw Llywodraeth Cymru yn barod i ddod â'r pwerau i'r Cynulliad i greu deddfwriaeth fydd yn gwneud gwahaniaeth i'r bobl yng Nghymru sydd â'r problemau hyn, ni ddylai ddweud ei bod yn flaenoriaeth. Y ffordd i ddangos ei bod yn flaenoriaeth yw drwy geisio'r pwerau hynny.

The late Peter Clarke, the children's commissioner, said to the Government of Wales on more than one occasion: if you are to do nothing about mental health and the needs of young people and children in Wales in terms of mental health, then do not refer to it. If the Government of Wales is not prepared to bring powers to the Assembly to create legislation that will make a difference to the people in Wales who have these problems, it should not say that it is a priority. The way to show that it is a priority is to seek those powers.

Mae Jenny Randerson wedi dymchwel eich dadl ynghylch materion trawsffiniol yn creu problemau gweithredu. Nid oedd y rheiny'n broblem pan oedd y Llywodraeth am greu system wahanol ar gyfer taliadau presgripsiwn yng Nghymru ac nid oes rheswm iddynt fod yn broblem yn yr achos hwn. Fel y dywedodd Jenny, os oes modd uno Hafal a Chymdeithas y Gyfraith ar hyn, dylai Llywodraeth Cymru wrando ar yr hyn sydd wedi cael ei ddweud.

Jenny Randerson has defeated your argument about cross-border issues creating implementation problems. They were not a problem when the Government wanted to create a different system for prescription charges in Wales, and there is no reason why they should be a problem in this case. As Jenny said, if it is possible to unite Hafal and the Law Society on this, the Government of Wales should listen to what is being said.

Fel y dywedodd Leanne Wood, yr hyn sydd gennym fan hyn, unwaith eto, yw ymosodiad ar hawliau sylfaenol pobl sydd ag anghenion

As Leanne Wood said, what we have here, once again, is an attack on the fundamental rights of people with mental health needs.

iechyd meddwl. Ein gwaith yw darparu ar eu cyfer, nid tanseilio eu hawliau.

Our work is to provide for them, not to undermine their rights.

Dyweddodd Kirsty Williams bod hen arferion yn anodd iawn i'w diosg. Credaf y gallai'r araith a wnaeth heddiw fod wedi'i gwneud yn 2002; mae'n araith debyg o bosibl. Yr ydym i gyd wedi cyflwyno'r un dadleuon, oherwydd bod y sefyllfa yn union fel yr oedd. Nid yw San Steffan wedi dysgu'r gwersi nag ychwaith wedi gwranddo—arnom ni nac ar y pwyllgor o'r ddau Dŷ dan gadeiryddiaeth yr Arglwydd Carlile. Ni fydd San Steffan yn gwranddo; yr unig ffordd y gallwn sicrhau hyn yw drwy geisio'r pwerau. Gobeithiaf, wrth nodi'r adroddiad hwn, y bydd y Cynulliad yn uno i fynegi mewn egwyddor mai dyna yr ydym am wneud, oherwydd ein bod yn ymwybodol o'r angen, o'n cyfrifoldeb, ac o'r cyfle i ni wneud gwahaniaeth sylweddol i fywydau pobl sydd â'r anghenion arbennig hyn yng Nghymru.

Kirsty Williams said that old habits die hard. I believe the speech she made today could have been made in 2002; it is possibly a similar speech. We have all put forward the same arguments because the situation is exactly as it was. Westminster has not learned the lessons nor has it listened to us or to the committee from both Houses under the chairmanship of Lord Carlile. Westminster will not listen; the only way we can ensure this is to apply for powers. I hope the Assembly, in noting this report, will unite to express in principle that that is what we want to do, because we are aware of the need, of our responsibility, and of the opportunity for us to make a significant difference to the lives of people with these special needs in Wales.

Hoffwn gloi drwy ddiolch i aelodau'r pwyllgor am eu gwaith o ran pwysu a mesur y dystiolaeth—er nad oedd angen pwysu a mesur y dystiolaeth oherwydd ei fod yn unedig iawn ynglŷn â'r anghenion. Diolchaf yn fawr iawn i'r ysgrifenyddiaeth am ei waith wrth baratoi'r adroddiad hwn ar eich cyfer. Hoffwn gyfeirio yn arbennig at y cler, Jane Westlake, fydd yn ymddeol fis nesaf ar ôl 40 mlynedd o wasanaeth yng Nghymru. Yr ydym yn ddiolchgar iawn am ei chyfraniad a chyfraniad ei chydweithwyr wrth baratoi'r adroddiad hwn.

I should like to close by thanking members of the committee for their work in weighing up the evidence—although there was no need to weigh up the evidence because it was unanimous with regard to the needs. I thank the secretariat for its work in preparing this report for you. I refer particularly to the clerk, Jane Westlake, who will retire next year after 40 years of service in Wales. We are grateful for her contribution and for the contribution of her colleagues in preparing this report.

Y Llywydd: Diolch yn fawr i'r Cadeirydd, yn enwedig am ei ddiolch i Jane ac aelodau eraill o'n staff.

The Presiding Officer: I thank the Chair, especially for his thanks to Jane and other members of our staff.

Cynnig (NDM3498): O blaid 47, Ymatal 0, Yn erbyn 0.

Motion (NDM3498): For 47, Abstain 0, Against 0.

Pleidleisiodd yr Aelodau canlynol o blaid:
The following Members voted for:

Andrews, Leighton
Barrett, Lorraine
Bates, Mick
Black, Peter
Butler, Rosemary
Cairns, Alun
Chapman, Christine
Cuthbert, Jeff
Davidson, Jane
Davies, Glyn

Davies, Janet
 Davies, Jocelyn
 Dunwoody, Tamsin
 Francis, Lisa
 German, Michael
 Gibbons, Brian
 Graham, William
 Gregory, Janice
 Griffiths, John
 Gwyther, Christine
 Hart, Edwina
 Hutt, Jane
 Idris Jones, Denise
 Isherwood, Mark
 James, Irene
 Jones, Alun Ffred
 Jones, Ann
 Jones, Carwyn
 Jones, Helen Mary
 Jones, Laura Anne
 Law, Trish
 Lewis, Huw
 Lloyd, David
 Lloyd, Val
 Mewies, Sandy
 Morgan, Jonathan
 Neagle, Lynne
 Randerson, Jenny
 Ryder, Janet
 Sargeant, Carl
 Sinclair, Karen
 Thomas, Catherine
 Thomas, Gwenda
 Thomas, Owen John
 Thomas, Rhodri Glyn
 Williams, Kirsty
 Wood, Leanne

Derbyniwyd y cynnig.
Motion carried.

Dadl Fer Short Debate

Gwleidyddion: Gwehilion a Gweilch Ysglyfaethus neu Gwroniaid a Gwrol Ryfelwyr Politicians: Pariahs and Predators or Paladins and Paragons

Tamsin Dunwoody: I have agreed to give Jeff Cuthbert a minute to speak in my debate. **Tamsin Dunwoody:** Yr wyf wedi cytuno i roi munud i Jeff Cuthbert siarad yn fy nadl.

Politicians have existed since history recorded world events. The Romans taught us about the back-stabbing, ruthless nature that politicians can have, and the Greeks that political threats are dispatched with malicious expediency. The politicians of the past have overrun countries, cultures and people, shaping them to their own ends—sometimes for good, sometimes for bad.

Mae gwleidyddion wedi bodoli byth ers i hanes gofnodi digwyddiadau'r byd. Y Rhufeiniaid a'n dysgodd am natur ddidostur a bradwrus gwleidyddion, a'r Groegiaid a'n dysgodd mor gyflym y mae bygythiadau gwleidyddol yn troi'n ddial. Mae gwleidyddion y gorffennol wedi goresgyn gwledydd, diwylliannau a phobl, gan eu haddasu at eu dibenion eu hunain—weithiau er da, weithiau er drwg.

Today's image of politicians is mixed. It is an Mae delwedd gwleidyddion heddiw yn

age-old profession that has been tarnished by the image portrayed in the press and television and, more latterly, in the invidious nature of the blog. However, it is also a profession that shows that good exists within us. Politics is like a disease. For many, it is a case of once caught, never cured. There are those for whom it is their only world. This can either be altruistic or self-destructive—

4.30 p.m.

Rhodri Glyn Thomas: That is sad.

Tamsin Dunwoody: It is very sad.

Therefore, why would any sane, rational person enter politics? More to the point, why do we expect the public to vote for us, and why do we expect people to go out in the wind and the rain, in the snow and the sleet, to deliver leaflets and knock on doors, and to talk to strangers to help us to put across our beliefs and ideals and to get people to vote for us?

People enter politics because they believe that they can change the world or because they believe that the world needs changing by them. I recently heard an eminent politician say that the passion has gone out of politics, but I do not believe that that is true. There are those who passionately believe in their cause, their issue and their electorate. Perhaps it is the portrayal of that passion that has vanished. The media is understandably keen for stories that will sell newspapers or rack up viewers. It even competes for the number of internet hits that its sites achieve. The thirst for voyeurism continues unabated, even after the surfeit of *Big Brother*-like programmes and fly-on-the-wall scenarios. Not only in the world of politics, but in any world, we are curious about reality.

We eye with envy the number of votes cast in television shows—5 million in a few hours. The public demonstrates daily that it understands the concept of voter power. It enjoys choosing and voting for its favourite person, and we need to acknowledge this

gymysg. Mae'n hen broffesiwn sydd wedi colli ei enw da oherwydd y ddelwedd yn y wasg ac ar y teledu, ac yn fwy diweddar gan natur annymunol y blog. Fodd bynnag, mae hefyd yn broffesiwn sy'n dangos bod daioni ym mhob un ohonom. Mae gwleidyddiaeth yn debyg i glefyd. I lawer, ar ôl i chi ei ddal, ni fyddwch byth yn gwella. I rai pobl, dyma yw eu byd. Gall hyn fod naill ai'n allgarol neu'n hunanddinistriol—

Rhodri Glyn Thomas: Mae hynny'n drist.

Tamsin Dunwoody: Mae'n drist iawn.

Felly, pam y byddai rhywun unrhyw berson call, synhwyrol yn mynd yn wleidydd? Yn fwy penodol, pam y disgwyliwn i'r cyhoedd bleidleisio drosom, a pham y disgwyliwn i bobl fynd allan yn y gwynt a'r glaw a'r eira, i ddosbarthu taflenni a chnocio drysau, a siarad â dieithriaid er mwyn helpu cyfleu ein credoau a'n delfrydau a cheisio cael pobl i bleidleisio drosom?

Mae pobl yn cymryd rhan mewn gwleidyddiaeth am eu bod yn credu y gallant newid y byd, neu am eu bod yn credu bod angen i'r byd gael ei newid ganddynt hwy. Clywais wleidydd amlwg yn dweud yn ddiweddar nad oes angerdd mewn gwleidyddiaeth mwyach, ond nid wyf yn credu bod hynny'n wir. Mae yna rai sy'n credu'n angerddol yn eu hachos, eu daliadau a'u hetholwyr. Efallai mai'r ddelwedd o'r angerdd hwnnw sydd wedi diflannu. Gellir deall pam mae'r cyfryngau mor awyddus i gael storïau a fydd yn gwerthu papurau newydd neu'n denu gwylwyr. Maent hyd yn oed yn cystadlu am nifer y bobl sy'n ymweld â'u gwefan. Mae'r awydd am voyeuriaeth yn parhau'n ddi-baid, hyd yn oed ar ôl y doreth o raglenni fel *Big Brother* a sefyllfaoedd pryf ar y pared. Nid yn unig ym myd gwleidyddiaeth, ond mewn unrhyw fyd, rydym am wybod beth yw realiti.

Byddwn ydym yn syllu'n genfigennus ar nifer y pleidleisiau sy'n cael eu bwrw mewn rhaglenni teledu—5 miliwn hymhen ychydig oriau. Dengys y cyhoedd bob dydd eu bod yn deall cysyniad grym y pleidleisiwr. Maent hyn mwynhau dewis eu ffeffryn a phleidleisio

phenomenon, but we also need to be wary of it. Do not forget Arnold Schwarzenegger in *The Running Man*, with the viewers voting first for his destruction and then his salvation. A television vote is a powerful tool.

Recent events on political websites have also shown that people can be mobilised. When asked whether they wanted road-user charging, 1.7 million people voted 'no'—they were bound to, really, because, to use a hackneyed phrase, turkeys do not vote for Christmas. However, when the question was asked in a different way, namely whether people would pay road-user charges if the money were invested in public transport, 50 per cent of those asked said that they would. Therefore, the danger of manipulating television or internet polling must be acknowledged. The need for an understanding of an issue and its purpose must be paramount. Once people are aware of the need for action, they are more likely to support it and there is a lesson in that for all of us.

I now return to those strange creatures, politicians, those individuals who put themselves into the limelight—or is it on the parapet? The perception of the politician varies the world over and has changed over time. Some have a polished image, glossy and smooth, with practised and fabulously orchestrated performances, displaying impressive skills at autocue reading and presentation. I have watched Bill Clinton speak in a manner that displayed all of those qualities, but with an added factor—charisma. I suspect that watching Kennedy must have been similar. Contrast that with the passion, belief and commitment of Nelson Mandela—a man with a cause and a powerful orator, without the gloss, but with a magic ingredient, namely that right was on his side.

Over time, we have seen the pariahs and predators too: the likes of Mussolini, Hitler and Idi Amin. This more manipulative, evil side demonstrates the danger that politicians can create, with regimes based not on democracy, but on fear. Instilling hatred is an

drosto, a rhaid inni gydnabod y ffenomen hon, ond rhaid inni wyllo rhagddi hefyd. Peidiwch ag anghofio Arnold Schwarzenegger yn *The Running Man*, a'r gwylwyr yn pleidleisio i ddechrau o blaid ei dministrio ac yna ei achub. Mae pleidlais deledu yn offeryn pwerus.

Dengys digwyddiadau'n ddiweddar ar wefannau gwleidyddol hefyd y gellir ysgogi pobl. Pan ofynnwyd i bobl a oeddent am i gostau gael eu codi ar ddefnyddwyr ffyrdd, pleidleisiodd 1.7 miliwn o bobl 'na'—yr oeddent yn siŵr o wneud, a dweud y gwir, am na fydd tyrcwn, i ddefnyddio ystrydeb, yn pleidleisio o blaid y Nadolig. Fodd bynnag, pan ofynnwyd y cwestiwn mewn ffordd wahanol, sef a fyddai pobl yn talu costau defnyddwyr ffyrdd pe bai'r arian yn cael ei fuddsoddi mewn cludiant cyhoeddus, dywedodd 50 y cant o'r rhai a holwyd y byddent yn gwneud hynny. Felly, rhaid cydnabod perygl dylanwadu ar bleidlais deledu neu ar y rhyngwyd. Rhaid wrth ddealltwriaeth o'r mater a'i ddiben. Pan fydd pobl yn ymwybodol o'r angen i weithredu, maent yn fwy tebygol o'i gefnogi ac mae hynny'n wers inni bob un.

Dychwelaf yn awr at y creaduriaid rhyfedd hynny, sef gwleidyddion, unigolion sy'n eu gosod eu hunain yn llygad y cyhoedd—ynteu ar y parapet? Mae'r canfyddiad o wleidydd yn amrywio ar draws y byd ac mae wedi newid dros y blynyddoedd. Mae gan rai ddelwedd loyw a chaboledig gyda pherfformiadau hynod raenus i ddangos sgiliau rhyfeddol i ddarllen awtociw a chyflwyno. Yr wyf wedi gwyllo Bill Clinton yn siarad mewn ffordd sy'n dangos yr holl nodweddion hyn, ond ag un ffactor ychwanegol—carisma. Tybiaf y byddai gwyllo Kennedy wedi bod yn brofiad tebyg. Cymharwch hynny ag angerdd, cred ac ymrwymiad Nelson Mandela—brwydrwr o fri a siaradwr nerthol, heb y sglein, ond yn meddu ar un peth pwysig, sef y ffaith bod cyfiawnder o'i blaid.

Dros amser, gwelsom hefyd y gwehilion a'r gweilch ysglyfaethus: pobl fel Mussolini, Hitler ac Idi Amin. Mae'r agwedd fwy ystrywgar, faleisus hon yn dangos y perygl y gall gwleidyddion ei greu, gyda llywodraethau nad ydynt yn seiliedig ar

unacceptable form of political practice, but, too soon, we forget, and too soon we become complacent in our world. Therefore, how do we make the public trust us? Judging by voter turnout, perhaps it is not interested either way.

Voting has changed and moved on from the visit to the ballot box, marking that secret cross. It is no longer seen as the hard-fought-for privilege that it really is. Only in nations like those in Africa do we witness nearly 100 per cent turnout at elections, in countries where democracy has long been suppressed or has been newly fought for and won, where people walk for days to polling stations and queue for hours in the blazing sun to cast that special vote. I was brought up with my great-grandmother's stories of fighting for the right to have a vote, because, as women, we were not deemed intelligent enough or important enough to have a vote. Do not forget that the working man did not have a vote for a very long time in the history of our democracy. Full enfranchisement is only a recently gained right.

In my area, as in so many areas of Wales, the communities are changing. People migrate all over the world, from all over the world, and I have constituents who have moved in recently and gained citizenship, but do not know how to gain their vote, how to register, who to go to, or how the process works. It is not only our role to raise awareness in our children, but also to raise awareness in the ever-changing community around us. We have become more complacent about voting, but is that the fault of the electorate or the politicians?

Voting has become a generational issue: my generation and those above, vote; the younger generation does not. How can we change that? The first thing to do is to find out why young people are attracted by an issue, but not by a party. What will inspire them to become more involved? What issue is great enough for them to move, en masse,

ddemocratiaeth, ond ar ofn. Mae meithrin casineb yn ffordd annerbyniol o arfer gwleidyddiaeth, ond buan iawn yr anghofiwn, a buan iawn yr ydym yn mynd yn fodlon ein byd. Felly, sut mae sicrhau bod gan y cyhoedd ffydd ynom? O ystyried nifer y bobl sy'n pleidleisio, efallai nad oes ganddynt ddiddordeb y naill ffordd na'r llall.

Mae'r weithred o bleidleisio wedi newid ac wedi symud ymlaen o'r ymweliad hwnnw â'r blwch pleidleisio i roi croes ar ddarn o bapur. Nid yw bellach yn cael ei ystyried yn hawl y brwydrwyd yn galed drosti. Dim ond mewn gwledydd fel y rheini yn Affrica y gwelwn bron 100% o bobl yn pleidleisio mewn etholiadau, gwledydd lle mae democratiaeth wedi'i hatal cyhyd neu lle mae wedi ennill y frwydr yn ddiweddar, lle mae pobl yn cerdded am ddiwrnodau i gyrraedd gorsafodd pleidleisio ac yn aros am riau yn yr haul crasboeth i fwrw'r bleidlais arbennig honno. Cefais fy magu yn gwranddo ar fy hen fam-gu yn adrodd storïau'r frwydr am yr hawl i bleidleisio am nad oeddem, fel menywod, yn cael ein hystyried yn ddigon deallus neu'n ddigon pwysig i gael pleidlais. A chofiwch nad oedd gan ddynion dosbarth gweithiol bleidlais am amser maith yn hanes ein democratiaeth. Hawl a enillwyd yn ddiweddar iawn yw etholfraint lawn.

Yn fy ardal i, fel mewn llawer ardal yng Nghymru, mae'r cymunedau'n newid. Mae pobl yn symud o amgylch y byd i gyd o bob rhan o'r byd, ac mae gennyf etholwyr a symudodd yma yn ddiweddar ac ennill dinasyddiaeth, ond ni wyddant sut i gael pleidlais, sut i gofrestru, at bwy i fynd, na sut mae'r broses yn gweithio. Nid codi ymwybyddiaeth ein plant yn unig yw ein rôl, ond codi ymwybyddiaeth y gymuned o'n hamgylch sy'n newid. Yr ydym wedi dod yn fwy hunanfodlon ynglŷn â phleidleisio, ond ai bai'r etholwyr ynteu bai'r gwleidyddion yw hynny?

Mae pleidleisio wedi dod yn rhywbeth sy'n gwahanu cenedlaethau: mae fy nghenedlaeth i a'r rhai hŷn yn pleidleisio; ond nid y cenedlaethau iau. Sut mae newid hynny? Y peth cyntaf i'w wneud yw dod i wybod beth sy'n denu pobl ifanc at ryw fater arbennig, ond nid at blaid. Beth fydd yn eu hysbrydoli i gymryd mwy o ran? Pa fater

to become an active generation in the political field? Look at the numbers that will turn out on issues such as threatened hospital closures, climate change chaos or war. The desire to make change is there, we just need to harness it for the ballot box.

The place to learn that is in the home, the community and the school. I remember with glee the political battles over Sunday lunch in my home—four generations, all with different views, beliefs and desires for society, but all with a shared belief in socialism. I am lucky; I know my political roots and had the privilege of learning from my elders. However, that is not the way in most homes today, where there is barely enough time to eat together, let alone solve the world's problems over lunch.

I take my responsibility as a parent and a politician seriously. I know that it is my duty to educate my children not necessarily to share my opinions, but to share my passionate beliefs in democracy, helping others and in doing the right thing. I hope that I impart to my children that it is the politician who works for others, not for him or herself, who is the one to trust and support, because I also teach them that our strange profession attracts the bad as well as the good.

We continue, unabated, to make voting simpler: you can use touch screens in the supermarket, you can cast your vote at home, or you can still visit the polling booth. In some elections, you do not even have to visit your local polling station, but can vote in any station in your constituency. The ingenuity and innovation being used to try to tempt the voter back is extraordinary, but the risk of error and manipulation increases with the increased divergence of methods.

We talk of compulsory voting and forcing people to cast their ballot. I have heard many suggestions that if that came to pass, the ballot should include a 'none of the above' box. What would happen if the majority

sy'n ddigon mawr i'w hysgogi, yn llu, i fod yn genhedlaeth weithredol yn y maes gwleidyddol? Edrychwch ar y niferoedd a fydd yn ymgyrchu ar faterion megis y bygythiad i gau ysbytai, llanastr y newid yn yr hinsawdd, neu ryfel. Mae'r awydd i sicrhau newid yn bod, ond mae angen ei gysylltu â'r blwch pleidleisio.

Y lle i ddysgu hynny yw yn y cartref, yn y gymuned ac yn yr ysgol. Mae gennyf atgofion melys o'r brwydrau gwleidyddol dros ginio Sul yn ein cartref ni—pedair cenhedlaeth, a phob un â barn, cred a dymuniadau gwahanol ar gyfer cymdeithas, ond i gyd â'r un ffydd mewn sosialaeth. Yr wyf yn ffodus; yr wyf yn adnabod fy ngwreiddiau gwleidyddol, a chefais y fraint o ddysgu gan bobl hŷn. Fodd bynnag, nid felly y mae mewn cartrefi heddiw; prin bod amser i gyd-fwyta, heb sôn am ddatrys problemau'r byd dros ginio.

Yr wyf yn cymryd fy nghyfrifoldeb fel rhiant ac fel gwleidydd o ddifrif. Gwn mai fy nyletswydd yw addysgu fy mhlant, nid o reidrwydd i fod o'r un farn â mi, ond i rannu fy ffydd gadarn mewn democratiaeth, helpu eraill, a gwneud yr hyn sy'n iawn. Gobeithio fy mod yn cyfleu i'm plant mai'r gwleidydd sy'n gweithio dros eraill, ac nid drosto'i hun, yw'r un i'w gredu a'i gefnogi, am fy mod yn eu dysgu hefyd fod ein galwedigaeth ryfedd ni yn denu'r drwg yn ogystal â'r da.

Yr ydym yn dal i fynd ati'n ddi-baid i symleiddio'r broses bleidleisio: cewch ddefnyddio sgriniau cyffwrdd yn yr archfarchnad, cewch fwrw pleidlais gartref, neu cewch ddal i fynd i'r caban pleidleisio. Mewn rhai etholiadau, nid oes angen ymweld â'r orsaf bleidleisio leol hyd yn oed, oherwydd gallwch bleidleisio mewn unrhyw orsaf yn eich etholaeth. Mae'r dyfeisgarwch a'r arloesed a ddefnyddir i geisio denu'r pleidleisiwr yn ôl yn rhyfeddol, ond mae perygl camgymeriad a dylanwadu yn cynyddu wrth i'r gwahanol ddulliau gynyddu.

Soniwn am bleidleisio gorfodol a gorfodi pobl i fwrw'u pleidlais. Clywais lawer awgrym, pe byddai hynny'n digwydd, y dylai'r bleidlais gynnwys blwch 'neb o'r uchod'. Beth fyddai'n digwydd pe bai'r

voted for 'none of the above'? Would we all resign or would it be the wake-up call for change?

If the fundamental elements of trust, integrity, representation and altruism are hidden, why should anyone vote for us? There are, indeed, politicians who carry these virtues. They are the paragons: the politicians who beaver away at an issue, desiring only change for the better in their chosen field, be it the eradication of child poverty, the protection of the vulnerable, better life chances for our young or dignity for our senior family members. We see these values displayed daily in our colleagues and I am proud of that. However, we also see naked ambition and self-aggrandisement—the pariah who desires position, not realising that even if gained, it can only be maintained with the respect of all of us. That respect is hard won through integrity, honesty, diligence and the determination to succeed for the good of all, not just the few, or even the one. Where are the paladins? They are here within us and around us: the unsung heroes who change people's lives for the better, without fanfare and fuss, the politicians who work tirelessly day-in, day-out. We need to recognise and celebrate them and then we need to get young people to vote for them because they hold our future democracy in their hands.

Jeff Cuthbert: I thank Tamsin for raising this important subject and for granting me a minute to speak. I want to bring us back to our elections, which are coming up soon. It seems that the electors of Wrexham and Caerphilly, and perhaps elsewhere, will be faced with a confusing situation. People claiming to be independent, yet at the same time maintaining their party-political affiliations, in this case to Forward Wales, will be putting themselves forward, as I understand it, according to the Electoral Commission, in a way that will lead to confusion among voters.

4.40 p.m.

The explanation put forward, as I understand it, is that by a manipulation of the formula, the election of independents will not affect

mwyafrif yn pleidleisio dros 'neb o'r uchod? A fyddem i gyd yn ymddiswyddo, ynteu a fyddai'n rhybudd fod angen newid?

Os yw'r elfennau sylfaenol megis ffydd, cywirdeb, cynrychiolaeth ac anhunanoldeb ynghudd, pam y dylai neb bleidleisio drosom? Mae'n wir bod rhai gwleidyddion yn meddu ar y rhinweddau hyn. Hwy yw'r gwrol ryfelwyr: y gwleidyddion sy'n gweithio'n ddygn ar fater, gan chwennych dim ond newid er gwell yn eu dewis faes, boed hynny ym maes dileu tlodi plant, diogelu'r diamddiffyn, gwell cyfleoedd mewn bywyd i'n pobl ifanc, neu urddas i aelodau hŷn ein teuluoedd. Gwelwn y gwerthoedd hyn yn ein cyd-weithwyr bob dydd, ac yr wyf yn falch o hynny. Fodd bynnag, gwelwn hefyd uchelgais amlwg a hunanfawrhad—y gwalch sy'n chwennych statws, heb sylweddoli mai gyda pharch pob un ohonom yn unig y gellir cynnal hynny. Caiff y parch hwnnw ei ennill drwy gywirdeb, gonestrwydd, dyfalbarhad a'r penderfyniad i lwyddo er lles pawb, nid yr ychydig, na hyd yn oed yr un. Ble mae'r gwroniaid? Maent yma gyda ni ac o'n hamgylch: yr arwyr anhysbys sy'n newid bywydau pobl er gwell, heb ffanffer na ffwdan, y gwleidyddion sy'n gweithio'n ddiflino drwy'r dydd bob dydd. Dylem eu cydnabod a'u clodfori, ac yna rhaid inni gael y bobl ifanc i bleidleisio drostynt am fod dyfodol ein democratiaeth yn eu dwylo hwy.

Jeff Cuthbert: Diolch i Tamsin am godi'r mater pwysig hwn a chaniatáu munud imi siarad. Yr wyf am fynd â ni'n ôl at ein hetholiadau, a fydd yn digwydd cyn hir. Mae'n ymddangos y bydd etholwyr Wrecsam a Chaerffili, a mannau eraill, efallai, yn wynebu sefyllfa ddryslyd. Bydd pobl sy'n honni eu bod yn annibynnol, ac eto'n dal at eu cysylltiadau â phleidiau gwleidyddol, sef Cymru Ymlaen yn yr achos hwn, yn cyflwyno'u hunain, yn ôl a ddeallaf, yn ôl y Comisiwn Etholiadol mewn ffordd a fydd yn arwain at ddryswch ymysg etholwyr.

Yn ôl a ddeallaf, yr esboniad a roddwyd oedd na fydd ethol ymgeiswyr annibynnol yn effeithio ar bobl sy'n sefyll o dan restr eu

people standing under their party list for the regional list elections. If any of the established parties tried such a trick, we would rightly be hounded out and penalised, because what is to stop me from standing as an independent while retaining my party membership, and then, on election, taking the Labour whip? It is unfair and unreasonable, and it does not provide electors with the clarity that is so essential. I urge all those who would engage in the political process as candidates to stand firmly and clearly under their own banner, and not to masquerade as something that they are not.

The Presiding Officer: It is the Minister's turn to speak, but is Tamsin Dunwoody indicating that the Reverend Rhodri Glyn Thomas may have a minute?

Tamsin Dunwoody: I would be delighted to allow him that, Llywydd.

Rhodri Glyn Thomas: I am grateful. I had not intended to contribute to this debate; I decided to stay in the Chamber to listen to what Tamsin had to say in the expectation that she would say something thought-provoking, and I was not disappointed in that regard. She gave a fair description of the situation in terms of politics and politicians, and she has the qualifications to do so, coming from a political family. It was also a passionate defence of democracy and a passionate plea to people to use their democratic right to vote.

I was disappointed with Jeff Cuthbert's contribution; it showed insensitivity and it was out of place in terms of what Tamsin had to say. I support what she says wholeheartedly; I only wish that we could get that speech out to every voter for 3 May, as it might well persuade them to take part in the democratic process that we are all trying to contribute to.

The Business Minister (Jane Hutt): I am grateful to have the opportunity to respond to Tamsin's short debate. We have enjoyed many a challenging and interesting short debate from Tamsin, and as someone who has been present at these debates since the

plaid ar gyfer yr etholiadau rhestrau rhanbarthol. Pe bai unrhyw rai o'r pleidiau sefydledig yn rhoi cynnig ar ystryw o'r fath, byddai'n iawn inni gael ein herlid a'n cosbi, am nad oes dim yn fy rhwystro i rhag sefyll fel ymgeisydd annibynnol a dal gafael ar fy aelodaeth o blaid, ac yna, ar ôl cael fy ethol, dderbyn y chwip Llafur? Mae'n annheg ac yn afresymol, ac nid yw'n rhoi'r eglurder sydd mor hanfodol i'r etholwyr. Galwaf ar bawb a fyddai'n cymryd rhan yn y broses wleidyddol fel ymgeisydd i sefyll yn gadarn ac yn glir o dan eu baner eu hunain, ac i beidio â chymryd arnynt i fod yn rhywbeth nad ydynt.

Y Llywydd: Tro'r Gweinidog yw hi i siarad, ond a yw Tamsin Dunwoody yn dangos ei bod yn fodlon i'r Parchedig Rhodri Glyn Thomas gael munud?

Tamsin Dunwoody: Byddai'n bleser gennyf ganiatáu hynny, Lywydd.

Rhodri Glyn Thomas: Yr wyf yn ddiolchgar. Nid oeddwn wedi bwriadu cyfrannu i'r ddadl hon; penderfynais aros yn y Siambr i wrando ar yr hyn a oedd gan Tamsin i'w ddweud gan ddisgwyl y byddai'n dweud rhywbeth a fyddai'n peri i rywun feddwl, ac ni chefais fy siomi. Rhoddodd ddisgrifiad teg o'r sefyllfa o ran gwleidyddiaeth a gwleidyddion, ac mae ganddi'r cymwysterau i wneud hynny, gan ei bod yn dod o deulu gwleidyddol. Yr oedd hefyd yn amddiffyniad angerddol o ddemocratiaeth ac yn erfyniad i bobl ddefnyddio'u hawl ddemocrataidd i bleidleisio.

Cefais fy siomi gan gyfraniad Jeff Cuthbert; yr oedd yn ansensitif ac yn anaddas o ran yr hyn yr oedd gan Tamsin i'w ddweud. Cefnogaf yr hyn a ddywedodd yn llwyr. Trueni na allem gyfleu'r araith honno i bob etholwr erbyn 3 Mai, oherwydd gallai'n hawdd ddwyn perswâd arnynt i gymryd rhan yn y broses ddemocrataidd yr ydym i gyd yn ceisio cyfrannu iddi.

Y Trefnydd (Jane Hutt): Yr wyf yn ddiolchgar am y cyfle i ymateb i ddadl fer Tamsin. Yr ydym wedi mwynhau nifer o ddadleuon byrion heriol a diddorol gan Tamsin, ac fel rhywun sydd wedi bod yn bresennol yn y dadleuon hynny ers dechrau'r

National Assembly's inception, this discussion seems to me to be an excellent example of the sort of topic that the short debate was intended to cover. This is a wide-ranging question of general interest that is about the interface between policy and politics, which we can explore from all sides of the Chamber.

The basic distinction that Tamsin's motion proposes is as old as politics itself; golden age-ism is a pervasive trait in many parts of our lives, and we are all tempted to think that there was a time when all politicians were statesmen and stateswomen whose actions were gently applauded by an appreciative public. Whatever you may think or feel, all of us, in all parts of the Chamber, and certainly those of us in the Government part of the Chamber, feel under pressure. Any of you who have read any of the Roman poet Catullus's attacks on Julius Caesar will know that today's squibs are very damp by comparison, and a glance at a Hogarth cartoon will soon convince you that we live in gentler and more deferential times.

My own judgment is that the voters' view of politicians is caught up in a wider set of attitudes towards public services and institutions. What we as individuals must do is demonstrate, in the way in which we go about our responsibilities, that we are as keen to listen as to lecture, and as keen to talk with as to talk to those people whose lives are touched by the decisions that we make in the National Assembly. There is evidence that we have had some success in establishing the good faith of this new institution in the minds of the Welsh public. The Electoral Commission report 'Wales: Poll Position', published last September, indicates that opposition to elected devolution in Wales has fallen to just 21 per cent following the last election, from 39.5 per cent following the 1997 referendum. We must remember those statistics as we move forward to the election, as you said, Rhodri Glyn.

There has been support, and we have won

Cynulliad Cenedlaethol, mae'n ymddangos imi fod y drafodaeth hon yn enghraifft ardderchog o'r math o destun a fwriadwyd ar gyfer y ddadl fer. Mae hwn yn gwestiwn eang o ddiddordeb cyffredinol sy'n ymwneud â'r berthynas rhwng polisi a gwleidyddiaeth, a gallwn ei archwilio o bob ochr i'r Siambr.

Mae'r gwahaniaeth sylfaenol yng nghynnig Tamsin mor hen â gwleidyddiaeth ei hun; mae edrych yn ôl ar y dyddiau da wedi lledu i lawer rhan yn ein bywydau, a chawn i gyd ein temtio i gredu bod amser wedi bod pan oedd gwleidyddion yn wladweinwyr a fyddai'n cael eu cymeradwyo'n gwrtais am eu gweithredoedd gan gynulleidfa werthfawrogol. Beth bynnag yw eich teimladau a'ch barn, yr ydym bob un, ym mhob rhan o'r Siambr, ac yn arbennig y rheini ohonom yn rhan y Llywodraeth yn y Siambr, yn teimlo'r pwysau. Bydd unrhyw un ohonoch sydd wedi darllen unrhyw rai o ymosodiadau Catullus, y bardd Rhufeinig, ar Iŵl Cesar yn gwybod mai bach iawn yw'r ergydion o'u cymharu â'r oes honno, a buan iawn y bydd cipolwg ar gartŵn Hogarth yn eich argyhoeddi ein bod yn byw mewn amseroedd tynerach a mwy parchus.

Fy marn bersonol i yw fod barn etholwyr am wleidyddion yn rhan ehangach o agweddau at wasanaethau a sefydliadau cyhoeddus. Yr hyn y mae angen i ni fel unigolion ei wneud yw dangos, yn y ffordd yr ydym yn cyflawni'n cyfrifoldebau, ein bod mor awyddus i wrando ag yr ydym i bregethu, ac mor awyddus i siarad â'r bobl hynny y mae'r penderfyniadau a wnawn yn y Cynulliad Cenedlaethol yn effeithio arnynt. Mae yna dystiolaeth ein bod wedi cael rhywfaint o lwyddiant wrth ennill enw da i'r sefydliad newydd hwn ym meddyliau pobl Cymru. Mae adroddiad y Comisiwn Etholiadol 'Cymru - ar flaen y gad', a gyhoeddwyd fis Medi diwethaf, yn dangos bod y gwrthwynebiad i ddatganoli etholedig yng Nghymru wedi gostwng i ddim ond 21 y cant yn dilyn yr etholiad diwethaf, o 39.5 y cant yn dilyn refferendwm 1997. Rhaid inni gofio'r ystadegau hynny wrth edrych tua'r etholiad, fel yr oeddech yn ei ddweud, Rhodri Glyn.

Cafwyd cefnogaeth, ac yr ydym wedi ennill

some respect for what we are trying to deliver as a result of devolution. The BBC Wales St David's Day poll last year indicated that 60 per cent of people thought that the Welsh Assembly Government should have the most influence over Wales, compared with 21 per cent for the UK Government, and 12 per cent for local government. We are making an impact together, through Government and scrutiny, and I think that that evidence is positive. However—and this goes back to the important challenge that Tamsin set—an alarming 80 per cent of voters aged 18 to 34 did not vote at the last Assembly elections. We are all conscious of that as we move into the next election period, and, as Tamsin said, we must persuade the younger voters to put their trust in us. However, we will not win that trust overnight.

We need to build on the progress that we have made elsewhere, and give young people more positive examples of how we can work together for the benefit of all. As Tamsin said, young people want to engage, they are passionate, and they want to ensure that we will not simply listen, but also take action. They want to see that action and understand its impact on people's lives. That is when politics and politicians gain respect—when people see that we are making a difference through the decisions that we take. For example, a group of young carers came to the Senedd last week, and they had had won an award for a little video that they had made, raising awareness of what it is like to be a young carer, and showing the impact that that role had had on their lives and circumstances. In coming to meet me in the Senedd, they had a short break from their caring; they were young people caring for parents with debilitating and life-limiting illnesses, and they wanted to engage, and, of course, they had issues that they wanted us to address.

I will end this short contribution by providing one specific example of why we are succeeding in persuading the voters of Wales

parch am yr hyn y ceisiwn ei ddarparu o ganlyniad i ddatganoli. Yr oedd arolwg Dydd Gŵyl Dewi y BBC a gynhaliwyd y llynedd yn dangos bod 60 y cant o bobl yn credu mai Llywodraeth Cynulliad Cymru a ddylai ddylanwadu fwyaf ar Gymru, o'u cymharu ag 21 y cant ar gyfer Llywodraeth y DU, a 12 y cant ar gyfer llywodraeth leol. Yr ydym yn cael effaith gyda'n gilydd, drwy'r Llywodraeth a gwaith craffu, a chredaf fod y dystiolaeth honno'n gadarnhaol. Fodd bynnag—a mae hyn yn mynd yn ôl i'r her bwysig a osodwyd gan Tamsin—ni phleidleisiodd 80 y cant o bleidleiswyr rhwng 18 a 34 oed yn etholiadau diwethaf y Cynulliad, sy'n peri pryder. Gwyddom i gyd hynny wrth inni ddechrau cyfnod yr etholiad nesaf, ac fel y dywedodd Tamsin, rhaid inni ddarbwylllo pleidleiswyr iau i ymddiried ynom. Fodd bynnag, ni fyddwn yn ennill yr ymddiriedaeth honno dros nos.

Mae angen inni adeiladu ar y cynnydd yr ydym wedi'i wneud mewn manau eraill, a rhoi enghreifftiau mwy cadarnhaol i bobl ifanc o'r ffordd y gallwn gydweithio er lles pawb. Fel y dywedodd Tamsin, mae pobl ifanc am ymgysylltu â gwleidyddiaeth, maent yn frwdfrydig, ac maent am sicrhau, yn ogystal â gwrando, y byddwn yn gweithredu hefyd. Maent am weld y camau gweithredu hynny a deall eu heffaith ar fywydau pobl. Dyna pryd y mae gwleidyddiaeth a gwleidyddion yn ennyn parch—pan fydd pobl yn gweld ein bod yn gwneud gwahaniaeth drwy'r penderfyniadau a wnawn. Er enghraifft, daeth grŵp o ofalwyr ifanc i'r Senedd yr wythnos diwethaf, a oedd wedi ennill gwobr am fideo bach yr oeddent wedi'i wneud, yn codi ymwybyddiaeth o'r hyn y mae bod yn ofalwr ifanc yn ei olygu, ac yn dangos effaith y rôl honno ar eu bywydau a'u hamgylchiadau. Wrth ddod i gyfarfod â mi yn y Senedd, yr oeddent yn cael saib fer o'u dyletswyddau gofal; pobl ifanc oeddent a oedd yn gofalu am rieni sydd â salwch gwanychol a salwch sy'n cyfyngu ar fywyd. Yr oeddent yn awyddus i ymgysylltu â ni, ac wrth gwrs, yr oedd ganddynt broblemau yr oeddent am inni fynd i'r afael â hwy.

Gorffennaf y cyfraniad byr hwn drwy roi enghraifft benodol o'r rheswm pam yr ydym yn llwyddo i ddarbwylllo pleidleiswyr Cymru

that the Assembly, and even its politicians, belong more on the sunny side of the street. It may sound boring and tedious, but it is important to talk about the task of producing our Standing Orders for the new Assembly. The Committee on Standing Orders that was set up was asked to make every effort to recommend new Standing Orders that would be capable of securing a two-thirds majority in Plenary. Trying to reach a consensus in order to get a simple majority in a legislature where no party has a majority can be difficult in any circumstances, as I well know, as Business Minister; however, trying to reach a consensus supported by all parties can often seem impossible, yet that was the case when the Committee on Standing Orders began its work. Who would have thought that we would be able to draft a set of Standing Orders capable of being approved by the Assembly in its entirety—not just by two-thirds, but by the whole of Plenary? It was not an easy task. We considered some difficult and sometimes controversial issues, but we approached them from different perspectives—some of us from a Government perspective; some from an opposition or backbench perspective. There were many occasions when we had to put issues aside and negotiate, to find a compromise. We ensured that the new Assembly's Standing Orders were drafted by this Assembly, and we struck a balance between the rights and responsibilities of the Assembly and those of Government. It is an example of how politicians can and do work together successfully to reach a balanced and reasonable consensus.

Tamsin, you will not be surprised if I point out gently that the Committee on Standing Orders was made up entirely of women Assembly Members. Bismarck said that politics is the art of the possible, but, as politicians, we do not simply agree on what is possible; it is our job to change that possibility into reality. That is the task that has fallen to women through the ages. However, I want to be serious about this issue, because it is about the quality of discussion that we have here, which is influenced by the fact that the Assembly as a body reflects the real life of our wider

bod y Cynulliad, a hyd yn oed ei wleidyddion, yn gweithredu mewn ffordd gadarnhaol. Efallai ei fod yn swnio'n ddiffias ac yn anniddorol, ond mae'n bwysig sôn am y dasg o gynhyrchu ein Rheolau Sefydlog ar gyfer y Cynulliad newydd. Gofynnwyd i'r Pwyllgor ar Reolau Sefydlog a gafodd ei sefydlu wneud pob ymdrech i argymhell Rheolau Sefydlog newydd a allai sicrhau mwyafrif o ddwy ran o dair yn y Cyfarfod Llawn. Gall ceisio cael cytundeb, er mwyn cael mwyafrif syml mewn deddfwrfa lle nad oes gan yr un blaid fwyaf, fod yn anodd o dan unrhyw amgylchiadau, fel y gwn yn dda, fel y Trefnydd. Fodd bynnag, gall ceisio cael cytundeb a gefnogir gan bob plaid ymddangos yn amhosibl yn aml, ond dyna a ddigwyddodd pan ddechreuodd y Pwyllgor ar Reolau Sefydlog ei waith. Pwy a fyddai wedi credu y gallem lunio cyfres o Reolau Sefydlog a allai gael ei chymeradwyo gan y Cynulliad cyfannid dim ond gan fwyaf o ddwy ran o dair, ond gan y Cyfarfod Llawn cyfan? Nid oedd yn dasg hawdd. Buom yn ystyried rhai materion anodd a rhai dadleuol weithiau, ond gwnaethom hynny o safbwyntiau gwahanol-rhai ohonom o safbwynt y Llywodraeth; rhai ohonom o safbwynt y gwrthbleidiau neu'r meinciau cefn. Bu llawer achlysur pan fu'n rhaid inni roi pethau o'r neilltu a thrafod, er mwyn cyfaddawdu. Gwnaethom yn sicr mai'r Cynulliad hwn a luniodd Reolau Sefydlog y Cynulliad newydd, a chafwyd cydbwysedd rhwng hawliau a chyfrifoldebau'r Cynulliad a rhai'r Llywodraeth. Dyma enghraifft o'r ffordd y gall gwleidyddion weithio gyda'i gilydd yn llwyddiannus i sicrhau cytundeb cytbwys a rhesymol, a sut y maent yn gwneud hynny.

Tamsin, ni fyddwch yn synnu os egluraf yn gynnil mai merched yn unig o blith Aelodau Cynulliad oedd aelodau'r Pwyllgor ar Reolau Sefydlog. Dywedodd Bismarck mai celfyddyd yr hyn sy'n bosibl yw gwleidyddiaeth, ond fel gwleidyddion, nid ar yr hyn sy'n bosibl yn unig y byddwn yn cytuno; ein tasg ni yw gwireddu'r posibilrwydd hwnnw. Dyna dasg merched dros y canrifoedd. Fodd bynnag, yr wyf am gymryd y mater hwn o ddifrif, gan ei fod yn ymwneud ag ansawdd y drafodaeth a gawn yma, ac mae'r ffaith fod y Cynulliad fel corff yn adlewyrchu bywyd go iawn ein cymuned

community in Wales. We have an equality of men and women. We have Members who are parents and grandparents, and so different generations are represented. We are far more representative of Wales than my experience of being a member of a local authority, and, indeed, far more than Westminster, I believe.

Finally, it is true that we seek charisma, passion, and oration; we seek it and we enjoy it, in the right hands, of course—democratic hands. You have reminded us of the pariahs and the predators, Tamsin, and they are still among us, and they still have a grip. As you say, we still attract the bad as well as the good, and so, among our strengths and weaknesses, we need to seek those who demonstrate trust and integrity. They will be the ones who will win on May 3: those who show and demonstrate trust and integrity. Diolch yn fawr.

The Presiding Officer: Thank you, Minister. I thought that you were about to predict the result of the election there. I am grateful to you, and to Tamsin and all the contributors to this fascinating debate. Diolch yn fawr.

Dyna ddiwedd ein trafodion am heddiw.

ehangach yng Nghymru yn dylanwadu ar hynny. Mae menywod a dynion yn gyfartal yma. Mae gennym Aelodau sy'n rhieni ac yn neiniau a theidiau, ac felly cynrychiolir cenedlaethau gwahanol. Yr ydym yn llawer mwy cynrychioliadol o Gymru nag oedd fy mhrofiad o fod yn aelod o awdurdod lleol, ac yn wir, yn llawer mwy cynrychioliadol na San Steffan, mi gredaf.

Yn olaf, mae'n wir dweud ein bod yn chwilio am garisma, brwdfrydedd, ac areithio; yr ydym yn chwilio am hynny ac yn ei fwynhau, yn y dwylo cywir, wrth gwrs—dwyllo democrataidd. Yr ydych wedi'n hatgoffa o'r gwheilion a'r gweilch ysglyfaethus, Tamsin, ac maent yn ein plith o hyd, ac mae ganddynt ddylanwad o hyd. Fel y dywedwch, yr ydym yn dal i ddenu'r drwg yn ogystal â'r da, ac felly, ymhlith ein cryfderau a'n gwendidau, rhaid inni chwilio am y rhai sy'n dangos ymddiriedaeth ac uniondeb. Hwy fydd yn ennill ar 3 Mai: y rhai sy'n dangos ac yn amlygu ymddiriedaeth ac uniondeb. Diolch yn fawr.

Y Llywydd: Diolch, Weinidog. Credais eich bod ar fin rhagweld canlyniad yr etholiad. Yr wyf yn ddiolchgar i chi, ac i Tamsin ac i'r holl gyfranogwyr i'r ddadl hynod ddiddorol hon. Diolch yn fawr.

That concludes our deliberations for the day.

*Daeth y cyfarfod i ben am 4.50 p.m.
The meeting ended at 4.50 p.m.*

Aelodau a'u Pleidiau Members and their Parties

Andrews, Leighton (Llafur – Labour)
Barrett, Lorraine (Llafur – Labour)
Bates, Mick (Democratiaid Rhyddfrydol Cymru – Welsh Liberal Democrats)
Black, Peter (Democratiaid Rhyddfrydol Cymru – Welsh Liberal Democrats)
Bourne, Nick (Ceidwadwyr Cymru – Welsh Conservatives)
Burnham, Eleanor (Democratiaid Rhyddfrydol Cymru – Welsh Liberal Democrats)
Butler, Rosemary (Llafur – Labour)
Cairns, Alun (Ceidwadwyr Cymru – Welsh Conservatives)
Chapman, Christine (Llafur – Labour)
Cuthbert, Jeff (Llafur – Labour)
Davidson, Jane (Llafur – Labour)
Davies, Andrew (Llafur – Labour)
Davies, David (Ceidwadwyr Cymru – Welsh Conservatives)
Davies, Glyn (Ceidwadwyr Cymru – Welsh Conservatives)
Davies, Janet (Plaid Cymru – The Party of Wales)
Davies, Jocelyn (Plaid Cymru – The Party of Wales)
Dunwoody, Tamsin (Llafur - Labour)
Elis-Thomas, Dafydd (Plaid Cymru – The Party of Wales)
Essex, Sue (Llafur – Labour)

Francis, Lisa (Ceidwadwyr Cymru – Welsh Conservatives)
 German, Michael (Democratiaid Rhyddfrydol Cymru – Welsh Liberal Democrats)
 Graham, William (Ceidwadwyr Cymru – Welsh Conservatives)
 Gregory, Janice (Llafur – Labour)
 Griffiths, John (Llafur – Labour)
 Gibbons, Brian (Llafur – Labour)
 Gwyther, Christine (Llafur – Labour)
 Hart, Edwina (Llafur – Labour)
 Hutt, Jane (Llafur – Labour)
 Idris Jones, Denise (Llafur – Labour)
 Isherwood, Mark (Ceidwadwyr Cymru – Welsh Conservatives)
 James, Irene (Llafur – Labour)
 Jones, Alun Ffred (Plaid Cymru – The Party of Wales)
 Jones, Ann (Llafur – Labour)
 Jones, Carwyn (Llafur – Labour)
 Jones, Elin (Plaid Cymru – The Party of Wales)
 Jones, Helen Mary (Plaid Cymru – The Party of Wales)
 Jones, Ieuan Wyn (Plaid Cymru – The Party of Wales)
 Jones, Laura Anne (Ceidwadwyr Cymru – Welsh Conservatives)
 Law, Trish (Annibynnol – Independent)
 Lewis, Huw (Llafur – Labour)
 Lloyd, David (Plaid Cymru – The Party of Wales)
 Lloyd, Val (Llafur – Labour)
 Marek, John (Cymru Ymlaen – Forward Wales)
 Melding, David (Ceidwadwyr Cymru – Welsh Conservatives)
 Mewies, Sandy (Llafur – Labour)
 Morgan, Jonathan (Ceidwadwyr Cymru – Welsh Conservatives)
 Morgan, Rhodri (Llafur – Labour)
 Neagle, Lynne (Llafur – Labour)
 Pugh, Alun (Llafur – Labour)
 Randerson, Jenny (Democratiaid Rhyddfrydol Cymru – Welsh Liberal Democrats)
 Ryder, Janet (Plaid Cymru – The Party of Wales)
 Sargeant, Carl (Llafur – Labour)
 Sinclair, Karen (Llafur – Labour)
 Thomas, Catherine (Llafur – Labour)
 Thomas, Gwenda (Llafur – Labour)
 Thomas, Owen John (Plaid Cymru – The Party of Wales)
 Thomas, Rhodri Glyn (Plaid Cymru – The Party of Wales)
 Williams, Brynle (Ceidwadwyr Cymru – Welsh Conservatives)
 Williams, Kirsty (Democratiaid Rhyddfrydol Cymru – Welsh Liberal Democrats)
 Wood, Leanne (Plaid Cymru – The Party of Wales)