



**Cynulliad Cenedlaethol Cymru  
(Y Cofnod Swyddogol)**

**The National Assembly for Wales  
(The Official Record)**

**Dydd Mercher, 28 Ebrill 2004**

**Wednesday, 28 April 2004**

**Cynnwys**  
**Contents**

- 3 Cwestiynau ar Gyllid i'r Gweinidog Cyllid  
Questions on Finance to the Finance Minister
- 16 Cwestiynau i'r Gweinidog dros yr Amgylchedd, Cynllunio a Chefn Gwlad  
Questions to the Minister for Environment, Planning and Countryside
- 25 Cymeradwyo Cyllid Llywodraeth Leol (Cymru) Adroddiad Grant Arbennig (Rhif 4)  
(Cymru) 2004  
Approval of the Local Government Finance (Wales) Special Grant Report (No 4)  
(Wales) 2004
- 28 Comisiwn Richard  
The Richard Commission
- 85 Dadl Fer: Y Mesur Drafft—Cardiau Adnabod  
Short Debate: The Draft Identity Card Bill

Yn y golofn chwith, cofnodwyd y trafodion yn yr iaith y llefarwyd hwy ynndi 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 ar Gyllid i'r Gweinidog Cyllid Questions on Finance to the Finance Minister**

### **Amcan 1 Objective 1**

**Q1 Janet Ryder:** Has the Minister received any representations from the Minister for Economic Development and Transport for extra emergency funding to meet the match-funding requirements of Objective 1? (OAQ34383)

**C1 Janet Ryder:** A yw'r Gweinidog wedi derbyn unrhyw sylwadau gan y Gweinidog dros Ddatblygu Economaidd a Thrafnidiaeth ynghylch cyllid brys ychwanegol i gwrdd â gofynion arian cyfatebol Amcan Un? (OAQ34383)

**The Finance Minister (Sue Essex):** No.

**Y Gweinidog Cyllid (Sue Essex):** Nac ydwyf.

**Janet Ryder:** Thank you, Minister. I understand that there is a shortfall in the Pathway to Prosperity fund of between £15 million and £20 million. Can you give me an update on that fund? Has the Minister for Economic Development and Transport been able to plug that gap?

**Janet Ryder:** Diolch, Weiniidog. Yr wyf ar ddeall fod diffyg o rhwng £15 miliwn ac £20 miliwn yn y gronfa Ffordd i Ffyniant. A allwch roi'r wybodaeth ddiweddaraf imi ar y gronfa honno? A yw'r Gweinidog dros Ddatblygu Economaidd a Thrafnidiaeth wedi llwyddo i gau'r bwlch hwnnw?

**Sue Essex:** I have not been alerted of any shortfall. What we have tried to do—successfully, I think—is to look strategically at where match funding is available in a range of areas, and to be creative in how we use money for match funding. We are confident that that approach will make us use match funding effectively.

**Sue Essex:** Ni chefais fy hysbysu o unrhyw ddiffyg. Yr ydym wedi ceisio—a hynny'n llwyddiannus, fe gredaf—edrych yn strategol ar lle y mae arian cyfatebol ar gael mewn amrywiaeth o feysydd, a bod yn greadigol o ran sut y defnyddiwn arian i ddarparu arian cyfatebol. Yr ydym yn hyderus y bydd ym ymagwedd honno yn sicrhau y byddwn yn defnyddio arian cyfatebol yn effeithiol.

**Val Lloyd:** I was delighted to learn of the £65 million performance bonus from the EU that the Welsh Assembly Government has been awarded for its excellent work in administering EU structural funds. How will this welcome extra funding be spent?

**Val Lloyd:** Yr oeddwn yn falch iawn o glywed bod yr UE wedi dyfarnu bonws perfformiad £65 miliwn i Lywodraeth Cynulliad Cymru am ei gwaith rhagorol yn gweinyddu cronfeydd strwythurol yr UE. Sut y caiff yr arian ychwanegol derbynol iawn hwn ei wario?

**Sue Essex:** It is interesting that the opposition should scoff at £65 million being awarded to us, instead of congratulating us on that. The people of Wales have confidence now in the Objective 1 programme. This endorsement does not make us complacent, but it helps us to realise that the European

**Sue Essex:** Mae'n ddi-ddorol bod yr wrthblaid yn gwawdio'r ffaith bod £65 miliwn wedi'i ddyfarnu inni, yn hytrach na'n llongyfarch am hynny. Mae gan bobl Cymru hyder yn rhaglen Amcan 1 erbyn hyn. Nid yw'r ganmoliaeth hon yn golygu y gallwn orffwys ar ein rhwyfau, ond mae'n ein helpu

Commission is pleased with what we are achieving. The performance reserve money equates to £67.5 million for Objective 1, £3.8 million for Objective 2, and £4.1 million for Objective 3.

**Alun Cairns:** This £60-odd million has been announced several times. The Assembly Government is used to spending money, but we are interested in outcomes. We have seen massive increases in the health budget, but waiting lists have not decreased. *[Interruption.]*

**The Presiding Officer:** Order. I have not called Brian Gibbons.

**Alun Cairns:** The reality is that Objective 1 is in a desperate state. That is why, at a recent Business Partnership Council meeting, Business Wales read out a statement, agreed by all its partners, threatening to withdraw support for Objective 1 completely, because of how it has been conducted. That is largely because of the lack of match funding. What action are you taking to ask the Treasury for match funding? Let us remind ourselves that we did not have a penny of match funding. *[Interruption.]*

**The Presiding Officer:** Order.

**Sue Essex:** I will begin with Alun's first point. Are you honestly questioning the competency of Graham Meadows and the commission in awarding the £65 million, Alun? That was implicit in your statement that we are not delivering on this. You are therefore saying that the European Commission, in awarding us this money, is incompetent and cannot audit and assess where we are spending the money. The European Commission is careful in how it audits and assesses. It is ludicrous to suggest that we are not delivering outcomes, because if we were not, the commission would not have given us this performance award.

**Y Llywydd:** Cyn i mi alw cwestiwn 2, croesawaf, ar ran y Cynulliad, y ddirprwyaeth o Senedd Ranbarthol Brwsel, sydd wedi

i sylweddoli bod yr hyn yr ydym yn ei gyflawni yn bodloni'r Comisiwn Ewropeaidd. Mae arian y gronfa berfformiad yn gyfwerth â £67.5 miliwn ar gyfer Amcan 1, £3.8 miliwn ar gyfer Amcan 2, a £4.1 miliwn ar gyfer Amcan 3.

**Alun Cairns:** Cyhoeddwyd y swm hwn o tua £60 miliwn sawl gwaith. Mae Llywodraeth y Cynulliad yn gyfarwydd â gwario arian, ond yr ydym ni am weld canlyniadau. Gwelsom gynnydd enfawr yn y gyllideb iechyd, ond nid yw rhestrau aros wedi lleihau. *[Torri ar draws.]*

**Y Llywydd:** Trefn. Nid wyf wedi galw Brian Gibbons.

**Alun Cairns:** Y gwir amdani yw bod Amcan 1 mewn cyflwr truenus. Dyna pam y bu i Busnes Cymru, yn un o gyfarfodydd diweddar y Cyngor Partneriaeth Busnes, ddarllen datganiad, y cytunwyd arno gan bob un o'i bartneriaid, yn bygwth tynnu ei gymorth i Amcan 1 yn ôl yn gyfan gwbl, o ganlyniad i'r ffordd y cafodd ei weithredu. Un o'r rhesymau pennaf dros hynny yw diffyg arian cyfatebol. Pa gamau yr ydych yn eu cymryd i ofyn i'r Trysorlys am arian cyfatebol? Gadewch inni atgoffa ein hunain na chawsom geiniog o arian cyfatebol. *[Torri ar draws.]*

**Y Llywydd:** Trefn.

**Sue Essex:** Dechreuaf gyda phwynt cyntaf Alun. A ydych mewn difrif calon yn amau cymhwyster Graham Meadows a'r comisiwn wrth ddyfarnu'r £65 miliwn, Alun? Awgrymwyd hynny yn eich datganiad nad ydym yn cyflawni yn hyn o beth. Felly yr ydych yn dweud bod y Comisiwn Ewropeaidd drwy ddyfarnu'r arian hwn inni, yn anghymwys ac na all archwilio ac asesu lle gwariwn arian. Mae'r Comisiwn Ewropeaidd yn ofalus wrth archwilio ac asesu. Mae'n hurt awgrymu nad ydym yn cyflawni canlyniadau, oherwydd pe na byddem yn gwneud hynny, ni fyddai'r comisiwn wedi rhoi'r dyfarniad perfformiad hwn inni.

**The Presiding Officer:** Before I call question 2, I welcome, on the Assembly's behalf, the delegation from the Brussels

ymuno â ni heddiw. Croeso mawr.

Regional Parliament, which has joined us today. A warm welcome.

**Dyranïad Cyllid i Bortffolio Amgylchedd, Cynllunio a Chefn Gwlad**  
**Funding Allocation to the Environment, Planning and Countryside Portfolio**

**Q2 Mick Bates:** Can the Minister make a statement on what consideration she took into account in the overall funding allocation she made to the environment, planning and countryside portfolio in the latest budget? (OAQ34309)

**Sue Essex:** In preparing my budget, I had detailed discussions with the Minister for Environment, Planning and Countryside regarding the range of policies and programmes in his portfolio. The budget gave an increase well above inflation of 6 per cent, or £14.6 million, to the portfolio's departmental expenditure limit.

**Mick Bates:** Thank you for those figures on the overall budget. However, in terms of the Assembly's strategic aims, are you able to explain why the overall budget did not see a specific increase in aims in relation to Tir Gofal? Albeit that that would be an internal portfolio decision, it is a strategic aim that I know that you share. Why did you allow the Minister for Environment, Planning and Countryside to reduce that budget so that many farmers will not be able to take part in what is the main European scheme for sustainable agriculture?

**Sue Essex:** I agree that it is a good scheme, which has the wholehearted support of the Assembly. It has done a lot of good work. In discussions—if you remember the budget debate—I was looking for effective use of money. I said that I was not prepared to see money sitting in portfolio budget lines without being spent. Carwyn Jones and I had a detailed discussion on this issue, and we came forward with the required budget to deliver on the Tir Gofal scheme. As I understand the situation, the Minister came up with a figure on which we both agreed, which is adequate to deliver the Tir Gofal scheme this year.

**Glyn Davies:** In your discussions with the

**C2 Mick Bates:** A wnaiff y Gweinidog ddatganiad ar yr ystyriaethau a gafodd sylw ganddi yn achos y cyfan o'r dyranïad cyllid a wnaed ganddi i bortffolio Amgylchedd, Cynllunio a Chefn Gwlad yn y gyllideb ddiweddaraf? (OAQ34309)

**Sue Essex:** Wrth baratoi fy nghyllideb, cynhaliâs drafodaethau manwl gyda'r Gweinidog dros yr Amgylchedd, Cynllunio a Chefn Gwlad o ran yr amrywiaeth o bolisiau a rhaglenni yn ei bortffolio. Darparodd y gyllideb gynnydd o 6 y cant, neu £14.6 miliwn, a oedd yn llawer uwch na chwyddiant, i derfyn gwariant adrannol y portffolio.

**Mick Bates:** Diolch ichi am y ffigurau hynny ar y gyllideb gyffredinol. Fodd bynnag, o ran nodau strategol y Cynulliad, a allwch egluro pam na welodd y gyllideb gyffredinol gynnydd penodol mewn nodau o ran Tir Gofal? Er mai penderfyniad portffolio mewnol fyddai hynny, mae'n nod strategol y gwn eich bod yn ei rannu. Pam y bu ichi ganiatáu i'r Gweinidog dros yr Amgylchedd, Cynllunio a Chefn Gwlad leihau'r gyllideb honno sy'n golygu na fydd llawer o ffermwyr yn gallu cymryd rhan ym mhrif gynllun Ewrop ar gyfer amaethyddiaeth gynaliadwy?

**Sue Essex:** Cytunaf ei fod yn gynllun da, ac mae'r Cynulliad yn gadarn o'i blaid. Mae wedi gwneud llawer o waith da. Mewn trafodaethau—os cofiwch y ddadl ar y gyllideb—yr oeddwn am sicrhau defnydd effeithiol o arian. Dywedais nad oeddwn yn barod i weld arian heb gael ei wario yn eistedd mewn cyllidebau portffolios. Cafodd Carwyn Jones a minnau drafodaeth fanwl ar y mater hwn, a chyflwynasom y gyllideb a oedd yn ofynnol i gyflwyno cynllun Tir Gofal. Fel y deallaf y sefyllfa, awgrymodd y Gweinidog ffigur yr oedd y ddau ohonom yn cytuno arno, sy'n ddigonol i gyflawni cynllun Tir Gofal eleni.

**Glyn Davies:** Yn ystod eich trafodaethau

appropriate Minister, Carwyn Jones, did you spend time talking about how you would deal with the financial implications of bovine TB? In the previous year, the cost of dealing with the compensation for this was £8 million, for which a budget of £2 million was provided. For some bizarre reason, you have reduced that budget to £1 million. The question that I am asking, along with all the farmers of Wales, is whether the Government is taking the issue of bovine TB—which is causing devastation across Wales—seriously. Can you give a guarantee that you will take the issue more seriously in next year's budget discussions?

**Sue Essex:** It is ludicrous to say that this issue was not taken seriously; I recall many meetings between Carwyn and me to discuss this extremely serious problem. It is a devastating problem for the farmers affected. One reason for not providing an exact figure is that we do not know what it will be. There is a great deal of talk about how this problem might be dealt with, if not eradicated, but I have told Carwyn that we will revisit this issue when we have a more accurate idea of what the figures will be. I will not let him down on this.

**Helen Mary Jones:** It is disingenuous to say that you do not know what the size of the problem will be, because we can be sure that it will be as big, if not bigger, than it was last year. I seek your assurance that if the cost is much higher than £1 million—which, sadly, it is likely to be in terms of compensation—it will not come from the countryside and environment budget. People are concerned that Tir Gofal, for example, may be squeezed even further if we have to find the money from that budget to pay for the costs of bovine TB.

**Sue Essex:** There is no basis for suggesting that Tir Gofal will be squeezed. We have made that budget commitment. *[Interruption.]* No, it was not squeezed, because this is about the number of farms delivering on this issue. You must not put in money in excess of what is needed. You have a strange view of budgeting if you believe that money should be put into budget lines when it is not needed. This is about making effective use of money.

gyda'r Gweinidog priodol, Carwyn Jones, a dreuliasoch amser yn trafod sut y byddech yn ymdrin â goblygiadau ariannol TB mewn gwartheg? Yn y flwyddyn flaenorol, yr oedd cost ymdrin â'r iawndal ar gyfer hyn yn £8 miliwn, a darparwyd cyllideb o £2 filiwn ar ei gyfer. Am ryw reswm rhyfedd, yr ydych wedi lleihau'r gyllideb honno i £1 filiwn. Y cwestiwn yr wyf fi yn ei ofyn, ynghyd â holl ffermwyr Cymru, yw a yw'r Llywodraeth yn cymryd TB mewn gwartheg—sy'n achosi dinistr ledled Cymru—o ddifrif? A allwch warantu y byddwch yn rhoi sylw mwy difrifol i'r mater wrth drafod cyllideb y flwyddyn nesaf?

**Sue Essex:** Mae'n hurt dweud na chymerwyd y mater hwn o ddifrif; cofiaf sawl cyfarfod rhwng Carwyn a minnau i drafod y broblem hynod ddifrifol hon. Mae'n broblem echrydus i'r ffermwyr yr effeithir arnynt. Un rheswm dros beidio â darparu ffigur manwl gywir yw na wyddom beth fydd y ffigur hwnnw. Mae llawer o sôn am sut y gellid ymdrin â'r broblem hon, os nad ei dileu, ond yr wyf wedi dweud wrth Carwyn y byddwn yn ailystyried y mater hwn ar ôl cael syniad mwy cywir o'r ffigurau. Ni chaiff ei siomi gennyf.

**Helen Mary Jones:** Mae'n ffuantus dweud na wyddoch beth fydd graddau'r broblem, oherwydd gallwn fod yn siŵr y bydd yr un mor fawr, os nad yn fwy, nag yr oedd y llynedd. Gofynnaf am eich sicrwydd os bydd y gost yn llawer uwch nag £1 filiwn—ac, yn anffodus, mae'n debygol o fod yn fwy na hynny o ran iawndal—na ddaw'r arian hwnnw o gyllideb yr amgylchedd a chefn gwlad. Mae pobl yn pryderu, er enghraifft, y rhoddir pwysau ychwanegol ar Tir Gofal os bydd yn rhaid inni ddod o hyd i'r arian o'r gyllideb honno i dalu am gostau TB mewn gwartheg.

**Sue Essex:** Nid oes unrhyw sail dros awgrymu y rhoddir pwysau ychwanegol ar Tir Gofal. Yr ydym wedi ymrwymo i'r gyllideb honno. *[Torri ar draws.]* Naddo, ni roddwyd pwysau arno, gan fod hyn yn ymwneud â nifer y ffermydd sy'n cyflawni ar y mater hwn. Ni ddylid rhoi mwy o arian na'r hyn sydd ei angen. Mae gennych syniad rhyfedd o gyllidebu os credwch y dylid rhoi arian i gyllidebau lle nad oes ei angen. Y

I am conscious of this issue, and it is not my intention to squeeze other budgets. We will have to face these issues when they arise. It is a serious and worrying issue, which cannot run out of control.

nod yw defnyddio arian yn effeithiol. Yr wyf yn ymwybodol o'r mater hwn, ac nid yw'n fwriad gennyf roi pwysau ar gyllidebau eraill. Bydd rhaid inni wynebu'r materion hyn pan godant. Mae'n fater difrifol sy'n peri pryder, na allwn golli rheolaeth arno.

### **Adolygiad o Wariant Llywodraeth y Cynulliad The Assembly Government Spending Review**

**Q3 Lynne Neagle:** Will the Minister make a statement on the progress of the Assembly Government spending review? (OAQ34365)

**C3 Lynne Neagle:** A wnaiff y Gweinidog ddatganiad ar gynnydd yr adolygiad o wariant Llywodraeth y Cynulliad? (OAQ34365)

**Q4 Ann Jones:** Will the Minister make a statement on the Assembly Government spending review? (OAQ34381)

**C4 Ann Jones:** A wnaiff y Gweinidog ddatganiad ar adolygiad o wariant Llywodraeth y Cynulliad? (OAQ34381)

**Sue Essex:** The spending review team has completed the first stage of the spending review evaluation exercise to assess each of our spending programmes against the Cabinet's criteria. The spending review team is also taking forward work on a range of topics that will have a bearing on the outcome of the spending review.

**Sue Essex:** Mae tîm yr adolygiad o wariant wedi cwblhau cam cyntaf ymarfer gwerthuso'r adolygiad o wariant i asesu pob un o'n rhaglenni gwariant yn erbyn meini prawf y Cabinet. Mae tîm yr adolygiad o wariant hefyd yn ymgymryd â gwaith ar amrywiaeth o bynciau a gaiff effaith ar ganlyniad yr adolygiad o wariant.

**Lynne Neagle:** I am sure that you would agree that delivering social justice must be central to any spending review initiated by a Labour Government. The communities of the south Wales Valleys, particularly the northern Valleys, still face the highest concentration of deprivation in Wales. How will you ensure that you take this into account in your review? Will you ensure that additional funding is targeted to address the pressing needs of Valleys communities?

**Lynne Neagle:** Yr wyf yn siŵr y byddech yn cytuno bod yn rhaid i'r nod o gyflawni cyfiawnder cymdeithasol fod yn greiddiol i unrhyw adolygiad o wariant yr ymgymrerir ag ef gan Lywodraeth Lafur. Mae cymunedau Cymoedd de Cymru, yn arbennig Cymoedd y gogledd, yn dal i ddioddef o'r amddifadedd mwyaf yng Nghymru. Sut y byddwch yn sicrhau y rhoddir ystyriaeth i hyn yn eich adolygiad? A sicrhewch y caiff arian ychwanegol ei dargedu i ymdrin ag anghenion dybryd cymunedau'r Cymoedd?

2.10 p.m.

**Sue Essex:** The spending review is being undertaken in light of 'Wales: A Better Country', in which social justice is one of the core issues. That is expressed in terms of education, jobs and health. Secondly, the work being done in considering spending programmes is being done in connection with a number of themes, including equality of opportunity, sustainable development and social justice. Therefore, they are being

**Sue Essex:** Cynhelir yr adolygiad o wariant yng ngoleuni 'Cymru: Gwlad Well', y mae cyfiawnder cymdeithasol yn un o'r materion craidd ynddo. Mynegir hynny yn nhermau addysg, swyddi ac iechyd. Yn ail, mae'r gwaith sy'n mynd rhagddo i ystyried rhaglenni gwariant yn cael ei wneud mewn perthynas â nifer o themâu, gan gynnwys cyfle cyfartal, datblygu cynaliadwy a chyfiawnder cymdeithasol. Felly, cânt eu

validated in that way. I agree that the top end of the Valleys still has worrying figures in respect of deprivation. Some interesting ideas are emerging, which will be fed into the budget planning proposals.

**Ann Jones:** I support Lynne's view on regeneration, especially in relation to the Valleys. Other areas and communities are also affected, such as those which have suffered as a result of the decline of the tourism industry, including coastal towns such as Rhyl. Will you consider the recommendations of the 'Rhyl Going Forward' report, and how the spending review can help us to deliver funding streams that will make its vision a reality for the people of that town, and others along the north Wales coast?

**Sue Essex:** I have not seen that report, but I know that you have been closely involved in leading the team that has produced those recommendations. I will consider the report, which presumably includes a range of recommendations, some of which deal with regenerating the town itself. As well as the spending review, there are relevant European funding budget streams. There is a new stream that deals specifically with town-centre regeneration, with a budget of some £10 million or £20 million. That is good news in terms of European funding that might help to stimulate private investment.

**The Leader of the Welsh Conservatives (Nick Bourne):** 'A Britain that is young of mind and confident of its future must change a situation in which unelected quangos spend more money than elected local government'.

That statement was made by a regular sort of guy: the Prime Minister. This year, Welsh quangos will spend £4.8 billion, compared with local government spending of £3.2 billion. Can you explain the dynamics of that partnership with Westminster?

**Sue Essex:** I do not know if the phrase 'young of mind' applies to me: I take it that I am included. [*Interruption.*]

**The Presiding Officer:** Order. The Minister

dilysu drwy hynny. Cytunaf fod ffigurau amddifadedd difrifol i'w gweld ym mhen uchaf y Cymoedd o hyd. Mae rhai syniadau diddorol yn dod i'r amlwg, a gaiff eu bwydo i'r cynigion ar gyfer cynllunio'r gyllideb.

**Ann Jones:** Cefnogaf safbwynt Lynne o ran adfywio, yn arbennig mewn perthynas â'r Cymoedd. Effeithir ar ardaloedd a chymunedau eraill hefyd, megis y rheini a ddiodeffodd o ganlyniad i ddirywiad y diwydiant twristiaeth, gan gynnwys trefi arfordirol fel y Rhyl. A ystyriwch argymhellion yr adroddiad 'Rhyl Going Forward', a sut y gall yr adolygiad o wariant ein helpu i gyflwyno ffrydiau ariannu a fydd yn gwireddu ei weledigaeth i bobl y dref honno, ac eraill ar hyd arfordir gogledd Cymru?

**Sue Essex:** Nid wyf wedi gweld yr adroddiad hwnnw, ond gwn ichi ymwneud llawer â'r gwaith o arwain y tîm a gynhyrchodd yr argymhellion hynny. Ystyriaf yr adroddiad, sy'n cynnwys amrywiaeth o argymhellion fe dybiaf, rhai ohonynt yn ymdrin ag adfywio'r dref ei hun. Yn ogystal â'r adolygiad o wariant, mae ffrydiau ariannu cyllidebol Ewropeaidd perthnasol. Mae ffrwd newydd sy'n ymdrin yn benodol ag adfywio canol trefi, gyda chyllideb o tua £10 miliwn neu £20 miliwn. Mae hynny'n newyddion da o ran cyllid Ewropeaidd a allai helpu i ysgogi buddsoddiad preifat.

**Arweinydd Ceidwadwyr Cymru (Nick Bourne):** Rhaid i Brydain sy'n meddu ar feddwl ifanc a hyder yn ei dyfodol newid sefyllfa lle y mae cwangos nas etholwyd yn gwario mwy o arian na llywodraeth leol etholedig.

Gwnaed y datganiad hwnnw gan ddyn cyffredin: y Prif Weinidog. Eleni, bydd cwangos yng Nghymru yn gwario £4.8 biliwn, o gymharu â llywodraeth leol a fydd yn gwario £3.2 biliwn. A allwch egluro deinameg y bartneriaeth honno gyda San Steffan?

**Sue Essex:** Ni wn a yw'r ymadrodd 'meddwl ifanc' yn berthnasol i mi: cymeraf fy mod yn cael fy nghynnwys. [*Torri ar draws.*]

**Y Llywydd:** Trefn. Mae'r Gweinidog yn ateb



is answering the question in her own way and we must listen.

**Sue Essex:** It was a joke, and tongue in cheek. I hope that jokes are still allowed in Plenary. [ASSEMBLY MEMBERS: 'Yes.'] Thank you; I am glad that we are not a joke-free zone. However, it is a serious question, and I take Nick's point. There are important areas of major expenditure in the expenditure profile of ASPBs. For example, Education and Learning Wales's budget is substantial and I do not think that anyone in this room would not agree that the money given to ELWa for training and so on is important to creating the new Britain that you mentioned, Nick. Additional money has been provided to the Environment Agency Wales for extra staff undertaking important regulatory work resulting from European regulations; Mike German alluded to that yesterday. The Care Standards Inspectorate Wales is also undertaking important work. That is why that budget has increased.

**Nick Bourne:** I am far from wanting to attack those who work for ASPBs—or quangos as they used to be called when they were attacked when the Conservatives were in power. However, I want to address the hypocrisy in people here and in Westminster attacking these bodies. The First Minister said that they would be reduced to six when he got to power. That has not happened. In 1999, Rhodri said that 'the quango people are quaking in their boots'; 'laughing in their boots' might have been a more appropriate phrase. Spending has increased by 79 per cent, and there has not been a bonfire of the quangos. Was not this commitment just a cheap publicity stunt? Those are not my words, but those of Llew Smith.

**Sue Essex:** I am glad that you listen to Llew Smith; someone must do. Let us be serious about the work that ASPBs do. They are high-spend areas; I would not deny that. In addition to ELWa, there is the Welsh Development Agency, which has been instrumental in turning the economy around. Post-devolution, the ASPB agenda has become much more closely harmonised with our agenda, and that

y cwestiwn yn ei ffordd ei hun a rhaid inni wrando.

**Sue Essex:** Jôc ydoedd, a dywedais hynny gyda'm tafod yn fy moch. Gobeithiaf fod jôcs yn dal i gael eu caniatáu mewn Cyfarfodydd Llawn. [AELODAU'R CYNULLIAD: 'Ydynt.'] Diolch; yr wyf yn falch nad ydym wedi gwahardd jôcs. Fodd bynnag, mae'n gwestiwn difrifol, a derbynias sylw Nick. Mae meysydd pwysig o wariant sylweddol ym mhroffil gwariant CCNC. Er enghraifft, mae cyllideb Dysgu ac Addysgu Cymru yn sylweddol ac ni chredaf y byddai unrhyw un yma yn anghytuno bod yr arian sy'n cael ei roi i ELWa i ddarparu hyfforddiant ac ati yn bwysig er mwyn creu y Brydain newydd a grybwyllwyd gennych, Nick. Darparwyd arian ychwanegol i Asiantaeth yr Amgylchedd Cymru ar gyfer staff ychwanegol sy'n ymgymryd â gwaith rheoleiddio pwysig yn deillio o reoliadau Ewropeaidd; soniodd Mike German am hynny ddoe. Mae Arolygiaeth Safonau Gofal Cymru hefyd yn ymgymryd â gwaith pwysig. Dyna pam mae'r gyllideb honno wedi cynyddu.

**Nick Bourne:** Nid wyf yn awyddus i ymosod mewn unrhyw ffordd ar y rhai sy'n gweithio i CCNC—neu gwangos fel yr arferwyd eu galw wrth ymosod arnynt pan oedd y Ceidwadwyr mewn grym. Fodd bynnag, yr wyf am ymdrin â rhagrith pobl yma ac yn San Steffan wrth ymosod ar y cyrff hyn. Dywedodd Prif Weinidog Cymru y byddent yn cael eu lleihau i chwech pan ddaeth i rym. Ni ddigwyddodd hynny. Yn 1999, dywedodd Rhodri fod 'pobl y cwangos yn crynu yn eu hesgidiau'; efallai y buasai 'chwerthin yn eu hesgidiau' yn ymadrodd mwy priodol. Mae gwariant wedi cynyddu 79 y cant, ac ni wnaed coelcerth o'r cwangos. Onid camp rad i ddenu cyhoeddusrwydd oedd yr ymrwymiad hwn? Nid fy ngeiriau i mohonynt, ond geiriau Llew Smith.

**Sue Essex:** Yr wyf yn falch eich bod yn gwrando ar Llew Smith; rhaid i rywun wneud hynny. Gadewch inni gymryd gwaith CCNC o ddifrif. Maent yn feysydd gwariant mawr; ni fyddwn yn gwadu hynny. Yn ogystal ag ELWa, mae Awdurdod Datblygu Cymru, a fu'n allweddol o ran gwyrddroi'r economi. Yn dilyn datganoli, daeth agenda CCNC yn llawer mwy cyson â'n agenda ni, a bydd y

progress will continue. The nature of remit letters has changed considerably. I am sure that that progress will continue. We intend to get one public service grouping within Wales, which has followed on from the public sector management initiative. I do not call that hypocrisy. You are quoting statements made a few years ago, and I understand that, but our position today is different to that when Rhodri Morgan said that, and these organisations work much more hand in glove with Government than in the days when the Conservatives were in power. [*Interruption.*]

That is not a problem, Ieuan. The WDA has to be focused. The Minister for Economic Development and Transport is getting that focus linked-in, and, in the same way, we are achieving that focus on structural funds.

**Nick Bourne:** Although the Minister is young of mind, it sounded like she was saying: Tory quangos bad, Labour quangos quite alright. That is hypocrisy. Labour made a commitment on coming to power that it would reduce the number of quangos and the spending on them, but the spending has increased. I want you to consider that and tell us whether it is not hypocritical. Was that commitment not a cheap publicity stunt?

**Sue Essex:** It is not hypocritical, as you are making judgments in terms of the beginning of this Government. As I said, there has been a process of change over a period of time, and ASPBs have become much more harmonised with what we want to achieve strategically. The money has increased because there has been an increase in Government spending across the board—thank goodness, because of Gordon Brown—and that is delivering. ELWa, the WDA, CSIW and the Wales Tourist Board are demonstrating that that increase means delivering on the ground.

cynnydd hwnnw yn parhau. Mae natur llythyrau cylch gwaith wedi newid yn sylweddol. Yr wyf yn siŵr y bydd y cynnydd hwnnw yn parhau. Bwriadwn sefydlu un grŵp gwasanaeth cyhoeddus yng Nghymru, yn deillio o fenter reoli'r sector cyhoeddus. Ni alwaf hynny yn rhagrith. Yr ydych yn dyfynnu datganiadau a wnaed ychydig flynyddoedd yn ôl, ac yr wyf yn deall hynny, ond mae ein sefyllfa heddiw yn wahanol i'r sefyllfa pan ddywedodd Rhodri Morgan hynny, ac mae'r sefydliadau hyn yn gweithio'n llawer agosach â'r Llywodraeth nag y gwnaethant pan oedd y Ceidwadwyr mewn grym. [*Torri ar draws.*]

Nid yw hynny'n broblem, Ieuan. Rhaid i'r WDA gadw ei ffocws. Mae'r Gweinidog dros Ddatblygu Economaidd a Thrafnidiaeth yn cynnwys y ffocws hwnnw yn ei waith, ac, yn yr un ffordd, yr ydym ni'n rhoi'r ffocws hwnnw ar gronfeydd strwythurol.

**Nick Bourne:** Er bod gan y Gweinidog feddwl ifanc, swniai fel petai'n dweud: mae cwangos Toriaidd yn ddrwg, mae cwangos Llafur yn iawn. Rhagrith yw hynny. Gwnaeth Llafur ymrwymiad pan ddaeth i rym y byddai'n lleihau nifer y cwangos a'r gwariant arnynt, ond mae'r gwariant wedi cynyddu. Yr wyf am ichi ystyried hynny a rhoi gwybod inni pa un a yw'n rhagrithiol ai peidio. Onid camp rad i ddenu cyhoedduswydd oedd yr ymrwymiad hwnnw?

**Sue Essex:** Nid yw'n rhagrithiol, gan eich bod yn mynegi barn yn seiliedig ar ddechrau'r Llywodraeth hon. Fel y dywedais, bu proses o newid dros gyfnod o amser, ac mae CCNC yn gweithredu'n llawer mwy cyson â'r hyn yr ydym am ei gyflawni'n strategol. Mae'r arian wedi cynyddu o ganlyniad i gynnydd yng ngwariant y Llywodraeth yn gyffredinol—diolch i'r drefn, oherwydd Gordon Brown—ac mae hynny'n cyflawni canlyniadau. Mae ELWa, y WDA, ASGC a Bwrdd Croeso Cymru yn dangos bod y cynnydd hwnnw yn cyflawni ar lawr gwlad.

### **Menter Cyllid Preifat Private Funding Initiative**

**Q5 David Melding:** Does the Minister intend to increase the use of private funding initiatives in South Wales Central?

**C5 David Melding:** A yw'r Gweinidog yn bwriadu gwneud defnydd helaethach o Fenter Cyllid Preifat yng Nghanol De Cymru?

(OAQ34369)

**Sue Essex:** There are no specific proposals to do so, but we are always considering how we might make the best use of PFI and achieve value for money.

**David Melding:** Have you responded to some of your Labour colleagues in Westminster who have criticised this Government for not using PFI as a way of funding major capital expenditures? Do you agree with them that, as a result, Wales has been greatly disadvantaged compared with England?

**Sue Essex:** I do not disagree with them, as they have a right to make their views known. We have taken a slightly different approach in Wales. It is horses for courses. There are many other models of using private money. PFI is one model; it has been useful in Wales for certain ventures, but it is not the only solution.

**Owen John Thomas:** It may be that you feel pressurised to use PFI to fund hospitals and schools in areas such as the Valleys of South Wales Central. Given that PFI is not in the long-term public interest, have you held recent talks with the Treasury with a view to amending the Barnett formula so that we could avoid using PFI?

**Sue Essex:** I do not feel pressurised into using PFI, and I have not held talks with the Treasury on the Barnett formula.

(OAQ34369)

**Sue Essex:** Nid oes unrhyw gynigion penodol i wneud hynny, ond yr ydym bob amser yn ystyried sut y gellir gwneud y defnydd gorau o'r PFI a chyflawni gwerth am arian.

**David Melding:** A ydych wedi ymateb i rai o'ch cyd-aelodau Llafur yn San Steffan sydd wedi beirniadu'r Llywodraeth hon am beidio â defnyddio'r PFI fel ffordd o ariannu gwariant cyfalaf sylweddol? A gytunwch â hwy bod Cymru, o ganlyniad, o dan anfantais fawr o'i chymharu â Lloegr?

**Sue Essex:** Nid anghytunaf â hwy, gan fod ganddynt hawl i leisio eu barn. Yr ydym wedi cymryd ymagwedd ychydig yn wahanol yng Nghymru. Rhaid addasu'r ymagwedd yn unol â'r sefyllfa. Mae sawl model arall o ddefnyddio arian preifat. Un model yw PFI; bu'n ddefnyddiol yng Nghymru ar gyfer rhai mentrau, ond nid dyna'r unig ateb.

**Owen John Thomas:** Efallai eich bod yn teimlo o dan bwysau i ddefnyddio PFI i ariannu ysbytai ac ysgolion mewn ardaloedd megis Cymoedd Canol de Cymru. O ystyried nad yw PFI o fudd hirdymor i'r cyhoedd, a ydych wedi cynnal trafodaethau yn ddiweddar gyda'r Trysorlys gyda'r bwriad o ddiwygio fformiwla Barnett er mwyn inni allu osgoi defnyddio PFI?

**Sue Essex:** Ni theimlaf o dan bwysau i ddefnyddio PFI, ac nid wyf wedi cynnal trafodaethau gyda'r Trysorlys ar fformiwla Barnett.

### Cyllid yr Undeb Ewropeaidd European Union Finance

**Q6 Janet Davies:** Has the Minister made representations to the UK Government on the issue of European Union finance to Wales? (OAQ34382)

**Sue Essex:** Yes.

**Janet Davies:** I am sure that you agree that the third cohesion report provides the best possible financial deal for Wales. Will you make direct representation to Gordon Brown

**C6 Janet Davies:** A yw'r Gweinidog wedi cyflwyno unrhyw sylwadau i Lywodraeth y DU yn achos cyllid yr Undeb Ewropeaidd i Gymru? (OAQ34382)

**Sue Essex:** Ydwyf.

**Janet Davies:** Yr wyf yn siŵr y cytunwch fod y trydydd adroddiad ar gydlyniant yn darparu'r fargen ariannol orau posibl i Gymru. A gyflwynwch sylwadau'n

to that effect?

uniongyrchol i Gordon Brown i'r perwyl hwnnw?

**Sue Essex:** You will have heard the First Minister's view on this yesterday. We are still a long way from knowing what will come out of the third cohesion report, and there is much water to flow under the bridge. We will make representations on getting the best financial deal for Wales.

**Sue Essex:** Byddwch wedi clywed barn y Prif Weinidog ar hyn ddoe. Ni fyddwn yn gwybod am beth amser beth fydd yn deillio o'r trydydd adroddiad ar gydlyniant, ac mae llawer i'w wneud o hyd. Byddwn yn cyflwyno sylwadau ar gael y fargen ariannol orau i Gymru.

**The Leader of the Opposition (Ieuan Wyn Jones):** Given that the third European cohesion report states that it expects Wales, with statistical effect, to receive 85 per cent of the current level of Objective 1, and that the Treasury paper to the Committee on European and External Affairs stated that Wales would expect to receive 50 per cent of the next round, which position do you support?

**Arweinydd yr Wrthblaid (Ieuan Wyn Jones):** O ystyried bod y trydydd adroddiad ar gydlyniant Ewropeaidd yn nodi ei fod yn disgwyl y bydd Cymru, gydag effaith ystadegol, yn cael 85 y cant o lefel bresennol Amcan 1, ac i bapur y Trysorlys i'r Pwyllgor ar Faterion Ewropeaidd ac Allanol nodi y byddai Cymru'n disgwyl cael 50 y cant o'r cylch nesaf, pa safbwynt a gefnogir gennych?

2.20 p.m.

**Sue Essex:** As I said in answer to Janet's question, this is changing quickly. I was in Brussels a few weeks ago and, as a result of Barnier's announcement that he was returning to France, there is no firm ground at the moment. The First Minister made it clear that he is taking a watching brief in the context of securing the best financial deal for Wales. That is what we must say. We must say it carefully, as we have said, and the kind of barracking that we have had today in terms of spending structural fund money does not help. We have a good record on structural funds, although you obviously do not believe so. We want to get the best financial deal for Wales.

**Sue Essex:** Fel y dywedais wrth ymateb i gwestiwn Janet, mae'r sefyllfa yn newid yn gyflym. Yr oeddwn ym Mrwsel ychydig wythnosau yn ôl ac, o ganlyniad i gyhoeddiad Barnier ei fod yn dychwelyd i Ffrainc, nid oes unrhyw sicrwydd ar hyn o bryd. Eglurodd y Prif Weinidog ei fod yn ymgymryd â rôl oruchwyliol yng nghyd-destun sicrhau'r fargen ariannol orau i Gymru. Rhaid inni ddweud hynny. Rhaid inni ei ddweud yn ofalus, fel y dywedasom, ac nid yw'r math o heclo a gawsom heddiw o ran gwario arian y cronfeydd strwythurol yn ddefnyddiol. Mae gennym record dda o ran cronfeydd strwythurol, er nad ydych chi yn amlwg yn credu hynny. Yr ydym am gael y fargen ariannol orau i Gymru.

**Ieuan Wyn Jones:** I do not understand why you are reluctant to say that you would favour an 85 per cent share of Objective 1 money next time as a statistical effect region, as compared with 50 per cent from the Treasury. Is it not obvious to everyone that the best deal for Wales is that currently proposed by the European Commission? All we are asking is that the Government recognises that and battles for it. Why are you so reluctant to do that?

**Ieuan Wyn Jones:** Nid wyf yn deall pam eich bod yn amharod i ddweud y byddech o blaid cyfran o 85 y cant o arian Amcan 1 y tro nesaf fel rhanbarth effaith ystadegol, o gymharu â 50 y cant gan y Trysorlys. Onid yw'n amlwg i bawb mai'r Comisiwn Ewropeaidd sy'n cynnig y fargen orau i Gymru ar hyn o bryd? Y cyfan a wnawn yw gofyn i'r Llywodraeth gydnabod hynny a brwydro i'w chael. Pam eich bod mor amharod i wneud hynny?

**Sue Essex:** For the precise reason that you mention. That is not my understanding of the

**Sue Essex:** Am yr union reswm a nodwyd gennych. Nid dyna yw fy nealltwriaeth i o'r

situation. I have spoken to representatives from other Governments, and things have changed. Trying to lock yourself into a figure—whatever it may be at the moment—is not good news. Expressing it in the best deal for Wales makes much more sense.

**The Leader of the Welsh Liberal Democrat Group (Michael German):** You have quoted Graham Meadows once today, Minister, but as you know, Graham Meadows appeared before the Committee on European and External Affairs in Brussels and told us in public that it was bizarre that the Welsh Assembly Government was not pursuing the offer made by the European Commission to ensure that it was solidified. What he said to us outside the meeting was not repeatable in terms of what we can record in the Cofnod. He was incredulous that the Assembly Government was not pursuing the best interests of Wales. Do you agree that the interests of the Welsh people would be served by increasing and developing the size of the European offer and, rather than keeping a watching brief, taking a proactive brief on behalf of the people of Wales?

**Sue Essex:** I quoted Graham Meadows's assessment of how we spend money, which is his job. I believe that he would be the first to admit that he is not an elected politician. You should be aware that considerable high-level discussions are ongoing in Europe that may not have been expressed at the Committee on European and External Affairs, so we must keep a watching brief. The First Minister has been clear that we must not get locked into one system but must look at what is coming forward, making the point that we serve the best interests of Wales. That must be the guiding principle.

**Michael German:** If you want an offer from the UK Government, you must ensure that the commission's offer for Wales is high enough so that the UK Government would at least have to top it. However, at present we are not putting our effort into that. We have received a letter today from Janet Royall, of the European Commission office in Wales, who also wanted to take on board the issue of how the UK Government regards European spend.

sefyllfa. Yr wyf wedi siarad â chynrychiolwyr Llywodraethau eraill, ac mae pethau wedi newid. Nid yw ceisio pennu ffigur penodol—waeth beth yw'r ffigur hwnnw ar hyn o bryd—yn syniad da. Mae ei fynegi ar ffurf y fargen orau i Gymru yn llawer mwy synhwyrol.

**Arweinydd Grŵp Democratiaid Rhyddfrydol Cymru (Michael German):** Yr ydych wedi dyfynnu Graham Meadows unwaith heddiw, Weinidog, ond fel y gwyddoch, ymddangosodd Graham Meadows ger bron y Pwyllgor ar Faterion Ewropeaidd ac Allanol ym Mrwsel a dywedodd wrthym yn gyhoeddus ei bod yn rhyfedd nad oedd Llywodraeth Cynulliad Cymru yn mynd ar drywydd y cynnig a wnaed gan y Comisiwn Ewropeaidd er mwyn sicrhau ei fod yn gynnig cadarn. Ni allaf ailadrodd yr hyn a ddywedodd wrthym y tu allan i'r cyfarfod am na allwn ei gofnodi yn y Cofnod. Ni allai gredu nad oedd Llywodraeth y Cynulliad yn gweithredu er budd Cymru. A gytunwch mai drwy gynyddu a datblygu maint cynnig Ewrop a chymryd rhan ragweithiol ar ran pobl Cymru, yn hytrach na rhan oruchwyliol, y byddai anghenion pobl Cymru yn cael eu diwallu?

**Sue Essex:** Dyfynnais asesiad Graham Meadows o'r ffordd yr ydym yn gwario arian. Dyna yw ei swydd. Credaf mai ef fyddai'r cyntaf i gyfaddef nad yw'n wleidydd etholedig. Dylech fod yn ymwybodol bod trafodaethau sylweddol yn cael eu cynnal ar lefel uchel yn Ewrop na chyfeiriwyd atynt o bosibl yn y Pwyllgor ar Faterion Ewropeaidd ac Allanol, felly rhaid inni gymryd rhan oruchwyliol. Dywedodd y Prif Weinidog yn bendant na ddylem ymrwymo i un system ac y dylem edrych ar y cynigion a wneir, gan nodi ein bod yn gweithredu er budd Cymru. Rhaid i honno fod yn egwyddor arweiniol.

**Michael German:** Os ydych am gael cynnig gan Lywodraeth y DU, rhaid ichi sicrhau bod cynnig y comisiwn i Gymru yn ddigon mawr fel y byddai'n rhaid i Lywodraeth y DU wneud cynnig uwch o leiaf. Fodd bynnag, ar hyn o bryd nid ydym yn ymdrechu i sicrhau hynny. Cawsom lythyr heddiw gan Janet Royall, o swyddfa'r Comisiwn Ewropeaidd yng Nghymru, a oedd hefyd yn awyddus i ystyried sut y mae Llywodraeth y DU yn

She says that structural funds and the research funds that go to our universities are invaluable for Wales, as are the internal market, freedom of movement and clean air and water. These all contribute to Wales. Therefore, why can the European Commission not be given the task, with the support of the Welsh Assembly Government, of putting European money—80 per cent of what we currently have—back into Wales beyond 2007?

**Sue Essex:** I will not rehearse all the arguments from yesterday's debate, but I would agree with you on one point regarding Janet Royall's comments, namely that Europe is important to us—not just in terms of structural funds, but also in terms of participation, sharing best practice, and so on. One aspect that may come out of this is a wider debate in the UK on the value of Europe. I hope that all Assembly Members, some of whom have castigated the First Minister, engage in the debate, supporting the development of Europe, and supporting our involvement in Europe on a wider agenda.

ymdrin â gwariant Ewropeaidd. Dywed fod y cronfeydd strwythurol a'r cronfeydd ymchwil a fuddsoddir yn ein prifysgolion yn amhrisiadwy i Gymru, felly hefyd y farchnad fewnol, rhyddid i symud ac aer a dŵr glân. Mae'r rhain oll yn cyfrannu i Gymru. Felly, pam na ellir gofyn i'r Comisiwn Ewropeaidd, gyda chymorth Llywodraeth Cynulliad Cymru, ailfuddsoddi arian Ewrop—80 y cant o'r hyn sydd gennym ar hyn o bryd—ynghymru y tu hwnt i 2007?

**Sue Essex:** Nid ailadroddaf yr holl ddadleuon o ddadl ddoe, ond byddwn yn cytuno â chi ar un pwynt o ran sylwadau Janet Royall, sef bod Ewrop yn bwysig inni—nid yn unig o ran cronfeydd strwythurol, ond hefyd o ran cyfranogi, rhannu arfer gorau, ac ati. Un agwedd a allai ddeillio o hyn yw dadl ehangach yn y DU ar werth Ewrop. Gobeithiaf y bydd pob un o Aelodau'r Cynulliad, y mae rhai ohonynt wedi lladd ar y Prif Weinidog, yn cymryd rhan yn y ddadl, gan gefnogi'r broses o ddatblygu Ewrop, a chefnogi ein cyfranogiad yn Ewrop ar agenda ehangach.

### **Cyfanswm Cost Adeilad Newydd y Cynulliad Total Cost of the New Assembly Building**

**Q7 Nick Bourne:** What is the projected total cost of the new Assembly building? (OAQ34312)

**Sue Essex:** The current projected construction cost is that agreed in the lump-sum contract with Taylor Woodrow, namely £40.997 million, excluding VAT, art, client-supplied furniture, IT equipment and professional fees.

**Nick Bourne:** The Minister will be aware that there has been a notice in the *Official Journal of the European Communities* indicating that the furniture will cost £6 million. Some of it will admittedly be for other locations, but I will question the Minister on the homeworking provision. I read a letter that she sent to one of my constituents, which indicated that other public sector bodies do not enjoy this benefit, nor do employees in the private sector. Why is it thought to be appropriate to spend public money on allowing civil servants and Assembly Members to have furniture to use when

**C7 Nick Bourne:** Beth yw'r amcangyfrif o gyfanswm cost adeilad newydd y Cynulliad? (OAQ34312)

**Sue Essex:** Amcangyfrif cyfredol y gost adeiladu yw'r hyn y cytunwyd arno yn y contract cyfandaliad gyda Taylor Woodrow, sef £40.997 miliwn, heb gynnwys TAW, celf, dodrefn a ddarperir gan y cleient, offer TG a ffioedd proffesiynol.

**Nick Bourne:** Bydd y Gweinidog yn ymwybodol y bu hysbysiad yn yr *Official Journal of the European Communities* yn nodi y bydd y dodrefn yn costio £6 miliwn. Bydd rhywfaint ohono yn ddiau ar gyfer lleoliadau eraill, ond byddaf yn holi'r Gweinidog ynghylch y ddarpariaeth ar gyfer gweithio gartref. Darllenais lythyr a anfonodd at un o'm hetholwyr, a oedd yn nodi nad yw cyrff eraill y sector cyhoeddus yn cael y budd hwn, na chyflogeion yn y sector preifat ychwaith. Pam yr ystyrir ei bod yn briodol gwario arian cyhoeddus i ganiatáu i weision sifil ac Aelodau'r Cynulliad gael dodrefn i'w

working at home?

**Sue Essex:** Two points astound me. You keep quoting that figure of £6 million as if it applies to the Assembly building. That is part of a procurement contract. Three big, new offices will be opening across Wales, and furniture will need to be replaced. A small element of the money is for homeworking, which does not relate to the question on the Assembly building. We are trying to be a good employer. I am surprised that you do not endorse that, Nick. Many people find that they—*[Interruption.]* If you do not understand the nature of the modern workforce—*[Interruption.]*

**The Presiding Officer:** Order. If the leader of the Welsh Conservatives wants to have a private conversation with the Minister, he may hold it privately—*[ASSEMBLY MEMBER: 'Take his chair away.']*

**Sue Essex:** Yes, take his chair away. We could do with that chair; I am sure that there is a homeworker somewhere that would make good use of it—*[Interruption.]*

**The Presiding Officer:** Order. These questions will be answered in an orderly manner.

**Sue Essex:** A small number of people work from home, allowing people who are carers of children or adults to participate in employment. It also means that we can extend our area of search for staff. It is a cost-effective way of employing staff and, as a good employer, we should consider our employment practices and ensure that we are delivering in the right areas and in a way that we would expect others to deliver.

**Helen Mary Jones:** Does the Minister agree that homeworking can also be an effective way of enabling disabled people to remain at work at times when their conditions, perhaps, make it difficult for them to travel but when they are perfectly capable of working?

**Sue Essex:** I agree; that is a good point. It is about having an inclusive society. If we have good employees who want to participate, we

ddefnyddio pan fyddant yn gweithio gartref?

**Sue Essex:** Mae dau bwynt yn fy syfrdanu. Yr ydych yn dyfynnu'r ffigur hwnnw o £6 miliwn yn gyson fel pe bai'n ymwneud ag adeilad y Cynulliad. Mae hwnnw'n rhan o gontract caffael. Bydd tair swyddfa fawr, newydd yn agor ar draws Cymru, a bydd angen dodrefn newydd. Mae elfen fach o'r arian ar gyfer gweithio gartref, nad yw'n ymwneud â'r cwestiwn ar adeilad y Cynulliad. Yr ydym yn ceisio bod yn gyflogwr da. Yr wyf yn synnu nad ydych yn cymeradwyo hynny, Nick. Mae llawer o bobl o'r farn eu bod—*[Torri ar draws.]* Os nad ydych yn deall natur y gweithlu modern—*[Torri ar draws.]*

**Y Llywydd:** Trefn. Os dymuna arweinydd Ceidwadwyr Cymru gael sgwrs breifat gyda'r Gweinidog, gall wneud hynny yn breifat—*[AELOD O'R CYNULLIAD: 'Ewch â'i gadair ymaith.']*

**Sue Essex:** Ie, ewch â'i gadair ymaith. Gallem ddefnyddio'r gadair honno; mae'n siŵr bod gweithiwr gartref yn rhywle a fyddai'n gwneud defnydd da ohoni—*[Torri ar draws.]*

**Y Llywydd:** Trefn. Caiff y cwestiynau hyn eu hateb yn drefnus.

**Sue Essex:** Mae nifer fach o bobl yn gweithio gartref, sy'n galluogi pobl sy'n gofalu am blant neu oedolion i ymgymryd â chyflogaeth. Golyga hefyd y gallwn ehangu ein maes chwilio am staff. Mae'n ddull cost effeithiol o gyflogi staff ac, fel cyflogwr da, dylem ystyried ein harferion cyflogaeth a sicrhau ein bod yn cyflawni yn y meysydd cywir ac mewn ffordd y byddem yn disgwyl i eraill gyflawni.

**Helen Mary Jones:** A yw'r Gweinidog yn cytuno y gall gweithio gartref hefyd fod yn ffordd effeithiol o alluogi pobl anabl i aros mewn gwaith ar adegau pan fydd eu cyflyrau, o bosibl, yn ei gwneud yn anodd iddynt deithio er eu bod yn gwblabl i weithio?

**Sue Essex:** Cytunaf; mae hwnnw'n bwynt da. Mae'n ymwneud â chael cymdeithas gynhwysol. Os bydd gennym gyflogaeth

must be able to support them in a way that allows them to do that. sydd am gyfranogi, rhaid inni allu eu cefnogi mewn ffordd sy'n caniatáu iddynt wneud hynny.

## **Cwestiynau i'r Gweinidog dros yr Amgylchedd, Cynllunio a Chefn Gwlad Questions to the Minister for Environment, Planning and Countryside**

### **Tipio Anghyfreithlon yng Nghasnewydd Fly-Tipping in Newport**

**Q1 Rosemary Butler:** Will the Minister make a statement on initiatives to tackle fly-tipping in Newport? (OAQ34330)

**C1 Rosemary Butler:** A wnaiff y Gweinidog ddatganiad ar fentrau i fynd i'r afael â thipio anghyfreithlon yng Nghasnewydd? (OAQ34330)

**The Minister for Environment, Planning and Countryside (Carwyn Jones):** Newport City Council and the Environment Agency, the main enforcing bodies, are tackling this problem and prosecuting offenders. In the last year, all but one of six prosecutions taken by Newport City Council were successful.

**Y Gweinidog dros yr Amgylchedd, Cynllunio a Chefn Gwlad (Carwyn Jones):** Mae Cyngor Dinas Casnewydd ac Asiantaeth yr Amgylchedd, y prif gyrrff gorfodi, yn mynd i'r afael â'r broblem hon ac yn erlyn troseddwy. Yn ystod y flwyddyn ddiwethaf, bu'r chwe erlyniad gan Gyngor Dinas Casnewydd, ac eithrio un, yn llwyddiannus.

**Rosemary Butler:** I am sure that you are aware of two new initiatives in Newport: one is to name and shame people if they are caught and the other is to print their names in the free newspaper. Finance is also being sought for a mobile crusher unit, which will call at domestic properties to collect large, unwanted goods that cannot be disposed of in the normal wheely bins. The scheme aims to collect goods from the doorstep, which will hopefully reduce the temptation for owners to fly-tip. I know that you are aware that there is a major problem regarding commercial illegal fly-tipping in the villages of Coedkernew and Wentloog. Are there any measures that you can introduce to help local authorities to stamp out this dangerous and environmentally damaging dumping? Can you also offer any funding for the innovative compactor scheme?

**Rosemary Butler:** Yr wyf yn siŵr eich bod yn ymwybodol o ddwy fenter newydd yng Nghasnewydd: un ohonynt yw enwi a chywilyddio pobl os cânt eu dal a'r llall yw argraffu eu henwau yn y papur newydd am ddim. Mae angen cyllid hefyd ar gyfer uned falu symudol, a fydd yn mynd i gartrefi i gasglu nwyddau mawr, nad oes eu hangen na ellir eu gwaredu yn y biniau ar olwynion arferol. Nod y cynllun yw casglu nwyddau o garreg y drws, a fydd, gobeithio, yn lleihau'r demtasiwn i berchnogion dipio yng anghyfreithlon. Gwn eich bod yn ymwybodol bod problem fawr o ran tipio anghyfreithlon masnachol ym mhentrefi Coedcernyw a Gwynllŵg. A oes unrhyw fesurau y gallwch eu cyflwyno i helpu awdurdodau lleol i ddileu'r dympio peryglus hwn sy'n niweidiol i'r amgylchedd? A allwch hefyd gynnig unrhyw arian ar gyfer y cynllun cywasgu arloesol?

**Carwyn Jones:** I will consider funding for the scheme if a bid is made. I am aware that good work is being carried out in Newport at local authority and voluntary sector levels. There has been a problem with fly-tipping in the Wentloog area, and the Environment Agency, Keep Wales Tidy, Newport City Council and Cardiff County Council are

**Carwyn Jones:** Ystyriaf gyllid ar gyfer y cynllun os gwneir cynnig. Yr wyf yn ymwybodol bod gwaith da yn cael ei wneud yng Nghasnewydd gan awdurdodau lleol a'r sector gwirfoddol. Cafwyd problemau o ran tipio anghyfreithlon yn ardal Gwynllŵg, ac mae Asiantaeth yr Amgylchedd, Cadw'ch Gymru'n Daclus, Cyngor Dinas Casnewydd a



currently working together on a Wentloog fly-tipping prevention stakeholder action plan in order to find a way of dealing with the problem

**William Graham:** On that point, your colleague, the Minister for Economic Development and Transport, made much of the recovery money from the LG plant, and rightly so. Could you not use part of that money to ensure that the site that you described is more presentable? Seeing such a foul amount of fly-tipping and anti-social behaviour certainly puts off any industrialists who may have been thinking of investing in such a site.

Chyngor Sir Caerdydd yn cydweithio ar hyn o bryd ar gynllun gweithredu rhanddeiliaid i atal tipio anghyfreithlon er mwyn dod o hyd i ffordd o ddelio â'r broblem.

**William Graham:** O ran y pwynt hwnnw, cyfeiriodd eich cyd-Aelod, y Gweinidog dros Ddatblygu Economaidd a Thrafnidiaeth, yn helaeth at yr arian a adenillwyd o waith LG, a hynny'n briodol. Oni allech ddefnyddio rhywfaint o'r arian hwnnw i sicrhau bod y safle a ddisgrifiwyd gennych yn fwy atyniadol? Mae gweld cymaint o dipio anghyfreithlon ac ymddygiad gwrthgymdeithasol yn sier yn atal unrhyw ddiwydiannwr a allai fod wedi bod yn ystyried buddsoddi mewn safle o'r fath rhag gwneud hynny.

2.30 p.m.

**Carwyn Jones:** Ultimately, responsibility for dealing with fly-tipping does not rest with the Welsh Assembly Government. If there are any funding bids to deal with this problem, I would be keen to consider them.

**Carwyn Jones:** Yn y pen draw, nid Llywodraeth Cynulliad Cymru sy'n gyfrifol am ymdrin â thipio anghyfreithlon. Os oes unrhyw gynigion am arian i ymdrin â'r broblem hon, byddwn yn awyddus i'w hystyried.

### **Strategaeth Datblygu Cynaliadwy Sustainable Development Strategy**

**Q2 Ann Jones:** Will the Minister make a statement on the Welsh input into the UK sustainable development strategy announced on 21 April 2004? (OAQ34317)

**C2 Ann Jones:** A wnaiff y Gweinidog ddatganiad ar fewnbwn Cymru i strategaeth y DU ynghylch datblygu cynaliadwy a gyhoeddwyd ar 21 Ebrill 2004? (OAQ34317)

**Carwyn Jones:** The Assembly's sustainable development scheme commits us to helping to develop a UK sustainable development strategy. We must realise that we cannot deliver sustainable development alone. We have been fully involved in shaping the consultation document and will bring the benefits of our approach to bear on framing the proposed UK strategic framework.

**Carwyn Jones:** Mae cynllun datblygu cynaliadwy y Cynulliad yn ein hymrwymo i helpu i ddatblygu strategaeth datblygu cynaliadwy yn y DU. Rhaid inni sylweddoli na allwn gyflawni datblygiad cynaliadwy ar ein pen ein hunain. Bu inni chwarae rhan allweddol yn y broses o lunio'r ddogfen ymgynghori a byddwn yn cyflwyno manteision ein hymagwedd i'r gwaith o lunio fframwaith strategol arfaethedig y DU.

**Ann Jones:** I hope that you would agree that sustainable development must support the aims of social justice. It is important, therefore, that coastal towns such as Rhyl, which have relied heavily on tourism and have suffered as a result of its decline, should be included in any future sustainable development plans. Will you support the

**Ann Jones:** Gobeithiaf y byddech yn cytuno bod yn rhaid i ddatblygiad cynaliadwy ategu amcanion cyfiawnder cymdeithasol. Mae'n bwysig, felly, bod trefi glan môr fel y Rhyl, sydd wedi dibynnu'n helaeth ar dwristiaeth ac sydd wedi dioddef o ganlyniad i'w ddirywiad, yn cael eu cynnwys mewn cynlluniau datblygu cynaliadwy yn y

active regional development strategy, entitled 'Rhyl Going Forward', which will focus on the most deprived areas in my constituency and turn vision into reality?

**Carwyn Jones:** I would be pleased to support any scheme or proposal that helps to promote sustainability and future sustainable communities. This is important to many parts of Wales and is being taken forward by volunteers and local authorities.

**Alun Ffred Jones:** A allwch gadarnhau y bydd Llywodraeth Cymru yn ymateb i'r ymgynghoriad ar y cynllun Prydeinig ac y caiff yr ymateb drafft ei drafod yn y Cynulliad cyn yr haf a chyn y caiff ei anfon at y Llywodraeth yn Llundain?

**Carwyn Jones:** Y Llywodraeth fydd yn paratoui'r ateb i'r ymgynghoriad, ac ni allaf ddweud ar hyn o bryd y bydd trafodaeth arno yn rhan o'n hamserlen. Os bydd gennym gyfle i ddod â'r ymateb gerbron y Cynulliad neu Bwyllgor yr Amgylchedd, Cynllunio a Chefn Gwlad, fe drefnaf fod hynny'n digwydd. Fodd bynnag, oherwydd yr amserlen, ni allaf addo ar hyn o bryd y bydd hynny'n digwydd.

**Laura Anne Jones:** The UK Government has set a target to reduce greenhouse gas emissions by 60 per cent by 2050, although the Sustainable Development Commission has stated that there is no clear pathway to achieving this. The Assembly has set a target to reduce net carbon emissions by 20 per cent by 2020. What progress has been made and what evidence is there to show that this is an achievable ambition?

dyfodol. A gefnogwch y strategaeth datblygu rhanbarthol, a elwir yn 'Rhyl Going Forward', a fydd yn canolbwyntio ar yr ardaloedd mwyaf difreintiedig yn fy etholaeth ac yn troi'r weledigaeth yn realiti?

**Carwyn Jones:** Byddwn yn falch o gefnogi unrhyw gynllun neu gynnig sy'n helpu i hybu cynaliadwyedd a chymunedau cynaliadwy yn y dyfodol. Mae hyn yn bwysig i sawl rhan o Gymru a chaiff ei ddatblygu gan wirfoddolwyr ac awdurdodau lleol.

**Alun Ffred Jones:** Can you confirm that the Government of Wales will respond to the consultation on the British scheme and that the Assembly will have an opportunity to discuss the draft response before the summer and before it is sent to the Government in London?

**Carwyn Jones:** The Government will be responsible for preparing the response, and I cannot say at this stage that a discussion on it will be timetabled. If an opportunity arises to bring the response before the Assembly or the Environment, Planning and Countryside Committee, I will do so. However, due to the timetable, I cannot promise at present that this will happen.

**Laura Anne Jones:** Mae Llywodraeth y DU wedi gosod targed i sicrhau gostyngiad o 60 y cant yn y gollyngiadau nwyon tŷ gwydr erbyn 2050, er bod y Comisiwn Datblygu Cynaliadwy wedi datgan nad oes llwybr clir i gyflawni hyn. Mae'r Cynulliad wedi pennu targed i leihau gollyngiadau carbon net 20 y cant erbyn 2020. Pa gynnydd a wnaed a pha dystiolaeth sydd ar gael i ddangos bod hon yn uchelgais y gellir ei chyflawni?

**Carwyn Jones:** I believe that this is an achievable ambition. One way of ensuring that we reduce our ecological footprint is to ensure that we recycle more waste. We must also take steps to try to ensure that a lot of the soil-trapped carbon in Wales is not released into the atmosphere in the form of carbon dioxide as a result of soil drying out. There are many innovative ways in which the Assembly Government can take action. However, emissions from power stations, for example, are largely a matter for the UK Government.

**Carwyn Jones:** Credaf fod hon yn uchelgais y gellir ei chyflawni. Un ffordd o sicrhau ein bod yn lleihau ein holion ecolegol yw sicrhau ein bod yn ailgylchu mwy o wastraff. Rhaid inni hefyd gymryd camau i geisio sicrhau na chaiff llawer o'r carbon sydd yn y pridd yng Nghymru ei ryddhau i'r amgylchedd ar ffurf carbon deuocsid o ganlyniad i'r pridd yn sychu. Gall Llywodraeth y Cynulliad weithredu mewn sawl ffordd arloesol. Fodd bynnag, cyfrifoldeb Llywodraeth y DU, yn bennaf, yw gollyngiadau o orsafoedd pŵer, er enghraifft.

### **Busnesau a'r Amgylchedd Businesses and the Environment**

**Q3 Irene James:** What discussions has the Minister had with businesses in Wales regarding the impact of their practices on the environment? (OAQ34331)

**C3 Irene James:** Pa drafodaethau y mae'r Gweinidog wedi'u cael â busnesau yng Nghymru ynghylch effaith eu harferion ar yr amgylchedd? (OAQ34331)

**Carwyn Jones:** I am in regular contact with businesses and with their representative organisations. In particular, I have met with Confederation of British Industry Wales four times within the last 10 months. These meetings covered a range of environmental issues.

**Carwyn Jones:** Yr wyf mewn cysylltiad â busnesau a'u sefydliadau cynrychioliadol yn rheolaidd. Yn arbennig, cyfarfûm â Chyddfederasiwn Diwydiant Prydain Cymru bedair gwaith yn ystod y 10 mis diwethaf. Trafodwyd ystod o faterion amgylcheddol yn y cyfarfodydd hyn.

**Irene James:** It is vital that businesses acknowledge the importance of disposing of hazardous waste safely and of working in an environmentally responsible way. Do you agree that, along with raising awareness, the problem could be addressed by developing new technologies and good practice for managing waste and working in an environmentally responsible way?

**Irene James:** Mae'n hanfodol bod busnesau yn cydnabod pwysigrwydd gwaredu gwastraff peryglus yn ofalus a gweithio mewn ffordd sy'n amgylcheddol gyfrifol. A gytnwch, ynghyd â chodi ymwybyddiaeth, y gellid mynd i'r afael â'r broblem drwy ddatblygu technolegau newydd ac arferion da ar gyfer rheoli gwastraff a gweithio mewn ffordd sy'n amgylcheddol gyfrifol?

**Carwyn Jones:** That is absolutely right. This is a question of sustainability, and we are seeking to encourage businesses to minimise waste and to recycle and reuse waste wherever possible. The Assembly Government's business and environment action plan for Wales was launched by my colleague, Andrew Davies, in February 2003. The plan seeks to assist businesses in developing environmental best practice.

**Carwyn Jones:** Mae hynny'n gwbl gywir. Mae hyn yn ymwneud â chynaliadwyedd, ac yr ydym yn ceisio annog busnesau i leihau gwastraff ac ailgylchu ac aildefnyddio gwastraff lle bynnag y bo'n bosibl. Lansiwyd cynllun gweithredu Llywodraeth y Cynulliad ar gyfer busnes a'r amgylchedd gan fy nghyd-Aelod, Andrew Davies, yn Chwefror 2003. Mae'r cynllun yn ceisio cynorthwyo busnesau i ddatblygu arferion amgylcheddol da.

**Helen Mary Jones:** I refer you to your decision last month to issue a new licence to

**Helen Mary Jones:** Cyfeiriaf at eich penderfyniad fis diwethaf i gyhoeddi

the Maynard Centre's radiochemicals factory in Cardiff without holding the recommended environmental impact assessment. Why did you decide not to go ahead with the environmental impact assessment and are you prepared to keep the health issues under review?

**Carwyn Jones:** These issues are always kept under review. As a result of the advice I received from the Environment Agency, I concluded that there was enough information to take the decision that I took. These matters are always under review.

**David Davies:** Have you had any discussions with business about the impact of the energy tax? Many businesses contend that it will not reduce greenhouse gas emissions, but will reduce competitiveness and job creation.

**Carwyn Jones:** The same was said about the minimum wage, but these are matters for the UK Government.

trwydded newydd ar gyfer ffatri radiogemegau Canolfan Maynard yng Nghaerdydd heb gynnal yr asesiad effaith amgylcheddol a argymhellir. Pam y gwnaethoch benderfynu peidio â chynnal yr asesiad effaith amgylcheddol ac a ydych yn barod i adolygu'r materion sy'n ymwneud ag iechyd?

**Carwyn Jones:** Caiff y materion hyn eu hadolygu yn barhaus. O ganlyniad i'r cyngor a gefais gan Asiantaeth yr Amgylchedd, deuthum i'r casgliad bod digon o wybodaeth i wneud y penderfyniad hwnnw. Caiff y materion hyn eu hadolygu'n barhaus.

**David Davies:** A ydych wedi trafod effaith y dreth ynni gyda busnesau? Mae llawer o fusnesau o'r farn na fydd yn lleihau gollyngiadau nwyon tŷ gwydr, ond y bydd yn lleihau gallu cystadleuol a nifer y swyddi a gaiff eu creu.

**Carwyn Jones:** Dywedwyd yr un peth am yr isafswm cyflog, ond materion i Lywodraeth y DU yw'r rhain.

#### **Ebolion Nad Oes eu Heisiau Unwanted Foals**

**Q4 Brynle Williams:** What does the Minister intend doing about the impending welfare issues of unwanted foals on the uplands of Wales? (OAQ34345)

**Carwyn Jones:** We are currently considering this problem. We must implement the European Commission's decision on compulsory horse passports. We have held discussions with a number of organisations and individuals, including you in your capacity as an office holder of the Welsh Pony and Cob Society. We have issued a communication plan, pointing out owners' responsibilities under the proposed legislation. I want the legislation to go through the extended procedure, so that all parties can contribute to framing what it should look like in Wales.

**Brynle Williams:** As a horse keeper, I find having to sell my animals to an abattoir

**C4 Brynle Williams:** Beth y mae'r Gweinidog yn bwriadu ei wneud ynghylch y materion lles a fydd yn dod i'r amlwg yn fuan mewn perthynas ag ebolion nad oes eu heisiau ar ucheldiroedd Cymru? (OAQ34345)

**Carwyn Jones:** Yr ydym yn ystyried y broblem hon ar hyn o bryd. Rhaid inni weithredu penderfyniad y Comisiwn Ewropeaidd ar basportau gorfodol i geffylau. Cawsom drafodaethau gyda nifer o sefydliadau ac unigolion, gan gynnwys chi yn rhinwedd eich swydd yng Nghymdeithas y Merlod a'r Cobiau Cymreig. Cyhoeddwyd cynllun cyfathrebu gennym, yn nodi cyfrifoldebau perchenogion o dan y ddeddfwriaeth arfaethedig. Yr wyf am i'r ddeddfwriaeth fod yn destun gweithdrefn estynedig, er mwyn i bob corff â buddiant yn y mater allu cyfrannu at y broses o benderfynu ar ei gwedd derfynol yng Nghymru.

**Brynle Williams:** Fel un sy'n cadw ceffylau, mae'r profiad o orfod gwerthu fy anifeiliaid i

distasteful. However, regrettably, it is a fact of life. There are no appropriate abattoirs in Wales, and I am afraid that the autumn is increasingly upon us. I know that you are aware of the urgency of this issue, but could we speed matters up so that we can have a decision on the situation?

**Carwyn Jones:** Given the difficulties that we face with regard to semi-feral ponies, particularly in the upland areas of Wales, it is important that we consider this problem over several months so that we get the legislation right for Wales, rather than trying to pass it quickly and then having to revisit problems that may be created.

ladd-dy yn un atgas. Fodd bynnag, yn anffodus, mae'n un o ffeithiau bywyd. Nid oes lladd-dai priodol yng Nghymru, ac ofnaf fod yr hydref ar ein gwarthau. Gwn eich bod yn ymwybodol o'r brys ar y mater hwn, ond a allwn gyflymu pethau er mwyn cael penderfyniad ar y sefyllfa?

**Carwyn Jones:** O ystyried yr anawsterau a wynebwn o ran merlynnod hanner gwyllt, yn arbennig ar ucheldiroedd Cymru, mae'n bwysig ein bod yn ystyried y broblem hon dros gyfnod o fisoedd er mwyn sicrhau bod y ddeddfwriaeth yn iawn i Gymru, yn hytrach na cheisio ei phasio yn gyflym a gorfod ailedrych ar broblemau a allai gael eu creu.

### **Amgylchedd Ffisegol Cymunedau The Physical Environment of Communities**

**Q5 Janice Gregory:** What action is being taken to improve the physical environment of communities in Wales? (OAQ34392)

**Carwyn Jones:** The Assembly Government is fully committed to the improvement of the physical environment of Welsh communities. Progress is being made through programmes such as the environment Wales scheme and our physical regeneration fund in Communities First areas, as well as through the Welsh Development Agency's environmental improvement programme, and the Cadw historic buildings grants programme.

**Janice Gregory:** Tourism has been identified as offering a new opportunity for communities in the south Wales Valleys, as you are aware. Have you had any discussions with Cabinet colleagues or local authorities on the need to ensure that the potential of the physical environment of these communities is fully maximised in order to promote the Valleys as an attractive place in which to live and to visit?

**Carwyn Jones:** Tourism matters are largely for Andrew Davies, but knowing the Valleys areas and the Ogmere constituency in particular, as I do, there is tremendous potential for attracting tourists. Tremendous work has been done in the three valleys of the Ogmere constituency, particularly the Upper Garw valley, to make it attractive, not only

**C5 Janice Gregory:** Pa gamau sy'n cael eu cymryd i wella amgylchedd ffisegol cymunedau yng Nghymru? (OAQ34392)

**Carwyn Jones:** Mae Llywodraeth y Cynulliad yn gwbl ymrwymedig i wella amgylchedd ffisegol cymunedau Cymru. Gwneir cynnydd drwy raglenni fel cynllun amgylchedd Cymru a'n cronfa adfywio ffisegol o fewn ardaloedd Cymunedau yn Gyntaf, yn ogystal â thrwy raglen gwella'r amgylchedd Awdurdod Datblygu Cymru, a rhaglen grantiau adeiladau hanesyddol Cadw.

**Janice Gregory:** Nodwyd bod twristiaeth yn cynnig cyfle newydd i gymunedau yng Nghymoedd y De, fel y gwyddoch. A ydych wedi cael trafodaethau gyda'ch cyd-Weinidogion yn y Cabinet neu awdurdodau lleol ynghylch yr angen i sicrhau y manteisir i'r eithaf ar botensial amgylchedd ffisegol y cymunedau hyn er mwyn hybu'r Cymoedd fel lle deniadol i fyw ynddo ac i ymweld ag ef?

**Carwyn Jones:** Andrew Davies sy'n ymdrin yn bennaf â materion twristiaeth, ond o adnabod ardaloedd y Cymoedd ac etholaeth Bro Ogwr yn arbennig, gwn fod potensial sylweddol i ddenu twristiaid. Gwnaed gwaith aruthrol yn nhri chwm etholaeth Ogwr, yn arbennig yng nghwm Garw Uchaf, er mwyn ei wneud yn ddeniadol, nid yn unig i

for tourists, but for those who live in the community.

**Jonathan Morgan:** The physical environment of several communities in Cardiff has been under attack recently, with planning applications being submitted by mobile telephone companies wishing to erect mobile telephone masts. On these occasions, Cardiff County Council has been eminently sensible. However, can something be done, from the Assembly's planning guidance perspective, or even in a legislative context, to tighten up the process to ensure that many of these future applications are rejected? Many look to site masts in highly residential areas, and there are concerns about their impact, not only on the physical environment, but also on health. Perhaps you could consider these issues, Minister.

**Carwyn Jones:** Planning guidance is in place to deal with mobile telephone masts. I believe that the planning guidance is sufficient, but as new information and understanding comes to light, that guidance will be reviewed.

**Eleanor Burnham:** As we all know, the physical environment is affected by the natural environment. Given the constant increase of carbon dioxide, which deteriorates many buildings as well as the natural environment, what is your Government doing to reduce the amount of carbon dioxide in the atmosphere?

**Carwyn Jones:** We would look to ensure the promotion of schemes designed to reduce carbon dioxide, which is, of course, a greenhouse gas. I refer you to my answer to Laura Anne Jones on some of the problems identified that will need to be resolved, for example, the potential unlocking of carbon from the soil, thereby creating carbon dioxide.

**Janet Davies:** One of the big environmental issues for many communities is the level of local road traffic. In your planning role, what are you doing to address that and to ensure land is available so that the rail system can be made available to many communities?

dwrystiaid, ond i'r rhai sy'n byw yn y gymuned.

**Jonathan Morgan:** Ymosodwyd ar amgylchedd ffisegol sawl cymuned yng Nghaerdydd yn ddiweddar, gyda cheisiadau cynllunio yn cael eu cyflwyno gan gwmnïau ffonau symudol sydd am godi mastiau ffonau symudol. Ar yr adegau hyn, bu Cyngor Dinas Caerdydd yn gwbl synhwyrol. Fodd bynnag, a ellir gwneud rhywbeth, o safbwynt canllawiau cynllunio'r Cynulliad, neu hyd yn oed mewn cyd-destun deddfwriaethol, i dynhau'r broses i sicrhau bod llawer o'r ceisiadau hyn yn y dyfodol yn cael eu gwrthod? Mae llawer o gwmnïau am godi mastiau mewn ardaloedd preswyl, a cheir pryderon ynghylch eu heffaith, nid yn unig ar yr amgylchedd ffisegol, ond ar iechyd hefyd. Efallai y gallech ystyried y materion hyn, Weinidog.

**Carwyn Jones:** Mae canllawiau cynllunio ar waith i ddelio â mastiau ffonau symudol. Credaf fod y canllawiau cynllunio yn ddigonol, ond wrth i wybodaeth a dealltwriaeth newydd ddod i law, caiff y canllawiau hynny eu hadolygu.

**Eleanor Burnham:** Fel y gŵyr pob un ohonom, mae'r amgylchedd naturiol yn effeithio ar yr amgylchedd ffisegol. O ystyried y cynnydd cyson mewn carbon deuocsid, sy'n niweidio llawer o adeiladau yn ogystal â'r amgylchedd naturiol, beth mae eich Llywodraeth yn ei wneud i leihau swm y carbon deuocsid yn yr amgylchedd?

**Carwyn Jones:** Byddem yn ceisio sicrhau y caiff cynlluniau a luniwyd i leihau carbon deuocsid, sydd, wrth gwrs, yn nwy tŷ gwydr, eu hybu. Fe'ch cyfeiriaf at fy ateb i Laura Anne Jones ar rai o'r problemau a nodwyd y bydd angen eu datrys, er enghraifft, y posibilrwydd o ryddhau carbon o'r pridd, gan greu carbon deuocsid.

**Janet Davies:** Un o'r problemau amgylcheddol mwyaf i lawer o gymunedau yw lefel y traffig ar y ffyrdd lleol. Yn eich rôl gynllunio, beth yr ydych yn ei wneud i fynd i'r afael â hynny ac i sicrhau bod tir ar gael i sicrhau bod y system reilffordd ar gael i lawer o gymunedau?

2.40 p.m.

**Carwyn Jones:** Clearly there will still be a need for new roads, but the Assembly Government's commitment to rail is clear, given the support that has been provided to railway schemes such as the airport railway link and the Ebbw Valley railway. Both those projects are evidence of the Assembly Government's commitment to sustainable transport.

**Carwyn Jones:** Yn amlwg, bydd angen ffyrdd newydd o hyd, ond mae ymrwymiad Llywodraeth y Cynulliad i'r rheilffyrdd yn glir, o ystyried y cymorth a roddwyd i gynlluniau rheilffyrdd megis y cyswllt rhwng y maes awyr a'r rheilffyrdd a rheilffordd Glyn Ebwy. Mae'r ddau brosiect hwnnw yn dystiolaeth o ymrwymiad Llywodraeth y Cynulliad i drafnidiaeth gynaliadwy.

### **Proses Fapio Asiantaeth yr Amgylchedd The Environment Agency's Mapping Process**

**Q6 Lisa Francis:** Will the Minister make a statement on the mapping process undertaken by the Environment Agency? (OAQ34315)

**C6 Lisa Francis:** A wnaiff y Gweinidog ddatganiad ar y broses fapio y mae Asiantaeth yr Amgylchedd yn mynd i'r afael â hi? (OAQ34315)

**Carwyn Jones:** In July 2003, the agency prepared a flood mapping strategy for England and Wales that aims to deliver a suite of maps over the next five years.

**Carwyn Jones:** Yng Ngorffennaf 2003, paratôdd yr asiantaeth strategaeth mapio llifogydd ar gyfer Cymru a Lloegr sy'n anelu at gyflwyno cyfres o fapiau dros y pum mlynedd nesaf.

**Lisa Francis:** I asked you a question a few weeks ago, Minister, about the Environment Agency's definition of a severe flooding area with regard to the village of Trefriw in the Conwy valley. You responded by saying that Trefriw was not designated as an area of severe flooding, because there was no history of flooding there. Will you explain how the land at Church Lane, Llandoverly, which also has no record of severe flooding, has been designated as a flood plain by the Environment Agency? Do you not agree that the agency's mapping of land that is prone to flooding seems to be riddled with anomalies?

**Lisa Francis:** Gofynnais gwestiwn ichi ychydig wythnosau yn ôl, Weinidog, ynglŷn â diffiniad Asiantaeth yr Amgylchedd o ardal â llifogydd difrifol mewn perthynas â phentref Trefriw yn nyffryn Conwy. Ymatebasoch drwy ddweud nad oedd Trefriw wedi'i dynodi fel ardal lle ceir llifogydd difrifol, oherwydd nad oedd hanes o lifogydd yno. A eglurwch sut y mae'r tir yn Heol yr Eglwys, Llanymddyfri, nad oes ganddo gofnod o lifogydd difrifol ychwaith, wedi'i ddynodi fel gorlifdir gan Asiantaeth yr Amgylchedd? Oni chytunwch fod dull yr asiantaeth o fapio tir sy'n dioddef llifogydd yn ymddangos fel pe bai'n llawn anghysondebau?

**Carwyn Jones:** No, I do not. However, it is subject to change. I believe that Church Lane has been the subject of a called-in planning application, so I cannot comment on it.

**Carwyn Jones:** Ni chytunaf. Fodd bynnag, mae'n agored i newid. Credaf y bu Heol yr Eglwys yn destun cais cynllunio a alwyd i mewn, felly ni allaf wneud sylwadau yn ei gylch.

**Rhodri Glyn Thomas:** Gan na allwch wneud sylw ar enghraifft benodol Heol yr Eglwys, Llanymddyfri, a allwch, mewn egwyddor, wneud sylw ynglŷn â sut y mae'r broses fapio newydd hon yn effeithio ar dir a

**Rhodri Glyn Thomas:** As you are unable to comment on the particular example of Church Lane, Llandoverly, will you, in principle, comment on how this new mapping process will affect land that was earmarked

oedd wedi'i glustnodi ar gyfer datblygu, yn breifat, ac, yn aml, yn y sector cyhoeddus hefyd? Effeithir ar awdurdodau lleol hefyd gan hyn.

**Carwyn Jones:** Rhaid cydnabod bod y tywydd yn newid, bod mwy o law yn disgyn a bod llawer o'r glaw hwnnw yn disgyn ar yr un pryd. Gall hynny achosi llifogydd ac yn y blaen. Mae'n iawn bod Asiantaeth yr Amgylchedd yn ystyried y mater yn llawn, a'r ardaloedd y gall lifogydd effeithio arnynt. Golyga hynny y bydd rhai rhannau o dir nad oedd yn wynebu perygl llifogydd yn y gorffennol yn cael eu cynnwys fel ardaloedd mewn perygl yn y mapiau.

for development, both private and also, frequently, public sector development? Local authorities are also affected by this.

**Carwyn Jones:** We must acknowledge that the weather is changing, that more rain is falling and that much of that rain falls at the same time. That can cause flooding and so on. It is right that the Environment Agency fully considers this issue, and the areas that could be affected by flooding. That means that some areas of land that were not at risk of flooding in the past will now be designated as at risk areas in the maps.

### **Y Diwydiant Ffermio The Farming Industry**

**Q7 David Davies:** What steps is the Minister taking to encourage young people to stay in the farming industry? (OAQ34400)

**Carwyn Jones:** Many.

**David Davies:** I did not hear your answer, but it was obviously a short one, so I can only assume that you are not taking many steps. I will question you a little further. I recently met a young farming couple who were concerned about the new payment scheme which will discriminate against those who have recently come into the industry. Will you guarantee that all of those who have entered the industry in the last three years, and who have just taken on smallholdings, will not be discriminated against in the new payment scheme and that it takes new entrants fully into account?

**Carwyn Jones:** Of course it does. That is what the national reserve is designed to do, and the consultation paper makes that clear. We want to ensure that we do as much as we can to help young farmers into farming. It would help if people carefully considered how they calculate their future entitlement, and did not base it on figures that relate to the English basis of payment rather than the Welsh one, which is what happened yesterday.

**Kirsty Williams:** Minister, you will be

**C7 David Davies:** Pa gamau y mae'r Gweinidog yn eu cymryd i annog pobl ifanc i aros yn y diwydiant ffermio? (OAQ34400)

**Carwyn Jones:** Llawer.

**David Davies:** Ni chlywais eich ateb, ond yr oedd yn amlwg yn un byr, felly yr unig beth y gallaf dybio yw nad ydych yn cymryd llawer o gamau. Fe'ch holaf ychydig ymhellach. Yn ddiweddar, cyfarfûm â chwpl ifanc sy'n ffermio a oedd yn poeni ynghylch y cynllun talu newydd a fydd yn gwahaniaethu yn erbyn newydd-ddyfodiaid i'r diwydiant. A allwch warantu na wahaniaethir yn erbyn yr holl newydd-ddyfodiaid sydd wedi ymuno â'r diwydiant yn ystod y tair blynedd diwethaf, ac sydd wedi prynu tyddynnod yn ddiweddar, yn y cynllun talu newydd a'i fod yn rhoi ystyriaeth lawn i newydd-ddyfodiaid?

**Carwyn Jones:** Wrth gwrs ei fod yn gwneud hynny. Dyna ddiben y gronfa genedlaethol, ac mae'r papur ymgynghori yn egluro hynny. Yr ydym am sicrhau ein bod yn gwneud cymaint ag y gallwn i helpu ffermwyr ifanc i ddechrau ffermio. Byddai o fudd pe bai pobl yn ystyried yn ofalus sut y maent yn cyfrifo eu hawl yn y dyfodol, a pheidio â'i seilio ar ffigurau sy'n ymwneud â sail taliadau yn Lloegr, yn hytrach nag un Cymru, sef yr hyn a ddigwyddodd ddoe.

**Kirsty Williams:** Weinidog, byddwch yn



aware, following publication of the consultation document on the national reserve, that farmers are concerned. You say that the farmers who have recently established the New Entrants Farming Wales group have perhaps calculated wrongly. Will you take the opportunity of meeting those constituents of mine whom you believe have calculated their figures wrongly to assure them that you are taking their concerns seriously? Will you also explain to them how you believe the Welsh Assembly Government's plans will help them, and not discriminate against them, which is what they feel that they currently do? Will you meet them, please?

**Carwyn Jones:** It became clear yesterday that they believe that we are paying on an area-based system in Wales. I understand from discussions that people have subsequently held that that is the case, but we must clarify that. They will not secure a meeting with the Minister by shouting, but if you wish to arrange a meeting with me and bring a delegation with you, I will meet them.

**Janet Ryder:** To take you back to your original answer, I ask you to be more specific about the details of the measures that you are implementing to encourage young farmers into farming.

**Carwyn Jones:** There are a number of measures, such as making support available through increased grant rates under Farming Connect, and the proposals to use the national reserve to assist young farmers to enter farming in the future. Many young farmers share the opinion that that is a positive step forward to help them to enter the industry.

ymwybodol, yn dilyn cyhoeddi'r ddogfen ymgynghori ar y gronfa genedlaethol, bod ffermwyr yn pryderu. Dywedwch fod y ffermwyr sydd wedi sefydlu'r grŵp New Entrants Farming Wales yn ddiweddar, o bosibl, wedi cyfrifo'n anghywir. A wnewch achub ar y cyfle i gyfarfod â'm hetholwyr sydd wedi cyfrifo eu ffigurau yn anghywir yn eich barn chi, i'w sicrhau eich bod yn cymryd eu pryderon o ddifrif? A wnewch hefyd egluro iddynt sut y credwch y bydd cynlluniau Llywodraeth Cynulliad Cymru yn eu helpu, ac nid yn gwahaniaethu yn eu herbyn, sef yr hyn y mae'r cynlluniau yn ei wneud ar hyn o bryd yn eu barn hwy? A wnewch gyfarfod â hwy, os gwelwch yn dda?

**Carwyn Jones:** Daeth yn amlwg ddoe eu bod yn credu ein bod yn talu yn ôl system yn seiliedig ar ardal yng Nghymru. Deallaf o drafodaethau a gafwyd yn dilyn hynny mai dyna'r achos, ond rhaid inni egluro hynny. Ni chânt gyfarfod gyda'r Gweinidog drwy weiddi, ond os hoffech drefnu cyfarfod gyda mi a dod â chynrychiolwyr gyda chi, byddaf yn fodlon cyfarfod â hwy.

**Janet Ryder:** Gan ddychwelyd at eich ateb gwreiddiol, gofynnaf ichi fod yn fwy penodol am fanylion y mesurau yr ydych yn eu gweithredu i annog ffermwyr ifanc i ddechrau ffermio.

**Carwyn Jones:** Mae nifer o fesurau, megis sicrhau bod cymorth ar gael drwy'r cyfraddau grant cynyddol o dan Cyswllt Ffermio, a'r cynigion i ddefnyddio'r gronfa genedlaethol i gynorthwyo ffermwyr ifanc i ddechrau ffermio yn y dyfodol. Mae llawer o ffermwyr ifanc yn rhannu'r farn bod hynny'n gam cadarnhaol ymlaen i'w helpu i ymuno â'r diwydiant.

#### **Cymeradwyo Cyllid Llywodraeth Leol (Cymru) Adroddiad Grant Arbennig (Rhif 4) (Cymru) 2004**

#### **Approval of the Local Government Finance (Wales) Special Grant Report (No. 4) (Wales) 2004**

**The Minister for Economic Development and Transport (Andrew Davies):** I propose that

**Y Gweinidog dros Ddatblygu Economaidd a Thrafnidiaeth (Andrew Davies):** Cynigïaf fod

*the National Assembly under section 88B of the Local Government Finance Act 1988, and in accordance with Standing Order No. 19.8, approves the Local Government Finance (Wales) Special Grant Report (No. 4) (Wales) 2004, which was laid in the Table Office on 20 April 2004. (NDM1936)*

**Glyn Davies:** We have no difficulty in supporting this special Order. [Laughter.] I am not sure why there is mirth among the Members on the bench in front of me; some people are not taking this issue seriously, but we are. I want to make a serious point on this issue.

**The Presiding Officer:** Order. This place may not be a joke-free zone, but it is not entirely made up of stand-up comedians, or even sit-down comedians.

**Glyn Davies:** You took the words right out of my mouth. I want to make an important point, of potentially great concern to the people of Wales: on-the-spot fines, like the current speeding fines, are backing up this Order. There will be four pilot areas, which we are happy to support—all parties will support £250,000 to ensure that emissions meet legal standards. However, we are not in favour of establishing what one might call ‘the exhaust police’, with thousands of bureaucrats across Wales damaging people’s relationship with those who deal with car emissions, as the widespread use of fixed penalties—seen to be raising money rather than controlling speeding—has damaged the relationship between the public and the police. We do not want the same damage caused to the relationship between the public and those who ensure that emissions from our vehicles meet the legal standards. Generally speaking, we are in favour of the proposal, but we note that concern.

**Peter Law:** I support these regulations and I was impressed by the support given by Glyn Davies. I ask him to show an excellent example to us all in Wales by ensuring that, if the police stop him in the future, he is properly dressed.

*y Cynulliad Cenedlaethol o dan adran 88B Deddf Cyllid Llywodraeth Leol 1988, ac yn unol â Rheol Sefydlog Rhif 19.8, yn cymeradwyo Cyllid Llywodraeth Leol (Cymru) Adroddiad Grant Arbennig (Rhif 4) (Cymru) 2004, a osodwyd yn y Swyddfa Gyflwyno ar 20 Ebrill 2004. (NDM1936)*

**Glyn Davies:** Nid yw’n anodd inni gefnogi’r Gorchymyn arbennig hwn. [Chwerthin.] Ni wn pam mae’r Aelodau ar y fainc o’r blaen yn chwerthin; nid yw rhai pobl yn cymryd y mater hwn o ddifrif, yn wahanol i ni. Yr wyf am wneud pwynt difrifol ar y mater hwn.

**Y Llywydd:** Trefn. Efallai nad yw jôcs wedi eu gwahardd o’r lle hwn, ond nid yw’n llawn digrifwyr, boed ar eu traed neu ar eu heistedd.

**Glyn Davies:** Cytunaf yn llwyr. Yr wyf am wneud pwynt pwysig, a allai fod o ddiddordeb mawr i bobl Cymru: mae dirwyon yn y fan a’r lle, fel y dirwyon goryrru presennol, yn ategu’r Gorchymyn hwn. Bydd pedair ardal beilot, yr ydym yn barod i’w cefnogi—bydd pob plaid yn cefnogi £250,000 i sicrhau bod gollyngiadau yn bodloni safonau cyfreithiol. Fodd bynnag, nid ydym o blaid sefydlu’r hyn y gellir ei alw yn ‘heddlu’r bibell wacáu’, gyda miloedd o fiwrocratiaid ledled Cymru yn niweidio perthynas pobl gyda’r rhai sy’n delio â gollyngiadau o geir, gan fod y defnydd helaeth o gosbau penodedig—yr ystyrir eu bod yn codi arian yn hytrach na rheoli cyflymder—wedi niweidio’r berthynas rhwng y cyhoedd a’r heddlu. Nid ydym am weld yr un niwed yn cael ei achosi i’r berthynas rhwng y cyhoedd a’r rhai sy’n sicrhau bod gollyngiadau o’n cerbydau yn bodloni’r safonau cyfreithiol. Yn gyffredinol, yr ydym o blaid y cynnig, ond nodwn y pryder hwnnw.

**Peter Law:** Cefnogaf y rheoliadau hyn a gwnaeth y gefnogaeth gan Glyn Davies gryn argraff arnaf. Gofynnaf iddo ddangos esiampl ardderchog i ni oll yng Nghymru drwy sicrhau, os bydd yr heddlu yn ei stopio yn y dyfodol, ei fod wedi gwisgo’n briodol.

**The Deputy Minister for Transport (Brian Gibbons):** I hoped that I would not have to journey to the podium to respond to the debate, but I was pleased with Glyn's contribution. It was a fairly positive contribution, even though it was made in a slightly jocular way. On-the-spot fines will be introduced for people who contravene these regulations, but people will have the option of going to court if they decide that that is their preferred option. Another feature of the regulations is that a wide number of exemptions are available, and a certain amount of discretion is available to the enforcing officers. The regulations are being introduced in a spirit of common sense and good practice. It is probably not technically true to say that they will be introduced in four pilot areas. A decision was taken that these regulations, in relation to poor emission controls for car exhausts and so on, should be applied in those areas where an air quality management action plan is in place. Those local authorities that do not have such a plan in place will not be affected by these regulations, and it is not planned to introduce these regulations at a future date.

2.50 p.m.

Regulations on the unnecessary idling of car engines will apply across all Wales, but a fair amount of common sense will be exercised with regard to this matter, for example, if an elderly person has to keep the car ticking over to keep it warm and to clear the windscreen, or if a taxi is waiting to collect a fare and so on. Common sense will apply in such situations, and I do not envisage regiments of pollution police across Wales.

Poor air quality is a significant cause of ill health in Wales, and car emissions are a significant factor in that. These regulations are an Assembly attempt to address the causes of ill health, because we all agree that prevention is better than cure. I commend these regulations.

**Y Dirprwy Weinidog dros Drafnidiaeth (Brian Gibbons):** Gobeithiais na fyddai'n rhaid imi godi i'r podiwm i ymateb i'r ddadl, ond yr oeddwn yn falch o gyfraniad Glyn. Yr oedd yn gyfraniad eithaf cadarnhaol, er iddo gael ei wneud mewn ffordd ychydig yn ysmala. Cyflwynir dirwyon yn y fan a'r lle i bobl sy'n torri'r rheoliadau hyn, ond caiff pobl ddewis mynd i'r llys os byddant yn penderfynu mai dyna fydd orau ganddynt. Nodwedd arall o'r rheoliadau yw'r ffaith bod nifer helaeth o eithriadau ar gael, ac mae cryn dipyn o ddisgresiwn ar gael i'r swyddogion gorfodi. Cyflwynir y rheoliadau hyn mewn ysbryd o synnwyr cyffredin ac arfer da. Mae'n debyg nad yw'n dechnegol wir i ddweud y cânt eu cyflwyno mewn pedair ardal beilot. Penderfynwyd y dylai'r rheoliadau hyn, mewn perthynas â rheolaethau gollyngiadau gwael ar gyfer pibellau gwacáu ceir ac ati, gael eu cymhwyso yn yr ardaloedd hynny lle y mae cynllun gweithredu rheoli ansawdd aer ar waith. Ni fydd y rheoliadau hyn yn effeithio ar yr awdurdodau hynny nad oes ganddynt gynllun o'r fath ar waith, ac ni fwriedir cyflwyno'r rheoliadau hyn yn y dyfodol.

Bydd rheoliadau ar adael peiriannau ceir i droi'n segur yn berthnasol ledled Cymru, ond bydd angen arfer cryn dipyn o synnwyr cyffredin wrth ymdrin â'r mater hwn, er enghraifft, os bydd angen i berson hyn adael y peiriant i droi er mwyn cadw'r car yn gynnes i glirio'r sgrîn wynt, neu os bydd taci yn aros i godi cwsmer ac ati. Bydd synnwyr cyffredin yn berthnasol mewn sefyllfaoedd o'r fath, ac ni ragwelaf gatrodau o heddlu llygredd ledled Cymru.

Mae ansawdd aer gwael yn un o brif achosion salwch yng Nghymru, ac mae gollyngiadau o geir yn cyfrannu'n sylweddol at hynny. Ymgais gan y Cynulliad i fynd i'r afael ag achosion salwch yw'r rheoliadau hyn, oherwydd yr ydym oll yn cytuno bod atal yn well na gwella. Cymeradwyaf y rheoliadau hyn.

*Cynnig (NDM1936): O blaid 50, Ymatal 0, Yn erbyn 0.  
Motion (NDM1936): For 50, Abstain 0, Against 0.*

Pleidleisiodd yr Aelodau canlynol o blaid:

The following Members voted for:

Barrett, Lorraine  
Bates, Mick  
Black, Peter  
Bourne, Nick  
Burnham, Eleanor  
Butler, Rosemary  
Cairns, Alun  
Chapman, Christine  
Cuthbert, Jeff  
Davidson, Jane  
Davies, Andrew  
Davies, David  
Davies, Glyn  
Davies, Janet  
Davies, Jocelyn  
Dunwoody-Kneafsey, Tamsin  
Essex, Sue  
German, Michael  
Graham, William  
Gregory, Janice  
Griffiths, John  
Gwyther, Christine  
Hart, Edwina  
Hutt, Jane  
Idris Jones, Denise  
Isherwood, Mark  
James, Irene  
Jones, Ann  
Jones, Carwyn  
Jones, Ieuan Wyn  
Jones, Laura Anne  
Law, Peter  
Lloyd, David  
Lloyd, Val  
Marek, John  
Melding, David  
Mewies, Sandy  
Morgan, Jonathan  
Morgan, Rhodri  
Neagle, Lynne  
Pugh, Alun  
Randerson, Jenny  
Ryder, Janet  
Sinclair, Karen  
Thomas, Catherine  
Thomas, Gwenda  
Thomas, Rhodri Glyn  
Williams, Brynle  
Williams, Kirsty  
Wood, Leanne

*Derbyniwyd y cynnig.  
Motion carried.*

**Comisiwn Richard  
The Richard Commission**

**Y Prif Weinidog (Rhodri Morgan): The First Minister (Rhodri Morgan): I  
Cynigiau fod propose that**

*Cynulliad Cenedlaethol Cymru yn nodi adroddiad comisiwn Richard.* (NDM1937)

*the National Assembly for Wales notes the report of the Richard commission.* (NDM1937)

Yr wyf eisoes wedi cofnodi fy niolchgarwch i'r Arglwydd Richard ac i'w gyd-weithwyr am ansawdd a safon uchel eu gwaith dros y Cynulliad, dros genedl y Cymry ac, efallai, dros broses ddeddfwriaethol y Deyrnas Gyfunol. Mae gennym heddiw ein cyfle cyntaf o ddau i drafod y mater hwn, a hynny ar ffurf dadl ohirio yn San Steffan, sy'n ddadl agored yn hytrach na dadl i ddod i gasgliadau terfynol. Yr wyf yn ddiolchgar hefyd i'r holl bleidiau yn y Cynulliad am gytuno i beidio â chyflwyno gwelliannau fel y gallwn siarad yn agored, ar yr amod ein bod yn dychwelyd at y mater yn gynnar yn yr hydref i gynnal dadl fwy confensiynol gyda gwelliannau a phleidleisiau.

I have already placed on record my gratitude to Lord Richard and his colleagues for the high standard and quality of their work on behalf of the Assembly, for the Welsh nation and, possibly, on behalf of the United Kingdom's legislative process. Today is the first of two opportunities for us to discuss this issue, to be conducted in the style of a Westminster adjournment debate, which is an open debate, rather than a debate to reach final conclusions. I am also grateful to all parties in the Assembly for agreeing not to table amendments so that we can speak openly, on the condition that we return to this matter in the early autumn for a more conventional debate with amendments and votes.

Dylwn bwysleisio bod gennym, fel corff, farn unfrydol mewn perthynas â statws y corff corfforaethol a grewyd dan Ddeddf Llywodraeth Cymru 1998. Yn Chwefror 2002, pleidleisiodd y Cynulliad yn unfrydol o blaid ceisio gweithredu mewn modd sy'n gwahanu i'r eithaf, o ran yr hyn sy'n gyfreithiol bosibl, y Weithrediaeth a'r ochr ddeddfwriaethol. Dyna'r model confensiynol o senedd. Yr wyf yn falch bod comisiwn Richard wedi argymhell y dylai hynny gael ei ffurfioli'n gyfreithiol dan y Ddeddf yn hytrach na'i fod yn rhywbeth yr ydym yn ceisio'i weithredu hyd eithaf ein gallu.

I should point out that we, as a body, have unanimity with regard to the status of the corporate body created under the Government of Wales Act 1998. In February 2002, the Assembly unanimously resolved that we should attempt to work in a way that separates, as far as is legally possible, the Executive and the legislative side. That is the conventional model of a parliament. I am pleased that the Richard commission recommended that this should be legally formalised under the Act, rather than remain as an arrangement that we try to implement to the best of our ability.

There may be widespread agreement with those remarks, as there may be with those that I am about to make. The conclusions are preliminary, and I will try to set out as quickly as I can some 15 key questions that we need to discuss.

Efallai y bydd llawer yn cytuno â'r sylwadau hynny, fel y bydd llawer yn cytuno â'r sylwadau yr wyf ar fin eu gwneud. Casgliadau rhagarweiniol ydynt, a cheisiaf amlinellu mor gyflym â phosibl yr oddeutu 15 cwestiwn allweddol y mae angen inni eu trafod.

Has Richard made the case for 20 extra AMs? I have grave doubts about this, as I do not think that the case has been made. The figure of 80 is pro rata to the Scottish population and the numbers in the Scottish Parliament. Without the responsibilities and powers for crime, the courts and prisons that the Scottish Parliament has, however, which one might assess as being a quarter of the Scottish Parliament's responsibilities, one comes back down to 60 Members. I do not believe, therefore, that the case has been made.

Relevant to that point is the second question, namely, how much extra workload would be caused by our having primary legislative powers in addition to the secondary legislative powers that we already have? You might say that primary legislative powers mean a lot of extra work, requiring many extra Assembly Members to do it and to scrutinise it. I am not convinced about that, because, although it seems a lot at first at the gross level, is it really at the net level? When we pass items via secondary legislation, it can sometimes be more complex than passing them via primary legislation. Examples of that are the passing of the Assembly learning grants and of the free bus pass scheme. Using a mixture of secondary legislative powers and non-legislative means, such as financial incentives to local authorities, is much more complicated than doing it through clean means, such as through primary legislative powers. Therefore, it is not the case that because there is gross extra work here, there is also net extra work. Also, some secondary legislative work on jellybeans and the other subjects that we pass as secondary legislation could safely be 'passed upstairs' for the Committees to pass, as happens in Westminster and in the Scottish Parliament.

The third question is that of opposition to the 20 extra Assembly Members, which has probably been the most concentrated opposition to the Richard commission report's proposals. As I see it, there has been much more opposition to that than to primary legislative powers. The fourth question is: does having 20 extra AMs raise the argie-bargie over fewer Members of Parliament, and, therefore, over boundary reorganisation?

A yw Richard wedi rhoi dadl gref dros gael 20 o ACau ychwanegol? Mae amheuron mawr gennyf ynglŷn â hyn, gan na chredaf fod dadl gref wedi'i rhoi. Mae'r ffigur o 80 yn ôl yr un gyfradd â phoblogaeth yr Alban a nifer yr Aelodau yn Senedd yr Alban. Fodd bynnag, heb y cyfrifoldebau a'r pwerau dros drosedd, y llysoedd a'r carchardai sydd gan Senedd yr Alban, y gellid ei asesu eu bod yn chwarter cyfrifoldebau Senedd yr Alban, dychwelwn at 60 o Aelodau. Felly, ni chredaf fod dadl gref wedi'i rhoi.

Mae'r ail gwestiwn yn berthnasol i'r pwynt hwnnw, sef, faint o lwyth gwaith ychwanegol fyddai gennym pe bai pwerau deddfwriaeth sylfaenol gennym yn ogystal â'r pwerau is-ddeddfwriaeth sydd gennym eisoes? Gallech ddweud bod pwerau deddfwriaeth sylfaenol yn golygu llawer o waith ychwanegol, sy'n gofyn am lawer o Aelodau Cynulliad ychwanegol i ymgymryd ag ef ac i graffu arno. Nid wyf yn argyhoeddedig ynglŷn â hynny, oherwydd, er yr ymddengys fod llawer o waith ar yr olwg gyntaf, a fydd yn golygu hynny mewn gwirionedd? Pan fyddwn yn pasio darnau o ddeddfwriaeth drwy is-ddeddfwriaeth, gall fod yn fwy cymhleth weithiau na phasio deddfwriaeth sylfaenol. Ymhlith yr enghreifftiau o hynny mae pasio grantiau dysgu'r Cynulliad a'r cynllun tocyn bws am ddim. Mae defnyddio cyfuniad o bwerau is-ddeddfwriaeth a dulliau nad ydynt yn ddeddfwriaethol, megis cymell daliadau i awdurdodau lleol, yn fwy cymhleth na defnyddio dulliau syml, megis drwy bwerau deddfwriaeth sylfaenol. Felly, nid yw'n wir dweud y bydd gwaith ychwanegol yma hefyd am fod pwerau ychwanegol. Hefyd, gellid trosglwyddo'n ddiogel rywfaint o'r gwaith is-ddeddfu ar losin jeli a'r pynciau eraill i'r Pwyllgorau i ddeddfu yn eu cylch, fel sy'n digwydd yn San Steffan ac yn Senedd yr Alban.

Y trydydd cwestiwn yw'r gwrthwynebiad i'r 20 Aelod Cynulliad ychwanegol, sef y gwrthwynebiad mwyaf, siŵr o fod, i gynigion adroddiad comisiwn Richard. Yn fy marn i, bu llawer mwy o wrthwynebiad i hynny nag i bwerau deddfwriaeth sylfaenol. Y pedwerydd cwestiwn yw: a fydd 20 AC ychwanegol yn codi'r ddadl ynglŷn â gostwng nifer yr Aelodau Seneddol, ac, felly, ad-drefnu ffiniau? Câi'r cysylltiad â San Steffan ei golli,

You would lose the link with Westminster, and, therefore, need new voting systems, such as the single transferable vote that it recommends.

The fifth question is: how do we assess what that extra workload would be? In other words, how many Bills would we pass if we had primary legislative powers? You might say four, five or six a year, or thereabouts. At the moment, we have six Bills outstanding with Westminster so, clearly, there would be a backlog to begin with. Therefore, you might want to pass six Bills immediately in the first year, or maybe more, but what would the workload be once it had settled down? I think that there would probably be four or five Bills to pass every year, but others will have different views; we can come back to that question after thinking about it over the summer.

The sixth question is that of the referendum. You must remember what is covered by the present settlement. It was a four-stage process, which included the manifesto, general election, victory, total obliteration of the anti-devolution party—sorry about that, Nick—referendum, Act of Parliament, and so on. That four-stage process had to be completed to get where we are today. However, the key question is: were the people of Wales conscious of a distinction between primary and secondary legislative powers when they voted? That is a matter of judgment. I do not think that they were, but other people will have a different view. Would they have cared if they had known? Again, there will be different views on that. They were conscious that they were crossing some kind of rubicon to establish a voice for Wales, and they knew that it would involve a directly elected body that was accountable to them, but whether they were conscious of a distinction between primary and legislative powers is a matter of judgment. I have my views on that, which I have expressed.

When it finally came to the Act of Parliament,

ac, felly, byddai angen systemau pleidleisio newydd megis y bleidlais sengl drosglwyddadwy a argymhellir gan y comisiwn.

Y pumed cwestiwn yw: sut y byddwn yn asesu faint o lwyth gwaith ychwanegol fyddai gennym? Mewn geiriau eraill, faint o Fesurau y byddem yn eu pasio pe bai pwerau deddfwriaeth sylfaenol gennym? Gallech ddweud pedwar, pump neu chwech y flwyddyn, neu oddeutu hynny. Ar hyn o bryd, mae chwe Mesur yn aros i gael eu cyflwyno yn San Steffan felly, yn amlwg, byddai ôl-groniad i ddechrau. Felly, efallai y byddai angen pasio chwe Mesur ar unwaith yn y flwyddyn gyntaf, neu fwy efallai, ond faint fyddai'r llwyth gwaith ar ôl y cyfnod cyntaf? Credaf y byddai pedwar neu bump o Fesurau yn cael eu pasio bob blwyddyn, ond bydd eraill yn anghytuno; gallwn ddychwelyd at y cwestiwn hwnnw ar ôl myfyrio uwch ei ben yn ystod yr haf.

Y chweched cwestiwn yw'r refferendwm. Rhaid ichi gofio'r hyn a gwmpesir gan y setliad presennol. Yr oedd yn broses â phedwar cam iddi, a oedd yn cynnwys y maniffesto, etholiad cyffredinol, buddugoliaeth, trechu'r blaid wrth-ddatganoli yn llwyr—mae'n ddrwg gennyf am hynny, Nick—refferendwm, Deddf Seneddol, ac ati. Yr oedd yn rhaid mynd drwy bedwar cam y broses honno i gyrraedd y sefyllfa sydd ohoni. Fodd bynnag, y cwestiwn allweddol yw: a oedd pobl Cymru yn ymwybodol o wahaniaeth rhwng pwerau deddfwriaeth sylfaenol a phwerau is-ddeddfwriaeth ar adeg pleidleisio? Mater o farn yw hynny. Ni chredaf fod pobl Cymru yn ymwybodol o'r gwahaniaeth, ond bydd eraill yn anghytuno. A fyddai wedi bod o bwys iddynt pe byddent wedi bod yn ymwybodol o hynny? Unwaith eto, bydd gwahaniaeth barn ynglŷn â hynny. Yr oeddent yn ymwybodol eu bod yn cymryd cam tyngedfennol i sefydlu llais i Gymru, a gwyddent y byddai'n golygu corff a etholwyd yn uniongyrchol a oedd yn atebol iddynt hwy, ond mater o farn ydyw a oeddent yn ymwybodol bod gwahaniaeth rhwng pwerau deddfwriaeth sylfaenol a phwerau is-ddeddfwriaeth. Mae gennyf farn ar hynny ac yr wyf wedi ei mynegi.

Erbyn i'r Ddeddf Seneddol ddod gerbron y

there was pressure to have the so-called classical model—there was Conservative pressure to do this—meaning ministerial responsibility for executive decision making. That, again, is a kind of rubicon of moving away from an old-style local government model.

How much time was given to the question of legislation and how much thought was given to the process that has emerged by which we pass our own secondary legislation? We petition Parliament annually as regards primary legislation, and there is not much opposition to that or discussion of it in the whole consideration of the Bill.

Although the commission does not recommend them, the report sets out alternatives, outlined in box 13.2. I fear that the commission may be contradicting itself here. It says that Westminster MPs would continue to scrutinise primary legislation applying to Wales, but I do not understand how that could be the case. If, as it appears to propose, you are sub-contracted to the Assembly, it would not be Westminster MPs scrutinising the legislation. I fear that that could give you the worst of all worlds. It would mean that the Westminster Government would continue to have a major role, because it would say what Bills we could have—and they would normally be on an England and Wales basis—but Westminster MPs from Wales would have no role in scrutinising them and voting on them. That is not what the report says, but I think that there is an inherent self-contradiction in the report, which would mean that the West Lothian issue would be exposed in an even starker form than it would be in any other way of handling the devolution issue, and the dysfunction between what we want and what Westminster wants to give us would be worse than it is now. As an example, we would say to it, ‘Look, we want a Bill on the regulation of the pharmacy profession’, and it would say, ‘Well, we were thinking of doing a Bill on an England and Wales basis to regulate the dentistry profession’. We would say, ‘No, no; pharmacy’, and it would say, ‘Yes, but we are doing dentistry’. That dysfunction would be worse than it is today. Therefore, it is superficially attractive, but it could be the worst of all worlds. However, I want to hear

Senedd, yr oedd pwysau i fabwysiadu'r model clasurol fel y'i gelwid—yr oedd y Ceidwadwyr yn pwysu am hyn—a oedd yn golygu cyfrifoldeb gweinidogol dros wneud penderfyniadau gweithredol. Mae hynny, eto, yn gam tyngedfennol arall sef symud o fodel llywodraeth leol o'r hen ddull.

Faint o amser a roddwyd ar gyfer deddfwriaeth ac i ba raddau yr ystyriwyd y broses sydd wedi datblygu lle yr ydym yn pasio ein his-ddeddfwriaeth ein hunain? Yr ydym yn deisebu'r Senedd bob blwyddyn o ran deddfwriaeth sylfaenol, ac nid oes fawr o wrthwynebiad i hynny na thrafodaeth arni wrth ystyried y Mesur yn ei gyfanrwydd.

Er nad yw'r comisiwn yn eu hargymell, mae'r adroddiad yn nodi opsiynau eraill, a amlinellir ym mlwch 13.2. Ofnaf fod y comisiwn yn gwrth-ddweud ei hun o bosibl yma. Dywed y byddai ASau yn San Steffan yn parhau i graffu ar ddeddfwriaeth sylfaenol a oedd yn gymwys i Gymru, ond ni ddeallaf sut y gallai hynny ddigwydd. Os ydych wedi'ch isgcontractio i'r Cynulliad, fel y cynigia fe ymddengys, nid Asau yn San Steffan fyddai'n craffu ar y ddeddfwriaeth. Ofnaf y gallai arwain at y sefyllfa waethaf bosibl. Byddai'n golygu y byddai Llywodraeth San Steffan yn parhau i chwarae rhan bwysig, oherwydd byddai'n dweud pa Fesurau y gallem eu cael yma—a byddent ar sail Cymru a Lloegr fel rheol—ond ni fyddai gan ASau o Gymru yn San Steffan unrhyw ran yn y gwaith o graffu a phleidleisio arnynt. Nid yw'r adroddiad yn dweud hynny, ond yn fy marn i, mae gwrth-ddweud sylfaenol yn yr adroddiad, a fyddai'n golygu y byddai'r anghysondeb sy'n gysylltiedig â chwestiwn West Lothian yn dod hyd yn oed yn fwy amlwg nag y byddai mewn unrhyw ffordd arall o drafod datganoli, a byddai'r broblem sy'n codi o ran yr hyn a ddymunwn a'r hyn y mae San Steffan am ei roi inni yn waeth nag ydyw ar hyn o bryd. Fel enghraifft, byddem yn dweud wrth San Steffan, ‘Edrychwch, yr ydym am gael Mesur ar reoleiddio'r proffesiwn fferyllol’, a byddai'n dweud, ‘Wel, yr oeddem yn meddwl am baratoi Mesur ar sail Cymru a Lloegr i reoleiddio'r proffesiwn deintyddol’. Byddem yn dweud, ‘Na, na; fferylliaeth’, a byddai'n dweud, ‘Ie, ond maes deintyddiaeth yr ydym ni am ymdrin ag ef’. Byddai'r broblem honno'n waeth nag ydyw heddiw. Felly,



more from those who support that option as a viable compromise.

mae'n ymddangos yn atyniadol, ond gallai arwain at y sefyllfa waethaf bosibl. Fodd bynnag, yr wyf am glywed rhagor gan y rhai sy'n cefnogi'r opsiwn hwnnw fel cyfaddawd dichonadwy.

3.00 p.m.

Secondly, when do you have a referendum in the British constitution—not in the Irish or Swiss constitution, but in the British one? We do not know, because we do not have a written constitution. Nothing has really been written down on the British constitution since 1688, after the restoration of the monarchy. However, it will be along the lines of when something pretty fundamental is taking place regarding who you are governed by or how you will be governed. Whether a referendum is held should not, therefore, be based on your personal view for or against the proposition, but on your consideration of how fundamental a change is being proposed. Therefore, some people will be in favour of a referendum if you have 'big Richard with everything'—the all-singing, all-dancing model as approved by the Richard commission. However, they may not be in favour of a referendum if you have a more moderate version of some of the proposals contained in the Richard report.

Yn ail, pryd yr ydych yn cynnal refferendwm yn y cyfansoddiad Prydeinig—nid yng nghyfansoddiad Iwerddon nac yng nghyfansoddiad y Swistir, ond yn y cyfansoddiad Prydeinig? Ni wyddom gan nad oes gennym gyfansoddiad ysgrifenedig. Nid oes dim mewn gwirionedd wedi'i nodi'n ysgrifenedig ar y cyfansoddiad Prydeinig ers 1688, ar ôl adfer y frenhiniaeth. Fodd bynnag, yn fras cynhelir refferendwm pan fydd newid go sylfaenol o ran pwy sy'n eich llywodraethu neu sut y cewch eich llywodraethu. Felly ni ddylid seilio'r penderfyniad ar gynnal refferendwm ar eich barn bersonol o blaid neu yn erbyn y cynnig, ond ar ôl ystyried pa mor sylfaenol yw'r newid a gynigir. Felly, bydd rhai pobl o blaid cynnal refferendwm os ydych yn derbyn pob un o argymhellion Richard—y model sy'n cwmpasu popeth fel y'i cymeradwywyd gan gomisiwn Richard. Fodd bynnag, efallai na fyddent o blaid refferendwm os bydd model mwy cymedrol o rai o'r cynigion a geir yn adroddiad Richard.

The next question is: how much is this affected by the degree of choice in a general election? If there are four clear models set out by the four parties here in the next general election in Wales, does that influence the case for a referendum, because you would have had the choice anyway? The last two questions are: what function does the Electoral Commission have if we hold a referendum, and who would decide the question? The proposal would come from the United Kingdom Government because it is a reserved matter, but the Electoral Commission would have a right of veto and, therefore, there would be discussion between them. However, the question would be around the subject of who should decide on how many all-Wales Bills there will be, whether that should be done in the Westminster Parliament or in the Assembly, and who should have the final say in determining them in terms of scrutiny and voting on them. It is not up to me to make these decisions.

Y cwestiwn nesaf yw: i ba raddau yr effeithir ar hyn gan faint o ddewis sydd ar gael mewn etholiad cyffredinol? Os bydd y pedair plaid yma yn amlinellu pedwar model clir yn etholiad cyffredinol nesaf Cymru, a yw hynny'n dylanwadu ar y ddatl dros refferendwm, gan y byddech wedi cael y dewis beth bynnag? Y ddau gwestiwn olaf yw: beth fydd swyddogaeth y Comisiwn Etholiadol os cynhaliwn refferendwm, a phwy fyddai'n penderfynu ar y cwestiwn? Byddai'r cynnig yn deillio o Lywodraeth y Deyrnas Unedig gan mai mater a gadwyd yn ôl ydyw, ond byddai gan y Comisiwn Etholiadol hawl nacáu ac, felly, byddai trafodaeth rhyngddynt. Fodd bynnag, byddai'r cwestiwn yn ymwneud â phwy ddylai benderfynu ar faint o Fesurau i Gymru a geir, a ddylid gwneud hynny yn Senedd San Steffan ynteu yn y Cynulliad, a phwy ddylai gael y gair olaf wrth benderfynu arnynt o ran craffu a phleidleisio arnynt. Nid fi piau'r penderfyniadau hyn. Fodd bynnag, yr wyf yn dyfalu ynghylch pa fath o gwestiynau

However, I am speculating as to what kind of questions the Electoral Commission would come up with in negotiating with the UK Government on the form of any possible referendum.

Finally, we want to see to what extent we can avoid this seeming like a demarcation dispute in the Swan Hunter shipyard years ago, where the shipwrights did all the woodwork and the boilermakers did all metalwork, and you could never decide what to do when the wood and the metal came together in the middle of the ship. We do not want this to be a who-does-what dispute between us and the Westminster MPs who represent Welsh constituencies. We want everyone to have in mind what is best for the people of Wales.

**Ieuan Wyn Jones:** Croesawaf innau'r ffaith ein bod yn cael y drafodaeth hon heddiw, a bod y drafodaeth ar gynnig sydd o leiaf yn un y gall y pedair plaid gytuno arno—o leiaf ar yr adeg hon yn ein trafodaethau. Mae'n hynod bwysig ein bod yn cael trafodaeth gwbl agored lle y gall pobl fynegi safbwyntiau gwahanol heddiw, ond gobeithiaf y byddwn i gyd yn ystyried, wrth ymateb i adroddiad Richard, yr hyn sydd orau i Gymru. Hynny yw, beth sydd orau i Gymru yng nghydestun y setliad cyfansoddiadol posibl yr ydym yn mynd i'w newid.

Yr ydym i gyd, unwaith eto, am longyfarch y comisiwn ar ei waith. Mae'r adroddiad hwn, beth bynnag fo'ch safbwynt arno, yn un hynod o rymus. Mae nid yn unig yn ddogfen bwysig ynddi ei hun, gan ei bod yn gosod beirniadaeth fanwl o'r sefyllfa bresennol, ond mae hefyd yn ceisio gosod llwybr ar gyfer y dyfodol. Nid oes raid inni gytuno'n fanwl â'r hyn y mae'n ei ddweud ynglŷn â'r dyfodol, ond mae'n gyfraniad pwysig i'n trafodaethau yng Nghymru. Felly, dof at adroddiad comisiwn Richard ag un pren mesur yn unig—beth sydd orau i Gymru? Dyna y dylem i gyd geisio'i wneud.

Dywedodd Ivor Richard rywbeth hynod ddiddorol pan oedd yn cyhoeddi'r adroddiad yn Neuadd Dewi Sant ddiwedd Mawrth. Dywedodd ei fod wedi dod at y gwaith hwn yn dipyn o amheuwyr efallai, a'i fod wedi

y byddai'r Comisiwn Etholiadol yn eu cynnig wrth negodi â Llywodraeth y DU ynglŷn â pha fath o refferendwm a gâi ei gynnal.

Yn olaf, yr ydym am weld i ba raddau y gallwn osgoi gwneud i hyn ymddangos fel anghydfod diffinio gwaith fel yr arferai ddigwydd yn iard longau Swan Hunter flynyddoedd maith yn ôl, lle yr oedd y seiri llongau yn gwneud yr holl waith coed ac yr oedd y gwneuthurwyr boeleri yn gwneud yr holl waith metel, ac ni allai neb benderfynu beth i'w wneud pan oedd y gwaith coed a'r gwaith metel yn gorgyffwrdd yng nghanol y llong. Nid ydym am ddechrau anghydfod rhyngom ni ac ASau sy'n cynrychioli etholaethau Cymru yn San Steffan ynglŷn â phwy sy'n gwneud beth. Yr ydym am i bawb ystyried yr hyn sydd orau i bobl Cymru.

**Ieuan Wyn Jones:** I also welcome the fact that we are having this discussion today, and that the discussion is on a motion that is at least one that all four parties can agree on—at least at this point in our deliberations. It is exceptionally important that we have a completely open discussion in which people can express different views today, but I hope that we will all consider, in our response to the Richard report, what is best for Wales. That is, what is best for Wales in the context of the potential constitutional settlement that we are going to change.

Once again, we all wish to congratulate the commission on its work. This report, whatever your view on it, is exceptionally forceful. It is not only an important document in its own right, because it sets out a detailed critique of the current situation, but it also attempts to suggest a pathway for the future. We do not have to agree in detail on what it has to say about the future, but it is an important contribution to our discussions in Wales. Therefore, I approach the Richard commission report with only one yardstick—what is best for Wales? We should all endeavour to do that.

Ivor Richard said something exceptionally interesting when he introduced the report at St David's Hall at the end of March. He said that he had embarked on this post as somewhat of a sceptic perhaps, and that he had said to

dweud wrtho'i hun, 'Wel, yr wyf wedi cael fy mhenodi yn gadeirydd comisiwn Richard, ond nid wyf yn siŵr faint o newid y bydd yr adroddiad yn ei argymhell.

Dywedodd yn gwbl agored fod y dystiolaeth a gyflwynwyd i'r comisiwn dros gyfnod o ddwy flynedd mor gryf i un cyfeiriad fel na allai ond dod i un casgliad, sef nad yw'r drefn bresennol yn gynaliadwy, ac mae'n rhoi rhesymau o blaid hynny. Mae hwnnw'n gasgliad pwysig. Gan ei fod wedi dod at y casgliad hwnnw, rhaid inni ofyn a yw'r atebion y mae'n eu cynnig yn gynaliadwy ac a ydynt yr hyn y byddem yn disgwyl ei weld mewn setliad newydd. Mae'n pwysleisio dau beth hynod bwysig. Pwysleisia wendid y setliad presennol yn yr ystyr ei fod yn gyfyng a bod y pwerau yn gyfyng. Dywed hefyd—nid yn amlwg, ond mae ymhlyg yn yr hyn a ddywed—y bu amharodrwydd yn San Steffan i fod yn hyblyg yn y ffordd y llunnir deddfwriaeth sylfaenol mewn perthynas â Chymru ac yn y modd y gweithredodd. Dywedodd nifer o bobl wrthym y byddai sgôp aruthrol o fewn is-ddeddfwriaeth i wneud pethau da dros Gymru o dan y setliad presennol. Credaf fod pawb yn sylweddoli erbyn hyn, er bod rhai enghreifftiau o hynny, na ddigwyddodd hynny'n ddigon aml i'r setliad fod yn setliad parhaol.

Mae'r pwerau yn gymysglyd. Gan nad oes gennym bwerau deddfu sylfaenol, nid oes modd inni lunio gwasanaeth iechyd sy'n gwbl unol â gofynion Cymru, ni allwn ddatblygu gwasanaeth addysg gwirioneddol Gymreig ac ni allwn ddatblygu cynllun trafndiaeth integredig i Gymru. Nododd y comisiwn wendid y setliad presennol, rhywbeth yr oedd sawl un ohonom yn ei wybod ers y dechrau. Oherwydd hynny, daeth i'r casgliad anorfod bod yn rhaid symud o blaid deddfu sylfaenol. Yr unig gwestiwn y bu'n rhaid i'r comisiwn ei ateb wedi iddo ddod i'r casgliad hwnnw oedd a fyddai'n mabwysiadu model Gogledd Iwerddon neu fodel yr Alban o ran pwerau deddfu sylfaenol. Diolch i'r drefn, yr oedd o blaid model yr Alban. Mae hynny'n rhoi hyblygrwydd llwyr i'r Cynulliad i ddatblygu deddfwriaeth yn unol â dyheadau pobl Cymru ac â maniffesto pa blaid bynnag fydd yn llywodraethu yng Nghymru ar y pryd.

himself, 'Well, I have been appointed as chair of the Richard commission, but I am not sure how much change the report will recommend'.

He said entirely openly that the evidence submitted to the commission over two years was so strongly weighted in one direction that it could only come to one conclusion, namely that the current system is unsustainable, and he gives reasons to support this. That is an important conclusion. Given that he arrived at that conclusion, we must ask whether the solutions that he proposes are sustainable and whether they are what we would expect to see in a new settlement. He emphasises two extremely important points. He emphasises the weakness of the current settlement, in the sense that it is limited and that the powers are limited. He also says—not explicitly, but it is implicit in what he says—that Westminster has been unwilling to be flexible in how it drafts primary legislation in relation to Wales and in the way it has acted. Many people told us that there would be immense scope within secondary legislation to achieve great things for Wales under the current settlement. I believe that everyone realises by now that although there are some examples of that, it has not happened frequently enough for the settlement to be a permanent one.

The powers are confusing. As we do not have primary legislative powers, we cannot build a health service completely in line with the needs of Wales, we cannot develop a truly Welsh education system and we cannot develop an integrated transport system for Wales. The commission noted the weakness of the current settlement, which many of us were aware of from the outset. It therefore came to the inevitable conclusion that a move must be made in favour of primary legislative powers. The only question that the commission had to answer once it came to that conclusion was whether to adopt the Northern Ireland model or the Scottish model in terms of primary legislative powers. Thank goodness, it opted for the Scottish model. That gives the Assembly total flexibility to develop legislation in accordance with the aspirations of the people of Wales and the manifesto of whichever party governs Wales at the time.

The commission has made a powerful and persuasive case for primary law-making powers. It is so persuasive that those who oppose the Richard commission report often do not do so on the grounds of principle but because of the timetable. Many have said that they agree that we might need law-making powers, but not yet. The commission is not saying that we need them yet; it is saying that we need them in 2011. The programme that it has set out and the timetable are well within the Assembly's capacity. If primary law-making powers are necessary, why do we need to wait beyond 2011? Should it be 2015, 2019 or 2022? What should the right date be?

The weakest part of the report is its consideration of the issue of financing devolution. It explains in detail the problems that we have with the Barnett formula and why it does not deliver a good deal for Wales. Paragraph 37 on page 204 states:

'The overall conclusion of the Norton Committee was that the long term continuation of the Barnett formula would present serious difficulties and that it would not be a sustainable basis for allocating funds to the devolved administrations in the long term.'

It acknowledges the case for reforming Barnett but it does come out in favour of that. It accepts the line put forward by the Minister that it is a fixed formula, that we know where we stand with it and that we should not change it. However, it does make the case that Barnett should be reformed in the long term.

3.10 p.m.

It then considers the case for tax-varying powers. It makes a powerful case for such powers, but says that they would be desirable but not essential. It makes the case, which I accept, that where you have a generous comprehensive spending review settlement, with the same party in power in Cardiff and in London, tax-varying powers may not be needed. However, what if a Conservative Government in London decided to cut public spending, while a Government of a different complexion in Wales said that it would like to act differently? As a result of being locked

Mae'r comisiwn wedi rhoi dadl rymus ac argyhoeddiadol dros bwerau deddfwriaeth sylfaenol. Mae mor argyhoeddiadol nes bod y rhai sy'n gwrthwynebu adroddiad comisiwn Richard yn aml yn gwneud hynny ar sail yr amserlen ac nid ar sail egwyddor. Mae llawer wedi dweud eu bod yn cytuno bod angen o bosibl inni gael pwerau deddfu, ond nid eto. Nid yw'r comisiwn yn dweud bod eu hangen arnom eto; mae'n dweud y bydd eu hangen arnom yn 2011. Mae'r rhaglen a amlinellir a'r amserlen yn sicr o fewn gallu'r Cynulliad. Os oes angen pwerau deddfwriaeth sylfaenol, pam mae angen inni aros tan ar ôl 2011? Ai erbyn 2015, 2019 neu 2022 y dylid rhoi'r pwerau hyn? Beth yw'r dyddiad iawn?

Y rhan wannaf o'r adroddiad yw ei ystyriaeth o ariannu datganoli. Mae'n esbonio'n fanwl y problemau sydd gennym o ran fformiwla Barnett a pham nad yw'n fargen dda i Gymru. Noda paragraff 37 ar dudalen 204:

'Casgliad cyffredinol Pwyllgor Norton oedd y byddai parhad tymor-hir fformiwla Barnett yn achosi anawsterau difrifol ac na fyddai'n sail gynaliadwy i ddosbarthu cyllid i'r gweinyddiaethau datganoledig yn y tymor hir.'

Mae'n cydnabod y ddadl dros ddiwygio Barnett ond nid yw'n argymhell hynny. Mae'n derbyn haerid y Gweinidog mai fformiwla sefydlog ydyw, ein bod yn gwybod sut y saif pethau ac na ddylem ei newid. Fodd bynnag, mae'n rhoi'r ddadl dros ddiwygio Barnett yn yr hirdymor.

Yna mae'n ystyried y ddadl dros bwerau i amrywio trethi. Mae'n rhoi dadl gref dros bwerau o'r fath, ond dywed y byddent yn ddymunol ond nid yn hanfodol. Mae'n cynnig na fyddai angen pwerau i amrywio trethi o bosibl lle ceir setliad hael wedi adolygiad cynhwysfawr o wariant, lle mae'r un blaid mewn grym yng Nghaerdydd ac yn Llundain; derbyniaf y ddadl honno. Fodd bynnag, beth fyddai'n digwydd pe bai Llywodraeth Geidwadol yn Llundain yn penderfynu cwtagi ar wariant cyhoeddus, er bod Llywodraeth o blaid wahanol yng Nghymru yn dweud yr

into the Barnett formula and not having ways of raising finance, we would be locked into the cuts imposed by Westminster. This would mean no flexibility whatsoever. There is a strong case, as the academics all agree, that, once you have primary law-making powers, tax-varying powers should follow. This matter should be part of the public debate in Wales.

Wrth derfynnu, dychwelaf at gyfeiriad y Prif Weinidog at nifer yr Aelodau yn y corff newydd. Dywedodd y dylid cadw at 60 Aelod. Mae'n flin gennyf orfod dweud hyn wrth y Prif Weinidog, ond mae'n gyfleus i'r Llywodraeth gadw at 60 gan fod hynny'n osgoi problemau yn ymwneud ag Aelodau Seneddol. Gallaf ddeall pam mae'r Prif Weinidog am ddilyn y trywydd hwnnw, ond y gwirionedd yw y byddai cael pwerau deddfu yn golygu y byddai'n rhaid cael mwy o Aelodau gan y byddai'r gwaith craffu gymaint yn ehangach.

**Jocelyn Davies:** Do you recall Peter Hain saying in January that he did not think that the number of MPs should change? He said that he did not want a repeat of the Scottish experience, where the plans to reduce the number of MPs had caused problems for Labour.

**Ieuan Wyn Jones:** We should be considering the needs of an Assembly with law-making powers, not the internal problems of the Labour Party. Like Lord Richard, I believe that we need 80 Members. I do not accept the argument—

**Peter Law:** Do you accept the cross-party response evident throughout Gwent and a large part of south-east Wales, not just in my constituency of Blaenau Gwent? The suggestion that the Assembly should have an extra 20 Members is met with either disdain or laughter. Many people are totally unconvinced by this suggestion and are concerned about empire building and the cost to the public purse.

**Ieuan Wyn Jones:** I accept that the idea of having extra politicians is unpopular, but the fact that it is unpopular does not mean that it

hoffai weithredu'n wahanol? Gan y byddem ynghlwm wrth fformiwla Barnett ac na fyddai gennym ffyrdd o godi cyllid, byddem yn gorfod derbyn toriadau a orfodwyd gan San Steffan. Ni fyddai dim hyblygrwydd o gwbl. Mae dadl gref, fel y cytuna pob un o'r academyddion, dros roi pwerau i amrywio trethi ar ôl ichi gael pwerau deddfwriaeth sylfaenol. Dylai'r mater hwn fod yn rhan o'r ddadl gyhoeddus yng Nghymru.

In conclusion, I return to the First Minister's reference to the number of Members in the new body. He said that it should remain at 60 Members. I am sorry to have to say this to the First Minister, but 60 is a convenient number for the Government because it avoids problems relating to Members of Parliament. I understand why the First Minister has taken this line, but the truth is that having primary legislative powers means that we would need more Members to deal with the increased scrutiny work.

**Jocelyn Davies:** A gofiwch Peter Hain yn dweud ym mis Ionawr na chredai y dylai nifer yr ASau newid? Dywedodd nad oedd am i'r hyn a ddigwyddodd yn yr Alban—lle yr oedd cynlluniau i leihau nifer yr ASau wedi achosi problemau i Lafur—ddigwydd yma.

**Ieuan Wyn Jones:** Dylem fod yn ystyried anghenion Cynulliad ac iddo bwerau deddfu, nid problemau mewnol y Blaid Lafur. Fel yr Arglwydd Richard, credaf fod angen inni gael 80 o Aelodau. Ni dderbyniaf y ddadl—

**Peter Law:** A dderbyniwch yr ymateb trawsbleidiol a gafwyd ledled Gwent ac mewn rhannau helaeth o'r De-ddwyrain, nid yn unig yn fy etholaeth i, Blaenau Gwent? Mae pobl naill ai'n gwawdio neu'n chwerthin ar yr awgrym y dylai fod 20 Aelod ychwanegol yn y Cynulliad. Mae llawer o bobl heb gael eu hargyhoeddi o gwbl gan yr awgrym hwn ac maent yn poeni bod y Cynulliad yn ceisio ehangu ei derfynau ac yn poeni am y gost i bwrs y wlad.

**Ieuan Wyn Jones:** Derbyniaf fod y syniad o gael gwleidyddion ychwanegol yn amhoblogaidd, ond nid yw'r ffaith ei fod yn

is wrong. I fear that if we had primary legislative powers and too few Members, we would have bad legislation as a result of not enough scrutiny being undertaken. I do not buy the First Minister's argument that the situation is the same as for secondary legislation. Let us be honest: the Assembly does not scrutinise secondary legislation effectively at present. We have been criticised for that. If we are to be responsible for secondary and primary legislation, the case for 80 Members has surely been made. Once the case has been made for 80 Members, a new method must be sought for their election. The single transferable vote system is the one that should be used. The debate has begun and let us have mature discussions on the future constitutional position of Wales.

**Nick Bourne:** I reiterate my previous comments and echo those made by the First Minister and the leader of the opposition in thanking the Richard commission for undertaking what was a considerable task. It produced a tome of evidence and considered the arguments carefully. The fact that it took from July 2002 to the end of March 2004 to produce its report reflects the importance of the issues and the consideration given to them.

I welcome certain aspects of the report. The First Minister mentioned the split between the Executive and legislative arms of the Assembly, which I believe that we all welcome and will be driven forward. This is good news. I recognise the need for greater focus on Plenary meetings. I know that saying that we need more Committee meetings will strike a chord with some Members, though not all. That will not get a universal roar of approval, but it is necessary.

When the Bill was going through Parliament—the First Minister made great play of this—there was a change in the structures to present the Assembly with a Cabinet that would be more along the lines of the Westminster model than was suggested earlier. That was not just a Conservative-inspired change; it was discussed at length on the National Assembly advisory group—and I

amhoblogaidd yn golygu ei fod yn anghywir. Ofnaf y byddai deddfwriaeth wael yn cael ei phasio oherwydd diffyg craffu pe bai gennym bwerau deddfwriaeth sylfaenol a dim digon o Aelodau. Ni dderbyniaf ddadl y Prif Weinidog fod y sefyllfa yr un peth ag yw ar gyfer is-ddeddfwriaeth. Gadewch inni fod yn onest: nid yw'r Cynulliad yn craffu ar is-ddeddfwriaeth yn effeithiol ar hyn o bryd. Yr ydym wedi cael ein beirniadu am hynny. Os ydym yn mynd i fod yn gyfrifol am ddeddfwriaeth sylfaenol ac is-ddeddfwriaeth, yn sicr mae'r ddadl dros 80 o Aelodau yn un gref. Unwaith bod dadl gref wedi'i rhoi dros 80 o Aelodau, rhaid wrth ddull newydd o'u hethol. System y bleidlais sengl drosglwyddadwy yw'r system a ddylai gael ei defnyddio. Mae'r ddadl wedi dechrau a gadewch inni gael trafodaethau aeddfed ar sefyllfa gyfansoddiadol Cymru yn y dyfodol.

**Nick Bourne:** Hoffwn ailddatgan fy sylwadau blaenorol ac ategu sylwadau'r Prif Weinidog ac arweinydd yr wrthblaid wrth ddiolch i gomisiwn Richard am ymgymryd â'r hyn a fu'n dipyn o dasg. Cynhyrchodd lwyth o dystiolaeth ac ystyriodd y dadleuon yn ofalus. Mae'r ffaith iddo gymryd o fis Gorffennaf 2002 tan ddiwedd mis Mawrth 2004 i baratoi ei adroddiad yn adlewyrchu pwysigrwydd y materion a'r ystyriaeth a roddwyd iddynt.

Croesawaf rai agweddau ar yr adroddiad. Soniodd y Prif Weinidog am wahanu'r Weithrediaeth oddi wrth ochr ddeddfwriaethol y Cynulliad a chredaf fod pob un ohonom yn croesawu hynny ac y caiff ei hyrwyddo. Mae hyn yn newyddion da. Cydnabyddaf fod angen mwy o ffocws ar Gyfarfodydd Llawn. Gwn fod yr awgrym bod angen inni gael rhagor o gyfarfodydd Pwyllgor yn taro tant gyda rhai Aelodau, ond nid pob un. Ni fyddai pawb yn cefnogi hynny, ond mae'n angenrheidiol.

Pan oedd y Mesur yn mynd drwy'r Senedd—tynnodd y Prif Weinidog sylw mawr at hyn—newidiwyd y strwythurau i roi Cabinet i'r Cynulliad a fyddai'n ymdebygu'n fwy i fodel San Steffan nag a awgrymwyd yn gynharach. Nid newid a gynigwyd gan y Ceidwadwyr ydoedd; fe'i trafodwyd yn faith yn ngrŵp ymgynghorol y Cynulliad Cenedlaethol—a gallaf weld bod Kirsty yn cytuno. Fe'i

can see Kirsty nodding her head. It was supported by Kirsty Williams, me and Eluned Morgan. Helen Mary Jones and others dissented from that view, but it was not limited to Conservatives. The then Secretary of State for Wales, Ron Davies, readily took that view on board. To put it in its true context, the support for such a change was much more universal than the First Minister suggested.

The issue of extra powers forms the meat of the report—although, I agree with the First Minister, the number of Assembly Members has been more of a key issue than the extra powers. My party is having an open consultation on this, about which I am pleased. There are differences across all parties—even, I suspect, in Plaid Cymru—about some of the issues presented in this report. Therefore, it is important to have an open consultation period.

That leads me on to the issue of the referendum. Given the differences among the parties, a referendum will be inevitable. There is no doubt that there is a fault line in the Labour Party. There are also differences of opinion in my own party, among the Liberal Democrats and within Plaid Cymru. If this issue is to be settled, it can only be done through a referendum.

**Leighton Andrews:** It is to your credit, and to the credit of many of your colleagues who campaigned for a ‘no’ vote in 1997, that you subsequently became part of this Assembly and contributed to strengthening our democracy. If there were to be a referendum, purely and simply on the principle that this Assembly should get primary legislative powers in the areas for which it currently has responsibility, which way would you vote: yes or no?

**Nick Bourne:** It would depend on the timetable. I have never been a ‘never’ person. That is clear from my evidence to the Richard commission and is referred to in this report. It is not right at the moment. It would depend on the timetable, if that were the issue. It would also depend on how the question was phrased by the Electoral Commission. To return your compliment, I know that you have strongly supported a referendum and I recognise that

cefnogwyd gan Kirsty Williams, minnau ac Eluned Morgan. Anghytunodd Helen Mary Jones ac eraill, ond nid y Ceidwadwyr yn unig a oedd o blaid y newid hwn. Yr oedd Ron Davies, Ysgrifennydd Gwladol Cymru ar y pryd, yn ddigon parod i dderbyn y farn honno. Gan roi'r mater yn ei gyd-destun cywir, yr oedd llawer mwy yn gefnogol i newid o'r fath nag a awgrymodd y Prif Weinidog.

Pwerau ychwanegol yw prif fyrdwn yr adroddiad—er y cytunaf â'r Prif Weinidog fod nifer yr Aelodau Cynulliad wedi bod yn fater mwy allweddol na'r pwerau ychwanegol. Yr wyf yn falch o nodi bod fy mhlaid yn cynnal ymgyngoriad agored ar hyn. Mae gwahaniaeth barn ym mhob plaid—hyd yn oed Plaid Cymru, fe dybiaf—yn glŷn â rhai o'r materion a gyflwynwyd yn yr adroddiad hwn. Felly, mae'n bwysig cael cyfnod o ymgyngori agored.

Mae hyn yn fy arwain at y refferendwm. O gofio'r gwahaniaeth barn ymhlith y pleidiau, bydd refferendwm yn anochel. Nid oes amheuaeth bod ymraniad o fewn y Plaid Lafur. Mae gwahaniaeth barn hefyd yn fy mhlaid fy hun, ymhlith y Democratiaid Rhyddfrydol ac o fewn Plaid Cymru. Dim ond drwy refferendwm y gellir penderfynu ar y mater hwn.

**Leighton Andrews:** Mae'n glod ichi, ac yn glod i lawer o'ch cyd-Aelodau a ymgyrchodd dros bleidlais ‘na’ yn 1997, eich bod ers hynny wedi dod yn rhan o'r Cynulliad hwn ac wedi cyfrannu at atgyfnerthu ein democratiaeth. Pe cynhelid refferendwm ar yr egwyddor y dylai'r Cynulliad hwn gael pwerau deddfwriaeth sylfaenol yn y meysydd y mae ganddo gyfrifoldeb drostynt ar hyn o bryd, sut y byddech yn pleidleisio: o blaid neu yn erbyn?

**Nick Bourne:** Byddai'n dibynnu ar yr amserlen. Nid wyf byth yn dweud ‘byth’. Mae hynny'n amlwg o'm tystiolaeth i gomisiwn Richard y cyfeirir ati yn yr adroddiad hwn. Nid yw'n briodol ar hyn o bryd. Byddai'n dibynnu ar yr amserlen, os mai dyna fyddai'r mater dan sylw. Byddai hefyd yn dibynnu ar y ffordd yr oedd y Comisiwn Etholiadol yn geirio'r cwestiwn. Os caf ganu eich clodydd chi, gwn eich bod wedi cefnogi refferendwm

you will have a lonely position in the Labour Party on that stance. However, it is only fair to acknowledge that you have taken that stance.

In the First Minister's comments on the lack of a written British constitution, he referred to 1688—the restoration of the monarchy was in 1660, the glorious revolution was in 1688—but there has been a sea change in how the British constitution operates. Referenda, largely through the Labour Party, have become an accepted part of determining major constitutional changes. The First Minister will know, from private conversations with the Secretary of State for Wales, that the position on referenda has now changed. Indeed, Peter Hain has said publicly that, because of the Prime Minister's change of position on the issue of the EU constitution, it will be difficult to resist the call throughout Wales, not just from Conservatives, to hold a referendum on this key issue. Without a referendum, such changes will not be entrenched. If they go through without a referendum, they can be undone in precisely the same way, which would lead to a fragile and unsatisfactory position.

**Owen John Thomas:** It is suggested by the Richard commission that powers relating to education might be transferred at one stage and then, a year later, those relating to health and so on. Do you suggest that we hold a referendum every 12 months?

**Nick Bourne:** I have not accepted that conclusion. Your question is based on the premise that I think that that is a good idea—I do not.

**Owen John Thomas:** What would you do in that situation?

**Nick Bourne:** I would not be in that situation because it is not a good idea to pass legislation 'on the drip'. If you are to transfer powers, it is more satisfactory just to make that transfer. Otherwise, it is a bit like saying that you are going to change to driving on the right-hand side of the road, beginning with buses and if that is a success, move on to taxis

yn gryf a chydabyddaf y byddwch ar eich pen eich hun yn y Blaid Lafur o ran y safbwynt hwnnw. Fodd bynnag, nid yw ond yn deg cydnabod eich bod wedi arddel y safbwynt hwnnw.

Yn sylwadau'r Prif Weinidog ynglŷn â'r ffaith nad oes cyfansoddiad Prydeinig ysgrifenedig, cyfeiriodd at 1688—adferwyd y frenhiniaeth yn 1660, y chwyldro gogoneddus a ddigwyddodd yn 1688—ond bu newid mawr yn y ffordd y mae'r cyfansoddiad Prydeinig yn gweithredu. Mae refferenda, drwy'r Blaid Lafur yn bennaf, wedi dod yn rhan arferol o benderfynu ar newidiadau cyfansoddiadol mawr. Gŵyr y Prif Weinidog, o sgysiau preifat gydag Ysgrifennydd Gwladol Cymru, fod y sefyllfa o ran refferenda wedi newid bellach. Yn wir, mae Peter Hain wedi dweud yn gyhoeddus, gan fod Prif Weinidog y DU wedi newid ei feddwl ynglŷn â chyfansoddiad yr UE, y bydd yn anodd gwrthod derbyn y galw ledled Cymru, nid oddi wrth y Ceidwadwyr yn unig, i gynnal refferendwm ar y mater allweddol hwn. Heb refferendwm, ni fydd newidiadau o'r fath yn sefydlog. Os cânt eu cyflwyno heb refferendwm, gellir eu dadwneud yn yr un ffordd yn union, a fyddai'n arwain at sefyllfa fregus ac anfodhaol.

**Owen John Thomas:** Mae comisiwn Richard wedi awgrymu y gellid trosglwyddo pwerau yn ymwneud ag addysg rywbyrd ac yna, flwyddyn yn ddiweddarach, bwerau yn ymwneud ag iechyd ac ati. A ydych yn awgrymu ein bod yn cynnal refferendwm bob 12 mis?

**Nick Bourne:** Nid wyf wedi derbyn y casgliad hwnnw. Mae eich cwestiwn yn seiliedig ar y dybiaeth fy mod yn credu bod hynny'n syniad da—ni chredaf hynny.

**Owen John Thomas:** Beth fydddech yn ei wneud mewn sefyllfa o'r fath?

**Nick Bourne:** Ni fyddwn mewn sefyllfa o'r fath am nad yw'n syniad da pasio deddfwriaeth ychydig ar y tro. Os ydych yn mynd i drosglwyddo pwerau, mwy boddhaol fyddai trosglwyddo popeth ar yr un pryd. Fel arall, mae megis dweud eich bod yn mynd i ddechrau mynnu bod cerbydau yn gyrru ar yr ochr dde o'r ffordd, drwy ddechrau gyda



a week later. If you are going to do it, then just do it. Therefore, I do not accept the premise.

3.20 p.m.

Returning to the point that I was making, the key issue is the need for a referendum—the First Minister answered a range of questions, but there were not as many key questions as he suggested. I wonder whether I sensed a slight shift of position by the First Minister in discussing the possible wordings of a referendum and how that would happen. I had previously believed that he was against a referendum. I do not know whether I saw a slight movement towards the Westminster position; he will understandably want to march hand in hand with Westminster. The position has changed. I remember Peter Hain saying that the Conservatives might as well put their placards away because there would not be a referendum on the constitution for Europe, but there will now be such a referendum; we also need one on this issue. The other important issue, which clearly affects us, is the reduction in the number of Welsh MPs. I do not wish to see that happening, but a reduction is not consequent on an increase in the number of Assembly Members. It has little or nothing to do with that. It is the shift of power that will make the call for a reduction in the number of MPs at Westminster difficult to resist.

**Rhodri Glyn Thomas:** Will you accept that any changes will not lead to a reduction of Welsh Conservative MPs in Westminster?

**Nick Bourne:** It is disappointing, but not surprising, that the deputy leader of what I thought was an important political party is able to address such important issues in such a flippant manner.

With regard to the number of MPs from Wales, it is much to do with where the power lies. Wales will find it difficult to resist the argument successfully made by Scottish and Welsh MPs that there must be a reduction in the number of Scottish MPs in Westminster because of the existence of the Scottish

bysiau ac, os yw hynny'n llwyddo, wedyn tacsis wythnos yn ddiweddarach. Os ydych yn mynd i wneud hynny, gwnewch ef. Felly, nid wyf yn derbyn y dybiaeth.

Gan ddychwelyd i'r pwynt yr oeddwn yn ei wneud, y mater allweddol yw'r angen am refferendwm—atebodd y Prif Weinidog nifer o gwestiynau, ond nid oedd cynifer o gwestiynau allweddol ag a awgrymodd. Tybed a synhwyras fod y Prif Weinidog wedi newid ei feddwl rywfaint wrth iddo drafod sut y gallai refferendwm gael ei eirio a sut y byddai hynny'n digwydd. Yr oeddwn yn meddwl cyn hynny ei fod yn erbyn refferendwm. Ni wn a oeddwn yn synhwyro rhyw newid bach yn nes at safbwynt San Steffan; mae'n ddealladwy y bydd am gadw law yn llaw â San Steffan. Mae'r sefyllfa wedi newid. Cofiaf Peter Hain yn dweud bod llawn crystal i'r Ceidwadwyr roi'r gorau i brotestio gan na fyddai refferendwm ar gyfansoddiad Ewrop, ond bwriedir cynnal y refferendwm hwn bellach; mae angen inni gael refferendwm hefyd ar y mater hwn. Y mater pwysig arall, sydd yn amlwg yn effeithio arnom, yw lleihau nifer yr ASau o Gymru. Nid wyf am weld hynny yn digwydd, ond nid oes raid wrth leihad os oes cynnydd yn nifer yr Aelodau Cynulliad. Nid oes fawr ddim cysylltiad rhwng y ddau beth. Y newid o ran pwerau fydd yn ei gwneud yn anodd gwrthod derbyn y galw i leihau nifer yr ASau yn San Steffan.

**Rhodri Glyn Thomas:** A wnewch dderbyn na fydd unrhyw newidiadau yn arwain at leihau nifer yr ASau Ceidwadol o Gymru yn San Steffan?

**Nick Bourne:** Mae'n siom, er nad yw'n syndod, fod dirprwy arweinydd plaid wleidyddol a oedd yn blaid bwysig, fe dybiwn, yn gallu ymdrin â materion mor bwysig mewn ffordd mor ysgafn.

O ran nifer yr ASau o Gymru, y prif fater yw lle y mae'r pŵer. Bydd Cymru yn ei chael yn anodd gwrthod derbyn y ddadl a roddwyd yn llwyddiannus gan ASau o'r Alban a Chymru fod yn rhaid lleihau nifer yr ASau o'r Alban yn San Steffan oherwydd bodolaeth Senedd yr Alban. Nid oedd a wnelo hynny â nifer yr

Parliament. That had nothing to do with the number of Scottish parliamentarians. Similarly, if we have a Westminster-style parliament in Wales, with primary legislative powers, it will be difficult to resist the same call, which will come from Scottish and English MPs.

**Jenny Randerson:** Do you accept that when Lord Richard presented his report, he indicated that the timescale for considering any reduction in MPs would be at least 2015? Do you also accept that given the move in England towards regional assemblies, the whole argument about the number of MPs could have moved on a considerable number of stages by then?

**Nick Bourne:** There were two parts to that question. The first part indicated that it would happen four years after the establishment of a parliament, which is not long. You seem to concede the argument that it is likely to happen, and that worries me. The timescale is a different issue, but it would only be four years after the parliament was established. We must consider the impact of that on Welsh influence at Westminster. As night follows day, it will happen. Let us wait to see what happens with the regional situation. I do not believe that there is a great groundswell of support for regional parliaments in England, and I doubt that that will happen—the Labour Party seems to have gone cold on the idea. We must keep that under review. To return to those key questions for me and my party, there will be a debate on all these issues, but our views are clear and immovable. There must be a referendum, and there would almost inevitably be a reduction in the number of Welsh MPs, which would be bad for Wales. However, let battle be joined, as has been said. There must now be a free, fair and focused debate on this issue, and there must then be a referendum where the issues can be dealt with and discussed fairly, freely and with focus.

**Michael German:** I begin by echoing the thanks that others have given to Lord Richard and to the commission as a whole. It is a feat to give up two years of the time necessary to gather so much evidence. I do not believe that there has been a report of such significance,

aelodau seneddol yn yr Alban. Yn yr un modd, os bydd senedd yng Nghymru sy'n debyg i senedd San Steffan, a chanddi bwerau deddfwriaeth sylfaenol, bydd yn anodd gwrthod derbyn yr un alwad, oddi wrth ASau o'r Alban a Lloegr.

**Jenny Randerson:** A dderbyniwch fod yr Arglwydd Richard, pan gyflwynodd ei adroddiad, wedi awgrymu na fyddai unrhyw ystyriaeth yn cael ei rhoi i leihau nifer yr ASau tan o leiaf 2015? A dderbyniwch hefyd y gallai'r ddadl ynglŷn â nifer yr ASau fod wedi datblygu gryn dipyn erbyn hynny o gofio'r symudiad yn Lloegr tuag at gynulladau rhanbarthol?

**Nick Bourne:** Yr oedd dwy ran i'r cwestiwn hwnnw. Yr oedd y rhan gyntaf yn awgrymu y byddai'n digwydd bedair blynedd ar ôl sefydlu senedd, nad yw'n amser hir. Ymddengys eich bod yn derbyn y ddadl ei bod yn debygol o ddigwydd, ac mae hynny'n achos pryder imi. Mater gwahanol yw'r amserlen, ond dim ond pedair blynedd ar ôl sefydlu senedd fyddai hynny. Rhaid inni ystyried effaith hynny ar ddylanwad Cymru yn San Steffan. Mae'n anochel y bydd yn digwydd. Gadewch inni aros i weld beth fydd yn digwydd o ran y sefyllfa ranbarthol. Ni chredaf fod cefnogaeth fawr i seneddau rhanbarthol yn Lloegr, ac mae'n amheus gennyf a fydd hynny'n digwydd—ymddengys fod y Blaid Lafur yn gwangalonni o ran hynny. Rhaid inni barhau i adolygu'r sefyllfa. Gan ddychwelyd at y cwestiynau allweddol hynny i mi a'm plaid, bydd dadl ar yr holl faterion hyn, ond mae ein barn yn glir ac yn ddi-sigl. Rhaid wrth refferendwm, a byddai'n anochel bron bod nifer yr ASau o Gymru yn lleihau, a fyddai'n beth drwg i Gymru. Fodd bynnag, fel y dywedwyd, i'r gad â ni. Rhaid cael dadl rydd, teg a phenodol ar y mater hwn, ac yna rhaid cynnal refferendwm lle y gellir ymdrin â'r materion a'u trafod yn deg ac yn rhydd, gan ganolbwyntio arnynt.

**Michael German:** Dechreuaf drwy ategu eraill sydd wedi diolch i'r Arglwydd Richard a'r comisiwn cyfan. Mae'n gamp rhoi dwy flynedd o'r amser sydd ei angen i gasglu cymaint o dystiolaeth. Ni chredaf fod adroddiad mor bwysig, o ran cryfder y

with regard to the weight of its evidence, for the last 20 years or so in Wales. We are deeply indebted to all those people who served upon the commission. We are also indebted to Lord Richard for the way in which he has led the report and reached a conclusion to which he had the signatures of all the commissioners.

The Welsh Liberal Democrats were comfortable with the outcome of the report, which, in general, matched the evidence that we gave to the commission. The most conclusive statement that I have heard—from all that has been said by the commission in recent weeks—was that made by Ivor Richard last Friday, when he said that this present settlement cannot stand. That is where we, and most Members of the National Assembly, now believe we have reached—we are at a point where we need to establish a different settlement. I think that we are all agreed that the debate will centre on the nature of that different settlement. Some of us like to think that the debate will lead us to a terminus, to a point where we will have more or less settled the issue of governance in Wales. However, the reality is that this will take some skilful negotiation and discussion over time. The solution that we eventually reach must, surely, be one that will stand the test of time and not re-emerge.

The commission has provided a coherent set of proposals. I believe, as does Ieuan Wyn Jones, that the commission has hedged a few of its bets on the issue of tax varying powers, but a coherent set of evidence has led to a coherent set of proposals—they hang together. The commission has also provided a clear timetable of when it sees that these issues could be implemented, and a progression indicator. That indicator seems to be important in the process of change that we must have. Richard suggests Henry VIII powers from the next general election onwards. In other words, Parliament would pass every piece of legislation with an enabling piece of legislation that would allow us the freedom to operate in the areas in which we already have devolution. It seems to me that this would, rather sensibly, give us the opportunity to get used to handling primary legislation and progress through the

dystiolaeth, wedi cael ei gyhoeddi yng Nghymru ers tua 20 mlynedd. Mae dyled fawr iawn arnom hefyd i'r bobl hynny a fu'n aelodau o'r comisiwn. Mae dyled arnom hefyd i'r Arglwydd Richard am y ffordd y mae wedi arwain yr adroddiad ac wedi dod i gasgliad y llwyddodd i gael llofnod pob comisiynydd arno.

Yr oedd Democratiaid Rhyddfrydol Cymru yn fodlon ar ganlyniad yr adroddiad, a oedd, yn gyffredinol, yn cyfateb â'r dystiolaeth a roddwyd gennym i'r comisiwn. Y datganiad mwyaf pendant a glywais—o blith yr holl bethau y mae'r comisiwn wedi'i ddweud yn ystod yr wythnosau diwethaf—oedd datganiad Ivor Richard ddydd Gwener diwethaf, pan ddywedodd na ellir parhau â'r setliad cyfredol. Dyna sut y saif pethau yn ein barn ni ac ym marn y rhan fwyaf o Aelodau'r Cynulliad Cenedlaethol—yr ydym wedi cyrraedd sefyllfa lle mae angen inni sefydlu setliad gwahanol. Credaf fod pob un ohonom yn cytuno y bydd y ddadl yn canolbwyntio ar natur y setliad gwahanol hwnnw. Hoffai rhai ohonom feddwl y bydd y ddadl yn ein harwain at ben taith, lle y byddwn fwy neu lai wedi penderfynu mater llywodraethu yng Nghymru unwaith ac am byth. Fodd bynnag, y gwir amdani yw y bydd hyn yn gofyn negodi medrus a thrafodaeth dros amser. Rhaid i'r ateb a gawn yn y pen draw fod yn ateb a fydd yn goroesi ac na fydd yn codi eto.

Mae'r comisiwn wedi paratoi cyfres resymegol o gynigion. Credaf, fel y gwna Ieuan Wyn Jones, fod y comisiwn wedi osgoi rhoi ateb pendant o ran pwerau i amrywio trethi, ond mae cyfres resymegol o dystiolaeth wedi arwain at gyfres resymegol o gynigion—maent yn gyson. Mae'r comisiwn hefyd wedi cynnig amserlen glir yn nodi pryd y cred y gellid gweithredu'r materion hyn, ac wedi awgrymu dilyniant. Ymddengys fod hynny'n bwysig yn y broses newid y mae'n rhaid inni ei chyflwyno. Mae Richard yn awgrymu pwerau Harri'r VIII o'r etholiad cyffredinol nesaf ymlaen. Mewn geiriau eraill, byddai'r Senedd yn pasio pob darn o ddeddfwriaeth gyda darn o ddeddfwriaeth alluogi a fyddai'n caniatáu inni weithredu yn y meysydd a ddatganolwyd inni eisoes. Ymddengys imi y byddai hyn yn rhoi cyfle inni ddod yn gyfarwydd â thrin deddfwriaeth sylfaenol a dysgu'r gwersi y byddai hynny yn ei olygu,

learning process that that would mean. It would also mean that we are two Assembly elections away from having full powers passed to us in 2011.

As my colleague, Jenny Randerson, has pointed out, this would not mean that we would immediately have to deal with the issue of whether there should be more or fewer MPs. That would not be until well into the next decade. We hope that some of those who have contributed to Westminster's work in scrutinising and developing primary legislation might consider a career here. It is a mystery to me why people who come here want to move away, rather than people moving in the other direction. I hope that, in the future, we will see people wanting to be elected to the National Assembly—I am not talking about the First Minister, I am talking about present Members who have never been in the other place.

One matter that the commission has missed out, which I have raised with the First Minister during Assembly questions, is the issue of borrowing powers. The Northern Ireland Assembly, when it was sitting, was able to apply to the Chancellor of the Exchequer for the power to borrow. The argument about being able to find appropriate resources to do what you want to do could have been answered by a recommendation from Ivor Richard that we should be granted those powers—a power that is also denied to the Scottish Parliament. Sometimes, as an alternative to private finance initiatives and straightforward funding from our own resources, borrowing to invest is an important issue.

I understand the point that the First Minister made about the importance of a role for Members of Parliament. It is an important role, but I do not see it in the same way as the First Minister. The Richard commission talks about more use of Sewel motions, which would give us in the National Assembly the opportunity to say that we would like Westminster to legislate for us. Also, there are bound to be a huge number of reserved power matters that will affect England and Wales that will require the scrutiny of Members of Parliament. I saw that as a clear distinction, not quite as blurred as the First Minister

sy'n gwneud synnwyr. Byddai hefyd yn golygu y byddai dau etholiad Cynulliad arall cyn i bwerau llawn gael eu rhoi inni yn 2011.

Fel y nododd fy nghyd-Aelod, Jenny Randerson, ni fyddai hyn yn golygu y byddai'n rhaid inni ymdrin ar unwaith â'r mater o ran pa un a ddylid cynyddu neu leihau nifer yr ASau. Ni fyddai'n rhaid penderfynu ar hynny tan ganol y degawd nesaf. Ein gobaith ni yw y byddai rhai o'r aelodau sydd wedi cyfrannu at waith San Steffan yn datblygu a chraffu ar ddeddfwriaeth sylfaenol yn ystyried gyrfa yma. Mae'n ddirlgelwch imi pam mae pobl sy'n dod yma am symud oddi yma, yn hytrach na phobl yn symud i'r cyfeiriad arall. Gobeithiaf, yn y dyfodol, y byddwn yn gweld pobl sydd am gael eu hethol i'r Cynulliad Cenedlaethol—nid sôn am y Prif Weinidog yr wyf, ond am yr Aelodau presennol na fu erioed yn y lle arall.

Un mater nad yw'r comisiwn wedi'i drafod, a godais gyda'r Prif Weinidog yn ystod cwestiynau'r Cynulliad, yw pwerau benthyg. Yr oedd Cynulliad Gogledd Iwerddon, pan oedd yn eistedd, yn gallu gwneud cais i Ganghellor y Trysorlys am y pŵer i fenthyg. Gellid bod wedi ateb y ddatl ynglŷn â'r gallu i ddod o hyd i adnoddau priodol i wneud yr hyn yr ydych am ei wneud pe bai argymhelliad gan Ivor Richard y dylid rhoi'r pwerau hynny inni—pŵer nad oes gan Senedd yr Alban ychwaith. Weithiau, yn lle mentrau cyllid preifat ac ariannu o'n hadnoddau ein hunain, mae benthyca i fuddsoddi yn fater pwysig.

Deallaf y pwynt a wnaed gan y Prif Weinidog ynglŷn â phwysigrwydd rôl i Aelodau Seneddol. Mae'n rôl bwysig, ond nid wyf yn cyd-weld â'r Prif Weinidog yn hynny o beth. Mae comisiwn Richard yn sôn am wneud mwy o ddefnydd o gynigion Sewel, a fyddai'n rhoi cyfle inni yn y Cynulliad Cenedlaethol ddweud ein bod am i San Steffan ddeddfu ar ein rhan. Hefyd, yr wyf yn siŵr y bydd llu o faterion yn ymwneud â phwerau a gadwyd yn ôl a fydd yn effeithio ar Gymru a Lloegr y bydd gofyn i'r Aelodau Seneddol graffu arnynt. I mi, gwahaniaethwyd rhwng hynny yn amlwg, ac nid oedd mor annelwig ag a

mentioned in his opening remarks.

ddywedodd y Prif Weinidog yn ei sylwadau agoriadol.

I support the First Minister on his views on referenda. What we have heard today is not inconsistent with what we have heard in the past. We do not need to consider a referendum on powers, but if we were to consider the issue of tax varying powers, in a broader context, then a referendum would be needed.

Cefnogaf farn y Prif Weinidog ynglŷn â refferenda. Nid yw'r hyn a glywsom heddiw yn anghyson â'r hyn a glywsom yn y gorffennol. Nid oes angen inni ystyried refferendwm ar bwerau, ond pe baem yn ystyried pwerau i amrywio trethi, o fewn cydestun ehangach, yna byddai angen refferendwm.

3.30 p.m.

**David Melding:** I am interested to hear what you have to say, because earlier you said that this is an opportunity for a new settlement. 'Settlement' seems to me a profound word: it is not an adjustment. If we propose a new settlement, then surely we must return to the people of Wales.

**David Melding:** Mae'r hyn a ddywedasoeh yn ddiddorol imi, oherwydd yn gynharach, dywedasoeh fod hwn yn gyfle am setliad newydd. Mae 'setliad' i mi yn ymddangos yn air dwys: nid addasiad mohono. Os cynigiwn setliad newydd, yna rhaid inni fynd yn ôl at bobl Cymru.

**Michael German:** I return to Ivor Richard's own words, which were that the present settlement cannot stand. In other words, the current settlement must be revised. In relation to the nature of its revision, we have already had a referendum in which law-making powers were discussed. However, we have not had a referendum on the issue that was put before the Scottish people, namely tax-varying powers; on that matter I agree with the First Minister.

**Michael German:** Dychwelaf at eiriau Ivor Richard ei hun, sef na ellir parhau â'r setliad presennol. Mewn geiriau eraill, rhaid diwygio'r setliad cyfredol. O ran natur y diwygiad iddo, yr ydym eisoes wedi cynnal refferendwm lle y trafodwyd pwerau i ddeddfu. Fodd bynnag, nid ydym wedi cynnal refferendwm ar y mater a roddwyd gerbron pobl yr Alban, sef pwerau i amrywio trethi; ar y mater hwnnw cytunaf â'r Prif Weinidog.

**Kirsty Williams:** The Conservative Party's position on the need to hold a referendum is slightly confused. My study of Conservatism suggests that Conservatives hold Parliament to be sovereign and, therefore, it is Parliament that makes the decisions, and not referenda. Perhaps parliaments are only sovereign when they are Conservative.

**Kirsty Williams:** Mae safbwynt y Blaid Geidwadol ynglŷn â'r angen i gynnal refferendwm braidd yn ddryslyd. Yn ôl fy astudiaeth o Geidwadaeth mae Ceidwadwyr yn credu mai'r Senedd sydd oruchaf ac, felly, mai'r Senedd sy'n gwneud y penderfyniadau, ac nid refferenda. Efallai mai dim ond seneddau Ceidwadol sydd oruchaf.

**Michael German:** Referenda come and referenda go, and, although it has become almost a favourite sport in terms of strengthening one's position, they can also become a rod for one's own back. In my view, it is a tool that should be used sparingly and, when it is used, it should be used to determine on major issues. I do not see the split between the two issues touched on by the First Minister as being a major one, and so I agree with you; I find the Conservatives' position on a referendum strange. If it is a

**Michael German:** Mae refferenda yn mynd a dod, ac er ei fod wedi mynd yn ddewis ddull o gryfhau eich sefyllfa, weithiau yr ydych yn torri ffon i'ch curo eich hun. Yn fy mam i, mae'n ddull y dylid gwneud defnydd prin ohono a, phan y'i defnyddir, dylid ei ddefnyddio i benderfynu ar faterion pwysig. Ni welaf fod y rhaniad rhwng y ddau fater a grybwyllwyd gan y Prif Weinidog yn un pwysig, ac felly cytunaf â chi; mae safbwynt y Ceidwadwyr ar y refferendwm yn rhyfedd yn fy mam i. Fodd bynnag, os mai pwerau i

matter of tax-varying powers, however, then I would agree with them.

The First Minister is right to address the key issue of scrutiny. It is the central issue emerging in the debate that follows the Richard report. One need only read between the lines to see the Richard commission's thinly disguised criticism of our current scrutinising capacity. We consistently criticise the present Assembly Government for moving away from a fortnightly cycle of committee meetings and on the lack of business in Plenary sessions on occasion. We are also criticised—and we are all responsible for this—for the extra week of Easter recess that we had compared to the UK Parliament. The campaign for greater powers must acknowledge that with greater power comes greater responsibility, and a greater need for scrutiny. I do not believe that Members will argue for a Parliament here for the sake of it: a senate with primary law-making powers means that we can do more for the people of Wales. However, that power needs the true checks and balances that come with a proper Parliament. If six Bills are proposed each year, then they must be scrutinised—if the Government did not think that six Bills were worthy of being proposed, then it would not take on six Bills a year. If you propose six Bills a year, then you need analysis within the unicameral system. That means line-by-line and clause-by-clause scrutiny of the proposed Bills. The greater scrutiny work that would need to be done means that Members would have to put in more time. It is not a difficult to calculate the amount of time needed to scrutinise a Bill clause by clause and multiply it by six. We must ensure that we do that calculation so that we know that, when talk about the need to increase the number of Members, as Richard proposes, we do so the basis of evidence that has he has heard in Wales and from Westminster, Scotland and Northern Ireland.

We must reassure the people of Wales that hand in hand with a need for greater powers goes consideration of the use of the parliamentarians' time to ensure that they do their job well and do not let the Government off the hook for bad decisions. Bad scrutiny leads to bad decisions. All Governments

amrywio trethi sydd dan sylw, yna cytunaf â hwy.

Mae'r Prif Weinidog yn llygad ei le i fynd i'r afael â chraffu. Hwn yw'r mater canolog a ddaw i'r amlwg yn y ddadl yn sgîl adroddiad Richard. Nid oes angen ond darllen rhwng y llinellau i ddirnad beirniadaeth lled-amlwg comisiwn Richard o'n gallu presennol i graffu ar deddfwriaeth. Yr ydym bob amser yn beirniadu Llywodraeth bresennol y Cynulliad am symud i ffwrdd oddi wrth gylch pythefnos o gyfarfodydd pwyllgor a'r ffaith nad oes llawer o fusnes yn y Cyfarfodydd Llawn ar brydiau. Cawn ein beirniadu hefyd—ac mae pob un ohonom yn gyfrifol am hyn—am yr wythnos ychwanegol a gawsom dros doriad y Pasg o gymharu â Senedd y DU. Rhaid i'r ymgyrch dros fwy o bwerau gydnabod, y daw mwy o gyfrifoldeb ochr yn ochr â phŵer, a mwy o angen am graffu. Ni chredaf y bydd Aelodau yn dadlau dros Senedd yma er mwyn cael senedd yn unig: mae senedd ac iddi bwerau deddfwriaeth sylfaenol yn golygu y gallwn wneud rhagor dros bobl Cymru. Fodd bynnag, o gael y pŵer hwnnw mae angen y gwir rwystrau a gwrthbwysau a geir mewn Senedd wirioneddol. Os cynigir chwe Mesur bob blwyddyn, yna rhaid craffu arnynt—os na chredai'r Llywodraeth fod chwe Mesur teilwng i'w cynnig, yna ni fyddai'n ceisio cyflwyno chwe Mesur y flwyddyn. Os cynigiwch chwe Mesur y flwyddyn, yna rhaid wrth ddadansoddi mewn system un siambr. Mae hynny'n golygu craffu ar y Mesurau a gynigir fesul llinell, fesul cymal. Oherwydd y gwaith craffu ychwanegol y byddai angen ei wneud, byddai'n rhaid i'r Aelodau neilltuo mwy o amser. Nid yw'n anodd cyfrifo faint o amser sydd ei angen i graffu ar Fesur fesul cymal a'i luosi gan chwech. Rhaid inni sicrhau ein bod yn cyfrifo hynny er mwyn inni wybod, pan fyddwn yn sôn am yr angen i gynyddu nifer yr Aelodau, fel y cynigia Richard, ein bod yn gwneud hynny ar sail tystiolaeth a glywodd yng Nghymru a chan San Steffan, yr Alban a Gogledd Iwerddon.

Rhaid inni dawelu meddyliau pobl Cymru bod ystyriaeth o'r defnydd a wneir o amser seneddwyr i sicrhau eu bod yn gwneud eu gwaith yn dda ac yn dwyn y Llywodraeth i gyfrif am unrhyw benderfyniadau gwael yn mynd law yn llaw â'r angen am fwy o bwerau. Mae craffu gwael yn arwain at

know that the benefit of scrutiny is that, although it may put them in the embarrassing position of having to answer too often, it is frequently able to highlight technical issues that have not been spotted elsewhere. Exercise of scrutiny obviously requires that more Members represent Wales at the Assembly. I know that having more politicians is not popular—no-one expects it to be—but if we explain it in the context of what we can do for Wales, then it would be easier to comprehend.

Some say that constitutional issues and debates are a minority sport. I admit that they are, but that is when only the rulebook is under discussion. We, however, are discussing real changes that could affect people's lives. They affect the Assembly's ability to set class-size limits, to set up a passenger transport authority, to make St David's Day a public holiday, to alter the structure of town and community councils, and to improve the quality of tourism standards in Wales. The National Assembly has sought the power to achieve all of those, and we have agreed that we want to do those things. All have been rejected in one way or another, or have been postponed because of a lack of parliamentary time in Westminster or a lack of Whitehall commitment. The Richard commission has provided us with a road of opportunity for the people of Wales, and we cannot, therefore, turn away from it.

**Peter Law:** It is interesting to have this opportunity to debate this important document, and I join other speakers in paying tribute to the members of the Richard commission for the work that they have done. I was somewhat cynical at the beginning, because the commission came about as a result of the Lib-Lab agreement in the Assembly, but an immense amount of work has been done, and we need to take note of it. There was never any call or appetite within my party in 1999-2000 for any sort of commission as far as the Assembly was concerned. However, the report is now before us, and we should take note of it.

Whatever happens in the future, only the

benderfyniadau gwael. Gŵyr pob Llywodraeth mai mantais craffu yw, er y gall arwain at y sefyllfa annifer o orfodi'r Llywodraeth i roi atebion yn rhy aml, ei fod yn aml yn gallu amlygu materion technegol na sylwyd arnynt rywle arall. Mae'n amlwg bod gwaith craffu yn ei gwneud yn ofynnol i gael mwy o Aelodau sy'n cynrychioli Cymru yn y Cynulliad. Gwn nad yw awgrym y dylid cael mwy o wleidyddion yn boblogaidd—nid oes neb yn disgwyl hynny—ond os esboniwn ef yng nghyd-destun yr hyn y gallwn ei wneud dros Gymru, yna byddai'n haws ei ddeall.

Dywed rhai mai dim ond nifer fach o bobl sy'n ymddiddori mewn materion a dadleuon cyfansoddiadol. Cyfaddefaf fod hynny'n wir, ond dim ond os mai'r gyfundrefn yn unig sydd o dan drafodaeth. Fodd bynnag, yr ydym yn trafod newidiadau gwirioneddol a allai effeithio ar fywydau pobl. Maent yn effeithio ar allu'r Cynulliad i bennu terfynau maint dosbarthiadau, sefydlu awdurdod trafniadaeth teithwyr, gwneud Dydd Gŵyl Dewi yn ŵyl gyhoeddus, newid strwythur cynghorau cymuned a thref, a chodi safonau twristiaeth yng Nghymru. Mae'r Cynulliad Cenedlaethol wedi gofyn am y pŵer i gyflawni pob un o'r rhain, ac yr ydym wedi cytuno ein bod am wneud y pethau hynny. Gwrthodwyd pob un rywsut neu'i gilydd, neu fe'u gohiriwyd oherwydd prinder amser seneddol yn San Steffan neu ddiffyg ymrwymiad yn Whitehall. Mae comisiwn Richard wedi dangos inni lwybr o gyfleoedd i bobl Cymru, ac felly ni allwn droi oddi arno.

**Peter Law:** Mae'n ddiddorol cael y cyfle hwn i drafod y ddogfen bwysig hon, ac ymunaf â siaradwyr eraill i dalu teyrnged i aelodau comisiwn Richard am y gwaith a wnaed ganddynt. Yr oeddwn braidd yn sinigaidd ar y dechrau, gan fod y comisiwn wedi'i sefydlu o ganlyniad i gytundeb rhwng Llafur a'r Democratiaid Rhyddfrydol yn y Cynulliad, ond gwnaethpwyd llawer iawn o waith, ac mae angen inni roi sylw iddo. Nid oedd unrhyw awydd na galw yn fy mhlaidd yn 1999-2000 am unrhyw fath o gomisiwn o ran y Cynulliad. Fodd bynnag, mae'r adroddiad ger ein bron yn awr, a dylem roi sylw iddo.

Beth bynnag fydd yn digwydd yn y dyfodol,

Labour Party will deliver—there is no doubt about that. It was the Labour Party that gave us the National Assembly in which we sit today. I like to remind people of that, and we should bear it in mind. I have been impressed over the last year or so by the way in which more powers have been devolved from Westminster to the Assembly. I say that as one who was a beleaguered Minister for local government in the early years, who was not on the radar—as we used to put it—as far as Westminster was concerned, and who had to stand in front of the Chamber on several occasions to try to explain why we had been ignored. Thankfully, we have moved on a long way. That speaks to the rapport that has developed between the Welsh Assembly Government and the Westminster Government.

We need to listen to each other today, and I have been doing that. We also need to refine our arguments for our party debates. I look forward to the party debate that we will have in the Labour Party later this year, when we will come to a conclusion on this. I do not intend to die on the ramparts for anything other than for the fact that I believe in devolution and that we have a framework here with which we can move forward to some extent.

I have considered the recommendations, and I find myself broadly in agreement with chapter 13, because I believe that we are achieving more devolution on a monthly or yearly basis. We have three Bills in the last Queen's Speech which have given us powers. It may well be possible for us to achieve the new model framework of devolution outlined in box 13.2 in conjunction with Westminster in reasonable discussions over a reasonable period. I believe that the Assembly between 2011 to 2015 would be about the right time for us to receive these powers. I have no difficulty with that.

Whether there should be a referendum is a matter on which we will come to a conclusion, I suppose, within our parties. I tend to agree to some extent with the First Minister that there is not so much concern about the powers as about extra Members

dim ond y Blaid Lafur fydd yn ei gyflawni—nid oes amheuaeth am hynny. Y Blaid Lafur a roddodd inni y Cynulliad Cenedlaethol lle yr ydym yn eistedd heddiw. Yr wyf yn hoffi atgoffa pobl am hynny, a dylem gadw hynny mewn cof. Mae'r ffordd y mae rhagor o bwerau wedi cael eu datganoli o San Steffan i'r Cynulliad dros y flwyddyn neu ddwy ddiwethaf wedi gwneud argraff arnaf. Dywedaf hynny fel aelod a oedd yn Weinidog dros lywodraeth leol a oedd yn wynebu pob math o drafferthion yn ystod y blynyddoedd cynnar, nad oedd ar y radar—fel yr arferwn ei ddweud—o ran San Steffan, ac a oedd yn gorfod sefyll o flaen y Siambr sawl tro i geisio esbonio pam yr oeddem wedi cael ein hanwybyddu. Diolch byth, yr ydym wedi datblygu llawer ers hynny. Mae hynny'n arwydd o'r berthynas sydd wedi datblygu rhwng Llywodraeth Cynulliad Cymru a Llywodraeth San Steffan.

Mae angen inni wrando ar ein gilydd heddiw, ac yr wyf wedi bod yn gwneud hynny. Mae angen inni hefyd fireinio ein dadleuon ar gyfer y dadleuon o fewn ein pleidiau. Edrychaf ymlaen at y ddadl plaid y bydd y Blaid Lafur yn ei chynnal yn ddiweddarach eleni, pan fyddwn yn dod i gasgliad ar hyn. Ni fwriadaf ymladd i'r eithaf dros unrhyw beth heblaw'r ffaith fy mod yn credu mewn datganoli a bod gennym fframwaith yma lle y gallwn symud yn ein blaenau i ryw raddau.

Yr wyf wedi ystyried yr argymhellion, a chytunaf yn fras â phennod 13, gan fy mod yn credu bod mwy yn cael ei ddatganoli inni yn fisol neu'n flynyddol. Bu tri Mesur yn Araith y Frenhines y llynedd sydd wedi rhoi pwerau inni. Efallai y bydd yn eithaf posibl inni sicrhau'r fframwaith model newydd o ddatganoli a amlinellir ym mlwch 13.2 mewn cydweithrediad â San Steffan mewn trafodaethau rhesymol dros gyfnod rhesymol. Credaf y byddai'r Cynulliad rhwng 2011 a 2015 yn adeg briodol inni gael y pwerau hyn. Nid anghytunaf â hynny.

Mae pa un a ddylid cynnal refferendwm yn fater y byddwn yn dod i gasgliad yn ei gylch, fe dybiaf, o fewn ein pleidiau. Tueddaf i gytuno i ryw raddau â'r Prif Weinidog nad oes cymaint o bryder ynglŷn â'r pwerau ag sydd am Aelodau ychwanegol ac, yn sicr, am



and, certainly, about the election system. However, we shall see. I am not ruling that out, and I am not ruling it in.

I will not, however, compromise on a reduction in Members of Parliament for Wales. I would certainly want to retain the 40 Members of Parliament, because, whatever happens here, there will always be matters—foreign affairs, the Treasury, the Home Office, Europe, work and pensions, defence, justice and courts and so on—which will probably not be devolved to us. We will not be following the Scottish model, and I doubt whether we will have tax-raising powers. Therefore, we need those Members of Parliament fighting for us, and it would be wrong and not in the interests of Wales to reduce the number of MPs.

3.40 p.m.

I do not believe that we have much chance of convincing the electorate that the number of Assembly Members should be increased to 80. Whatever the good reasons for that, people are fed up of meeting themselves coming back from elections, and I believe that they feel that another 20 Assembly Members could not be justified. That is probably a reasonable approach. We could probably deal with the workload, and if we have to sit a little longer, we may have to face that. We will need to take those issues into account when we deal with remuneration, terms of service, and so on, but that is better than adding another 20 Members. I will wait to hear what some of my constituency colleagues and party members say, but I cannot see that proposal getting much support.

I could never agree to the electoral system that is recommended in the report, because proportional representation is a perversion of democracy. The single transferable vote scheme that is suggested in the report—

**Ieuan Wyn Jones:** Are you really suggesting that? You know that in 1999 the Labour Party got 37 per cent of the popular vote in Wales, and in the last election 38 per cent, but that does not correspond to its number of seats.

y system ethol. Fodd bynnag, cawn weld. Nid wyf yn dweud yn bendant na chefnogaf hynny, ac nid wyf yn dweud fy mod yn gefnogol.

Fodd bynnag, ni fyddaf yn cyfaddawdu o ran lleihau nifer yr Aelodau Seneddol dros Gymru. Byddwn yn sicr am gadw'r 40 Aelod Seneddol, oherwydd, beth bynnag a ddigwydd yma, bydd materion o hyd—materion tramor, y Trysorlys, y Swyddfa Gartref, Ewrop, gwaith a phensiynau, amddiffyn, cyfiawnder a llysoedd ac ati—na chânt eu datganoli inni yn ôl pob tebyg. Ni fyddwn yn dilyn model yr Alban, ac ni chredaf y bydd gennym bwerau i godi trethi. Felly mae angen yr Aelodau Seneddol hynny arnom i frwydro drosom, ac ni fyddai'n briodol nac er budd Cymru i leihau nifer yr ASau.

Ni chredaf fod gennym fawr o obaith o argyhoeddi'r etholwyr y dylid cynyddu nifer yr Aelodau Cynulliad i 80. Beth bynnag fo'r rhesymau da dros hynny, mae pobl wedi diflasu ar fynd i bleidleisio byth a hefyd, a chredaf eu bod yn teimlo na ellid cyfiawnhau 20 o Aelodau Cynulliad eraill. Mae'n debyg bod hynny'n eithaf rhesymol. Gallem ymdopi â'r llwyth baich siŵr o fod, ac os oes rhaid inni eistedd ychydig yn hwyrach, efallai y byddwn yn gorfod wynebu hynny. Bydd angen inni ystyried y materion hynny pan fyddwn yn trafod cydnabyddiaeth, amodau gwasanaeth ac ati, ond mae hynny'n well nag ychwanegu 20 Aelod arall. Byddaf yn aros i glywed yr hyn sydd gan rai o'm cyd-aelodau yn fy etholaeth ac aelodau'r blaid i'w ddweud, ond ni allaf weld y bydd llawer o gefnogaeth i'r cynnig hwnnw.

Ni allwn byth gytuno ar y system ethol a argymhellir yn yr adroddiad, oherwydd mae cynrychiolaeth gyfrannol yn gwyrdroi democratiaeth. Mae cynllun y bleidlais sengl drosglwyddadwy a awgrymir yn yr adroddiad—

**Ieuan Wyn Jones:** A ydych yn awgrymu hynny o ddifrif? Fe wyddoch fod y Blaid Lafur yn 1999 wedi cael 37 y cant o'r bleidlais yng Nghymru, ac yn yr etholiad diwethaf cafodd 38 y cant, ond nid yw

What is so good about the old system? It distorts democracy.

**Peter Law:** The old system is respected by the people of Britain. It is a traditional system that has lasted for hundreds of years. It is respected because it provides a clear, certain winner—the first past the post—and it does not give minority parties the opportunity to come through the back door and to get into power in the way that you do. That is why I will be against this.

**Jenny Randerson:** First, I will correct you: this system has not lasted for hundreds of years. Gradually, throughout the early years of the twentieth century, we had changes to legislation that introduced a democracy, such as it is, in Britain. You say that the public respect the system. How is that borne out by the falling numbers of people voting at every election?

**Peter Law:** There are falling numbers of people voting at elections whatever system you use; I do not know why you should single out first past the post. That is typical of how you Liberal Democrats like to pervert the realities of a situation. What is in this report is a happy hunting ground for minority parties. We are looking at a hotch-potch patchwork that takes away the identity of Members in their constituencies. We are not only talking about a possible extra 20 Members—

**Helen Mary Jones** *rose*—

**The Presiding Officer:** Order. I have allowed for several interesting interventions, and you have had six and a half minutes in which to speak, Peter.

**Peter Law:** As much as I have great respect and admiration for my colleague, Irene James, I do not want to see Blaenau Gwent and Islwyn joined up into one constituency for STV purposes. It would mean that we would be taken further away from the people that we represent. I do not believe in it and I will never support proportional representation. Many of my people do not believe in it either, because it is the back door for people who fail

hynny'n cyfateb i nifer y seddi sydd ganddi. Pam y mae'r hen system mor dda? Mae'n ystumio democratiaeth.

**Peter Law:** Mae pobl Prydain yn parchu'r hen system. Mae'n system draddodiadol sydd wedi goroesi ers canrifoedd. Fe'i perchir am ei bod yn arwain at enillydd sicr, pendant—y cyntaf i'r felin—ac nid yw'n rhoi cyfle i bleidiau lleiafrifol gael grym drwy'r drws cefn a chael grym yn y ffordd yr ydych chi yn ei wneud. Dyna pam y byddaf yn gwrthwynebu hyn.

**Jenny Randerson:** Yn gyntaf, hoffwn gywiro'r hyn a ddywedasoch: nid yw'r system hon wedi goroesi ers canrifoedd. Yn raddol, yn ystod blynyddoedd cynnar yr ugeinfed ganrif, bu newidiadau deddfwriaethol a esgorodd ar ddemocratiaeth, fel y mae, ym Mhrydain. Yr ydych yn dweud bod y cyhoedd yn parchu'r system. Sut y gellir cyfiawnhau hynny o ystyried bod nifer y bobl sy'n pleidleisio yn mynd yn llai ymhob etholiad?

**Peter Law:** Mae nifer y bobl sy'n pleidleisio mewn etholiadau yn gostwng pa system bynnag a ddefnyddir; ni wn pam yr ydych wedi beirniadu system y cyntaf i'r felin. Mae hynny'n nodweddiadol o'r ffordd yr ydych chi Ddemocratiaid Rhyddfrydol yn hoffi gwyrddroi'r wir sefyllfa. Mae'r hyn sydd yn yr adroddiad hwn yn baradwys i bleidiau lleiafrifol. Yr hyn a ddisgwyliwn yw rhyw glytwaith sy'n cael gwared ar hunaniaeth Aelodau yn eu hetholaethau. Nid ydym yn sôn am 20 Aelod ychwanegol yn unig—

**Helen Mary Jones** *a gododd*—

**Y Llywydd:** Trefn. Yr wyf wedi caniatáu sawl ymyriad diddorol, ac yr ydych wedi cael chwe munud a hanner i siarad, Peter.

**Peter Law:** Er cymaint fy mharch a'm hedmygedd tuag at fy nghyd-aelod, Irene James, nid wyf am weld Blaenau Gwent ac Islwyn yn cael eu huno'n un etholaeth at ddibenion system y bleidlais drosglwyddadwy. Byddai'n golygu y byddai mwy o bellter rhyngom ni a'r bobl yr ydym yn eu cynrychioli. Ni chredaf yn hynny ac ni chefnogaf byth gynrychiolaeth gyfrannol. Mae llawer o bobl yn fy etholaeth o'r un farn

at the front door, and minority parties in the Assembly know that.

hefyd, am mai dyna'r drws cefn i bobl sydd wedi methu â dod drwy'r drws ffrynt, a gŵyr pleidiau lleiafrifol yn y Cynulliad hynny.

*Daeth y Dirprwy Lywydd i'r Gadair am 3.43 p.m.  
The Deputy Presiding Officer took the Chair at 3.43 p.m.*

**Rhodri Glyn Thomas:** Ymatebaf ar unwaith i sylwadau Peter Law a chroesawu'r sylwadau hynny yn yr ysbryd y cawsant eu cyflwyno, o ran ei ymateb i gomisiwn Richard a'i barodrwydd i edrych yn wrthrychol ar y sefyllfa. Yn anffodus, mae gwrthrychedd Peter yn tueddu i ddiflannu unwaith y caiff y Democratiaid Rhyddfrydol eu dwyn i fewn i'r drafodaeth. Felly, anwybyddwn ddiwedd ei araith.

**Rhodri Glyn Thomas:** I will respond immediately to Peter Law's comments and welcome those comments in the spirit in which they were made, in the context of his response to the Richard commission and his willingness to look objectively at the situation. Unfortunately, Peter's objectivity seems to disappear once the Liberal Democrats enter the debate. Therefore, we will ignore the end of his speech.

Yr wyf am ymateb i ddau bwynt sylfaenol a wnaeth—yn ei araith ac yn yr ymyriad yn gynharach. Mae wedi sôn am yr hyn sy'n dderbyniol i'r Blaid Lafur ac mai mater i'r Blaid Lafur yw hyn. Gobeithaf ein bod wedi dysgu'r wers o refferendwm 1997 a'r hyn a ddigwyddodd yn yr Alban cyn y refferendwm hwnnw o'i gymharu â'r hyn a ddigwyddodd yng Nghymru. Gobeithaf y bydd y Prif Weinidog yn cytuno mai'r diffyg mawr yng Nghymru oedd nad oedd trafodaeth gyhoeddus gynhwysfawr ar ddatganoli yng Nghymru cyn 1997. Nid oedd confensiwn yn bodoli yng Nghymru lle yr oedd y gwahanol bleidiau a mudiadau wedi dod at ei gilydd i drafod datganoli ac i gyflwyno gerbron San Steffan ddarlun clir o'r hyn yr oeddent ei eisiau o ran datganoli yng Nghymru.

I will pick up on two fundamental points that he made—in his speech and in his earlier intervention. He has talked about what is acceptable to the Labour Party and said that this is a matter for the Labour Party. I hope that we have learnt the lesson of the 1997 referendum and what happened in Scotland before that referendum, compared to what happened in Wales. I hope that the First Minister would agree that the great weakness in Wales was that there was no comprehensive public debate on devolution in Wales prior to 1997. No convention existed in Wales whereby all the different parties and organisations collectively discussed devolution and presented Westminster with a clear picture of what they wanted in terms of devolution in Wales.

Pe baem wedi cael hynny efallai y byddai'r sefyllfa a wynebwn yng Nghymru yn awr yn dra gwahanol. Mae'n bosibl y byddem yn yr un sefyllfa ag y mae'r Alban ynddi erbyn hyn pe baem wedi cael trafodaeth gyhoeddus yn y lle cyntaf, a phe bai Cymru wedi cael ymateb unedig i ddatganoli. Yr hyn a gafwyd, fodd bynnag, oedd trafodaeth fewnol o fewn y Blaid Lafur, a cheisiodd Ysgrifennydd Gwladol Cymru ar y pryd, Ron Davies, lunio Mesur a fyddai'n dderbyniol i'r Blaid Lafur. Arweiniodd hynny at Ddeddf Llywodraeth Cymru 1998. Credaf fod yr elfen gynhwysol a ddatblygodd o ran y pwnc hwn, sydd i'w weld yn glir yn y drafodaeth hon heddiw, yn deillio o'r seithuctod yr ydym oll yn ei deimlo o geisio ymdrin â'r Ddeddf honno. Y mae'n anodd gwybod beth sydd wedi ei ddatganoli a

If that had occurred, perhaps the situation that we now face in Wales would be very different. It is possible that we would be in the same situation as Scotland had a public debate been held in the first place, and had there been a unified response to devolution in Wales. What we had, however, was an internal discussion within the Labour Party, and the then Secretary of State for Wales, Ron Davies, attempted to draft a Bill that would be acceptable to the Labour Party. That led to the Government of Wales Act 1998. I believe that the inclusivity that has developed on this issue, which is clearly evident in this debate today, emanates from the frustration that we all feel from trying to deal with that Act. It is difficult to know what has and has not been devolved and how the National Assembly for

heb ei ddatganoli, a sut y gall Cynulliad Cenedlaethol Cymru gydweithio â San Steffan ar nifer o faterion. Gobeithaf na welwn yr un sefyllfa yn datblygu eto. Yr oedd awgrym yng nghyfraniad y Prif Weinidog mai mater o gael y Blaid Lafur i gytuno ar unrhyw Fesur ydoedd drwy benderfyniad yn y gynhadledd ym mis Medi, gan arwain at ymrwymiad yn y maniffesto ar gyfer etholiad nesaf San Steffan. Gobeithaf y bydd yn diogelu'r Cynulliad rhag rhywbeth a fydd yn arwain at sefyllfa debyg i'r un a wynebwn ar hyn o bryd.

Dyweddodd Peter y byddai'n rhaid i ni wneud yr hyn sy'n boblogaidd gyda'r etholwyr ac sy'n dderbyniol iddynt. Mae gennym gyfle, unwaith ac am byth, i greu sefyllfa lle gall y Cynulliad lywodraethu yn Nghymru. Byddem yn camddefnyddio ein cyfrifoldebau fel Aelodau Cynulliad ac fel pleidiau gwleidyddol yn llwyr pe baem yn plygu i'r hyn sy'n boblogaidd ac yn gwneud rhywbeth a fyddai'n sylfaenol anghywir ac yn tanseilio y cyfle sydd gennym o ganlyniad i adroddiad comisiwn Richard.

Mae gennyf ychydig o bwyntiau eraill. Yr oedd comisiwn Richard yn rhan o broses oedd yn ymestyn dros ddwy flynedd a bu trafodaeth rhwng pobl a oedd yn cynrychioli gwahanol agweddau gwleidyddol. Digwyddodd y cyfaddawdu eisoes. Dyna yw casgliadau'r comisiwn. Os ceir cyfaddawdu pellach, bydd yn tanseilio holl fwriad y comisiwn.

A fyddai'r Prif Weinidog yn cytuno, hyd yn oed pe caem bwerau ychwanegol, bod cwestiwn sylfaenol yn codi ynglŷn â'r meysydd y mae gan y Cynulliad gyfrifoldeb drostynt? Weithiau ceir sefyllfa lle y mae rhai rhannau o Ddeddf wedi eu datganoli ond nid rhannau eraill. Rhaid gofyn wedyn pam nad yw'r rhannau hynny wedi eu datganoli. Mae hynny'n digwydd dro ar ôl thro mewn deddfwriaeth wedi'i datganoli.

Mae hwn yn gyfle inni gael setliad cyfansoddiadol a deddfwriaeth sy'n caniatáu i Lywodraeth y Cynulliad lywodraethu Cymru. Gobeithio na fyddwn yn colli hynny oherwydd ein bod yn plygu i boblogrwydd cyhoeddus neu'r hyn sy'n dderbyniol i bleidiau gwleidyddol yng Nghymru.

Wales can collaborate with Westminster on several issues. I hope that we will not see the same situation developing again. There was a suggestion in the First Minister's contribution that the issue involved getting the Labour Party's agreement on a Bill via a decision in the September conference, leading to a manifesto commitment for the next Westminster elections. I hope that he will safeguard the Assembly from anything that would lead to a situation similar to that which we currently face.

Peter said that we would have to do what is popular with, and acceptable to, the electorate. We have a unique opportunity to create a situation whereby the Assembly can govern in Wales. We would be seriously misusing our responsibilities as Assembly Members and political parties were we to bow to popular demand and do something that would be fundamentally wrong and that would undermine the opportunity that we have as a result of the Richard commission report.

I have some other points to make. The Richard commission was part of a process that spanned over two years and included a debate between people representing various political opinions. Compromise has already occurred. That is the commission's conclusion. If there is further compromise, it will undermine the commission's fundamental aim.

Would the First Minister agree that, even if we were given additional powers, a fundamental question arises about the areas for which the Assembly has responsibility? Sometimes a situation arises whereby some parts of an Act are devolved but others are not. We must then ask why those parts have not been devolved. That frequently occurs in devolved legislation.

This is an opportunity for us to achieve a constitutional settlement and legislation that allows the Assembly Government to govern Wales. I hope that we do not lose that by surrendering to public demand or what is acceptable to political parties in Wales.

**Christine Chapman:** I feel particularly privileged to be part of this historic debate, which will contribute to an issue of great importance to the people of Wales now and in the future. As Assembly Members, it is right and proper that we start to reflect on the legacy that we will leave for future policy-making in Wales, and the Richard commission report has given us that opportunity. Constitutional issues are not always high on the list of most people's priorities, but they are mechanisms that we must take seriously in order to deliver the real policies that we want for the people of Wales. That is why I wanted to speak today.

I will make two substantive points. The first relates to the process of change. If change is to occur over the next few years, it is essential that the Assembly does not lose any of the momentum that it has gained over the last five years on its delivery for the people of Wales. A voluntary sector representative drew that to my attention on the day that the Richard report was launched. For example, it would be disastrous for the Assembly to slip during a passage of constitutional change into putting policies or strategies on the backburner because of future uncertainty. A commitment must be made to a business-as-usual approach, so that the Assembly's success to date, which has been recognised by the Richard report, is not diminished.

3.50 p.m.

Secondly, I am aware that there are differing views within the parties—my own included—on how the report should be taken forward. My personal opinion, after seeing how the Assembly has developed and where it might be placed in future, is that we should look at the case for primary legislative powers. There are reasons why the constitutional settlement is as it is. However, it is healthy, in a growing, confident democracy, to revisit the settlement from time to time to check that the tools we use to deliver our policies are as effective as they should be. This is not a question of deciding on where priorities lie and having to choose between delivering bread-and-butter policies, which will benefit the people of Wales, and introducing

**Christine Chapman:** Mae'n fraint arbennig imi fod yn rhan o'r ddadl hanesyddol hon, a fydd yn cyfrannu at fater o bwys mawr i bobl Cymru heddiw ac yn y dyfodol. Fel Aelodau Cynulliad, mae'n gwbl briodol inni ddechrau ystyried yr hyn yr ydym yn ei drosglwyddo i'r rhai a fydd yn llunio polisiau yng Nghymru yn y dyfodol, ac mae adroddiad comisiwn Richard wedi rhoi'r cyfle hwnnw inni. Nid yw materion cyfansoddiadol bob amser yn cael blaenoriaeth gan y rhan fwyaf o bobl, ond maent yn systemau y mae'n rhaid inni eu cymryd o ddifrif er mwyn cyflawni'r polisiau gwirioneddol yr ydym am eu cyflawni dros bobl Cymru. Dyna pam yr oeddwn yn awyddus i siarad heddiw.

Gwnaf ddau bwynt o sylwedd. Mae'r cyntaf yn ymwneud â'r broses newid. Os bydd newidiadau dros yr ychydig flynyddoedd nesaf, mae'n hanfodol nad yw'r Cynulliad yn colli'r momentwm a gafwyd yn ystod y pum mlynedd diwethaf o ran cyflawni dros bobl Cymru. Tynnodd cynrychiolydd o'r sector gwirfoddol fy sylw at hynny ar y diwrnod y lansiodd adroddiad Richard. Er enghraifft, byddai'n drychinebus pe bai'r Cynulliad yn dechrau gohirio rhoi polisiau a strategaethau ar waith yn ystod cyfnod o newid cyfansoddiadol oherwydd ansicrwydd ynglŷn â'r dyfodol. Rhaid gwneud ymrwymiad i gynnal busnes fel arfer, fel na fydd llwyddiant y Cynulliad hyd yma, a gydnabuwyd yn adroddiad Richard, yn lleihau.

Yn ail, yr wyf yn ymwybodol bod gwahaniaeth barn o fewn y pleidiau—gan gynnwys fy mhlaidd fy hun—o ran sut y dylid gweithredu ar yr adroddiad. Yn fy marn i, ar ôl gweld sut y mae'r Cynulliad wedi datblygu a sut allai'r sefyllfa fod yn y dyfodol, dylem ystyried y ddadl dros bwerau deddfwriaeth sylfaenol. Mae rhesymau pam mae'r setliad cyfansoddiadol fel y mae. Fodd bynnag, mae'n beth iach, mewn democratiaeth hyderus sy'n tyfu, ailystyried y setliad o bryd i'w gilydd i weld a yw'r dulliau a ddefnyddiwn i gyflwyno ein polisiau mor effeithiol ag y dylent fod. Nid yw hyn yn golygu bod yn rhaid penderfynu ar flaenoriaethau a dewis rhwng cyflawni polisiau sylfaenol, a fydd o fudd i bobl

constitutional change. As responsible politicians, we have to do both, however complex that may be. We must take the people of Wales with us, and the test for me will be whether or not we reach a decision that will benefit the people of Wales for the coming generations. We must be mature enough to rise above short-term fears and work for what is best for the people of Wales in the long term.

Yes, there is a diversity of views within communities and political parties, but this is healthy. Who said political debate was dead? It is not dead, and this fact should be celebrated. I am proud to say that my party, the Labour Party, is not afraid to debate this issue openly, and I look forward to a mature dialogue over the coming months, aimed at reaching a consensus.

**William Graham:** I will restrict my contribution to personal comments. If we were to look at how devolution came into being, we could say that it was the product of a shotgun wedding, was hardly conceived in love and was not born into hope. I wish to consider how the current settlement works. Money is voted to the Wales Office and is then distributed to the Assembly. We should also look at greater education—I look to the First Minister—as regards functions, which my party has welcomed, and powers, about which we have been more critical. I believe that most people in Wales would value greater education on this point. The role of Members of Parliament in the distribution should be considered and we need to question whether they should be able to criticise how money is spent. I cannot see the First Minister giving evidence to an inquiry, but I may be wrong.

The First Minister mentioned the glorious revolution of 1688. The 1714 Act of Settlement was even more of a constitutional settlement. In his book on the constitution, Walter Bagehot remarked that a sovereign every parliament is, so the constitution thus evolves. We do not need to worry too much that we do not have a written constitution.

The report highlights the activities of the

Cymru, a chyflwyno newid cyfansoddiadol. Fel gwleidyddion cyfrifol, rhaid inni wneud y ddau, waeth pa mor gymhleth y gall hynny fod. Rhaid inni ennyn cefnogaeth a'r prawf i mi fydd a fyddwn yn gwneud penderfyniad a ddaw â budd i bobl Cymru am y cenedlaethau i ddod. Rhaid inni fod yn ddigon aeddfed i godi uwchlaw ofnau byrdymor a gweithio tuag at yr hyn sydd orau i bobl Cymru yn yr hirdymor.

Oes, mae amrywiol safbwyntiau o fewn cymunedau a phleidiau gwleidyddol, ond mae hyn yn beth iach. Pwy a ddywedodd bod dadl wleidyddol wedi peidio â bod? Nid yw wedi peidio, a dylid dathlu'r ffaith hon. Yr wyf yn falch o ddweud nad oes ofn ar fy mhlaid, y Blaid Lafur, drafod y mater hwn yn agored, ac edrychaf ymlaen at ddeialog aeddfed dros y misoedd nesaf, gyda'r nod o ddod i gytundeb.

**William Graham:** Cyfyngaf fy nghyfraniad i sylwadau personol. Pe baem yn ystyried sut y daeth datganoli i fodolaeth, gallem ddweud mai priodas orfod ydoedd ac o'r braidd y'i caed drwy gariad, ac nas ganwyd mewn gobaith. Hoffwn ystyried sut y mae'r setliad cyfredol yn gweithio. Cytunir i roi swm o arian i Swyddfa Cymru, a ddosberthir wedyn i'r Cynulliad. Dylem hefyd ystyried mwy o wybodaeth—disgwyliaf i'r Prif Weinidog ymdrin â'r pwynt hwn—ynglŷn â swyddogaethau, a groesawyd gan fy mhlaid, a phwerau, y buom yn fwy beirniadol yn eu cylch. Credaf y byddai'r rhan fwyaf o bobl yng Nghymru yn gwerthfawrogi cael mwy o wybodaeth ar y pwynt hwn. Dylid ystyried rôl Aelodau Seneddol wrth ddsbarthu arian ac mae angen inni godi'r cwestiwn a ddylent fod yn gallu beirniadu sut y gwerir arian. Ni chredaf y byddai'r Prif Weinidog yn rhoi tystiolaeth i ymchwiliad, ond efallai y caf fy mhrofi'n anghywir.

Cyfeiriodd y Prif Weinidog at y chwyldro gogoneddus yn 1688. Yr oedd Deddf Sefydlogi 1714 hyd yn oed yn fwy o setliad cyfansoddiadol. Yn ei lyfr ar y cyfansoddiad, nododd Walter Bagehot fod pob senedd yn oruchaf, ac felly mae'r cyfansoddiad yn datblygu. Nid oes angen inni boeni gormod ynglŷn â'r ffaith nad oes gennym gyfansoddiad ysgrifenedig.

Mae'r adroddiad yn nodi gweithgareddau

former Secretary of State for Wales. To use the analogy heard yesterday, the settlement must have been fudged dramatically for it to have been agreed by the Labour Party and its conference in 1997. I hope that we do not look at the Scottish model and at what is likely to become an extraordinary problem as a result of dividing the constituencies of the Scottish Parliament, Westminster and local government. A greater recipe for disaster is difficult to foresee.

Even though they have become a feature of our political life in recent years, I am less inclined than other Members towards referenda. There needs to be more debate on whether we need a referendum.

Sadly, voting evidence suggests that there will be wide public indifference to a great deal of our discussions today, but I welcome the First Minister's commitment to discuss the subject again in the autumn.

**Helen Mary Jones:** Do you agree that a risk associated with referenda is that people are influenced to vote according to the popularity of the Government making the proposition, not the issue in question? Whatever the outcome of our discussions on holding a referendum, this should be borne in mind.

**William Graham:** I agree. I would also say that resources have a part to play. Those of us who were part of the unsuccessful 'no' campaign feel that if both sides had had the same resources, there might have been a different result. Therefore, we want more informed debate on this and greater consultation. I am not sure that this issue is of great relevance to the man in the street in Wales, but let us hope that when we debate it in the autumn, we will have specific amendments to table.

**John Griffiths:** The Richard report makes for very encouraging reading for those of us who are convinced and committed devolutionists. It shows clearly with force and logic that the Assembly has worked well and has delivered for the people of Wales. The people with whom I speak tell me forcibly that they appreciate the new openness, transparency

cyn-Ysgrifennydd Gwladol Cymru. Gan ddefnyddio'r gyfatebiaeth a glywyd ddoe, rhaid bod y setliad hwn wedi cael ei wneud yn hynod aneglur er mwyn i'r Blaid Lafur a'i chynhadledd gytuno arno yn 1997. Gobeithiaf na fyddwn yn ystyried model yr Alban a'r hyn sy'n debygol o fod yn broblem enfawr o ganlyniad i rannu etholaethau Senedd yr Alban, San Steffan a llywodraeth leol. Mae'n anodd meddwl am unrhyw beth a allai achosi mwy o broblemau yn y dyfodol.

Er iddynt ddod yn nodwedd o'n bywyd gwleidyddol yn ystod y blynyddoedd diwethaf, yr wyf yn llai parod nag Aelodau eraill i gefnogi'r defnydd o refferenda. Mae angen mwy o drafodaeth ynghylch a oes angen inni gael refferendwm.

Yn anffodus, mae tystiolaeth ynglŷn â phleidleisio yn awgrymu y bydd difaterwch yn gyffredinol ymhlith y cyhoedd ynglŷn â llawer o'r hyn o drafodir gennym heddiw, ond croesawaf ymrwymiad y Prif Weinidog i drafod y pwnc eto yn yr hydref.

**Helen Mary Jones:** A gytunwch mai un o'r risgiau sy'n gysylltiedig â refferenda yw bod pobl yn pleidleisio yn ôl poblogrwydd y Llywodraeth sy'n gwneud y cynnig, ac nid y mater dan sylw? Beth bynnag fo canlyniad ein trafodaethau ar gynnal refferendwm, dylid cadw hyn mewn cof.

**William Graham:** Cytunaf â hynny. Dywedaf hefyd fod adnoddau yn chwarae rhan. Mae'r rhai ohonom a fu'n rhan o'r ymgyrch 'na' aflwyddiannus yn teimlo y gallai'r canlyniad fod wedi bod yn wahanol pe bai'r ddwy ochr wedi cael yr un adnoddau. Felly, yr ydym am gael mwy o drafodaeth wybodus ar hyn a mwy o ymgynghori. Nid wyf yn siŵr bod y mater hwn o bwys mawr i'r cyhoedd yng Nghymru, ond gobeithio y bydd gennym welliannau penodol i'w cyflwyno pan drafodwn y mater yn yr hydref.

**John Griffiths:** Mae adroddiad Richard yn galonogol iawn i'r rhai ohonom sy'n ddatganolwyr argyhoeddedig ac ymrwymedig. Dengys yn glir gyda grym a rhesymeg fod y Cynulliad wedi gweithio'n dda ac wedi cyflawni dros bobl Cymru. Mae'r bobl yr wyf yn siarad â hwy yn dweud wrthyf yn benderfynol eu bod yn gwerthfawrogi

and responsiveness of the Assembly. I know that these are buzzwords that are often quoted, but they represent the reality. The people who engage with the Assembly regularly find that they have a much greater opportunity to shape the agenda and the policies that they believe to be necessary to improve quality of life in Wales. Therefore, there has been a huge improvement in the governance of Wales since the Assembly's establishment, which is fed through into much better policies and their implementation. That is reinforced and borne out by the research and the hard work undertaken by the Richard commission.

I, too, pay tribute to the commission, because it approached its task in a committed and comprehensive manner, which the report clearly reflects. As a result, it is an impressive document. As a keen devolutionist, I am also encouraged that research and evidence show that the people of Wales increasingly support the Assembly. They recognise that it is a huge advance over the old Welsh Office system and is a huge step forward for Wales with tangible benefits and results.

I also support the report's findings that primary legislative powers would be a further great step forward for the people of Wales. It makes that case effectively. Primary law-making powers would greatly enhance the ability of the Assembly to deliver further benefits for the people of Wales. One example of the Assembly's bids for primary legislation at Westminster which has not yet been enacted—although there is a good record of enactment—is the ban on smoking in public buildings. Over a year ago, the Assembly voted to introduce such a ban. Seven thousand people die of smoking-related diseases in Wales every year. I have just returned from Ireland where a smoking ban has been introduced. It is well accepted and effective. Already, Ireland is reaping great benefits because it is perceived as being progressive in terms of health. The obvious health benefits will quickly flow from this ban.

natur agored, tryloyw, ymatebol newydd y Cynulliad. Gwn fod y geiriau hyn wedi mynd yn ffasiynol ac y cânt eu defnyddio'n aml, ond maent yn cyfleu'r realiti. Mae'r bobl sy'n ymgysylltu â'r Cynulliad yn rheolaidd yn cael bod ganddynt lawer mwy o gyfle i lunio'r agenda a'r polisiau y credant eu bod yn angenrheidiol i wella ansawdd bywyd yng Nghymru. Felly, bu gwelliant enfawr yn y ffordd y llywodraethir Cymru ers sefydlu'r Cynulliad, sy'n arwain at bolisiau gwell ac yn dylanwadu ar y ffordd y cânt eu gweithredu. Cadarnheir hynny gan yr ymchwil a'r gwaith caled a wnaed gan gomisiwn Richard.

Talaf innau deyrnged i'r comisiwn hefyd, oherwydd aeth ati i ymgymryd â'i dasg mewn ffordd ymrwymedig a chynhwysfawr, ac mae'r adroddiad yn amlwg yn adlewyrchu hynny. O ganlyniad, mae'n ddogfen aruthrol. Fel un sy'n frwd iawn dros ddatganoli, fe'm calonogir hefyd fod ymchwil a thystiolaeth yn dangos bod pobl Cymru yn cefnogi'r Cynulliad yn fwyfwy. Maent yn cydnabod ei fod yn ddatblygiad mawr ers system yr hen Swyddfa Gymreig ac mae'n gam bras ymlaen i Gymru gan esgor ar fanteision a chanlyniadau gwirioneddol.

Cefnogaf hefyd ganfyddiadau'r adroddiad y byddai pwerau deddfwriaeth sylfaenol yn gam mawr arall ymlaen i bobl Cymru. Mae'n rhoi'r ddadl dros hynny yn effeithiol. Byddai pwerau deddfwriaeth sylfaenol yn ei gwneud yn llawer haws i'r Cynulliad sicrhau manteision eraill i bobl Cymru. Un enghraifft o geisiadau'r Cynulliad am ddeddfwriaeth sylfaenol yn San Steffan nas deddfwyd eto—er bod record dda o ran deddfu—yw'r gwaharddiad ar ysmegu mewn adeiladau cyhoeddus. Dros flwyddyn yn ôl, pleidleisiodd y Cynulliad dros gyflwyno gwaharddiad o'r fath. Bob blwyddyn yng Nghymru mae 7,000 o bobl yn marw o glefydau sy'n gysylltiedig ag ymysgu. Yr wyf newydd ddychwelyd o Iwerddon lle mae gwaharddiad ar ysmegu wedi cael ei gyflwyno. Cafodd dderbyniad da ac mae'n effeithiol. Mae Iwerddon eisoes yn elwa'n fawr iawn oherwydd y canfyddiad ei bod wedi cymryd camau radical o ran iechyd. Daw'r manteision amlwg i iechyd yn fuan yn sgîl y gwaharddiad hwn.



**William Graham:** I know that you are not a great fan of the House of Lords, but would you join me in congratulating Baroness Finlay, who is introducing a Bill to ban smoking in public places through the House of Lords?

**John Griffiths:** I do join you in commending Baroness Finlay for introducing that Bill, which is extremely valuable.

There would have been great benefits to the health of the people of Wales had we been able to enact a ban on smoking in public buildings a year ago. Between then and now, we would have seen real health benefits.

We also want to introduce a good statutory registration system for tourist accommodation provided in Wales, as well as to make provisions in education and transport, all of which would be valuable. We would be able to enact laws related to those policies if we had primary law-making powers.

4.00 p.m.

It is relevant for each political party to consider these issues in the light of its own philosophies, principles, objectives and aims. The Labour Party has a clear case to make in terms of looking for Wales to be governed to a greater extent in line with the wishes of the people of Wales. We must approach these issues in light of the fact that we had a prolonged period of Conservative Government at Westminster—Tory Governments that the people of Wales never voted for. Those Governments imposed policies on Wales that the people of Wales clearly did not want and were of great disbenefit to them. We must consider those issues in the Labour Party in the light of that history, with a clear desire not to return to that scenario again insofar as it is possible.

**David Lloyd:** You alluded to Ireland earlier, and you would have noticed, as we were in the same meeting, that various other devolved administrations are represented, including the Tynwald in the Isle of Man and the various assemblies and age-old parliaments in the

**William Graham:** Gwn nad ydych yn hoff iawn o Dŷ'r Arglwyddi, ond a ymunwch â mi i longyfarch y Farwnes Finlay, sy'n cyflwyno Mesur i wahardd ysmygu mewn mannau cyhoeddus drwy Dŷ'r Arglwyddi?

**John Griffiths:** Wrth gwrs ymunaf â chi i ganmol y Farwnes Finlay am gyflwyno'r Mesur hwnnw, sy'n werthfawr iawn.

Byddem wedi gweld manteision sylweddol o ran iechyd pobl Cymru pe baem wedi gallu gwahardd ysmygu mewn adeiladau cyhoeddus flwyddyn yn ôl. Ers hynny, byddem wedi gweld manteision gwirioneddol o ran iechyd.

Yr ydym hefyd am gyflwyno system gofrestru statudol dda ar gyfer llety twristiaid a ddarperir yng Nghymru, yn ogystal â gwneud darpariaethau ym maes addysg a thrafnidiaeth, y byddai pob un ohonynt yn werthfawr. Byddem yn gallu deddfu mewn perthynas â'r polisiau hynny pe bai pwerau deddfwriaeth sylfaenol gennym.

Mae'n berthnasol i bob plaid wleidyddol ystyried y materion hyn yng ngoleuni ei hathroniaeth, ei hegwyddorion, ei hamcanion a'i nodau ei hun. Mae gan y Blaid Lafur ddadl glir i'w rhoi o ran sicrhau y caiff Cymru ei llywodraethu i raddau helaethach yn unol â dymuniadau pobl Cymru. Rhaid inni ystyried y materion hyn yng ngoleuni'r ffaith y bu Llywodraeth Geidwadol mewn grym yn San Steffan am gyfnod hir—Llywodraethau Torïaidd na phleidleisiodd pobl Cymru drostynt erioed. Gorfododd y Llywodraethau hynny bolisiau ar Gymru nad oedd pobl Cymru am eu cael, yn amlwg, ac a oedd o anfantais sylweddol iddynt. Rhaid inni ystyried y materion hynny yn y Blaid Lafur yng ngoleuni'r hanes hwnnw, gydag awydd clir i beidio â dychwelyd i'r sefyllfa honno cyhyd ag y bo'n bosibl.

**David Lloyd:** Bu ichi gyfeirio at Iwerddon yn gynharach, a byddech wedi sylwi, am ein bod yn yr un cyfarfod, bod gweinyddiaethau datganoledig amrywiol eraill wedi'u cynrychioli, gan gynnwys y Tynwald yn Ynys Manaw a'r cynullïadau amrywiol a'r

Channel Islands. They all have significantly more powers than the Assembly. As well as considering what the population of Wales does, you will, hopefully, also look outwards to consider the general experience of little nations that use more powers than we do at present.

**John Griffiths:** I accept that we must consider these issues in light of what happens elsewhere, and those opposed to primary powers would have to deal with questions such as why it is okay for Scotland, Northern Ireland and the Channel Islands to have such powers, but not for Wales. I believe that the Richard commission's timetable is realistic, although I am impatient to see these changes. It is realistic in terms of building capacity and paving the way for primary powers. Finally, on a referendum—

**The Deputy Presiding Officer:** Order. You are out of time.

**John Griffiths:** I will just say that the change is not fundamental enough to require a referendum.

**Eleanor Burnham:** Mae'n anrhydedd i siarad ar y pwnc pwysig hwn. Fel Democrat Rhyddfrydol, yr wyf yn falch bod ein plaid wedi chwarae rhan allweddol i alluogi cyflwyno'r adroddiad hanesyddol, grymus a manwl hwn. Hoffwn dalu teyrnged i'r Arglwydd Richard a'r comisiynwyr eraill, a chrosawaf y gwaith cynhwysfawr a wnaethpwyd dros y ddwy flynedd diwethaf ar hyd a lled Cymru. Mae'r ffaith bod yr Arglwydd Richard wedi casglu tystiolaeth pobl ar draws Cymru yn bwysig.

Awgrymodd yr adroddiad drefn decach er lles Cymru, ac nid er lles gwleidyddion—dyna bwynt pwysig. Mae'n cynnwys amserlen gynhwysfawr, sydd yn sensitif i ddyfodol ASau San Steffan. Mynychais gyfarfod ddydd Gwener diwethaf, lle yr oedd Gareth Thomas ac eraill yn siarad ar y mater, ac mae amser iddynt gyfarwyddo â'r drefn newydd. Mae'n amser i Gymru gael pwerau deddfu sylfaenol. Mae Cymru yn haeddu gwell system a mwy o chwarae teg. Fel y dywedodd John yn gynharach, os yw'n iawn i'r Alban ac eraill,

seneddau hynafol yn Ynysoedd y Sianel. Mae gan bob un ohonynt lawer mwy o bwerau na'r Cynulliad. Yn ogystal ag ystyried yr hyn y mae poblogaeth Cymru yn ei wneud, gobeithiaf y byddwch yn edrych y tu allan hefyd i ystyried profiad cyffredinol cenhedloedd bach sy'n defnyddio mwy o bwerau na ninnau ar hyn o bryd.

**John Griffiths:** Derbyniaf fod yn rhaid inni ystyried y materion hyn yng ngoleuni'r hyn sy'n digwydd mewn manau eraill, a byddai'n rhaid i'r rhai sy'n gwrthwynebu pwerau sylfaenol ymdrin â chwestiynau megis pam y mae'n briodol i'r Alban, Gogledd Iwerddon ac Ynysoedd y Sianel gael pwerau o'r fath, ond nid Cymru. Credaf fod amserlen comisiwn Richard yn realistig, er fy mod yn awyddus i weld y newidiadau hyn. Mae'n realistig o ran meithrin gallu a pharatoi'r ffordd ar gyfer pwerau sylfaenol. Yn olaf, o ran refferendwm—

**Y Dirprwy Lywydd:** Trefn. Mae eich amser wedi dod i ben.

**John Griffiths:** Y cyfan a ddywedaf yw nad yw'r newid yn ddigon sylfaenol i olygu bod angen refferendwm.

**Eleanor Burnham:** It is an honour to speak on this important issue. As a Liberal Democrat, I am pleased that our party has played a key role in enabling this historic, powerful and detailed report to be brought forward. I pay tribute to Lord Richard and the other commissioners, and I welcome the comprehensive work that has been undertaken over the past two years throughout Wales. The fact that Lord Richard has gathered evidence from people across Wales is important.

The report recommended a fairer system for the benefit of Wales, not for the benefit of politicians—that is an important point. It includes a comprehensive timetable, which is sensitive to the future of Westminster MPs. I attended a meeting last Friday, where Gareth Thomas and others spoke on this issue, and there is time for them to adjust to the new system. It is time for Wales to have primary legislative powers. Wales deserves a better system and more fair play. As John said earlier, if it is good enough for Scotland and

mae'n hen bryd i ninnau gael trefn decach hefyd.

Nid oes byth digon o amser seneddol yn San Steffan i drafod materion sy'n hanfodol i Gymru. Mae gan y Cynulliad yr awydd a'r brwdfrydedd, ond nid y pŵer. Mae gan San Steffan y pŵer, ond nid yr awydd lle mae Cymru yn y cwestiwn. Gall yr Alban basio'i deddfwriaeth ei hunan ac mae'n ei chael drwy San Steffan hefyd, sy'n rhyw fath o 'double whammy' positif.

Mae system y bleidlais sengl drosglwyddadwy yn fwy atebol i'r etholwyr ac yn adlewyrchiad tecach o farn pobl. Ar hyn o bryd, yr ydym yn colli cysylltiad gyda phobl, ac mae'n bwnc llosg. Mae'n bwysig i wleidyddion ystyried y pwnc hwnnw o ddifrif, yn enwedig pan siaradwn â phobl ifanc, sydd yn ystyried system y bleidlais sengl drosglwyddadwy yn llawer tecach ac yn fwy cynhwysfawr. [*Torri ar draws.*]

Pobl ifanc yw'r dyfodol, a byddant yn pleidleisio yn y dyfodol. Mae'n bwysig felly ein bod yn ystyried eu barn. Mae'r comisiwn yn argymhell cynyddu nifer yr Aelodau yn y Cynulliad i wella'r broses graffu. Cytunaf â hynny. Nid wyf yn meddwl bod y craffu'n ddigonol, gan nad oes digon o amser, fel y dywedodd ef, i ni ddatblygu unrhyw bwnc yr ydym yn gysylltiedig ag ef yn ddifrifol.

Mae hunan hyder a datblygiad y genedl Gymreig o fewn y Deyrnas Unedig wedi tyfu'n fawr dros y 40 mlynedd diwethaf. Gweithredu adroddiad Richard yw'r cam allweddol nesaf, yn enwedig os bydd rhanbarthau Lloegr yn datblygu eu grym yn y dyfodol. Mae dau beth yn glir o gasgliad yr adroddiad: nid yw annibyniaeth yn opsiwn ac ni allwn aros fel yr ydym—ni allwn barhau â'r status quo. Nid yw'r setliad presennol yn gynaliadwy. Mae'r adroddiad hefyd yn rhoi amserlen synhwyrol ar gyfer pryd y daw'r broses i ben. Mae angen senedd â phwerau deddfwriaethol sylfaenol arnom yng Nghymru, a system o ethol teg a fydd yn caniatáu i bobl Cymru, nid y pleidiau gwleidyddol, ddewis eu cynrychiolwyr. Mae pob arolwg barn yn dangos bod gan etholwyr Cymru fwy o ffydd yn y Cynulliad na Llywodraeth San Steffan. Edrychaf ymlaen at weithredu'r adroddiad hanesyddol, pwysig a

others, then it is high time for us to also have a fairer system.

There is never sufficient parliamentary time in Westminster to discuss matters that are crucial to Wales. The Assembly has the will and enthusiasm, but not the power. Westminster has the power, but does not have the will as far as Wales is concerned. Scotland is able to pass its own legislation and also receives legislation through Westminster, which is a kind of positive double whammy.

The single transferable vote system is more accountable to the electorate, and reflects the people's view more accurately. At present, we are losing contact with people, and it is a burning issue. Politicians must take this issue seriously, particularly when we talk to young people, who believe that the STV system is fairer and more inclusive. [*Interruption.*]

Young people are the future, and they will be the voters of the future. It is important therefore that we consider their views. The commission recommends increasing the number of Assembly Members to improve scrutiny. I agree. I do not think that the scrutiny is adequate because, as he said, there is insufficient time for us to seriously develop any subject that is under consideration.

The Welsh nation's self-confidence and development within the United Kingdom has been greatly enhanced over the past 40 years. Implementing the Richard report is the next key step, especially if the English regions develop their power in the future. Two things are clear from the report's conclusion: independence is not an option and neither can we remain as we are—we cannot continue with the status quo. The current settlement is not sustainable. The report also gives a logical timetable as to when this process should conclude. We need a parliament with primary legislative powers in Wales, and an equitable election system that will allow the people of Wales, not the political parties, to choose their representatives. Every survey shows that the Welsh electorate has more faith in the Assembly than the Westminster Government. I look forward to the implementation of this historical, important

grymus hwn, gan ddilyn ei amserlen lawn.

and commanding report, following its full timetable.

**Leighton Andrews:** Yr wyf yn cefnogi mwy o bwerau i'r Cynulliad. Pe bai mwy o bwerau gan y Cynulliad, byddai gwell Cynulliad gennym, ond mae'n bwysig dangos bod pobl Cymru yn cefnogi mwy o bwerau. Ar ôl imi gael fy ethol, dywedais fod yn rhaid i'r Cynulliad gysylltu'n well gyda phobl Cymru. Does dim byd wedi newid. Os ydym eisiau mwy o bwerau, rhaid i ni argyhoeddi'r bobl. Felly, rhaid i ni drafod y syniad o gynnal refferendwm. Nid wyf yn credu bod refferendwm yn angenrheidiol—byddai hynny'n dibynnu ar y cynigion. Efallai byddai refferendwm yn ddefnyddiol; gallwn roi'r achos dros fwy o bwerau mewn ymgyrch. Nid wyf yn sicr o blaid refferendwm ar hyn o bryd, ond byddai'n well inni drafod y syniad.

**Leighton Andrews:** I support greater powers for the Assembly. If the Assembly had enhanced powers, we would have a better Assembly, but it is important to demonstrate that the people of Wales support greater powers. After I had been elected, I said that the Assembly must engage more with the people of Wales. Nothing has changed. If we want greater powers, we must convince the people. Therefore, we must discuss the idea of holding a referendum. I do not believe that a referendum is necessary—that would depend on the proposals. A referendum might be useful; we could make the case for greater powers in a campaign. I am not definitely in favour of a referendum at present, but we should discuss the idea.

I have read one or two things that the leader of the opposition has said in *The Western Mail* and *The Daily Post* about a referendum in the last 24 hours. I support stronger powers and I am not afraid of a referendum. Perhaps I should congratulate the leader of the Conservative Party on the excellence of his filing system, in that he still has copies of speeches that I made 18 months ago.

Yr wyf wedi darllen un neu ddau o bethau a ddywedodd arweinydd yr wrthblaid ynghylch refferendwm yn *The Western Mail* a *The Daily Post* yn y 24 awr ddiwethaf. Cefnogaf bwerau cryfach ac nid ofnaf refferendwm. Efallai y dylwn longyfarch arweinydd y Blaid Geidwadol ar ragoriaeth ei system ffeilio, am fod copïau ganddo o hyd o areithiau a wneuthum 18 mis yn ôl.

I welcome the Richard commission report. It is a serious document and is certainly a substantial platform for a debate on the future of devolution in Wales. It has given us plenty of food for thought, although I understand that the menu may be a little rich for some people. However, I am not sure that the case has been made in every area. The day after the publication of the Richard report, I saw no desire among the people in Treorchy market for another 20 politicians; in fact I would say quite the opposite.

Croesawaf adroddiad comisiwn Richard. Mae'n ddogfen ddifrifol ac yn sicr mae'n llwyfan pwysig ar gyfer dadl ar ddyfodol datganoli yng Nghymru. Rhoddodd lawer inni gnoi cil yn ei gylch, er y deallaf fod gormod i rai pobl o bosibl. Fodd bynnag, nid wyf yn siŵr bod y ddadl wedi'i hennill ym mhob ardal. Y diwrnod ar ôl cyhoeddi adroddiad Richard, ni welais unrhyw awydd ymhlith y bobl ym marchnad Treorci am 20 o wleidyddion eraill; i'r gwrthwyneb mewn gwirionedd.

I am also slightly surprised that there is so little in the report's conclusion on the future of quangos. A lot is said in chapter 6, but there are few real recommendations. I have two issues about the future of quangos: one concerns board appointments, and the second, accountability. On appointments to the quango boards, we know that, roughly, only four people from Communities First wards are represented on the boards of

Synnaf ychydig hefyd fod cyn lleied yng nghasgliad yr adroddiad ar ddyfodol cwangos. Dywedir llawer amdanynt ym mhennod 6, ond ychydig o argymhellion gwirioneddol a geir. I mi mae dwy broblem o ran dyfodol cwangos: mae'r gyntaf yn ymwneud â phenodiadau i fyrddau, ac mae'r ail yn ymwneud ag atebolrwydd. O ran penodiadau i fyrddau cwangos, gwyddom mai dim ond pedwar unigolyn o wardiau

quangos. You have to ask why, and I suspect that the reason is that not all posts are advertised, so you have to know that there is a public appointments register in the first place in order to be considered for those appointments. The high profile posts that are advertised are only advertised in *The Western Mail*, *The Daily Post*, *Y Cymro* and *Golwg*, which are not widely read in my constituency or, I suspect, in many others. If we want to expand the range of people who are represented on the boards of quangos, we must do a better job of advertising the posts. We used to worry that quango boards were entirely made up of members of the Cardiff and County Club; considering where the jobs are now advertised, we should worry about whether they are stuffed full of members of the Institute of Welsh Affairs. Accountability is the other issue, particularly when it comes to the national quangos. I worry that we may have a situation whereby our structures involve the quango bodies second-guessing the Assembly Government, and I think that that has been referred to by several people.

4.10 p.m.

Accountability is complex: there are boards of quangos, chairs and chief executives, Ministers and Committees. We must look at that. Another issue that we need to consider in deliberating on the future of the Assembly and its relationship with Whitehall and Westminster, not least on non-devolved matters, is section 30 of the Government of Wales Act 1998, which has not yet been implemented. It relates to ensuring that Ministers at Whitehall consult the Assembly on particular kinds of appointment, and for the section to be implemented, it must be brought in through an Order in Council, which has not been done. Some of the issues have been dealt with in the concordats, but I hope that we will see the implementation of that section in future, as it would have obviated the need for some lobbying in the past.

I also raise the importance of joint working between the Assembly and Westminster. If we achieve primary powers, it is still likely,

Cymunedau yn Gyntaf, yn fras, a gynrychiolir ar fyrddau cwangos. Rhaid ichi ofyn pam, a chredaf mai'r rheswm dros hynny yw na chaiff pob swydd ei hysbysebu, ac felly rhaid ichi wybod bod cofrestr penodiadau cyhoeddus yn bodoli yn y lle cyntaf er mwyn gallu cael eich ystyried ar gyfer y penodiadau hynny. Dim ond yn *The Western Mail*, *The Daily Post*, *Y Cymro* a *Golwg* yr hysbysebir y swyddi proffil uchel a gaiff eu hysbysebu, ac ni chaiff y rhain eu darllen yn eang yn fy etholaeth i, nac mewn llawer o etholaethau eraill, fe dybiaf. Os ydym am ehangu'r amrywiaeth o bobl a gaiff eu cynrychioli ar fyrddau cwangos, rhaid inni hysbysebu'r swyddi yn well. Arferem bryderu bod byrddau cwangos yn cynnwys aelodau o Cardiff and County Club yn unig; o ystyried lle y caiff y swyddi eu hysbysebu yn awr, dylem bryderu eu bod yn llawn aelodau'r Sefydliad Materion Cymreig. Atebolrwydd yw'r broblem arall, yn enwedig o ran cwangos cenedlaethol. Pryderaf y gallem gael sefyllfa lle y bydd ein strwythurau yn golygu bod cyrff cwangos yn rhagweld amcanion Llywodraeth y Cynulliad, a chredaf fod sawl un wedi cyfeirio at hynny.

Mae atebolrwydd yn gymhleth: mae byrddau cwangos, cadeiryddion a phrif weithredwyr, Gweinidogion a Phwyllgorau. Rhaid inni ystyried hynny. Un o'r materion eraill y mae angen inni ei ystyried wrth benderfynu ar ddyfodol y Cynulliad a'i gydberthynas â Whitehall a San Steffan, yn bennaf ar faterion nad ydynt wedi'u datganoli, yw adran 30 Deddf Llywodraeth Cymru 1998, nad yw wedi'i rhoi ar waith eto. Mae'n ymwneud â sicrhau bod Gweinidogion yn Whitehall yn ymgynghori â'r Cynulliad ar fathau penodol o benodiadau, ac er mwyn rhoi'r adran ar waith, rhaid ei chyflwyno drwy Orchymyn yn y Cyfrin Gyngor, ac nid yw hynny wedi'i wneud. Ymdriniwyd â rhai o'r materion yn y concordatau, ond gobeithiaf y caiff yr adran hon ei rhoi ar waith yn y dyfodol, oherwydd byddai wedi dileu'r angen am rywfaent o lobïo yn y gorffennol.

Codaf bwysigrwydd cydweithio rhwng y Cynulliad a San Steffan hefyd. Os cawn bwerau sylfaenol, mae'n debygol o hyd, fel

as is the case with Scotland, that there will be occasions when legislation for Wales will be made in Westminster. Therefore, our ability to have a dialogue with our Westminster colleagues, and to improve and deepen that dialogue, is important. We must also address the Assembly's corporate structure.

Finally, I welcome the recognition given by Lord Richard in the report. The reason for change is because devolution is working. Success is creating the pressure for change.

**Jocelyn Davies:** I am sure that we all entered politics to make a difference and to achieve objectives. Plaid Cymru recognises that one of the most fundamental ways to effect change is through the ability to pass laws. The Assembly has no powers to make primary legislation, and it is, therefore, considerably hampered in its attempts to carve out a Welsh way of government. We are left with making the best of what we have and with trying to influence Westminster's primary legislation in our favour. That has posed, and still poses, a significant barrier to us, and our record to date has not been impressive. That is not to say that it has been non-existent, but it is not nearly as effective as we would like it to be. As we know, the UK legislative programme is driven by individual Government departments. Our bids for legislative time are considered alongside all those other bids, and there is a legislative logjam, which we are caught up in.

About two thirds of all bids are rejected each year. The Assembly makes multiple bids across a range of policy areas, and there is simply not enough legislative time to accommodate more than one or two such bids. That is the reality of the current situation, and no-one can argue that that is not the case. Of course, much of the legislation that passes through Westminster will affect the functions of the Assembly anyway, and the Welsh Affairs Select Committee found that the style of the individual lawyers—that is, parliamentary counsel drafting lawyers—affected the degree of flexibility that each new Bill affords the National Assembly. This is a dry

sy'n wir yn yr Alban, y bydd adegau pan wneir deddfwriaeth i Gymru yn San Steffan. Felly, mae ein gallu i drafod gyda'n cyd-aelodau yn San Steffan, ac i wella a chryfhau'r trafodaethau hynny, yn bwysig. Rhaid inni ymdrin â strwythur corfforaethol y Cynulliad hefyd.

Yn olaf, croesawaf y gydnabyddiaeth a roddwyd gan yr Arglwydd Richard yn yr adroddiad. Y rheswm dros newid yw bod datganoli yn gweithio. Llwyddiant sy'n creu'r pwysau i newid.

**Jocelyn Davies:** Yr wyf yn siŵr bod pob un ohonom wedi dod yn wleidyddion er mwyn gwneud gwahaniaeth a chyflawni amcanion. Mae Plaid Cymru yn cydnabod mai un o'r ffyrdd mwyaf sylfaenol o gyflwyno newid yw drwy'r gallu i ddeddfu. Nid oes gan y Cynulliad unrhyw bwerau i lunio deddfwriaeth sylfaenol, ac felly, caiff ei rwystro'n sylweddol yn ei ymgais i greu ffordd o lywodraethu i Gymru. Rhaid inni wneud y gorau o'r hyn sydd gennym a cheisio dylanwadu ar ddeddfwriaeth sylfaenol San Steffan o'n plaid ni. Mae hynny wedi creu rhwystr sylweddol inni, ac mae'n parhau i wneud hynny, ac ni fu ein record hyd yma yn un dda. Ni wadaf fod record, ond nid yw hanner mor effeithiol ag yr hoffem iddi fod. Fel y gwyddom, adrannau unigol o'r Llywodraeth sy'n llywio rhaglen deddfwriaethol y DU. Caiff ein ceisiadau am amser deddfwriaethol eu hystyried ochr yn ochr â'r holl geisiadau eraill hynny, ac mae tagfa deddfwriaethol, yr ydym yn rhan ohoni.

Caiff tua dau o bob tri chais eu gwrthod bob blwyddyn. Gwna'r Cynulliad geisiadau lluosog ar draws amrywiaeth o feysydd polisi, ac nid oes digon o amser deddfwriaethol i gael mwy nag un neu ddau gais o'r fath. Dyna'r sefyllfa sydd ohoni, ac ni all neb ddadlau nad yw hynny'n wir. Wrth gwrs, bydd llawer o'r deddfwriaeth sy'n pasio drwy San Steffan yn effeithio ar swyddogaethau'r Cynulliad beth bynnag, a chanfu'r Pwyllgor Dethol ar Faterion Cymreig fod arddull y cyfreithwyr unigol—sef, cyfreithwyr drafftio'r cwnsler seneddol—wedi effeithio ar yr hyblygrwydd y mae pob Mesur newydd yn ei roi i'r Cynulliad Cenedlaethol. Mae hwn yn bwnc

subject, but the bottom line is that our ability to act in Wales is dictated by the approach of those who write the legislation. This point was made clear by Geoffrey Bowman, the First Parliamentary Counsel, when he gave evidence to the Welsh Affairs Select Committee. The Assembly review of procedure found a partial solution when it agreed seven basic principles, which the entire Assembly endorsed, to be used to determine how Westminster would confer powers on the Assembly. We have since been assured by the First Minister that this practice operates pretty smoothly, although the Richard commission discovered that those drafting legislation had not even heard of the principles. There is not much comfort, therefore, for us there.

We also have the influence of the Assembly Cabinet and the Secretary of State for Wales, whose role has, of course, been downgraded to a part-time position. The House of Lords Select Committee on the Constitution took a forensic look at the issue in 2002, and it expressed a particular concern at the unstructured way in which this process works. It described the process as unsystematic, almost random, highly opaque and hard to follow. The committee concluded that it affords the Assembly limited opportunity to influence, and that Wales was largely an afterthought—hardly a ringing endorsement, and hardly good enough. This fragmented approach since 1999 sits on top of a settlement that was flawed to begin with. There was a lack of constitutional vision and ambition at the outset. The Government of Wales Act is a compromise, and it is pointless to pretend otherwise. Perhaps its faults are the best reasons for change. We should all welcome the opportunity that the Richard commission report presents to discuss these issues and to formulate a new settlement that serves Wales well—not party political interest, but the Welsh interest. The settlement must be robust and not, as it does at present, rest on good will between the Assembly and Westminster. That will be the acid test for devolution.

In constitutional terms, the current situation is too fragile and leaves too many questions

sych, ond y gwir amdani yw mai ymagwedd y rhai sy'n llunio'r ddeddfwriaeth sy'n effeithio ar ein gallu i weithredu yng Nghymru. Eglurwyd y pwynt hwn gan Geoffrey Bowman, y Cwnsler Seneddol Cyntaf, pan roddodd dystiolaeth i'r Pwyllgor Dethol ar Faterion Cymreig. Yn adolygiad y Cynulliad o weithdrefnau daethpwyd o hyd i ateb rhannol pan gytunodd ar saith egwyddor sylfaenol, a gymeradwywyd gan y Cynulliad cyfan, i'w defnyddio wrth benderfynu sut y byddai San Steffan yn rhoi pwerau i'r Cynulliad. Ers hynny, mae'r Prif Weinidog wedi ein sicrhau bod yr arfer hwn yn gweithredu'n weddol ddiraffferth, er i gomisiwn Richard ddarganfod nad oedd y rhai a oedd yn drafftio deddfwriaeth wedi clywed am yr egwyddorion hyd yn oed. Felly, nid yw hynny'n llawer o gysur inni.

Mae gennym hefyd ddylanwad Cabinet y Cynulliad ac Ysgrifennydd Gwladol Cymru, y mae ei rôl wedi'i hisraddio i swydd ran amser wrth gwrs. Edrychodd Pwyllgor Dethol Tŷ'r Arglwyddi ar y Cyfansoddiad ar y mater mewn modd ffrensig yn 2002, a mynegodd bryder penodol ynghylch y ffordd anstrwythuredig y mae'r broses hon yn gweithio. Disgrifiodd y broses fel un ddiraffferth, ar hap bron, sy'n anhryloyw iawn ac sy'n anodd i'w dilyn. Daeth y pwyllgor i'r casgliad nad yw ond yn rhoi cyfle bach i'r Cynulliad gael dylanwad, ac mai ôl-ystyriaeth oedd Cymru i raddau helaeth—prin bod hynny'n gymeradwyaeth frwd, a phrin bod hynny'n ddigon da. Mae'r ymagwedd ddarniog hon ers 1999 yn dod ar ben setliad a oedd yn ddiffygiol ers y cychwyn. Cafwyd diffyg gweledigaeth gyfansoddiadol ac uchelgais o'r cychwyn cyntaf. Cyfaddawd yw Deddf Llywodraeth Cymru, ac nid oes diben dweud fel arall. Efallai mai ei diffygion yw'r rhesymau gorau dros newid. Dylai pob un ohonom groesawu'r cyfle a rydd adroddiad comisiwn Richard inni drafod y materion hyn a llunio setliad newydd sy'n gwasanaethau Cymru yn dda—nid budd y pleidiau gwleidyddol, ond budd Cymru. Rhaid i'r setliad fod yn gadarn a pheidio â dibynnu ar ewyllys da rhwng y Cynulliad a San Steffan, fel y gwna ar hyn o bryd. Dyna fydd prawf terfynol datganoli.

Yn gyfansoddiadol, mae'r sefyllfa bresennol yn rhy fregus ac erys gormod o gwestiynau

unanswered. For example, as has already been raised this afternoon, I wonder how the current arrangement would work if the Tories were to win the next Westminster election—out of style as that may be.

Executive devolution is not good enough, and we should not be content with a democratic institution simply being a substitute for the Secretary of State for Wales. We need a proper parliament.

**Brian Gibbons:** I, too, welcome this report and offer my compliments to Lord Richard and his commission on an authoritative and readable report. It is well written and makes a strong and intellectually convincing case for extending devolutionary responsibilities and powers to the National Assembly for Wales.

Lord Richard's report recommends that the process of expanding our responsibilities and powers should continue, but it does so on the basis that the Assembly has been successful in its first four to five years in delivering new and innovative policies that are relevant to Wales, and that it is doing so in an open and engaging way with the main stakeholders. By promoting democratic accountability and scrutiny, we are achieving better government in Wales. As Leighton Andrews has just said, the case for an expanded Assembly is made on the record of achievement and success. It is important that we underpin this, and it is even more important that the Assembly pro-devolution opposition parties take this message on board. I believe that at this stage, the people of Wales will only be convinced of the case for further responsibilities and powers if we can demonstrate that we are making good use of the present arrangements. The Richard report's unequivocal verdict is that we are doing so.

It appalled me that in their immediate response to the Richard commission report, some people, for example, Dafydd Iwan, said that the report's case for additional powers for the Assembly was put because the Assembly was failing. That type of negative message, which is completely out of tune with what the Richard report says, is

heb eu hateb. Er enghraifft, fel y codwyd yn gynharach y prynhawn yma, tybed sut y byddai'r trefniant presennol yn gweithio pe bai'r Torïaid yn ennill etholiad nesaf San Steffan—er mor annhebyg yw hynny.

Nid yw datganoli gweithredol yn ddigon da, ac ni ddylem fod yn fodlon ar sefydliad democrataidd dim ond yn cymryd lle Ysgrifennydd Gwladol Cymru. Mae arnom angen senedd wirioneddol.

**Brion Gibbons:** Croesawaf innau'r adroddiad hwn hefyd a llongyfarchaf yr Arglwydd Richard a'i gomisiwn ar adroddiad awdurdodol a darllenadwy. Mae wedi'i ysgrifennu'n dda ac mae'n rhoi dadl gref a deallusol argyhoeddiadol dros ymestyn cyfrifoldebau a phwerau datganoliadol i Gynulliad Cenedlaethol Cymru.

Mae adroddiad yr Arglwydd Richard yn argymhell y dylai'r broses o ehangu ein cyfrifoldebau a'n pwerau barhau, ond mae'n gwneud hynny ar sail y ffaith bod y Cynulliad wedi llwyddo yn y pedair neu bum mlynedd gyntaf i gyflwyno polisiau newydd ac arloesol sy'n berthnasol i Gymru, a'i fod yn gwneud hynny mewn ffordd agored sy'n ymgysylltu â'r prif randdeiliaid. Drwy hyrwyddo atebolrwydd a phroses graffu ddemocrataidd, cyflawnwn lywodraeth well yng Nghymru. Fel y mae Leighton Andrews newydd ei ddweud, dadleuir dros Gynulliad estynedig ar sail y record o gyflawniad a llwyddiant. Mae'n bwysig ein bod yn ategu hyn, ac mae'n bwysicach byth bod gwrthbleidiau'r Cynulliad sydd o blaid datganoli yn derbyn y neges hon. Credaf ar hyn o bryd mai dim ond os gallwn ddangos ein bod yn gwneud defnydd da o'r trefniadau presennol y bydd pobl Cymru yn argyhoeddedig o'r ddadl dros ragor o gyfrifoldebau a phwerau. Dyfarniad diamwys adroddiad Richard yw ein bod yn gwneud hynny.

Yr oedd yn wrthun gennyf fod rhai pobl, er enghraifft, Dafydd Iwan, wedi dweud yn eu hymateb i adroddiad comisiwn Richard yn union wedi'i gyhoeddi bod dadl yr adroddiad dros bwerau ychwanegol i'r Cynulliad wedi'i chyflwyno am fod y Cynulliad yn methu. Mae'r math hwnnw o neges negyddol, sy'n gwbl anghyson â'r hyn a ddywed adroddiad



detrimental to the cause of devolution. Whatever Dafydd Iwan may say, no Assembly Member who supports devolution will, hopefully, take that line. We want more power for Wales, because it is the best way of delivering a socially just society.

Lord Richard decided not to deal in any great detail with the referendum issue, on the basis that it was not part of his terms of reference. Not dealing with the referendum issue is like going to see *Hamlet* and the Prince of Denmark not making an appearance. The case that the First Minister makes, namely that the 1997 referendum dealt with the substantive issues, is compelling. The verdict of the people at that stage was that Wales should have an evolving, democratically elected, legislative body. Equally, even though it did not make recommendations on the referendum issue, the commission conceded that, if there was not an emerging consensus that this issue had been resolved by the 1997 referendum, and if people were not convinced that the case had been made for further powers, we must consider the issue of a referendum. While I passionately support the Richard commission's case for further powers, we need to keep an open mind on the referendum issue if we do not feel that that consensus is out there among the Welsh people, or across the parties. Therefore, I have no problem with a referendum in principle.

4.20 p.m.

However, we need to consider another issue in connection with the referendum. Lord Richard underpinned the point that one of the reasons for the Assembly's success has been the strong partnership between the Welsh Assembly Government and the UK Government, and he had concerns about the robustness of those arrangements if, at some future date, that level of partnership ceases to exist. Nick Bourne said nothing in his contribution to dispel the idea that the Conservative Party is capable of dismissing a democratically elected body that it does not like; consider, for example, the Greater London Council. Therefore, if we in the Assembly are to be able to truly represent the Welsh people, and if there is not a consensus,

Richard, yn niweidiol iawn i achos datganoli. Beth bynnag a ddywed Dafydd Iwan, ni fydd unrhyw Aelod o'r Cynulliad sy'n cefnogi datganoli yn cytuno â hynny, gobeithio. Yr ydym am sicrhau mwy o bŵer i Gymru, gan mai dyna'r ffordd orau o gyflwyno cymdeithas sy'n gymdeithasol gyfiawn.

Penderfynodd yr Arglwydd Richard beidio â delio yn fanwl â chwestiwn refferendwm, ar y sail nad oedd yn rhan o'i gylch gorchwyl. Mae peidio â delio â chwestiwn refferendwm yn debyg i fynd i weld *Hamlet* lle nad yw Tywysog Denmarc yn ymddangos. Mae dadl y Prif Weinidog, sef y ffaith i'r refferendwm yn 1997 ddelio â phob mater o sylwedd, yn gymhellol. Dyfarniad y bobl bryd hynny oedd y dylai fod gan Gymru gorff deddfwriaethol a gaiff ei ethol yn ddemocrataidd ac sy'n datblygu. Yn yr un modd, er na chyflwynodd argymhellion o ran cynnal refferendwm, cyfaddefodd y comisiwn fod yn rhaid inni ystyried refferendwm, os nad oedd pobl yn cytuno bod y mater hwn wedi'i ddatrys gan refferendwm 1997, ac os nad oedd pobl yn argyhoeddedig bod dadl gref dros bwerau pellach wedi'i rhoi. Er fy mod yn cefnogi i'r carn ddadl comisiwn Richard dros ragor o bwerau, mae angen inni fod â meddwl agored ar gwestiwn refferendwm os na chredwn fod cytundeb o'r fath ymhlith pobl Cymru, neu ar draws y pleidiau. Felly, ni wrthwynebam refferendwm mewn egwyddor.

Fodd bynnag, mae angen inni ystyried mater arall mewn perthynas â'r refferendwm. Pwysleisiodd yr Arglwydd Richard y pwynt mai un o'r rhesymau dros lwyddiant y Cynulliad fu'r bartneriaeth gref rhwng Llywodraeth Cynulliad Cymru a Llywodraeth y DU, ac yr oedd pryderon ganddo ynghylch pa mor gadarn oedd y trefniadau hynny os na fydd y lefel honno o bartneriaeth yn bodoli mwyach, rywbryd yn y dyfodol. Ni ddywedodd Nick Bourne ddim yn ei gyfraniad i wrthod y syniad bod y Blaid Geidwadol yn gallu cael gwared â chorff sydd wedi'i ethol yn ddemocrataidd nad yw'n ei hoffi; ystyriwch, er enghraifft, Cyngor Llundain Fawr. Felly, er mwyn i ni yn y Cynulliad allu gwir gynrychioli pobl Cymru,

it is entirely legitimate that we should seek a popular mandate through a referendum. If such a referendum underpinned the Welsh people's desire to move towards the Richard report's recommendations, I would sincerely hope that parties who are not pro-devolution would make a commitment that any further change to Wales's constitutional status would only be possible through a further referendum.

**David Melding:** I join others in welcoming this report and congratulating Lord Richard and his fellow commissioners. It is the most significant report ever on a specifically Welsh matter. The last great report on a constitutional issue—the Kilbrandon report by the royal commission on the constitution—was widely ridiculed because it was not unanimous. It proposed many different options, and it was prolix and fractious. We have a report that has been unanimously endorsed. That means that the four commissioners nominated by the political parties represented in the Assembly agreed to it. That means that it must, at the least, be considered seriously, as it is based on such overwhelming evidence.

I will talk briefly about my personal journey. In the mid-1990s I was opposed to devolution. I believed then—and, technically, I still believe—that a unitary state is the best option for the British state. However, I conceded that there was growing demand for devolution and that perhaps a better model would be some form of federal constitution. However, even in 1997 I continued to oppose devolution. I wrote the Conservative Party's briefing material for the referendum campaign, so I will not take lectures from those on my own side who somehow believe that I have gone native or have flip-flopped dramatically. I have accepted the result and have worked with what we have to improve it. However, I still feel that there is a fundamental choice. If you want a strong political constitution you adopt a unitary system of government or you adopt a federal system of government. Devolution does not really exist as a coherent concept, and the more that you look at it the more difficult it is to define. What we have in Scotland, and what we would have in Northern Ireland if its

ac os na cheir cytundeb, mae'n gwbl ddilys inni ofyn am fandad poblogaidd drwy refferendwm. Pe bai refferendwm o'r fath yn sail i awydd pobl Cymru i symud tuag at argymhellion adroddiad Richard, byddwn yn gobeithio'n fawr y byddai'r pleidiau nad ydynt o blaid datganoli yn gwneud ymrwymiad mai dim ond drwy refferendwm arall y byddai unrhyw newid pellach i statws cyfansoddiadol Cymru yn bosibl.

**David Melding:** Ymunaf â phobl eraill i groesawu'r adroddiad hwn ac i longyfarch yr Arglwydd Richard a'i gyd-gomisiynwyr. Hwn yw'r adroddiad mwyaf arwyddocaol erioed ar fater sy'n ymwneud â Chymru'n benodol. Cafodd yr adroddiad mawr diwethaf ar fater cyfansoddiadol—adroddiad Kilbrandon gan y comisiwn brenhinol ar y cyfansoddiad—ei wawdio'n gyffredinol am nad oedd yn unfrydol. Cynigiodd lawer o opsiynau gwahanol, ac yr oedd yn hirwyntog ac yn rhanedig. Mae gennym adroddiad a gymeradwywyd yn unfrydol. Golyga hynny i'r pedwar comisiynydd a enwebwyd gan y pleidiau gwleidyddol a gynrychiolir yn y Cynulliad gyuno arno. Golyga hynny fod yn rhaid ei ystyried o ddifrif, o leiaf, am ei fod yn seiliedig ar dystiolaeth mor ddiwrthdro.

Soniaf yn fras am fy nhaith bersonol. Yng nghanol y 1990au, gwrthwynebaidd ddatganoli. Credwn y pryd hynny—a chredaf o hyd, yn dechnegol—mai gwladwriaeth unedol yw'r dewis gorau ar gyfer gwladwriaeth Prydain. Fodd bynnag, cyfaddefaf fod galw cynyddol am ddatganoli ac efallai y byddai rhyw fath o gyfansoddiad ffederal yn fodel gwell. Fodd bynnag, hyd yn oed yn 1997, parhawn i wrthwynebu datganoli. Ysgrifennais ddeunydd briffio'r Blaid Geidwadol ar gyfer ymgyrch y refferendwm, ac felly ni dderbyniaf feirniadaeth gan y rhai ar fy ochr fy hun sy'n credu rywsut fy mod wedi troi'n frodor neu fy mod wedi newid fy safbwynt yn sylweddol. Yr wyf wedi derbyn y canlyniad ac yr wyf wedi gweithio gyda'r hyn sydd gennym er mwyn ei wella. Fodd bynnag, credaf o hyd fod dewis sylfaenol. Os ydych am gael cyfansoddiad gwleidyddol cryf, yr ydych yn mabwysiadu system llywodraeth unedol neu system llywodraeth ffederal. Nid yw datganoli yn bodoli mewn gwirionedd fel cysyniad rhesymegol, a pho fwyaf yr

Assembly were reconstituted, is a federal model that looks similar, for example, to state parliaments in Canada or Australia.

Therefore, I welcome the commission's findings that we must look seriously at the principle of giving legislative power to the Assembly. I also broadly welcome the timetable that is set out. It seems to be quite pragmatic and allows parties that may perhaps have greater difficulty, because they are likely to be in government, to grapple with some of these issues, such as the number of MPs. On the question of if we became a legislative institution tomorrow how could we cope with that dramatic change, it seems to be quite sensible to do it in phases. I have no problem with that.

I will talk a little about our present model, which is sometimes called executive devolution. It is a strange beast, which does not exist anywhere else. As far as I know, it has only ever been proposed for Wales. It has not been proposed in any part of the world that has adopted British parliamentary institutions. Essentially, it creates a government, but not a legislature to give that government the laws that it needs to govern. Rhodri Morgan is the head of a powerful Government, whether you agree with its policies or not. However, it is not responsible to this institution. Insofar as it is responsible to any institution, it is responsible to Westminster. Westminster gives it its legislation, ultimately, and also votes its money. We have a rather shadowy existence where we can upset the Government's standing insofar as its legitimacy is concerned, but we do not have the types of constraints that you get in the British parliamentary tradition that seek to locate the executive and legislative power in the same institution.

That happens in all parts of the British parliamentary tradition, apart from in Wales. I am not convinced that it is a good model that can be justified just because it is a fantastic innovation. It is a poor model and it says that the Welsh are politically deficient

edrychwch arno, y mwyaf anodd ydyw i'w ddiffinio. Mae'r hyn sydd gennym yn yr Alban, a'r hyn a fyddai gennym yng Ngogledd Iwerddon pe câi'r Cynulliad ei ailgyfansoddi, yn fodel ffederal sy'n edrych yn debyg i seneddau taleithiol Canada neu Awstralia, er enghraifft.

Felly, croesawaf ganfyddiadau'r comisiwn fod yn rhaid inni edrych o ddifrif ar egwyddor rhoi pŵer deddfwriaethol i'r Cynulliad. Croesawaf yn fras yr amserlen a noda hefyd. Ymddengys ei bod yn eithaf pragmatig, a'i bod yn galluogi pleidiau a all gael mwy o anhawster efallai, am eu bod yn debygol o fod mewn grym, i fynd i'r afael â rhai o'r materion hyn, megis nifer yr ASau. O ran sut y gallem ymdopi â'r newid sylweddol pe baem yn troi'n sefydliad deddfwriaethol yfory, ymddengys ei bod yn eithaf synhwyrol i wneud hynny fesul cam. Nid anghytunaf â hynny.

Soniaf ychydig am ein model presennol, a elwir weithiau yn ddatganoli gweithredol. Mae'n fodel rhyfedd, nad yw'n bodoli yn unman arall. Hyd y gwn, dim ond i Gymru y mae wedi'i gynnig erioed. Nid yw wedi'i gynnig mewn unrhyw ran o'r byd sydd wedi mabwysiadu sefydliadau seneddol Prydeinig. Yn y bôn, mae'n creu llywodraeth, ond nid deddfwrfa i roi'r deddfau i'r llywodraeth sydd eu hangen arni i lywodraethu. Mae Rhodri Morgan yn bennaeth ar Lywodraeth bwerus, pa un a ydych yn cytuno â'i bolisiau ai peidio. Fodd bynnag, nid yw'n atebol i'r sefydliad hwn. I'r graddau y mae'n atebol i unrhyw sefydliad, mae'n atebol i San Steffan. Mae San Steffan yn rhoi ei deddfwriaeth iddi, yn y pen draw, ac mae'n penderfynu ar yr arian a roddir iddi hefyd. Mae ein rôl braidd yn aneglur lle y gallwn darfu ar statws y Llywodraeth o ran ei dilysrwydd, ond nid oes gennym y mathau o rwystrau a geir yn nhraddodiad seneddol Prydain sy'n ceisio lleoli'r pŵer gweithredol a deddfwriaethol yn yr un sefydliad.

Mae hynny'n digwydd ym mhob rhan o draddodiad seneddol Prydain, ar wahân i Gymru. Nid wyf yn argyhoeddedig ei fod yn fodel da y gellir ei gyfiawnhau dim ond am ei fod yn newydd beth gwyach. Mae'n fodel gwael a dywed fod pobl Cymru yn

because they cannot be given responsibility to pass laws in devolved areas of government, whereas the Scots, the English, the Northern Irish and the residents of the Isle of Man and the Channel Islands can do so. It is not a practical way of proceeding. The Welsh have the constitutional capability to pass their own laws.

Regarding what a future Conservative Government will do, we would be in difficulty because we would be in power in Westminster but there would probably be a Government in Wales that was not a Conservative Government. That will be a dilemma for us, which my colleagues must consider. We must come up with some practical considerations regarding what to do. The best option would be to ask the opinion of the Welsh people in a referendum.

**Sandy Mewies:** Many of the issues that I wished to raise have already been mentioned; that is the danger of having a long debate. This is an important debate, because it affects our future and that of the people of Wales. The 800-page document that we have before us also reflects the feelings of those people. I was pleased to see that a significant number of people from all over Wales contributed to the discussion. I was also pleased to see that there was a change in the trend and that people were expressing more, rather than less, support for the Assembly. As a result, I believe that it is time for us to consolidate the situation, and look hard at what people said and at the report's conclusions. I am glad that the Labour Party will be holding a conference in September when we will be discussing the views of every member. We treat every member equally. AMs and MPs will not have a controlling interest, and every member will have a say in what takes place. That is the fundamental tenet of our party.

The proposal to give the Assembly primary legislative powers will be hotly debated and, no doubt, disputed. It is timely to remember that a great deal of the legislation passed in the Assembly has worked well. I do not mean the work that I have done—I became a Member last year—but the work of the previous Assembly. People worked hard together to ensure results.

wleidyddol ddiffygiol am na ellir rhoi cyfrifoldeb iddynt dros basio deddfau ym meysydd llywodraeth sydd wedi'u datganoli, er y gall trigolion yr Alban, Lloegr, Gogledd Iwerddon, Ynys Manaw ac Ynysoedd y Sianel wneud hynny. Nid yw'n ffordd ymarferol o fynd ymlaen. Mae gan pobl Cymru y gallu cyfansoddiadol i basio eu deddfau eu hunain.

O ran yr hyn y bydd Llywodraeth Geidwadol yn y dyfodol yn ei wneud, byddem mewn trafferthion oherwydd byddem mewn grym yn San Steffan ond mae'n debyg y byddai Llywodraeth yng Nghymru nad oedd yn Llywodraeth Geidwadol. Bydd hynny'n peri penbleth inni, a rhaid i'm cyd-Aelodau ystyried hynny. Rhaid inni feddwl am rai ystyriaethau ymarferol o ran yr hyn i'w wneud. Y dewis gorau fyddai gofyn barn pobl Cymru mewn refferendwm.

**Sandy Mewies:** Mae llawer o'r materion yr oeddwn am eu codi wedi'u crybwyll eisoes; dyna berygl dadl hir. Mae hon yn ddadl bwysig, am ei bod yn effeithio ar ein dyfodol ni a dyfodol pobl Cymru. Mae'r ddogfen 800 o dudalennau sydd ger ein bron hefyd yn adlewyrchu teimladau'r bobl hynny. Yr oeddwn yn falch o weld i nifer sylweddol o bobl o bob cwr o Gymru gyfrannu at y drafodaeth. Yr oeddwn yn falch hefyd o weld bod newid yn y duedd a bod pobl yn mynegi mwy o gefnogaeth i'r Cynulliad, yn hytrach na llai o gefnogaeth iddo. O ganlyniad, credaf ei bod yn bryd inni atgyfnerthu'r sefyllfa, ac edrych yn fanwl ar yr hyn a ddywedodd pobl ac ar gasgliadau'r adroddiad. Yr wyf yn falch y bydd y Blaid Lafur yn cynnal cynhadledd ym mis Medi lle y byddwn yn trafod safbwyntiau pob aelod. Yr ydym yn trin pob aelod yn gyfartal. Nid ACau ac ASau fydd yn rheoli, a bydd pob aelod yn cael dweud eu dweud o ran yr hyn a fydd yn digwydd. Dyna egwyddor sylfaenol ein plaid.

Caiff y cynnig i roi pwerau deddfwriaeth sylfaenol i'r Cynulliad ei drafod yn frwd a bydd anghytundeb yn ei gylch, yn ddiamau. Mae'n werth cofio bod llawer o'r ddeddfwriaeth sydd wedi'i phasio yn y Cynulliad wedi gweithio'n dda. Ni olygaf y gwaith yr wyf fi wedi'i wneud—cefais fy ethol yn Aelod y llynedd—ond gwaith y Cynulliad blaenorol. Cydweithiodd pobl yn

I will be listening carefully to what people have to say. Like many other Members, I have begun consultations with my constituents. However, I have two concerns, and I will be questioning people to get an answer or a definitive statement on how I can deal with those concerns. I will comment first on the single transferable vote system. Whether or not you support the additional Member system, it caused confusion during the last elections. The STV system will cause even more confusion. I am not sure that I am convinced that having two, three or four Members representing a constituency, when the constituencies are not based on parliamentary constituencies, will help to clarify who or what people are voting for. I am also concerned about how we deal with quangos.

**Helen Mary Jones:** Have you read chapter 3 of the Richard commission report? It shows that there was no confusion regarding the voting system; people found that it was clear. Detailed opinion research has been carried out on the issue. We may have problems with scientific evidence when it tells us what we do not want to know, but the evidence in the report is clear. It also shows that 58.5 per cent of the people of Wales agree with the proportional principle for electing AMs, and not with the current system, and that only 13 per cent disagree with it. It is important that we consider the evidence.

**Sandy Mewies:** In my constituency—and I was elected via the first-past-the-post system—some people are still angry about what happened. There was confusion then. If you were to ask any Member who knocked on doors during the campaign, they would say that the picture that they saw at the time of the election was different to the one that you have just outlined. There was significant concern about quangos. Call them what you like, but we must consider how we scrutinise and deal with them. This concern has not gone away.

galed i sicrhau canlyniadau.

Byddaf yn gwrando'n ofalus ar yr hyn sydd gan bobl i'w ddweud. Fel llawer o'r Aelodau eraill, yr wyf wedi dechrau ymgynghori â'm hetholwyr. Fodd bynnag, mae dau bryder gennyf, a byddaf yn holi pobl i gael ateb neu ddatganiad pendant ynghylch sut y gallaf ymdrin â'r pryderon hynny. Gwnaf sylwadau yn gyntaf ar system y bleidlais sengl drosglwyddadwy. Pa un a ydych yn cefnogi system Aelodau ychwanegol ai peidio, perodd ddryswch yn ystod yr etholiadau diwethaf. Bydd system y bleidlais sengl drosglwyddadwy yn peri mwy o ddryswch byth. Nid wyf yn siŵr fy mod yn argyhoeddedig y bydd cael dau, dri neu bedwar Aelod yn cynrychioli etholaeth, pan nad yw'r etholaethau yn seiliedig ar etholaethau seneddol, yn helpu i egluro dros bwy neu beth y mae pobl yn pleidleisio. Pryderaf hefyd ynghylch sut yr ymdriniwn â chwangos.

**Helen Mary Jones:** A ydych wedi darllen pennod 3 adroddiad comisiwn Richard? Dengys nad oedd dryswch ynghylch y system bleidleisio; yr oedd pobl yn ei chael yn eglur. Mae ymchwil barn fanwl wedi'i chynnal ar y mater. Efallai ei bod yn anodd inni dderbyn tystiolaeth wyddonol pan ddywed wrthym yr hyn nad ydym am ei wybod, ond mae'r dystiolaeth yn yr adroddiad yn glir. Dengys hefyd fod 58.5 y cant o bobl Cymru yn cytuno ar yr egwyddor gyfrannol ar gyfer ethol ACau, yn hytrach na'r system bresennol, ac mai dim ond 13 y cant sy'n anghytuno â hi. Mae'n bwysig inni ystyried y dystiolaeth.

**Sandy Mewies:** Yn fy etholaeth i—ac fe'm hetholwyd drwy system y cyntaf i'r felin—mae rhai pobl yn dal i fod yn ddig ynghylch yr hyn a ddigwyddodd. Cafwyd dryswch y pryd hynny. Pe byddech yn gofyn i unrhyw Aelod a fu'n canfasio o ddrws i ddrws yn ystod yr ymgyrch, byddent yn dweud bod y darlun a welent ar adeg yr etholiad yn wahanol i'r un yr ydych newydd ei amlinellu. Cafwyd pryder mawr ynghylch cwangos. Galwch hwy fel y mynnwch, ond rhaid inni ystyried sut yr ydym yn craffu arnynt ac yn delio â hwy. Nid yw'r pryder hwn wedi diflannu.

4.30 p.m.

We have seen a lot of posturing by some parties. The Liberal Democrats seem to have made up their minds in advance of seeing the commission's evidence. The nationalists' leader said today that they think that STV will work, that there must be an increase in the number of Assembly Members, and, regardless of the fact that people will not like this, it is what they want. That is what the nationalists call good consultation.

**Ieuan Wyn Jones:** Will you take an intervention?

**Sandy Mewies:** In a moment.

The Tories are so interested in what happens here that they have changed their tune on devolution and half the group is trying to jump ship by being elected to Westminster.

**Nick Bourne:** Will you take an intervention?

**Sandy Mewies:** I would be glad to take an intervention in a minute, and I will do so before I finish my contribution.

It is time that the posturing stopped and that we listened to people. We will listen to the views of Labour Party members and take them forward. This is what will inform my decision and, ultimately, it will be based on what is best for the people of Wales, not what is best for my party's political structure.

**Ieuan Wyn Jones:** Are you seriously suggesting that talking about 80 Assembly Members and the STV system is nothing more than political posturing? If so, you are accusing the commission of political posturing, because I was making the case for the commission's recommendations.

**Sandy Mewies:** I said that there has been political posturing, and I was concerned by your remark—I do not remember your exact words—that even though people would be concerned that the STV system and

Yr ydym wedi gweld llawer o ymagweddu gan rai o'r pleidiau. Ymddengys bod y Democratiaid Rhyddfrydol wedi gwneud penderfyniad cyn gweld tystiolaeth y comisiwn. Dywedodd arweinydd y cenedlaetholwyr heddiw eu bod yn credu y bydd system y bleidlais sengl drosglwyddadwy yn gweithio, bod yn rhaid i nifer Aelodau'r Cynulliad gynyddu, ac, er na fydd pobl yn hoffi hyn, dyna'r hyn y maent am ei gael. Dyna'r hyn a elwir gan y cenedlaetholwyr yn ymgyngori da.

**Ieuan Wyn Jones:** A dderbyniwch ymyriad?

**Sandy Mewies:** Mewn munud.

Mae cymaint o ddiddordeb gan y Torïaid yn yr hyn sy'n digwydd yma fel eu bod wedi newid eu meddwl o ran datganoli ac mae hanner y grŵp yn ceisio cefnu ar y Cynulliad drwy gael eu hethol i San Steffan.

**Nick Bourne:** A dderbyniwch ymyriad?

**Sandy Mewies:** Byddwn yn falch o dderbyn ymyriad mewn munud, a gwnaf hynny cyn imi orffen fy nghyfraniad.

Mae'n bryd i'r ymagweddu ddod i ben ac inni wrando ar bobl. Byddaf yn gwrandao ar safbwyntiau aelodau'r Blaid Lafur ac yn gweithredu arnynt. Bydd hyn yn sail i'm penderfyniad ac, yn y pen draw, bydd yn seiliedig ar yr hyn sydd orau i bobl Cymru, yn hytrach na'r hyn sydd orau i strwythur gwleidyddol fy mhlaid.

**Ieuan Wyn Jones:** A awgrymwch o ddifrif bod siarad am 80 o Aelodau'r Cynulliad a system y bleidlais sengl drosglwyddadwy yn ddim byd amgenach nag ymagweddu gwleidyddol? Os felly, yr ydych yn cyhuddo'r comisiwn o ymagweddu gwleidyddol, oherwydd yr oeddwn yn rhoi'r ddadl o blaid argymhellion y comisiwn.

**Sandy Mewies:** Dywedais fod ymagweddu gwleidyddol gan rai, ac yr oedd eich sylw yn fy mhryderu—ni chofiaf eich geiriau yn union—sef er y byddai pobl yn pryderu y byddai system y bleidlais sengl

additional Members would lead to additional costs, this did not matter.

**Nick Bourne:** Will you take an intervention?

**The Deputy Presiding Officer:** Order. I do not think that there is time for another intervention. Time is against us all. Another seven Members wish to speak, and we have 25 minutes before the First Minister is to be called to respond to the debate. It would be wrong of me to impose a limit of three and a half minutes, but I urge Members to bear in mind that some may not have an opportunity to contribute.

**Jenny Randerson:** I will concentrate on scrutiny. Looking beneath the surface of the Richard commission's report, it is barely polite in its criticism of our scrutiny arrangements. Our opportunities for scrutiny have been reduced since the commission started its work, as a result of the move from the two-week to the three-week Committee cycle.

There have been several discussions recently about the role of ASPBs. It is clear that the Labour Assembly Government does not have any matches to hand in order to light the promised bonfire. However, we have seen many signs that the Government is drawing ASPBs closer and that the arm's-length relationship is one where the arm is getting shorter. It is vital, therefore, that backbench Members of all parties take their scrutiny role seriously, in respect of ASPBs, of Ministers and of the time and effort we put into scrutinising legislation. In order to undertake these three aspects of scrutiny, we need more time in Committee and in Plenary. This issue has been discussed by the Business Committee and needs to be revisited. We need to return at the very least to a two-week cycle, if not a weekly cycle, which is what most other parliaments follow. We also need more Plenary time, as it is impossible to develop scrutiny seriously by having five or three minutes in which to speak, as indeed we have been reduced to this afternoon.

We can show ourselves willing to address the issue immediately, and we do not need to

drosoglwyddadwy ac Aelodau ychwanegol yn arwain at gostau ychwanegol, nad oedd hyn o bwys.

**Nick Bourne:** A dderbyniwch ymyriad?

**Y Dirprwy Lywydd:** Trefn. Ni chredaf fod amser i ymyriad arall. Mae amser yn brin. Mae saith Aelod arall yn dymuno siarad, ac mae gennym 25 o funudau cyn galw'r Prif Weinidog i ymateb i'r ddatl. Ni fyddai'n briodol imi gyfyngu ar gyfraniadau Aelodau i dair munud a hanner, ond apelïaf ar yr Aelodau i gofio efallai na chaiff rhai pobl gyfle i gyfrannu.

**Jenny Randerson:** Canolbwyntiaf ar graffu. Gan edrych o dan wyneb adroddiad comisiwn Richard, o'r braidd y mae'n gwrtais yn ei feirniadaeth o'n trefniadau craffu. Ers i'r comisiwn ddechrau ar ei waith, bu llai o gyfle inni graffu, o ganlyniad i'r newid i gylch y Pwyllgorau o bythefnos i dair wythnos.

Bu sawl trafodaeth yn ddiweddar am rôl CCNC. Mae'n amlwg nad oes gan Lywodraeth Lafur y Cynulliad unrhyw fatisis wrth law i gynnu'r goelcerth a addawyd. Fodd bynnag, gwelsom sawl arwydd bod y Llywodraeth yn tynnu'r CCNC yn agosach a bod y berthynas hyd braich yn un lle mae'r fraich yn mynd yn fyrrach. Mae'n hollbwysig, felly, bod Aelodau'r meinciau cefn yn cymryd eu rôl graffu o ddifrif, mewn perthynas â CCNC, Gweinidogion a'r amser a'r ymdrech a wnawn o ran craffu ar ddeddfwriaeth. Er mwyn ymgymryd â'r tair agwedd hon ar graffu, mae angen mwy o amser arnom mewn Pwyllgorau ac mewn Cyfarfodydd Llawn. Trafodwyd y mater hwn gan y Pwyllgor Busnes ac mae angen ei ailystyried. Mae angen inni ddychwelyd at gylch pythefnos o leiaf, os nad cylch wythnos, sef yr hyn a wna'r rhan fwyaf o seneddau eraill. Mae angen mwy o amser arnom mewn Cyfarfodydd Llawn hefyd, gan ei bod yn amhosibl datblygu trefniadau craffu yn ddifrifol drwy gael pump neu dair munud i siarad, fel yn wir y cawsom y prynhawn yma.

Gallwn ddangos ein bod yn barod i ymdrin â'r mater ar unwaith, ac nid oes angen inni

hold special conferences for it to be tackled head-on. It is worth noting that work on joint scrutiny arrangements with Westminster is ongoing. All these matters will take more time.

Lord Richard's report states that we need to work harder at what we currently do. However, if we get more powers, then we will need more capacity. Look around you; there are relatively few Members who do not have a job, and relatively few who are genuine backbenchers and who can develop a true expertise in an area in the way that is possible in Parliament. That makes for an easy ride for the Government in the short term, but in the long term it makes for bad Government and slipshod mistakes.

If we are to have primary legislative powers, as the logic of the Richard report dictates, we must have more Members to do the job. Remember, the Richard commission was made up of a disparate group of people. They came together with a single recommendation and it is clear from what has been said that the logic was forced upon them. They visited the Scottish Parliament, where they said that its 129 members were being stretched in their scrutiny role. The knee-jerk reaction of Assembly opponents will inevitably be a cry of, 'what, more politicians?' and, sadly, the knee-jerk reaction of Labour MPs has been the same in many cases, but, honourably, not in all. This is about more than job security for Labour MPs. In any event, as I mentioned earlier, the timescale for such changes would be at least 2015, and Lord Richard made it clear that it was a rare MP who could look to that sort of job security.

We should look well beyond our lifetime as politicians. We are looking at the next 50 and 100 years, not at the benefit to the next election, or even the one after that. To try to undertake the extra job without an additional 20 Members would cost a great deal more than the £10 million that is being touted as the cost of those extra Members, because it would mean not as good government and, therefore, the wasting of money.

gynnal cynadleddau arbennig er mwyn mynd i'r afael ag ef. Mae'n werth nodi bod y gwaith ar drefniadau craffu ar y cyd â San Steffan yn mynd rhagddo. Bydd yr holl faterion hyn yn cymryd mwy o amser.

Noda adroddiad yr Arglwydd Richard fod angen inni weithio'n galetach ar yr hyn a wnawn ar hyn o bryd. Fodd bynnag, os cawn ragor o bwerau, yna bydd angen rhagor o gapasiti arnom. Edrychwch o'ch cwmpas; nifer gymharol brin o Aelodau sydd heb swydd, a chymharol brin yw'r nifer sy'n feincwyr cefn gwirioneddol a all ddatblygu gwir arbenigedd mewn maes yn y ffordd sy'n bosibl yn y Senedd. Mae hynny'n gwneud pethau'n hawdd i'r Llywodraeth yn y byrdymor, ond yn yr hirdymor bydd yn creu Llywodraeth wael a chamgymeriadau esgeulus.

Os ydym yn mynd i gael pwerau deddfwriaeth sylfaenol, fel y noda rhesymeg adroddiad Richard, rhaid inni gael mwy o Aelodau i wneud y gwaith. Cofiwch, yr oedd comisiwn Richard yn cynnwys grŵp o bobl amrywiol. Daethant at ei gilydd gydag un argymhelliad ac mae'n amlwg o'r hyn a ddywedwyd i'r rhesymeg gael ei gorfodi arnynt. Bu iddynt ymweld â Senedd yr Alban, lle y dywedasant fod ei 129 o aelodau yn gorfod gweithio i'r eithaf yn eu rôl graffu. Yn anochel, ymateb difeddwl y rhai sy'n gwrthwynebu'r Cynulliad fydd 'beth, mwy o wleidyddion?' ac, yn anffodus, bu ymateb difeddwl ASau Llafur yr un peth mewn sawl achos, ond nid ym mhob un, a chlod iddynt am hynny. Mae a wnelo hyn â mwy na sicrwydd swyddi i ASau Llafur. Beth bynnag, fel y soniais yn gynharach, ni fyddai newidiadau o'r fath i'w gweld tan 2015 o leiaf, a phwysleisiodd yr Arglwydd Richard mai prin oedd yr AS a allai ddisgwyl y math hwnnw o sicrwydd swydd.

Dylem edrych y tu hwnt i'n hoes ni fel gwleidyddion. Yr ydym yn edrych ar yr 50 a'r 100 mlynedd nesaf, nid ar y budd i'r etholiad nesaf, na'r un ar ôl hynny hyd yn oed. Byddai ceisio ymgymryd â'r gwaith ychwanegol heb 20 Aelod ychwanegol yn costio llawer iawn mwy na'r £10 miliwn sy'n cael ei awgrymu fel cost yr Aelodau ychwanegol hynny, oherwydd byddai'n golygu bod gennym lywodraeth nad oedd



cystal ac, felly bod arian yn cael ei wastraffu.

Finally, as a Liberal Democrat, I am keen on referenda. However, in this case, at what point would you hold the referendum? A gradual solution has been proposed. At which stage in the transfer of primary legislative powers would you decide that we should have a referendum, because that transfer could stop at any point? For example, a change in the colour of Government at Westminster could halt that transfer—

Yn olaf, fel Democrat Rhyddfrydol, yr wyf yn frwd dros refferenda. Fodd bynnag, yn yr achos hwn, pryd y byddech yn cynnal y refferendwm? Cynigiwyd ateb graddol inni. Ar ba gam yn y broses o drosglwyddo pwerau deddfwriaeth sylfaenol y byddech yn penderfynu y dylem gael refferendwm, oherwydd gallai trosglwyddo o'r fath ddod i ben unrhyw bryd? Er enghraifft, gallai newid yn lliw y Llywodraeth yn San Steffan atal y trosglwyddiad hwnnw—

**The Deputy Presiding Officer:** Order. Jenny, you must wind up now.

**Y Dirprwy Lywydd:** Trefn. Jenny, rhaid ichi ddirwyn i ben yn awr.

**Jenny Randerson:** If there were to be a transfer of tax-raising powers, a referendum would be essential, but it is not essential when a gradual solution is being proposed.

**Jenny Randerson:** Pe bai pwerau i godi trethi yn cael eu trosglwyddo, byddai refferendwm yn hanfodol, ond nid yw'n hanfodol pan fo ateb graddol yn cael ei gynnig.

**Glyn Davies:** I, too, congratulate the Richard commission on producing a readable and considered report.

**Glyn Davies:** Hoffwn i, hefyd, longyfarch comisiwn Richard ar baratoi adroddiad darllenadwy ac ystyriol.

The Conservative Party is embarking on an open and wide-ranging discussion. Therefore, it would be wrong and discourteous of me to adopt an entrenched position at this stage. However, as an elected politician representing the Conservative Party, it is important for the debate that I make my position and initial reaction clear.

Mae'r Blaid Geidwadol yn cychwyn ar drafodaeth agored ac eang ei chwmpas. Felly, byddai'n amhriodol ac yn anghwrtais pe bawn yn arddel safbwynt disymud yn awr. Fodd bynnag, a minnau'n wleidydd etholedig sy'n cynrychioli'r Blaid Geidwadol, mae'n bwysig i'r ddadl fy mod yn egluro fy safbwynt a'm hymateb cychwynnol.

I only have time to address two issues, the most important of which is the accountability of those who govern us. The Richard commission talks about the need for an open, participative, responsive Government, and I share the commission's view that the current arrangements do not deliver that. The commission describes the current settlement as not providing a sustainable basis for governing Wales—that is an understatement. The current settlement is a recipe for confusion about who is responsible for what, and it has succeeded in undermining the principle of accountability. The only way in which democracy can function is if people know exactly what each tier of Government is responsible for. I opposed the previous referendum because I thought that the proposed system, namely the current

Dim ond amser i ymdrin â dau fater sydd gennyf, a'r pwysicaf yw atebolrwydd y rhai sy'n ein llywodraethu. Sonia comisiwn Richard am yr angen i gael Llywodraeth agored, sy'n cyfranogi ac yn ymateb, a chytunaf â'r comisiwn nad yw'r trefniadau presennol yn cyflawni hynny. Disgrifia'r comisiwn y setliad presennol fel un nad yw'n rhoi sail gynaliadwy ar gyfer llywodraethu Cymru—a dweud y lleiaf. Mae'r setliad presennol yn peri dryswch o ran pwy sy'n gyfrifol am beth, ac mae wedi llwyddo i danseilio egwyddor atebolrwydd. Yr unig ffordd y gall democratiaeth weithio yw os gŵyr pobl yn union beth mae pob haen o Lywodraeth yn gyfrifol amdano. Gwrthwynebais y refferendwm blaenorol oherwydd credais na fyddai'r system arfaethedig, sef y trefniadau presennol, yn

arrangements, would not deliver clear accountability.

Accountability is paramount and I accept the recommendation that the National Assembly for Wales should become a legislative institution. Where responsibility for a function is shared between two institutions, neither party becomes accountable for the delivery of its promises. Democracy demands that the Government of Wales be held accountable and answerable for its performance. That does not happen now.

4.40 p.m.

For the same reason, I accept the wisdom of a much clearer division between the Executive and the legislature. I fully support the Richard commission's recommendations in that regard. The second issue is the cost of governance in Wales, which is a matter of great concern to the people. I held eight public meetings in Montgomeryshire to discuss this issue, and it has exercised people more than anything else, in particular the proposal that there should be 20 additional Assembly Members. We know that devolution costs money, but any consideration of change must be underpinned by the principle of financial discipline. There must be clear reductions in cost. For example, the proposal that 40 MPs should remain is unsustainable. I agreed with Peter Law earlier when he talked about the continuing importance of having Welsh MPs. However, when you transfer a significant part of the workload, there cannot be any justification for continuing with 40 MPs. Irrespective of any referendum, and I agree that there should be one, I do not wish to back any constitutional change that the people of Wales do not want.

I look forward to a debate on how we can deliver a more open, accountable, participative and democratic government in Wales. If the debate is focused on that aim and on the demand for accountability, and is underpinned by a requirement for financial discipline, the people of Wales will endorse the most fundamental of the Richard commission's proposals.

**Alun Ffred Jones:** Gallwch ddadlau o blaid

cyflawni atebolrwydd clir.

Mae atebolrwydd yn hollbwysig a derbyniaf yr argymhelliad y dylai Cynulliad Cenedlaethol Cymru ddod yn sefydliad deddfwriaethol. Lle y rhennir cyfrifoldeb dros swyddogaeth rhwng dau sefydliad, nid yw'r naill ochr na'r llall yn atebol am gyflawni ei haddewidion. Mae democratiaeth yn gofyn bod Llywodraeth Cymru yn gyfrifol ac yn atebol am ei pherfformiad. Nid yw hynny'n digwydd ar hyn o bryd.

Am yr un rheswm, derbyniaf ddoethineb rhaniad cliriach o lawer rhwng y Weithrediaeth a'r ddeddfwrfa. Cefnogaf yn llawn argymhellion comisiwn Richard yn hynny o beth. Yr ail fater yw cost llywodraethu yng Nghymru, sy'n achos pryder mawr i bobl. Yr wyf wedi cynnal wyth cyfarfod cyhoeddus yn sir Drefaldwyn i drafod y mater hwn, ac mae pobl yn poeni am hyn fwy nag unrhyw beth arall, yn arbennig y cynnig y dylid cael 20 Aelod ychwanegol. Gwyddom fod datganoli'n costio arian, ond rhaid ategu unrhyw ystyriaeth o newid gydag egwyddor disgyblaeth ariannol. Rhaid cael gostyngiadau cost pendant. Er enghraifft, mae'r cynnig y dylai 40 AS barhau yn anghynaliadwy. Cytunais â Peter Law yn gynharach pan soniodd am bwysigrwydd parhaol cael ASau Cymreig. Fodd bynnag, o drosglwyddo rhan sylweddol o'r llwyth gwaith, ni ellir cyfiawnhau parhau â 40 AS o gwbl. Waeth a gynhelir refferendwm, a chytunaf y dylid gwneud hynny, nid wyf am gefnogi unrhyw newid cyfansoddiadol nad yw pobl Cymru am ei gael.

Edrychaf ymlaen at ddadl ar y ffordd y gallwn ddarparu llywodraeth mwy agored, atebol, cyfranogol a democrataidd yng Nghymru. Os bydd y ddadl yn canolbwyntio ar y nod hwinnw ac ar y galw am atebolrwydd, ac os ategir hynny gan ofyniad am ddisgyblaeth ariannol, bydd pobl Cymru yn cymeradwyo'r cynnig mwyaf sylfaenol o blith cynigion comisiwn Richard.

**Alun Ffred Jones:** You could argue in

argymhellion comisiwn Richard o sawl cyfeiriad, ond yr wyf am ymdrin â chyfeiriad ychydig yn wahanol, sef bod Cymru'n genedl. Nid wyf yn deall y ffaith bod aelodau o'r genedl honno yn gwrthod cymryd cyfrifoldeb i greu deddfwriaeth i wella amodau byw ein pobl. Ni ddylem orfod mynd i San Steffan a gofyn am yr hawl a'r amser i greu deddfwriaeth i wneud hynny. Darllenais un o bamffledi prifysgol Birmingham ynglŷn â datganoli, ac mae un brawddeg ynddi sy'n dweud:

'The new Assembly could become the focus of a new image, of a democratic and dynamic Welsh nation in Europe'.

Pa fath o wlad yw hon, lle nad yw'r corff sy'n gyfrifol amdani â'r hawl i lunio deddfau sy'n effeithio arni? Nid oes raid ystyried Latfia, Slofenia, a'r gwledydd bach, annibynnol eraill a fydd yn aelodau llawn o'r Undeb Ewropeaidd o fewn wythnos. Mae hyd yn oed Catalonia, Gwlad y Basg a rhanbarthau o fewn Sbaen â'r hawl sylfaenol honno ac yn llwyddo'n rhyfeddol. Yr wyf am i'r corff hwn fod yn gorff y gallaf fod yn falch ohono.

Yr oedd Sue Essex yn ymfalchïo yn y Pwyllgor y bore yma bod y cynllun gofodol yn cael sylw ar gyfandir Ewrop a'i fod yn fodel i wledydd eraill. Mae hynny'n wych. Cyfeiriodd at Lywodraeth y Cynulliad fel llywodraeth genedlaethol. Fodd bynnag, mae'r syniad o lywodraeth genedlaethol, heb hawliau deddfu a modd i graffu ar ddeddfwriaeth yn llawn a phriodol, yn chwethinllyd. Fodd bynnag, mae mwy iddi na hynny. Mae hyn yn ymwneud â breuddwydion, rhyddhau potensial pobl ac ehangu gorwelion a chodi gobeithion. Nid wyf am berthyn i wlad a chenedl sy'n esgusodi ei hun byth a hefyd ac yn ystyried ei hun yn eilradd i wledydd eraill Ewrop. Beth ydym yn ei ofni? A ydym yn ofni ein hunain, neu a ydym yn ofni'r cyfrifoldeb?

Mae Iwerddon wedi manteisio'n llawn ar yr Undeb Ewropeaidd o ran cronfeydd strwythurol, y polisi amaethyddol a dylanwad unigol, ond mae mwy iddi na hynny. Mae wedi cael budd oherwydd y profiad y mae ei gwleidyddion, ei gweision sifil a'i hieuenctid

favour of the Richard commission's recommendations from several aspects, but I will approach it from a slightly different direction, namely that Wales is a nation. I cannot understand members of that nation refusing to take responsibility for making legislation to improve the living conditions of our people. We should not have to go to Westminster to ask for the right and the time to make legislation to do that. I read one of the University of Birmingham's pamphlets on devolution, and one sentence in it states that:

Gallai'r Cynulliad newydd ddod yn ganolbwynt i ddelwedd newydd, o Gymru ddemocrataidd a deinamig yn Ewrop.

What kind of country is this, where the body responsible for it does not have the right to shape laws that impact upon it? We need only look at Latvia, Slovenia and the other small independent countries that will become full members of the European Union within a week. Even Catalonia, the Basque Country and regions within Spain have that fundamental right and are succeeding remarkably. I want this body to be one of which we can be proud.

Sue Essex expressed pride in the Committee this morning that the spatial plan had received attention in mainland Europe and is a model for other countries. That is excellent. She referred to the Assembly Government as a national government. However, the idea of a national government without legislative powers and the means to scrutinise legislation fully and appropriately, is laughable. However, there is more to it than that. This involves dreams, releasing people's potential, expanding horizons and raising aspirations. I do not want to be part of a country and a nation that excuses itself time after time and considers itself to be inferior to other European countries. What are we afraid of? Are we afraid of ourselves, or are we afraid of the responsibility?

Ireland has taken full advantage of the European Union with regard to structural funds, the agricultural policy and individual influence, but there is more to it than that. It has benefited from the experience that its politicians, its civil servants and its young

wedi ei fagu yn Ewrop drwy'r cysylltiadau sydd wedi cael eu sefydlu yn y byd busnes ac yn y sector cyhoeddus. Mae Iwerddon yn creu arweinwyr y dyfodol.

Fy apêl, felly, wrth ystyried adroddiad Richard, yw bod yn rhaid inni godi'n golygon. Nid mater trefniadol yn unig yw hwn; nid sôn am reoli Cymru yn unig yr ydym, fel yr awgrymodd y Prif Weinidog. Yr ydym yn sôn am ryddhau potensial ac adeiladu gwlad newydd i sefyll ochr yn ochr â gwledydd eraill y byd.

**Kirsty Williams:** I welcome today's debate and the publication of the report. I was unable to attend its launch prior to the Easter recess, but I listened intently in the car to the press conference and the phone-in that Radio Wales held. Being the sad person that I am, I was reminded of the excitement of that referendum night back in 1997 when I was in a radio studio as the results came in. When the last result came in, Paul Flynn and I danced around the radio studio, Dafydd Elis-Thomas burst into tears, and Jonathan Evans just groaned and put his head in his hands. That morning, driving down, re-ignited in me the enthusiasm that I have for this process. I have always thought myself incredibly lucky to embark on my political career at a time that saw Wales embarking on the devolution process. For me, the report before us is a wonderful, exciting opportunity to consider where we can take that process, and how we can build on what we have achieved over the last five years—achievements that I hope that my children and grandchildren will be able to enjoy in the years to come.

Primary legislative powers are essential. Many people have said in the Chamber today that the public is not bothered about matters of this nature, but it is bothered about our ability to take action. During the foot and mouth disease crisis I remember having to explain time and again to constituents why decisions that made no sense to them were being taken, and that we could not make those decisions in the National Assembly for Wales. It is even more confusing now to have

people have gained in Europe through the links that have been established in the business world and in the public sector. Ireland is shaping the leaders of the future.

My plea, therefore, in considering the Richard report, is that we must raise our sights. This is not just a procedural matter; we are not talking simply about managing Wales, as the First Minister suggested. We are talking about releasing potential and building a new country to stand side by side with the other countries of the world.

**Kirsty Williams:** Croesawaf ddadl heddiw a chyhoeddi'r adroddiad. Nid oeddwn yn gallu mynychu ei lansiad cyn toriad y Pasg, ond gwrandewais yn astud yn y car ar y gynhadledd i'r wasg a'r sesiwn holi ac ateb dros y ffôn a gynhaliwyd gan Radio Wales. A minnau'n un o'r creaduriaid gwleidyddol diflas hynny, fe'm hatgoffwyd o gyffro noson y refferendwm honno yn ôl yn 1997, a minnau mewn stiwdio radio yn gwrandeo ar y canlyniadau. Pan ddaeth y canlyniad diwethaf, dawniodd Paul Flynn a minnau o amgylch y stiwdio, dechreuodd Dafydd Elis-Thomas wylo ac ochneidiodd Jonathan Evans a rhoi ei ben yn ei ddwylo. Y bore hwnnw, wrth yrru i lawr, bu i'r brwdfrydedd sydd gennyf am y broses hon ailgynnau ynof. Yr wyf bob amser wedi meddwl fy mod yn eithriadol o ffodus fy mod wedi cychwyn ar fy ngyrfa wleidyddol ar adeg pan gychwynnodd Cymru ar y broses ddatganioli. I mi, mae'r adroddiad sydd ger ein bron yn gyfle gwych a chyffrous i ystyried sut y gallwn ddatblygu'r broses honno, a sut y gallwn adeiladu ar yr hyn a gyflawnwyd gennym dros y pum mlynedd diwethaf—cyflawniadau y gall fy mhlant a'm hwyron a'm hwyresau eu mwynhau yn y blynyddoedd i ddod.

Mae pwerau deddfwriaethol sylfaenol yn hanfodol. Mae llawer wedi sôn yn y Siambr heddiw nad yw'r cyhoedd yn poeni am faterion o'r fath, ond mae'n poeni am ein gallu i weithredu. Yn ystod argyfwng clwy'r traed a'r genau, cofiaf orfod esbonio dro ar ôl tro i etholwyr pam yr oedd penderfyniadau nad oeddent yn gwneud unrhyw synnwyr iddynt hwy yn cael eu gwneud, ac nad oeddem yn gallu gwneud y penderfyniadau hynny yng Nghynulliad Cenedlaethol Cymru.

to explain to constituents that we can now make decisions on those issues because Westminster has seen fit to devolve them to Wales. However, we still cannot make decisions on free personal care, smoking in public places or on issues concerning the rail transport authority. It is confusing for the public. Neither does it do us any favours in convincing the public, nor in having the conversations that Leighton wants us to have with the public about the Assembly, when there is such confusion about what we can and cannot do. It is not simply a matter of a lack of time, a lack of political will, or a lack of support for the measures that we apply to London to enact on our behalf. Even when we have an opportunity to work with our London colleagues, we often find that timetabling factors and the way that the system works there are totally incompatible with our systems here—our committee meetings and our structures do not gel together. Even when there is a will to work together, to consult and to come up with proposals that are suitable, we cannot get our two systems to gel together.

Finally, on the issue of 80 Members and scrutiny, I daresay, Leighton, that the people in Treorchy market would not be too chuffed about increasing the number of MPs or local councillors either. I find it bizarre that Peter Law suggested that the people of Blaenau Gwent might find it more acceptable for us to pay existing Assembly Members more money than to have another 20 Members, and that we could divvy up the extra work between us and pay ourselves a little extra. The key to any change in the National Assembly is that we must have an institution that is fit for purpose. As Sandy said, it must not be one that is fit for politicians, but one that is fit for the people of Wales and for the purpose that we will give ourselves. We have a challenge: for those people who believe that 60 Members can work in a legislative parliament, let us do it now. Let us use our structures and our 60 Members to increase the effectiveness of our scrutiny, because, my goodness, we need to increase it. Let us see you prove that argument now, and let us test the theory that to scrutinise properly, which we need to do, we need 80 Members.

Mwy dryslyd byth yw gorfod esbonio i'r etholwyr y gallwn wneud penderfyniadau yn awr ar y materion hynny gan fod San Steffan wedi dewis eu datganoli i Gymru. Fodd bynnag, ni allwn wneud penderfyniadau o hyd ar ofal personol am ddim, ysmegu mewn mannau cyhoeddus nac ar faterion yn ymwneud ag awdurdod trafndiaeth rheilffyrdd. Mae'n peri dryswch i'r cyhoedd. Nid yw'n ein helpu ni ychwaith wrth geisio argyhoeddi'r cyhoedd, ac wrth gael y sgysiau y mae Leighton am inni eu cael gyda'r cyhoedd ynglŷn â'r Cynulliad, pan fo cymaint o ddryswch ynglŷn â'r hyn y gallwn ac na allwn ei wneud. Nid mater o ddiffyg amser, diffyg ewyllys wleidyddol neu ddiffyg cefnogaeth i'r mesurau y gofynnwn i Lundain eu deddfu ar ein rhan yn unig mo hyn. Hyd yn oed pan gawn gyfle i weithio gyda chyd-aelodau yn Llundain, gwelwn yn aml fod y ffactorau amserlennu a'r ffordd y mae'r system yn gweithio yno yn hollol anghydnaws â'n systemau ni yma—nid yw ein cyfarfodydd pwyllgor a'n strwythurau yn cydblethu. Hyd yn oed pan fydd bwriad i gydweithio, i ymgynghori ac i gynnig cynigion sy'n addas, ni allwn gael ein dwy system i gydblethu.

I gloi, ar fater yr 80 Aelod a'r trefniadau craffu, mae'n siŵr, Leighton, na fyddai pobl ym marchnad Treorci yn rhy fodlon ar y cynnig i gynyddu nifer yr ASau neu'r cynghorwyr lleol ychwaith. Mae'n rhyfedd bod Peter Law wedi awgrymu y byddai pobl Blaenau Gwent yn barotach efallai i dalu mwy o arian i Aelodau presennol y Cynulliad na chael 20 Aelod arall, ac y gallem rannu'r gwaith ychwanegol rhyngom a thalu ein hunain ychydig yn fwy. Yr allwedd i unrhyw newid yn y Cynulliad Cenedlaethol yw bod yn rhaid inni gael sefydliad sy'n addas i'r diben. Fel y dywedodd Sandy, rhaid iddo beidio â bod yn un sy'n addas i wleidyddion, ond yn un sy'n addas i bobl Cymru ac i'r diben a roddwn i ni ein hunain. Yr ydym yn wynebu her: i'r bobl hynny sy'n credu y gall 60 Aelod weithio mewn senedd ddeddfwriaethol, gadewch inni wneud hynny yn awr. Gadewch inni ddefnyddio ein strwythurau a'n 60 Aelod i wneud ein trefniadau craffu yn fwy effeithiol, oherwydd, dyn a ŵyr, mae angen inni wneud hynny. Profwch y ddadl honno yn awr, a gadewch inni brofi'r ddamcaniaeth bod

angen 80 Aelod arnom er mwyn craffu'n gywir, sef rhywbeth y mae angen inni ei wneud.

My one criticism of the whole process is that, for me, 2011 cannot come soon enough. With the arrogance of youth, and despite five years in this place, I still want to do everything yesterday, and 2011 cannot come soon enough for me.

Fy unig feirniadaeth o'r broses gyfan yw na all 2011, i mi, ddod yn ddigon buan. Gyda thrahauster ieuencid, ac er gwaethaf pum mlynedd yn y lle hwn, yr wyf yn dal i fynnu gwneud popeth ddoe ac ni all 2011 ddod yn ddigon cyflym i mi.

**The Deputy Presiding Officer:** Mark Isherwood, you can come in for two minutes. I want to call Helen Mary Jones at 4.52 p.m. and the First Minister at 4.56 p.m.. We must finish this debate at 5.00 p.m..

**Y Dirprwy Lywydd:** Mark Isherwood, gallwch siarad am ddwy funud. Yr wyf am alw ar Helen Mary Jones am 4.52 p.m. a'r Prif Weinidog tua 4.56 p.m. Rhaid inni orffen y ddadl hon am 5.00 p.m..

**Mark Isherwood:** I will give a brief summary of the speech that I intended to make. As a philosopher once said, if something is not working, you do not give it more power, you reform it. Many of the reform proposals in this report are warmly welcome. I also endorse Peter Hain's comments on page 1, that

**Mark Isherwood:** Rhoddaf grynodeb byr o'r araith y bwriadais ei thraethu. Fel y dywedodd athronydd unwaith, os nad yw rhywbeth yn gweithio, nid ydych yn rhoi mwy o bŵer iddo, yr ydych yn ei ddiwygio. Mae croeso cynnes i lawer o'r cynigion diwygio yn yr adroddiad hwn. Cymeradwyaf sylwadau Peter Hain ar dudalen 1 hefyd,

'a practical delivery benchmark test should be applied to any proposal for change: how will it benefit life in Wales? How will it improve it in practical terms?'

'dylid defnyddio prawf cyflawniad ymarferol i fesur unrhyw gynnig ar gyfer newid: sut y bydd o fudd i fywyd yng Nghymru? Sut y bydd yn ei wella mewn ffordd ymarferol?'

I will add to that: how will it strengthen Wales in Britain as a component of our United Kingdom?

Ychwanegaf at hynny: sut y bydd yn cryfhau Cymru ym Mhrydain fel rhan o'n Teyrnas Unedig?

*Daeth y Llywydd i'r Gadair am 4.50 p.m.  
The Presiding Officer took the Chair at 4.50 p.m.*

Does not that great piece of eleventh-century British literature, the Mabinogion, tell of two giant dragons battling for domination of the Island of the Mighty—that is, the whole of Britain—with the Red Dragon representing the Britons, Welsh or Celts, all terms having the same meaning, and the white dragon representing the invading Saxons? Over the centuries since then, have not the tribes of Britain become inter-related, interdependent and inclusive in their shared custodianship of our shared, stable and democratic island home? John Griffiths complained that Wales has often had Conservative Governments when it has voted predominantly Labour. England has often had Labour Governments when it has voted mainly Conservative—but

Onid yw'r gwaith llenyddol Prydeinig mawr hwnnw o'r unfed ganrif ar ddeg, y Mabinogi, yn sôn am ddwy ddraig enfawr yn brwydro i reoli Ynys y Cedyrn—hynny yw, Prydain gyfan—gyda'r Ddraig Goch yn cynrychioli'r Brythoniaid, y Cymry neu'r Celtiaid, sydd oll yn gyfystyr, a'r ddraig wen yn cynrychioli'r Sacsoniaid goresgynnol? Dros y canrifoedd ers hynny, onid yw llwythau Prydain wedi dod yn gydberthnasol, yn gyd-ddibynnol ac yn gynhwysol yn eu gwarcheidwadaeth a rennir o'n hynys sefydlog a democrataidd a rennir gennym? Cwynodd John Griffiths fod Cymru yn aml wedi cael Llywodraethau Ceidwadol pan oedd wedi pleidleisio dros y Blaid Lafur yn bennaf. Mae Lloegr yn aml wedi cael Llywodraethau Llafur pan oedd

that is British democracy. Nevertheless, there are misguided persons who would betray our heritage and use a reformed and empowered Assembly to dismember and emasculate our United Kingdom on the altar of so-called independence. To them I say: let us use devolution to unite, not divide, the peoples of Britain, let us nurture and celebrate our glorious island diversity, and not use it as a vehicle for nationalist division. United we stand, divided we fall—and yet you aid our would-be masters in their quest to divide and rule.

Given time constrictions, I will move on quickly to say that I fully endorse the proposals to ensure proper separation between the legislature and Executive so that we can ensure proper scrutiny and accountability. I also welcome the proposals to introduce proper democratic scrutiny through committees, and I would add to that the proposal that Ministers be removed from membership of committees. They should attend monthly to provide a report and to take questions. Otherwise, we get filibustering and ministerial domination.

The report concludes that tax-varying powers are desirable, but not essential. That is an unsafe conclusion, because the transfer of tax-varying powers to the Assembly would confer power without responsibility—the power to tax and spend without responsibility for UK economic management.

In respect of your rotating finger requesting that I wind up, Presiding Officer, I will go straight to the end of my speech.

Above and beyond all the other recommendations, the adoption of primary law-making and possible tax-varying powers without the consent of the people of Wales in a referendum would be constitutional vandalism. Throughout north Wales, I am repeatedly told by pro-devolutionists and anti-devolutionists alike that devolution has so far failed that region. Let the people be the judge, and let the people decide.

wedi pleidleisio dros y Blaid Geidwadol yn bennaf—ond dyna yw democratiaeth Brydeinig. Serch hynny, ceir pobl annoeth a fyddai'n bradychu ein treftadaeth gan ddefnyddio Cynulliad diwygiedig a chanddo bwerau newydd i ddryllio a dirymu ein Teyrnas Unedig ar allor annibyniaeth fel y'i gelwir. Wrthynt hwy dywedaf: gadewch inni ddefnyddio datganoli i uno, nid i rannu, pobloedd Prydain. Gadewch inni feithrin a dathlu'r amrywiaeth wych sydd gennym yn ein hynys, a pheidio â'i defnyddio fel cyfrwng i rannu'r genedl. Mewn undeb y mae nerth—ac eto yr ydych yn cynorthwyo'r rhai a fyddai'n feistri arnom yn eu cais i rannu a llywodraethu.

O gofio'r cyfyngiadau amser, symudaf ymlaen yn gyflym i ddweud fy mod yn cymeradwyo'r cynigion i sicrhau gwahaniad priodol rhwng y ddeddfwrfa a'r Weithrediaeth fel y gallwn sicrhau trefniadau craffu ac atebolrwydd priodol. Croesawaf hefyd y cynigion i gyflwyno trefniadau craffu democrataidd priodol drwy'r pwyllgorau, a hoffwn ychwanegu at hynny y cynnig na ddylai Gweinidogion fod yn aelodau o bwyllgorau. Dylent fynychu bob mis i roi adroddiad ac ateb cwestiynau. Fel arall, cawn herwddadlau a rheolaeth weinidogol.

Daw'r adroddiad i'r casgliad bod pwerau i amrywio trethi yn ddymunol, ond nid yn hanfodol. Mae hynny'n gasgliad peryglus, oherwydd byddai trosglwyddo pwerau i amrywio trethi i'r Cynulliad yn rhoi pŵer heb gyfrifoldeb—y pŵer i drethu a gwario heb gyfrifoldeb dros reolaeth economaidd y DU.

Gan eich bod yn gwneud arwydd yn gofyn imi ddirwyn i ben, Lywydd, af ymlaen i ddiwedd fy araith.

Yn bwysicaf, byddai dilyn yr argymhelliad i fabwysiadu pwerau deddfu sylfaenol a phwerau posibl i amrywio trethi heb ganiatâd pobl Cymru mewn refferendwm yn fandaliaeth gyfansoddiadol. Ledled y Gogledd, dywedir wrthyf dro ar ôl tro gan y rhai sydd o blaid a'r rhai sydd yn erbyn datganoli fod datganoli hyd yma wedi siomi'r ardal honno. Gadewch i'r bobl farnu, a gadewch i'r bobl benderfynu.

**Helen Mary Jones:** I find myself at somewhat of a disadvantage after Mark's impassioned presentation. All I will say to him is that Plaid Cymru's aspiration is not to isolate the people of Wales, but to unite them with the peoples of Europe. I would be interested to know from him—although, unfortunately, I do not have time to take an intervention from him—who he thinks those sinister masters are, because I would be happy to take them on with him at any time, if that is what he wants me to do.

I was not sanguine at the beginning of this process. I saw the Richard commission as a neat trick by the First Minister to buy off his colleagues and to keep a lid on the divisions in his party on the future of devolution. I was wrong, and I apologise to the Richard commission and endorse its work enthusiastically. It must be remembered that the commission's members were convinced by the evidence that the status quo would not do. I ask colleagues such as Peter Law and Sandy Mewies to consider the evidence as a whole. There are elements of the evidence in the report that I am not particularly happy with, but they are evidence, and we must base our discussions on that evidence and not on anecdote.

I will give some examples that may help to inform our debate. The opinion research in the evidence shows that 23 per cent of the people of Wales trust the UK Government to act in the best interests of Wales at least most of the time, while 67 per cent of them trust the National Assembly to do that. Some 22 per cent believe that the Assembly has the most influence in how Wales is run, while 56 per cent believe that it should have the most influence. That shows a clear appetite to move towards a proper parliament. It is important that we trust the people of Wales and that we do not patronise them and tell them that these matters are too difficult and complicated for them to decide. The evidence, interestingly, also showed that people are well able to differentiate between the principle of devolution, this institution and a Government that does or does not succeed in delivering in this institution.

**Helen Mary Jones:** Teimlaf fy mod o dan anfantais ychydig ar ôl cyflwyniad angerddol Mark. Y cyfan a ddywedaf wrtho yw nad dyhead Plaid Cymru yw ynysu pobl Cymru ond eu huno gyda phobloedd Ewrop. Byddai'n ddiddorol imi gael gwybod ganddo—er, yn anffodus, nid oes amser gennyf i dderbyn ymyriad ganddo—pw yw'r meistri bygythiol hynny yn ei farn ef oherwydd byddwn yn fodlon eu herio gydag ef unrhyw bryd, os mai dyna beth y mae am imi ei wneud.

Nid oeddwn yn ffyddiog ar ddechrau'r broses hon. Gwelais gomisiwn Richard fel ystryw fach glyfar gan y Prif Weinidog i geisio rhoi taw ar ei gyd-Aelodau a chadw rheolaeth ar y rhaniadau yn ei blaid ar ddyfodol datganoli. Yr oeddwn yn anghywir, ac ymddiheuraf wrth gomisiwn Richard a chymeradwyaf ei waith yn frwd. Rhaid cofio bod aelodau'r comisiwn wedi eu hargyhoeddi gan y dystiolaeth nad oedd y sefyllfa bresennol yn dderbyniol. Gofynnaf i gyd-Aelodau megis Peter Law a Sandy Mewies ystyried y dystiolaeth yn ei chyfanrwydd. Mae elfennau o'r dystiolaeth yn yr adroddiad nad wyf yn arbennig o fodlon arnynt, ond maent yn dystiolaeth, a rhaid inni seilio ein trafodaethau ar y dystiolaeth honno ac nid ar storïau.

Rhoddaf rai enghreifftiau a all helpu i lywio ein dadl. Dengys yr ymchwil barn yn y dystiolaeth fod 23 y cant o bobl Cymru yn ymddiried yn Llywodraeth y DU i weithredu er budd gorau Cymru o leiaf y rhan fwyaf o'r amser, tra bod 67 y cant yn ymddiried yn y Cynulliad Cenedlaethol i wneud hynny. Cred tua 22 y cant mai'r Cynulliad sy'n dylanwadu fwyaf ar y ffordd y caiff Cymru ei rhedeg, tra bod 56 y cant yn credu y dylai fod â'r dylanwad mwyaf. Dengys hynny ddyhead amlwg i symud tuag at senedd go iawn. Mae'n bwysig ein bod yn ymddiried ym mhobl Cymru ac nad ydym yn eu trin yn nawddoglyd ac yn dweud wrthynt bod y materion hyn yn rhy anodd a chymhleth iddynt benderfynu arnynt. Dangosodd y dystiolaeth hefyd, yn ddiddorol, fod pobl yn gallu gwahaniaethu yn glir rhwng egwyddor datganoli, y sefydliad hwn a Llywodraeth sy'n llwyddo neu nad yw'n llwyddo i gyflawni yn y sefydliad hwn.



On the voting system, the evidence in the report shows that 58 per cent of the people of Wales agree with the principle of proportional representation for electing Members to the National Assembly, and that 13 per cent disagree with it. That may be uncongenial news to my friend Peter Law, but those are the facts. Our party has never supported or liked the current additional member system, although I must say that I am surprised by how some Labour AMs have tried to downgrade additional Members by stressing the fact that they were 'directly elected'. That must be disappointing to those Labour ethnic minority candidates who were only standing on the regional lists, which Peter Law described as a back door for losers. I hope that he will apologise to his colleagues for that remark.

We believe that the single transferable vote system would be much better. It would not make much difference to the balance of who is elected, but it would give the people, and not the party, the choice of who they elect, and it would restore, to a certain extent, the link with constituencies.

The Richard report says that it is desirable, but not essential, for primary legislative powers to be accompanied by revenue-varying powers. Contrary to Mark Isherwood's perspective, I believe that power without responsibility is creating policies and legislation without carrying the financial can. I find it inconceivable that it is felt to be proper for Trimsaran community council to have more power over its financial autonomy than the Assembly has.

My party's aspirations for our nation go far beyond the matters addressed in the Richard commission report. However, in the short term, it is vital that we transform the Assembly into a proper parliament so that it can deliver effectively for the people of Wales. We must have a robust settlement that does not depend on goodwill. Many people in Wales were convinced of the case for devolution by the Thatcher years. The current model could not defend Wales against another Thatcher.

O ran y system bleidleisio, dengys y dystiolaeth yn yr adroddiad fod 58 y cant o bobl Cymru yn cytuno ag egwyddor cynrychiolaeth gyfrannol ar gyfer ethol Aelodau i'r Cynulliad Cenedlaethol, a bod 13 y cant yn anghytuno â hi. Efallai fod hynny'n newyddion annifyr i'm cyfaill Peter Law, ond dyna'r ffeithiau. Nid yw ein plaid erioed wedi cefnogi nac wedi bod yn hoff o'r system aelodau ychwanegol bresennol, er bod yn rhaid imi ddweud fy mod yn synnu at y ffordd y mae rhai ACau Llafur wedi ceisio israddio Aelodau ychwanegol drwy bwysleisio'r ffaith iddynt gael eu 'hethol yn uniongyrchol'. Rhaid bod hynny'n siomedig i'r ymgeiswyr Llafur hynny o leiafrifoedd ethnig a oedd ond yn sefyll ar y rhestrau rhanbarthol, a ddisgrifiodd Peter Law fel drws cefn i gollwyr. Gobeithiaf y bydd yn ymddiheuro i'w gyd-Aelodau am y sylw hwnnw.

Credwn y byddai system y bleidlais sengl drosglwyddadwy yn llawer gwell. Ni fyddai'n gwneud llawer o wahaniaeth i gydbwysedd y rhai a gâi eu hethol, ond byddai'n rhoi cyfle i'r bobl, ac nid y blaid, ddewis pwy i'w ethol, a byddai'n adfer, i ryw raddau, y cyswllt ag etholaethau.

Dywed adroddiad Richard ei bod yn ddymunol, ond nid yn hanfodol, i bwerau deddfwriaeth sylfaenol fynd law yn llaw â phwerau i amrywio refeniw. Yn groes i safbwynt Mark Isherwood, credaf fod pŵer heb gyfrifoldeb yn creu polisiau a deddfwriaeth heb ymgymryd â'r cyfrifoldeb ariannol. Yn fy marn i, mae'n annirnadwy y credir ei bod yn iawn i gyngor cymuned Trimsaran gael mwy o bŵer dros ei reolaeth ariannol na'r Cynulliad.

Mae dyheadau fy mhlaid ar gyfer ein gwlad yn mynd ymhell y tu hwnt i'r materion yr aethpwyd i'r afael â hwy yn adroddiad comisiwn Richard. Fodd bynnag, yn y byrdymor, mae'n hanfodol ein bod yn trawsffurfio'r Cynulliad yn senedd go iawn fel y gall gyflawni'n effeithiol dros bobl Cymru. Rhaid inni gael setliad cadarn nad yw'n dibynnu ar ewyllys da. Yn dilyn blynyddoedd Thatcher, argyhoeddwyd llawer o bobl yng Nghymru bod angen datganoli. Ni allai'r model presennol amddiffyn Cymru rhag Thatcher arall.

It is vital that, wherever we go with this debate, we debate it in the context of what is best for Wales, as Christine Chapman said, and not in the context of party political interests or, worse, self-interest.

**Y Prif Weinidog:** Credaf fod pawb wedi derbyn—ac yr wyf yn falch o glywed y gefnogaeth—fod eisiau gwneud yr hollt yn gliriach rhwng y Weithrediaeth a'r corff deddfwriaethol.

Nick Bourne challenged me earlier to say whether I had softened my line on the referendum. I have not. The fundamental question that the 1997 referendum settled was: by whom are we in Wales governed? It clearly answered that to the effect that we are governed by a combination of the UK Government and Parliament on the one hand and by the National Assembly for Wales on the other. The question of the extent to which we are governed by the one body or the other, which is what we are discussing now, seems to me to not be fundamental. Therefore—

**Nick Bourne** *rose*—

**The First Minister:** I am sorry, Nick, my time is short, so I cannot take your intervention.

The issue, therefore, is what my attitude to a referendum is. I do not believe that it is a fundamental issue, and I do not believe that the people of Wales believe that it is either. This is the ultimate hospital pass from hell, because it is difficult to say 'This is fundamental' when you do not believe it to be so, and when you do not believe that the client body, the people of Wales, thinks that it is fundamental either. They will be bored by this, because they are not interested in constitutional issues, but they are interested in the question that Christine Chapman raised, namely, do we have the tools to do the job?

Therefore, in a busy period over the summer, we must all give our attention, within our parties—and we will return to discuss this matter again, and there will be other ways of discussing it, namely via the Regional

Mae'n hanfodol, lle bynnag yr awn gyda'r ddadl hon, ein bod yn ei thrafod yng nghydestun yr hyn sydd orau i Gymru, fel y dywedodd Christine Chapman, ac nid yng nghydestun buddiannau gwleidyddol plaid, neu'n waeth, hunan-fudd.

**The First Minister:** I believe that everyone accepts—and I am pleased to hear the support—the need to make the distinction between the Executive and the legislative body clearer.

Fe'm heriwyd gan Nick Bourne yn gynharach i ddweud a oeddwn wedi lleddfu fy safbwynt ar y refferendwm. Nid ydwyf. Y cwestiwn sylfaenol a atebwyd gan refferendwm 1997 oedd: pwy sy'n ein llywodraethu yng Nghymru? Atebwyd yn glir ein bod wedi ein llywodraethu gan gyfuniad o Lywodraeth y DU a'r Senedd ar y naill law a chan Gynulliad Cenedlaethol Cymru ar y llaw arall. Nid yw'r graddau y cawn ein llywodraethu gan y naill gorff neu'r llall, sef yr hyn yr ydym yn ei drafod yn awr, yn fater sylfaenol yn fy marn i. Felly—

**Nick Bourne** *a gododd*—

**Y Prif Weinidog:** Mae'n ddrwg gennyf, Nick, mae fy amser yn brin, felly ni allaf dderbyn eich ymyriad.

Y mater, felly, yw beth yw fy agwedd tuag at refferendwm. Ni chredaf ei fod yn fater sylfaenol, ac ni chredaf fod pobl Cymru yn credu hynny ychwaith. Mae hwn yn gwestiwn sydd bron yn amhosibl i'w ateb, oherwydd mae'n anodd dweud 'Mae hwn yn fater sylfaenol' pan na chredwch ei fod, a phan na chredwch fod y corff cleientiaid, sef pobl Cymru, yn credu ei fod yn fater sylfaenol ychwaith. Bydd hyn yn eu diflasu, oherwydd nid oes diddordeb ganddynt mewn materion cyfansoddiadol, ond mae diddordeb ganddynt yn y cwestiwn a gododd Christine Chapman, sef, a yw'r offer gennym i wneud y gwaith?

Felly, mewn cyfnod prysur dros yr haf, rhaid inni roi ein holl sylw, o fewn ein pleidiau—a byddwn yn trafod y mater hwn eto, a bydd ffyrdd eraill o'i drafod, sef drwy Bwyllgorau Rhanbarthol a chyfarfodydd clwstwr o fewn

Committees and cluster meetings within our own parties, and so on—to the question of workload. That will determine whether or not we need 20 additional Assembly Members, and we are then into this question of how much additional scrutiny would be involved and how many additional Bills we would be passing. I threw into the pot that I thought that it might start at about six Bills per annum because of the pent-up demand or it might settle down as six—I do not know. My guess is that it might be something like four, five or six Bills per annum. However, we will do more work on that in the summer to try to bring it back to the Assembly.

There is then the question of whether that means that we would have to work additional days or weeks, or whether we could reorganise our procedures to provide, not necessarily more scrutiny, but much more effective and efficient scrutiny. Would we have to pass everything that we currently pass in the Assembly Chamber as secondary legislation, or, if we were spending our time passing four, five or six primary legislative Bills a year, would we wish to park some of that secondary legislation in another format, as happens in Westminster and in the Scottish Parliament: upstairs in a committee room in some shape or other? We will come back to that and study it. We will try to get a kind of time and motion study, if you like, of the additional burden of work that would fall on the Assembly if we were passing what we think might be a reasonable estimate of the number of primary legislative measures to be passed in a typical year. I believe that we can do this by more effective scrutiny, rather than by expanding the number of people, sessions, hours and so on.

5.00 p.m.

We can do the job if we do it more effectively. We already initiate legislation; we scrutinise draft legislation by taking evidence, which is a much better form of scrutiny than the traditional line by line scrutiny. When you do legislation in draft, which we already do, although only for one Bill a year, you are taking evidence from the effected stakeholder groups. Line by line

ein pleidiau ni ein hunain, ac yn y blaen—i fater y llwyth gwaith. Bydd hynny'n penderfynu a oes angen 20 Aelod Cynulliad ychwanegol arnom ai peidio ac yna rhaid ateb y cwestiwn faint o waith craffu ychwanegol fyddai hyn yn ei olygu a sawl Mesur ychwanegol y byddem yn eu pasio. Awgrymais y gallai ddechrau gyda tua chwe Mesur y flwyddyn oherwydd y galw cronedig neu efallai mai chwech fyddai'r nifer arferol—nid wyf yn gwybod. Dyfalaf y gallai fod oddeutu pedwar, pump neu chwe Mesur y flwyddyn. Fodd bynnag, byddwn yn gwneud mwy o waith ar hynny yn yr haf i geisio ei godi eto yn y Cynulliad.

Yna cyfyd y cwestiwn a yw hynny'n golygu y byddem yn gorfod gweithio dyddiau neu wythnosau ychwanegol, neu a allem ad-drefnu ein gweithdrefnau i wneud, nid o reidrwydd mwy o waith craffu, ond gwaith craffu mwy effeithiol ac effeithlon. A fyddai'n rhaid inni basio popeth a basiwn ar hyn o bryd yn Siambr y Cynulliad fel is-ddeddfwriaeth, neu, os oeddem yn treulio ein hamser yn pasio pedwar, pump neu chwe Mesur deddfwriaeth sylfaenol y flwyddyn, a fyddem am osod peth o'r is-ddeddfwriaeth honno mewn fformat arall, fel sy'n digwydd yn San Steffan ac yn Senedd yr Alban: mewn ystafell bwyllgora o ryw fath? Byddwn yn dychwelyd at hynny ac yn ei ystyried. Byddwn yn ceisio cael rhyw fath o astudiaeth amser a symud, os hoffech chi, o'r baich gwaith ychwanegol a fyddai'n disgyn ar ysgwyddau'r Cynulliad pe baem yn pasio'r hyn a allai fod yn amcangyfrif rhesymol o nifer y mesurau deddfwriaeth sylfaenol i'w pasio mewn blwyddyn arferol yn ein barn ni. Credaf y gallwn wneud hyn drwy graffu'n fwy effeithiol, yn hytrach na thrwy gynyddu nifer y bobl, y sesiynau, yr oriau ac yn y blaen.

Gallwn wneud y gwaith os y'i gwnawn yn fwy effeithiol. Eisoes yr ydym yn cyflwyno deddfwriaeth; yr ydym yn craffu ar ddeddfwriaeth ddrafft drwy gymryd tystiolaeth, sy'n ffordd well o graffu o lawer na'r broses graffu draddodiadol fesul llinell. Pan fyddwch yn craffu ar ddeddfwriaeth ddrafft, sef rhywbeth a wnawn eisoes, er mai dim ond ar gyfer un Mesur y flwyddyn y

scrutiny, which I used to do in Parliament, is far less effective in terms of ensuring that you have good legislation.

Therefore, there is much work to be done in trying to be fair with the people of Wales in terms of giving them an estimate of who will do this additional work and, if we are doing additional work, how much less work is involved for Westminster MPs. Is there any case for reducing the number of Welsh MPs representing us in Westminster? I do not believe that there is, but we will come back to that with much more work and a lot more information in the autumn.

gwnawn hynny, yr ydych yn cymryd tystiolaeth o grwpiau o randdeiliaid yr effeithir arnynt. Mae craffu fesul llinell, sef rhywbeth yr arferwn ei wneud yn y Senedd, yn llawer llai effeithiol o ran sicrhau bod gennych ddeddfwriaeth dda.

Felly, mae llawer o waith i'w wneud i geisio bod yn deg â phobl Cymru o ran rhoi syniad iddynt pwy fydd yn gwneud y gwaith ychwanegol hwn ac, os gwnawn waith ychwanegol, faint yn llai o waith fydd hyn yn ei olygu i ASau San Steffan. A oes dadl dros leihau nifer yr ASau o Gymru sy'n ein cynrychioli yn San Steffan? Ni chredaf fod dadl dros leihau'r nifer ond byddwn yn aildrafod hynny ar ôl gwneud mwy o waith ar hynny ac ar ôl cael llawer mwy o wybodaeth yn yr hydref.

*Cynnig (NDM1937): O blaid 50, Ymatal 0, Yn erbyn 0.  
Motion (NDM1937): For 50, Abstain 0, Against 0.*

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

Barrett, Lorraine  
Bates, Mick  
Black, Peter  
Bourne, Nick  
Burnham, Eleanor  
Butler, Rosemary  
Cairns, Alun  
Chapman, Christine  
Cuthbert, Jeff  
Davidson, Jane  
Davies, Andrew  
Davies, David  
Davies, Glyn  
Davies, Janet  
Davies, Jocelyn  
Dunwoody-Kneafsey, Tamsin  
Essex, Sue  
Francis, Lisa  
German, Michael  
Gibbons, Brian  
Graham, William  
Gregory, Janice  
Griffiths, John  
Gwyther, Christine  
Hutt, Jane  
Idris Jones, Denise  
Isherwood, Mark  
James, Irene  
Jones, Ann  
Jones, Carwyn  
Jones, Ieuan Wyn  
Jones, Laura Anne  
Law, Peter  
Lloyd, David  
Lloyd, Val  
Marek, John

Melding, David  
 Mewies, Sandy  
 Morgan, Jonathan  
 Morgan, Rhodri  
 Neagle, Lynne  
 Pugh, Alun  
 Randerson, Jenny  
 Sinclair, Karen  
 Thomas, Catherine  
 Thomas, Gwenda  
 Thomas, Rhodri Glyn  
 Williams, Brynle  
 Williams, Kirsty  
 Wood, Leanne

*Derbyniwyd y cynnig.  
 Motion carried.*

### **Dadl Fer Short Debate**

#### **Y Mesur Drafft—Cardiau Adnabod The Draft Identity Card Bill**

**Jenny Randerson:** I have agreed to allow William Graham, Janet Davies and Eleanor Burnham a short period of time to speak.

This week, the Home Secretary introduced his draft identity card Bill. I am old enough to have been born in the time when Britons carried ID cards—they were introduced during World War II and were not abolished until 1952. Since then, the arguments on both sides have been regularly rehearsed. Michael Howard, for example, insisted in 1995, in the face of strong opposition, that an ID card system would make a significant contribution to tackling crime. He subsequently shelved his proposals. In 1998, Jack Straw proposed an ID card scheme but, much to his credit, later changed his mind and spent the money on 5,000 additional police officers. David Blunkett has presented ID cards as the answer to a range of society's ills—terrorism, fraud, illegal immigration, and so on.

It is worth putting on record where I stand on this issue. The Liberal Democrats have always opposed the idea, believing that it will be a potentially dangerous infringement of individual liberty. My own view has been rather more relaxed—or maybe cynical

**Jenny Randerson:** Yr wyf wedi cytuno i ganiatáu i William Graham, Janet Davies ac Eleanor Burnham siarad am ychydig.

Yr wythnos hon, cyflwynodd yr Ysgrifennydd Cartref ei Fesur drafft—cardiau adnabod. Yr wyf yn ddigon hen i fod wedi cael fy ngeni ar adeg pan oedd Prydeinwyr yn cario cardiau adnabod—fe'u cyflwynwyd yn ystod yr Ail Ryfel Byd ac ni chawsant eu diddymu tan 1952. Ers hynny, ailadroddwyd y dadleuon ar y ddwy ochr yn rheolaidd. Er enghraifft, mynnodd Michael Howard yn 1995, yn wyneb gwrthwynebiad cryf, y byddai system cardiau adnabod yn cyfrannu'n sylweddol at y gwaith o fynd i'r afael â throseddau. Yn ddiweddarach, rhoddodd ei gynigion o'r neilltu. Yn 1998, cynigiodd Jack Straw gynllun cardiau adnabod ond, er clod iddo, newidiodd ei feddwl yn ddiweddarach a gwariodd yr arian ar 5,000 o swyddogion yr heddlu ychwanegol. Mae David Blunkett wedi cyflwyno cardiau adnabod fel yr ateb i amrywiaeth o helbulon mewn cymdeithas—terfysgaeth, twyll, mewnfudo anghyfreithlon, ac yn y blaen.

Mae'n werth cofnodi fy safbwynt ar y mater hwn. Mae'r Democratiaid Rhyddfrydol erioed wedi gwrthwynebu'r syniad, gan gredu y bydd yn dresmasiad peryglus o bosibl ar ryddid unigolyn. Bu fy marn i ychydig yn fwy digyffro—neu efallai y

would be a better word. Big Brother has been with us for some years now. Our movements and spending can be tracked via our credit cards, and mobile phone and finance companies make judgments on us based on their access to our credit ratings. Therefore, why not have an ID card? However, as I have listened to the debate, I have become more and more confused and concerned.

The arguments in favour of ID cards are seductive. The recent MORI poll showed that 80 per cent of people support the idea. Their main reason for supporting it seems to be the belief that it will stem illegal immigration. However, almost all immigrants register as asylum seekers soon after entering the country. When they do so, their fingerprints are taken and they are given a registration number and an ID card. I frequently have asylum seekers in my surgeries, and they are the only people who automatically provide me with proof of their ID.

David Blunkett has also said that the card will tackle illegal working. However, these scams are possible only because unscrupulous employers are willing to flout the law and fail to make the normal checks. If they do not bother now, what makes him think that they will do so in the future? We are also told that a card will prevent benefit fraud, yet most benefit fraud comes from people misrepresenting their circumstances, not who they are.

Probably the most compelling argument in favour of ID cards is that they will prevent terrorism. However, the terrorists behind 9/11 and the Madrid bombings had ID cards. They did not hide their identity. The problem lay not in knowing who they were but in predicting what they were going to do.

The Home Secretary says that ID cards will prevent so-called 'health tourism'. He says that proof of identity will not be required for emergency health care but that it will be for long-term treatment. Medical staff will be

byddai sinigaidd yn well gair. Mae'r Brawd Mawr wedi bod gyda ni ers rhai blynyddoedd bellach. Gall ein symudiadau a'n gwariant gael eu holrhain drwy ein cardiau credyd, a gwna cwmnïau ffonau symudol a chwmnïau cyllid benderfyniadau amdanom yn seiliedig ar eu gallu i weld ein statws credyd. Felly, pam na ddylem gael cerdyn adnabod? Fodd bynnag, wrth imi wrando ar y ddadl, yr wyf wedi mynd yn fwy dryslyd a phryderus.

Mae'r dadleuon o blaid cardiau adnabod yn ddeniadol. Dangosodd arolwg barn diweddar gan MORI fod 80 y cant o bobl o blaid y syniad. Eu prif reswm dros ei gefnogi yw'r gred y bydd yn atal mewnfudo anghyfreithlon. Fodd bynnag, mae bron pob mewnfudwr yn cofrestru fel ceiswyr lloches yn fuan ar ôl cyrraedd y wlad. Pan wnânt hynny, cymerir eu holion bysedd a rhoddir rhif cofrestru a cherdyn adnabod iddynt. Yn aml caf geiswyr lloches yn fy nghyngorfeydd, a hwy yw'r unig bobl sy'n dangos prawf adnabod imi yn awtomatig.

Mae David Blunkett hefyd wedi dweud y bydd y cerdyn yn mynd i'r afael â phroblem gweithio anghyfreithlon. Fodd bynnag, dim ond am fod cyflogwyr diegwyddor yn fodlon herio'r gyfraith ac yn methu â gwneud y gwiriadau arferol y mae'r achosion hyn o dwyll yn bosibl. Os nad ydynt yn trafferthu yn awr, beth sy'n gwneud iddo feddwl y gwnânt hynny yn y dyfodol? Dywedir wrthym hefyd y bydd cerdyn yn atal twyll budd-daliadau, ac eto pobl yn camgyfleu eu hamgylchiadau yn hytrach na chamgyfleu pwy ydynt sy'n gyfrifol am y rhan fwyaf o dwyll budd-daliadau.

Mae'n siŵr mai'r ddadl fwyaf cymhellol o blaid cardiau adnabod yw y byddant yn atal terfysgaeth. Fodd bynnag, yr oedd gan y terfysgwyr a oedd yn gyfrifol am 9/11 a bomiau Madrid gardiau adnabod. Ni wnaethant guddio pwy oeddynt. Nid gwybod pwy oeddent oedd y broblem ond gwybod beth oedd eu bwriad.

Dywed yr Ysgrifennydd Cartref y bydd cardiau adnabod yn atal 'twristiaeth iechyd' fel y'i gelwir. Dywed na fydd angen prawf adnabod ar gyfer gofal iechyd brys ond y bydd ei angen ar gyfer triniaeth hirdymor.

expected to ask for evidence of ID if they have grounds for doubting a patient's eligibility for treatment. I wonder whether medical staff will be happy to act as an arm of the immigration service. Supposing I went to the University Hospital of Wales for treatment and was given a bed alongside one of my constituents, a lady of similar age to me but of Asian origin. Which of us is likely to be asked to prove our eligibility for treatment? In reality, this proposal will reinforce division and prejudice.

The Home Secretary argues that he only favours an ID card if it is at the cutting edge of technology. A smart card would store biometric data. However, it is difficult to see how the card would work unless it was compulsory, and the smarter the card is, the greater the danger of intrusion into our civil liberties. In order to avoid misuse and exploitation of data, you would need systematic and exhaustive legal protection of the citizen of a type that does not exist in Britain. Other countries that have ID cards have a written constitution; the UK does not. The Government seems to be taking the Titanic approach to technology by claiming that the card is unforgeable. However, IT experts are already queuing up to say that it will be hacked into; it happens to every system.

I am interested to hear the views of other parties. I noted that Oliver Letwin, the Shadow Chancellor, said in *The Observer* this month:

'I haven't yet heard anything from the Government that persuades me that they have really thought through how having ID cards, with all the admitted civil liberties implications, would really help us in the fight against terrorism.'

As we know, the Labour Party is bitterly divided on the issue. Patricia Hewitt, Jack Straw and Geoff Hoon won a Cabinet battle to stop compulsory ID cards being automatically required for entitlement to

Bydd disgwyl i staff meddygol ofyn am brawf adnabod os bydd lle ganddynt i gredu nad yw claf yn gymwys i gael triniaeth. Tybed a fydd staff meddygol yn fodlon gweithredu fel cangen o'r gwasanaeth mewnfudo. Pe bawn yn mynd i Ysbyty Athrofaol Cymru am driniaeth ac yn cael gwely wrth ymyl un o'm hetholwyr, menyw o oedran tebyg i mi ond o darddiad Asiaidd, i ba un ohonom y mae'n debygol y gofynnir am brawf ein bod yn gymwys i gael triniaeth? Mewn gwirionedd, bydd y cynnig hwn yn atgyfnerthu rhaniad a rhagfarn.

Dadleua'r Ysgrifennydd Cartref mai dim ond os yw'n cynnwys y datblygiadau technolegol diweddaraf y bydd o blaid cerdyn adnabod. Byddai 'smart card' yn storio data biometrig. Fodd bynnag, mae'n anodd gweld sut y byddai'r cerdyn yn gweithio oni bai ei fod yn orfodol, a gorau oll fo'r cerdyn, y mwyaf fydd y perygl o ymyrryd â'n hiawnderau sifil. Er mwyn osgoi camddefnydd a gorfanteisio ar ddata, byddai angen system systematig a chynhwysfawr o ddiogelu'r dinesydd yn gyfreithiol ac nid yw system o'r fath yn bodoli ym Mhrydain. Mae gan wledydd eraill sydd â chardiau adnabod gyfansoddiad ysgrifenedig; nid oes gan y DU un. Ymddengys bod y Llywodraeth yn mabwysiadu'r ymagwedd ddi-ffael tuag at dechnoleg drwy honni bod y cerdyn yn anffugiadwy. Fodd bynnag, mae arbenigwyr TG eisoes yn barod i ddweud y bydd yn bosibl hacio i mewn i'r system; mae'n digwydd i bob system.

Hoffwn glywed safbwyntiau pleidiau eraill. Sylwais i Oliver Letwin, Canghellor yr Wrthblaid, ddweud yn *The Observer* y mis hwn:

Ni chlywais ddim eto gan y Llywodraeth sy'n fy argyhoeddi eu bod wedi rhoi ystyriaeth wirioneddol i'r ffordd y byddai cardiau adnabod, gyda'r holl oblygiadau cydnabyddedig o ran iawnderau sifil, yn ein helpu mewn gwirionedd yn y frwydr yn erbyn terfysgaeth.

Fel y gwyddom, mae'r Blaid Lafur yn rhanedig iawn ar y mater hwn. Enillodd Patricia Hewitt, Jack Straw a Geoff Hoon frwydr yn y Cabinet i sicrhau na fyddai angen cardiau adnabod yn awtomatig er mwyn bod

public services. Instead, it will be left to individual Ministers to require ID cards for services under their control, with different rules for Wales and Scotland, as the First Minister outlined yesterday. However, Charles Clarke is already saying that students in England will need cards. Therefore, presumably, Welsh students studying in England will also need them. One must also assume that anyone in receipt of pensions and benefits will need a card. It may start as being voluntary but, by insidious creep, it is bound to become compulsory, as individuals can never predict which public services they may need in the future.

My main concerns regarding ID cards are practical. If the technology is cutting edge, then there is great scope for confusion and failure. This has the potential to be yet another Home Office IT fiasco. The immigration service spent £77 million on a new computer system that arrived 18 months late in 1999. It proved incapable of dealing with the volume of applications and was scrapped in 2001. A new IT system for the UK Passport Service caused backlogs of half a million applications and delays of 50 days, costing many people their summer holiday. The Criminal Records Bureau experienced huge delays and caused chaos in schools across the country because it was unable to cope with the number of applicants. If you also consider the tax credit fiasco, I can be forgiven for doubting whether the Government can handle this massive project.

I am also concerned about the cost of the scheme. The Government already estimates that it will cost £3 billion. If we consider past experience, that is likely to double. A card that will last 10 years will cost individuals £35 each. It is worth reminding the Government that public support for the project could easily disappear in the face of the real cost. Only one in five people in a MORI poll said that they would be prepared to pay £35. In Australia, prior to the introduction of ID cards, 80 per cent of the public supported the measure. That fell to 20

yn gymwys i gael gwasanaethau cyhoeddus. Yn lle hyn, y Gweinidogion unigol fydd yn penderfynu a oes angen cardiau adnabod ar gyfer gwasanaethau o dan eu rheolaeth hwy, gyda rheolau gwahanol ar gyfer Cymru a'r Alban, fel yr amlinellodd y Prif Weinidog ddoe. Fodd bynnag, mae Charles Clarke eisoes yn dweud y bydd angen cardiau ar fyfyrwyr yn Lloegr. Felly, yn ôl pob tebyg, bydd eu hangen hefyd ar fyfyrwyr o Gymru sy'n astudio yn Lloegr. Rhaid tybio hefyd y bydd angen cerdyn ar unrhyw un sy'n cael pensiwn a budd-daliadau. Efallai y bydd yn cychwyn fel rhywbeth gwirfoddol ond, yn raddol a llechwraidd, mae'n siŵr o ddod yn orfodol, gan na all unigolion byth ragweld pa wasanaethau cyhoeddus y bydd eu hangen arnynt yn y dyfodol.

Mae fy mhrif bryderon o ran cardiau adnabod yn rhai ymarferol. Os yw'r dechnoleg yn torri tir newydd, yna bydd llawer o le ar gyfer dryswch a methiant. Mae potensial i hyn fod yn helbul TG arall i'r Swyddfa Gartref. Gwariodd y gwasanaeth mewn fudo £77 miliwn ar system gyfrifiadurol newydd a gyraeddodd 18 mis yn hwyr yn 1999. Nid oedd yn gallu ymdopi â nifer fawr y ceisiadau a rhoddwyd y gorau iddi yn 2001. Achosodd system TG newydd ar gyfer Gwasanaeth Pasport y DU ôl-groniadau o hanner miliwn o geisiadau ac oedi o 50 diwrnod, a cholodd llawer o bobl eu gwyliau haf o ganlyniad i hyn. Profodd y Swyddfa Cofnodion Troseddol oedi mawr ac achoswyd dryswch mewn ysgolion ledled y wlad gan nad oedd yn gallu ymdopi â nifer yr ymgeiswyr. Os ystyriwch hefyd yr helbul gyda'r credyd treth, gellir maddau imi am feddwl na fydd y Llywodraeth yn gallu ymdopi â'r prosiect enfawr hwn.

Pryderaf hefyd ynghylch cost y cynllun. Mae'r Llywodraeth eisoes yn amcangyfrif y bydd yn costio £3 biliwn. O gofio profiadau'r gorffennol, mae hynny'n debygol o ddyblu. Bydd cerdyn a fydd yn para 10 mlynedd yn costio £35 yr un i unigolion. Mae'n werth atgoffa'r Llywodraeth y gallai cefnogaeth gyhoeddus i'r prosiect ddiffannu'n hawdd yn wyneb y gost wirioneddol. Dim ond un o bob pump o bobl mewn arolwg barn MORI a ddywedodd y byddent yn barod i dalu £35. Yn Awstralia, cyn cyflwyno cardiau adnabod, yr oedd 80 y cant o'r cyhoedd yn



per cent within months of their introduction and the Government nearly fell. People discovered that what was a nice idea in principle, was hamstrung by bureaucracy and intrusiveness, without any discernible gains. The public, faced with the option of spending £3 billion on ID cards or the equivalent on more police and immigration officers, for instance, would prefer the latter.

gefnogol i'r mesur. Gostyngodd hynny i 20 y cant o fewn misoedd i'w cyflwyno a bu bron i'r Llywodraeth gwympto. Bu i bobl ddarganfod i'r hyn a oedd yn syniad braf mewn egwyddor, gael ei lesteirio gan fiwrocratiaeth a natur ymwithiol, heb unrhyw fanteision amlwg. Pe bai'r cyhoedd yn gorfod dewis rhwng gwario £3 biliwn ar gardiau adnabod neu swm cyfatebol ar fwy o heddlu a swyddogion mewnfudo, er enghraifft, byddent yn dewis yr olaf.

5.10 p.m.

Now, I specifically want to turn to the implications of all this for Wales, and to ask the Minister some questions. The question of ID cards has only been raised twice in the Assembly. Owen John Thomas questioned the First Minister about them last December, but the latter sat on the fence, and the subject was also raised yesterday by my colleague, Mike German. Yesterday, the First Minister was more forthcoming, saying that ID cards would not be required to access services in Wales. However, as I have already pointed out, it is not as simple as that. Benefits and pensions are not under our control. What discussions has the Labour Assembly Government had with UK Government Ministers about this issue? Are you against ID cards in principle and are you saying that you are pressing UK Ministers not to insist on ID cards for any services in Wales, or are you accepting that, for non-devolved matters, ID cards will be needed in Wales? On devolved matters, it will essentially be a decision of the government in Wales at the time and, given the long lead-in time, this could well be different from the current one.

Yn awr, yr wyf am droi at oblygiadau hyn i gyd ar gyfer Cymru yn benodol, a gofyn am bell gwestiwn i'r Gweinidog. Dim ond dwywaith yn y Cynulliad y mae'r cwestiwn ynghylch cardiau adnabod wedi ei godi. Holodd Owen John Thomas y Prif Weinidog amdanynt fis Rhagfyr diwethaf, ond aros yn amhleidiol a wnaeth y Prif Weinidog, a chodwyd y pwnc ddoe gan fy nghyd-Aelod, Mike German hefyd. Ddoe, yr oedd y Prif Weinidog yn barotach i siarad, gan ddweud na fyddai angen cardiau adnabod i gael gwasanaethau yng Nghymru. Fodd bynnag, fel yr wyf eisoes wedi ei nodi, nid yw mor syml â hynny. Nid yw budd-daliadau a phensiynau o dan ein rheolaeth ni. Pa drafodaethau a gafodd Llywodraeth Lafur y Cynulliad gyda Gweinidogion Llywodraeth y DU ynglŷn â'r mater hwn? A ydych yn erbyn cardiau adnabod mewn egwyddor ac a ydych yn dweud eich bod yn pwyso ar Weinidogion y DU i beidio â mynnu cardiau adnabod ar gyfer unrhyw wasanaethau yng Nghymru, neu a ydych yn derbyn y bydd angen cardiau adnabod yng Nghymru ar gyfer materion nad ydynt wedi eu datganoli? O ran materion sydd wedi eu datganoli, penderfyniad y llywodraeth yng Nghymru ar y pryd fydd hyn yn y bôn ac, o gofio'r amser cyflwyno hir, gallai hyn fod yn wahanol i'r un bresennol.

I will also raise the issue of higher education. Given the two-way flow of students across the border, are you saying that English students in Wales will need ID cards, but that Welsh ones will not? What about Welsh students studying in England?

Codaf hefyd fater addysg uwch. O gofio'r llif dwyffordd o fyfyrwyr ar draws y ffin, a ydych yn dweud y bydd angen cardiau adnabod ar fyfyrwyr o Loegr yng Nghymru, ond na fydd angen rhai ar fyfyrwyr o Gymru? Beth am fyfyrwyr o Gymru sy'n astudio yn Lloegr?

In conclusion, this is a complex issue, particularly for us in Wales. David Blunkett

I gloi, mae hwn yn fater cymhleth, yn arbennig i ni yng Nghymru. Eglurodd David

has made it clear that he wants compulsory ID cards. What steps are being taken by the Labour Assembly Government to put pressure on the Prime Minister against that view, if indeed it is its view that is has a fundamental, in principle, objection to ID cards? Will the First Minister join Jack McConnell in total opposition to these cards?

In the light of the Richard commission report and the possibility of more devolved powers, this becomes a pressing issue. ID cards have the potential to be an IT fiasco and an expensive bureaucratic nightmare. They have the potential to infringe our civil liberties. They have all the signs of a solution looking for a problem. I urge Assembly Ministers to make this position clear, both here and to the UK Government, and to say that we want the money spent on more police, not more bureaucracy and more of the nanny state.

**William Graham:** I am grateful to Jenny for raising this matter, which does not have universal acceptance. The Welsh Conservatives agree in principle to the introduction of ID cards, but we have the same reservations about civil liberties. The Government will have to go into far more detail on this measure. Will ID cards be successful in fighting terrorism, crime and immigration? Will they be cost-effective and, as Jenny said, is the Home Office capable of introducing them? Seventy-seven pounds has been suggested as the cost of a combined passport and identity card. This cost should be borne by the Government, not individuals. In Italy, the ID card system has led to a cut in bureaucracy by merging the information contained in 20 documents into one card. Therefore, there are arguments in favour of the cards, and they should help to cut benefit and NHS fraud. They could also help to protect the young and provide a greater check on those who work with young people. Hopefully, they will be able to counter illegal employment, though this is largely the responsibility of employers. If the scheme costs £3 billion, it is doubtful whether it will be in the best interests of all. As we have always suggested, 40,000 new police officers would be a better way of fighting crime.

Blunkett ei fod am gael cardiau adnabod gorfodol. Pa gamau sy'n cael eu cymryd gan Lywodraeth Lafur y Cynulliad i roi pwysau ar Brif Weinidog y DU yn erbyn y farn honno, os yn wir ei barn yw bod ganddi, mewn egwyddor, wrthwynebiad sylfaenol i gardiau adnabod? A wnaiff y Prif Weinidog ymuno â Jack McConnell i wrthwynebu'r cardiau hyn yn gyfan gwbl?

Yng ngoleuni adroddiad comisiwn Richard a'r posibilrwydd o fwy o bwerau datganoledig, daw hyn yn fater pwysig. Mae gan gardiau adnabod y potensial i fod yn helbul TG ac yn hunllef fiwrocraidaidd ddud. Mae ganddynt y potensial i dresmasu ar ein hiawnderau sifil. Maent fel ateb sy'n edrych am broblem. Anogaf Gweinidogion y Cynulliad i ddatgan y safbwynt hwn yn glir, yma ac i Lywodraeth y DU, ac i ddweud ein bod am i'r arian gael ei wario ar fwy o heddlu, nid ar fwy o fiwrocraetaeth a mwy o'r wladwriaeth warchodol.

**William Graham:** Yr wyf yn ddiolchgar i Jenny am godi'r mater hwn, nad yw'n cael ei dderbyn gan bawb. Cytuna Ceidwadwyr Cymru mewn egwyddor i gyflwyno cardiau adnabod, ond mae gennym yr un amheuon ynglŷn ag iawnderau sifil. Bydd yn rhaid i'r Llywodraeth fanylu llawer mwy ar y mesur hwn. A fydd cardiau adnabod yn llwyddiannus wrth ymladd terfysgaeth, troseddau a mewnfudo? A fyddant yn gost-effeithiol ac, fel y dywedodd Jenny, a all y Swyddfa Gartref eu cyflwyno? Awgrymwyd £77 fel cost pasport a cherdyn adnabod cyfunol. Dylai'r Llywodraeth dalu'r gost hon, nid unigolion. Yn yr Eidal, mae system cardiau adnabod wedi arwain at leihad mewn biwrocraetaeth drwy gyfuno'r wybodaeth a gynhwysir mewn 20 dogfen yn un cerdyn. Felly, mae dadleuon o blaid y cardiau a dylent helpu i leihau twyll budd-daliadau a thwyll yn y GIG. Gallent hefyd helpu i ddiogelu plant a phobl ifanc a gwirio'n well y rhai sy'n gweithio gyda phobl ifanc. Y gobaith yw y gallant wrthsefyll cyflogaeth anghyfreithlon, er mai cyfrifoldeb cyflogwyr yw hyn yn bennaf. Os bydd y cynllun yn costio £3 biliwn, mae'n amheus a fydd er budd gorau pawb. Fel yr ydym bob amser wedi awgrymu, byddai 40,000 o swyddogion yr heddlu newydd yn ffordd well o ymladd troseddau.

**Janet Davies:** Identity cards have big implications for privacy, civil liberties, bureaucracy and costs. Therefore we must ask what problems would be solved by identity cards and would the benefits of this solution outweigh the financial and personal costs. I have waited for the UK Government to pursue a logical debate that puts forward its views and explanations. So far, I have only heard spin and the Home Secretary jumping from reasons relating to access to public services to the prevention of terrorism, even though, as Jenny said, ID cards did not prevent the terrible train explosions in Spain.

Plaid Cymru welcomes moves not to demand the use of ID cards to access public services in Wales. However, at some point, that could be threatened and, therefore, we should oppose the principle as well as the difficulties and cost of an identity card system.

**Eleanor Burnham:** If the card is simply a voluntary card to access services, then the people who will most need it and for whom it will rapidly become a compulsory card will be those who most need to access public services—health services and social and housing services, and so on. In short, a divisive situation could rapidly develop whereby the card is voluntary for most of the articulate middle classes and compulsory for those who use public services and/or cannot argue and resist the need for the card.

**The Deputy Minister for Communities (Huw Lewis):** I thank Jenny for bringing this important issue to the Assembly in her short debate.

The UK Government intends to proceed by incremental steps to build a base for what will eventually be compulsory national ID cards. The introduction of the first ID cards on a phased basis would, according to current plans, not begin until 2007-08. Before any move could be made to the second and compulsory or, as it is called, universal stage

**Janet Davies:** Mae i gardiau adnabod oblygiadau mawr o ran preifatrwydd, iawnderau sifil, biwrocratiaeth a chostau. Felly rhaid inni ofyn pa broblemau a fyddai'n cael eu datrys drwy gyflwyno cardiau adnabod ac a fyddai manteision yr ateb hwn yn fwy na'r costau ariannol a phersonol. Yr wyf wedi aros i Lywodraeth y DU roi dadl resymegol sy'n cyfleu ei safbwyntiau a'i hesboniadau. Hyd yma, dim ond sbin a glywais a'r Ysgrifennydd Cartref yn newid o resymau yn ymwneud â'r hawl i gael gwasanaethau cyhoeddus i atal terfysgaeth, er na wnaeth cardiau adnabod, fel y dywedodd Jenny, atal y ffrwydradau erchyll ar drenau yn Sbaen.

Mae Plaid Cymru yn croesawu'r penderfyniad i beidio â mynnu'r defnydd o gardiau adnabod er mwyn cael gwasanaethau cyhoeddus yng Nghymru. Fodd bynnag, ar ryw adeg, gellid bygwth hynny ac, felly, dylem wrthwynebu'r egwyddor yn ogystal â'r anawsterau a chost system cardiau adnabod.

**Eleanor Burnham:** Os mai cerdyn gwirfoddol yw'r cerdyn er mwyn cael gwasanaethau a dim mwy, yna y bobl fydd ei angen fwyaf ac y daw yn gerdyn gorfodol yn gyflym iddynt fydd y rhai sydd â'r angen mwyaf am wasanaethau cyhoeddus—gwasanaethau iechyd a gwasanaethau cymdeithasol a thai, ac yn y blaen. Yn fyr, gallai sefyllfa sy'n peri rhwyg ddatblygu'n gyflym lle mae'r cerdyn yn wirfoddol i'r rhan fwyaf o'r dosbarth canol sy'n mynnu eu hawliau ac yn orfodol i'r rhai sy'n defnyddio gwasanaethau cyhoeddus a/neu na allant ddadlau a gwrthsefyll yr angen am y cerdyn.

**Y Dirprwy Weinidog dros Gymunedau (Huw Lewis):** Diolchaf i Jenny am gyflwyno'r mater pwysig hwn i'r Cynulliad yn ei dadl fer.

Bwriada Llywodraeth y DU fynd ati mewn camau cynyddol i adeiladu sylfaen ar gyfer yr hyn a fydd yn gardiau adnabod cenedlaethol gorfodol yn y pen draw. Ni fyddai'r gwaith o gyflwyno'r cardiau adnabod cyntaf ar sail raddol, yn ôl cynlluniau presennol, yn dechrau tan 2007-08. Cyn y gellid symud i'r ail gam a'r cam gorfodol, neu, fel y'i gelwir,

of the scheme, the UK Government would produce a report, setting out its case for the move to compulsion and covering all relevant aspects of the proposal.

The move to compulsion would require full debate and a vote in both Houses of Parliament. There would only be a move to a compulsory card scheme if the conditions were right. It would be 2013 before the UK Government could expect 80 per cent of the economically active population to have an ID card, if passports are issued on the proposed biometric basis. The UK Government has made it clear that it wishes to consult on the details of the proposed legislation, hence publication of the draft Bill on Monday. This will not happen overnight, so there is time for us to think through this issue and see how it develops.

This is potentially a big project and the UK Government is clear that it will take some years to get it right. It is ensuring now, while it installs the new biometric passport infrastructure, that it can build on that infrastructure to provide the added benefits of an ID card scheme. More detailed development work will go ahead in parallel with the passing of the legislation, although contracts to build the scheme will not be negotiated until after the Bill receives Royal Assent.

In the second stage of implementation, if the conditions are right, there could be a move towards the production of a card to access public services in ways defined by those responsible for such services. However, decisions on the use of ID cards to access services for which we are responsible in Wales will be a matter for this administration. We do not intend to cut back on, or refuse, services to people who do not have ID cards. Implementation of the ID card scheme is a matter for the Home Secretary. The Home Office has been made aware of the need to consider Welsh-language requirements when formulating its proposals. That was raised by the First Minister. This is a national UK scheme, which means that all UK citizens would have these cards if and when they

cam cyffredinol y cynllun, byddai Llywodraeth y DU yn llunio adroddiad, yn cyflwyno ei dadl dros wneud y cerdyn yn orfodol gan gwmpasu pob agwedd berthnasol ar y cynnig.

Byddai cymryd y cam tuag at gardiau gorfodol yn gofyn am ddadl lawn a phleidlais yn Nhŷ'r Cyffredin a Thŷ'r Arglwyddi. Dim ond pe bai'r amodau'n gywir y byddent yn cymryd y cam tuag at gynllun cardiau gorfodol. Byddai yn 2013 cyn y gallai Llywodraeth y DU ddisgwyl i 80 y cant o'r boblogaeth economaidd weithgar gael cerdyn adnabod, os cyhoeddir pasportau ar y sail fiometrigr arfaethedig. Mae Llywodraeth y DU wedi egluro ei bod am ymgynghori ar fanylion y ddeddfwriaeth arfaethedig, a dyna pam y mae'r Mesur drafft yn cael ei gyhoeddi ddydd Llun. Ni fydd hyn yn digwydd dros nos, felly mae gennym amser i ystyried y mater hwn yn ofalus a gweld sut y mae'n datblygu.

Gallai hwn fod yn brosiect mawr ac mae Llywodraeth y DU yn bendant y bydd yn cymryd rhai blynyddoedd cyn iddo weithio'n iawn. Mae'n sicrhau yn awr, tra'n gosod y seilwaith pasport biometrigr newydd, y gall adeiladu ar y seilwaith hwnnw i ddarparu manteision ychwanegol cynllun cerdyn adnabod. Bydd mwy o waith datblygu manwl yn mynd rhagddo ochr yn ochr â phasio'r ddeddfwriaeth, er na chaiff contractau i greu'r cynllun eu negodi nes bod y Mesur wedi cael Cydsyniad Brenhinol.

Yn ystod ail gam y gwaith gweithredu, os yw'r amodau'n iawn, gellid symud tuag at gynhyrchu cerdyn i gael gwasanaethau cyhoeddus mewn ffyrdd a ddiffinnir gan y rhai sy'n gyfrifol am wasanaethau o'r fath. Fodd bynnag, mater i'r weinyddiaeth hon fydd penderfyniadau ar ddefnyddio cardiau adnabod i gael gwasanaethau yr ydym yn gyfrifol amdanynt yng Nghymru. Ni fwriadwn gwtogi ar wasanaethau i bobl nad oes ganddynt gardiau adnabod na gwrthod gwasanaethau i bobl o'r fath. Mater i'r Ysgrifennydd Cartref yw gweithredu'r cynllun cardiau adnabod. Mae'r Swyddfa Gartref yn ymwybodol o'r angen i ystyried gofynion yr iaith Gymraeg wrth lunio ei chynigion. Codwyd hynny gan y Prif Weinidog. Mae hwn yn gynllun cenedlaethol

became compulsory.

It will not be compulsory to carry an ID card and there will be no new power for the police to stop someone and demand to see their card. In fact, the draft Bill explicitly excludes the possibility of making it a requirement for individuals to carry a card. It is arguable that ID cards would bring major benefits by combating illegal immigration, illegal working and strengthening our security as well as combating identity fraud. We are assured that protection of privacy and against the misuse of information and limits on the scope of the scheme are built into the legislation. All people aged 16 or over who are residents here would be eligible for ID cards. There would be no ID cards for those who are under 16. However, as now, children under 16 would need their own passport to travel.

On the technology, correct identification has become critically important. Across the world, there is a drive to increase document security with biometrics, for example, with regard to US passports and visas. It is true that only biometric-based ID cards can provide a single, highly verifiable means to prove identity. Building a new, highly secured database is at the heart of an ID card scheme. A biometric-based scheme, with a central database, would make it near to impossible to register multiple identities.

5.20 p.m.

The vast majority of the costs of the scheme will be incurred as we move to upgrade existing documents, such as passports and driving licences, by including biometrics. The ID card would be issued free of charge to 16-year-olds, and reduced fee cards would be available to those on low incomes. Most people would get the card when they apply for, or renew, their driving licence or passport, for which charges are already levied. The estimate is that a 10-year plain ID card, the stand-alone card for people without

ledled y DU, sy'n golygu y byddai gan bob dinesydd yn y DU y cardiau hyn os a phryd y deuant yn orfodol.

Ni fydd yn orfodol i bobl gario cerdyn adnabod ac ni fydd gan yr heddlu unrhyw bŵer newydd i stopio rhywun a mynnu gweld eu cerdyn. Mewn gwirionedd, mae'r Mesur drafft yn hepgor yn llwyr y posibilrwydd o'i gwneud yn ofynnol i unigolion gario cerdyn. Gellir dadlau y byddai cardiau adnabod yn creu buddiannau mawr drwy wrthsefyll mewnfudo anghyfreithlon, gweithio anghyfreithlon ac atgyfnerthu ein diogelwch yn ogystal â gwrthsefyll twyll prawf adnabod. Cawn ein sicrhau bod diogelu preifatrwydd a diogelu rhag y camddefnydd o wybodaeth a chyfyngiadau ar gwmpas y cynllun wedi eu cynnwys yn y ddeddfwriaeth. Byddai pob unigolyn 16 oed neu hŷn sy'n preswyllo yma yn gymwys i gael cerdyn adnabod. Ni fyddai cardiau adnabod ar gyfer y rhai o dan 16 oed. Fodd bynnag, fel ar hyn o bryd, byddai angen eu pasport eu hunain ar blant o dan 16 oed er mwyn teithio.

O ran y dechnoleg, mae cael prawf adnabod cywir wedi dod yn hollbwysig. Ledled y byd, mae ymgyrch i gynyddu diogelwch dogfennau gyda biometreg, er enghraifft, o ran pasportau a fisâu yr UD. Mae'n wir mai dim ond cardiau adnabod ar sail fiometrig a all ddarparu un ffordd tra gwiriadwy o brofi pwy yw'r unigolyn. Mae creu cronfa ddata newydd a thra diogel wrth wraidd cynllun cardiau adnabod. Byddai cynllun ar sail fiometrig, gyda chronfa ddata ganolog, yn ei gwneud bron yn amhosibl i rywun gofrestru fwy nag unwaith.

Eir i'r mwyafrif helaeth o gostau'r cynllun wrth inni uwchraddio dogfennau presennol, megis pasportau a thrwyddedau gyrru, drwy gynnwys biometreg. Byddai'r cerdyn adnabod yn cael ei roi am ddim i blant 16 mlwydd oed, a byddai cardiau ffi ostyngol ar gael i'r rhai ar incwm isel. Byddai'r rhan fwyaf o bobl yn cael y cerdyn wrth wneud cais am drwydded yrru neu basport neu i adnewyddu eu trwydded yrru neu basport, sef eitemau y codir taliadau amdanynt eisoes. Yr amcangyfrif yw y byddai cerdyn adnabod

a passport or a driving licence, would cost most people around £35. The estimated cost of the scheme per person as a whole over time is around £4 per person spread across 10 years.

plaen 10 mlynedd, y cerdyn annibynnol ar gyfer pobl heb basport neu drwydded yrru, yn costio tua £35 i'r rhan fwyaf o bobl. Cost amcangyfrifedig y cynllun fesul person at ei gilydd dros amser yw tua £4 y person dros 10 mlynedd.

Jenny, you have highlighted an important, difficult and complicated issue, and we recognise that. It illustrates the potential tension between civil liberties in a liberal democracy, about which we care deeply, and the pressing need to keep our people safe in a dangerous world. This will be a lengthy debate, and the Welsh Assembly Government will follow developments closely.

Jenny, yr ydych wedi amlygu mater pwysig, anodd a chymhleth a chydnyddwn hynny. Mae'n dangos y tensiwn posibl rhwng iawnderau sifil mewn democratiaeth ryddfrydol, y pryderwn yn fawr yn eu cylch, a'r angen dybryd i gadw ein pobl yn ddiogel mewn byd peryglus. Bydd hon yn ddatl hirfaith, a bydd Llywodraeth Cynulliad Cymru yn dilyn y datblygiadau'n ofalus.

**The Presiding Officer:** That brings today's proceedings to a close.

**Y Llywydd:** Daw hynny â chyfarfod heddiw i ben.

*Daeth y cyfarfod i ben am 5.22 p.m.  
The meeting ended at 5.22 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-Kneafsey, 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, Peter (Llafur – Labour)  
Lewis, Huw (Llafur – Labour)  
Lloyd, David (Plaid Cymru – The Party of Wales)  
Lloyd, Val (Llafur – Labour)  
Marek, John (Annibynnol – Independent)  
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)