



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

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

Dydd Mawrth, 28 Medi 2004

Tuesday, 28 September 2004

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Yn y golofn chwith, cofnodwyd y trafodion yn yr iaith y llefarwyd hwy ynnddi yn y Siambr.

Yn y golofn dde, cynhwyswyd cyfieithiad o'r areithiau hynny.

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

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

**Ethol i Bwyllgor y Tŷ
Election to the House Committee**

The Business Minister (Karen Sinclair): I **Y Trefnydd (Karen Sinclair):** Cynigiau fod
propose that

the National Assembly for Wales, in accordance with Standing Orders No. 8.3 and No. 18.4, elects Owen John Thomas (Plaid Cymru) to its House Committee in place of Janet Davies (Plaid Cymru). (NDM2103)

Cynulliad Cenedlaethol Cymru yn unol â Rheolau Sefydlog Rhifau 8.3 ac 18.4 yn ethol Owen John Thomas (Plaid Cymru) i fod ar Bwyllgor y Tŷ yn lle Janet Davies (Plaid Cymru). (NDM2103)

*Cynnig (NDM2103): O blaid 36, Ymatal 0, Yn erbyn 0.
Motion (NDM2103): For 36, Abstain 0, Against 0.*

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

Bates, Mick
Black, Peter
Bourne, Nick
Burnham, Eleanor
Butler, Rosemary
Chapman, Christine
Cuthbert, Jeff
Davies, David
Davies, Janet
Davies, Jocelyn
Francis, Lisa
German, Michael
Gibbons, Brian
Griffiths, John
Hutt, Jane
Idris Jones, Denise
Isherwood, Mark
James, Irene
Jones, Alun Ffred
Jones, Elin
Jones, Helen Mary
Jones, Ieuan Wyn
Jones, Laura Anne
Law, Peter
Lloyd, David
Lloyd, Val
Melding, David
Mewies, Sandy
Morgan, Jonathan
Morgan, Rhodri
Randerson, Jenny
Sargeant, Carl
Thomas, Catherine
Thomas, Owen John
Thomas, Rhodri Glyn
Wood, Leanne

*Derbyniwyd y cynnig.
Motion carried.*

Cwestiynau i'r Prif Weinidog Questions to the First Minister

Y Dreth Gyngor Council Tax

Q1 David Davies: Will the First Minister make a statement on the estimated increase in council tax as a result of house revaluation? (OAQ37601)

The First Minister (Rhodri Morgan): Your question is fundamentally flawed, David. Revaluation redistributes the council tax burden; it does not increase it. The yield of council tax raised in Wales remains the same as it would have been had we not revalued.

David Davies: It is not my questions that are fundamentally flawed, but rather your answers. Perhaps, as I intend to publish your answer to this question on the internet, you will think carefully about how you answer it. Council tax in Monmouthshire has risen by around 135 per cent over the last few years since your administration took office. Council tax rises come about as a direct result of the local government funding allocated by the Assembly. Do you think that these rises are acceptable and a good thing? If not, what crumbs of comfort can you offer my constituents in Monmouthshire, as they face yet another double-figure inflation increase in council tax?

The First Minister: You said that my answer was totally wrong, and then you completely changed the subject from revaluation. I am afraid that I have to take that as an admission that you did not know what you were talking about, and accept that my answer was absolutely right. You changed from the subject of revaluation to that of the increase in council taxes, which was chosen by the council elected by the people of Monmouthshire; I understand that it is now under different party-political control. The 22 councils, under whatever party-political control they happen to be, decide whether or not to increase council tax. However, that is not because of revaluation, as your question suggested. I told you

C1 David Davies: A wnaiff y Prif Weinidog ddatganiad ar yr amcangyfrif o'r cynnydd yn y dreth gyngor o ganlyniad i ailbrisiu tai? (OAQ37601)

Y Prif Weinidog (Rhodri Morgan): Mae diffyg sylfaenol yn eich cwestiwn, David. Mae ailbrisiu'n ailddosbarthu baich y dreth gyngor; nid yw'n ei gynyddu. Mae'r swm a godir drwy'r dreth gyngor yng Nghymru yn aros yr un maint ag y buasai pe na byddem wedi ailbrisiu.

David Davies: Nid fy nghwestiynau i sydd â diffyg sylfaenol, ond yn hytrach eich atebion chi. Gan fy mod yn bwriadu cyhoeddi'ch ateb i'r cwestiwn hwn ar y rhyngwryd, efallai yr ystyriwch yn ofalus sut yr atebwch ef. Mae'r dreth gyngor yn sir Fynwy wedi codi oddeutu 135 y cant dros y blynyddoedd diwethaf ers i'ch gweinyddiaeth ddod i rym. Daw codiadau yn y dreth gyngor o ganlyniad uniongyrchol i'r cyllid a roddir i lywodraeth leol gan y Cynulliad. A ydych yn credu bod y codiadau hyn yn dderbyniol ac yn beth da? Os nad ydych, pa friwsion o gysur y gallwch eu cynnig i'm hetholwyr yn sir Fynwy, gan eu bod yn wynebu codiad arall yn y dreth gyngor sydd mewn ffigurau dwbl?

Y Prif Weinidog: Dywedasoed fod fy ateb yn hollol anghywir, a newid y pwnc yn llwyr wedyn gan droi oddi wrth ailbrisiu. Mae arnaf ofn bod rhaid imi gymryd bod hynny'n gyfaddefiad na wyddoch am yr hyn yr ydych yn sôn, a'ch bod yn derbyn bod fy ateb yn gwbl gywir. Gwnaethoch newid y pwnc oddi wrth ailbrisiu gan droi at y cynnydd yn y dreth gyngor, a ddewiswyd gan y cyngor a etholwyd gan bobl sir Fynwy; yr wyf yn deall ei fod bellach dan reolaeth plaid wleidyddol wahanol. Y 22 o gynghorau, o dan reolaeth pa bynnag blaid wleidyddol y maent yn digwydd bod, sy'n penderfynu cynyddu'r dreth gyngor neu beidio. Fodd bynnag, nid canlyniad ailbrisiu yw hynny, fel yr oedd eich cwestiwn yn awgrymu. Dywedais wrthyh yn

plainly—and I deem now that you have accepted that your question was fundamentally flawed—that revaluation redistributes the burden of council tax; it does not increase it. I am grateful for your admission.

The Leader of the Welsh Liberal Democrat Group (Michael German): First Minister, I wish you a happy birthday for Thursday. As you approach the official retirement age, perhaps you more than anyone will understand the two joint inequities of council tax and low pensions. Many pensioners can ill afford to buy one pair of shoes, let alone a winged pair. Since you have been First Minister, the proportion of the basic state pension that is paid by pensioners as council tax has increased by almost one quarter, from 17 per cent to 21 per cent. Many pensioners will be hit hard, particularly where there have been differential house revaluations, by the revaluation and a burden of council tax that continues to increase as a result of their low or fixed incomes. Do you think that is fair?

The First Minister: The low take-up of council tax benefit is the critical factor in this. The take-up of council tax among owner-occupiers is appallingly low: it is well below 50 per cent. For some reason, single mothers have a high rate of take-up, as do those who rent. The two groups that have a low rate of take-up are pensioners, and owner-occupiers, at around 40 per cent of those eligible. That is the key to solving the problem. If the shoe does pinch, if I may use your analogy, then it is important that people somehow get over the stigma of having to apply for council tax benefit. The balance of funding review, organised by the Office of the Deputy Prime Minister, confirmed that it probably was better for this country to continue with a system of property taxes as the basis for local government fundraising. It did also say that something needed to be done to make council tax benefit a semi-automatic benefit, and not something that you needed to apply for. I would strongly endorse that, but we have to work out the details of how exactly that could be done.

blaen—a barnaf yn awr eich bod wedi derbyn bod diffyg sylfaenol yn eich cwestiwn—fod ailbrisió'n ailddosbarthu baich y dreth gyngor; nid yw'n ei gynyddu. Yr wyf yn ddiolchgar am eich cyfaddefiad.

Arweinydd Grŵp Democratiaid Rhyddfrydol Cymru (Michael German): Brif Weinidog, dymunaf ben blwydd hapus i chi ar gyfer dydd Iau. Gan eich bod ar fin cyrraedd yr oedran ymdddeol swyddogol, efallai y byddwch chi'n anad neb arall yn deall yr anghyfiawnder perthynas y dreth gyngor a phensiynau isel. Prin y gall llawer o bensiynwyr fforddio prynu pâr o esgidiau, heb sôn am bâr ag esgyll. Ers ichi ddod yn Brif Weinidog, mae cyfran y pensiwn gwladol sylfaenol a delir gan bensiynwyr ar ffurf y dreth gyngor wedi codi o ymron i chwarter, o 17 y cant i 21 y cant. Bydd llawer o bensiynwyr yn cael eu bwrw'n galed, yn enwedig os yw eu tŷ wedi'i brisio'n wahanol, gan yr ailbrisió a chan faich y dreth gyngor sy'n dal i gynyddu am fod eu hincwm yn isel neu'n sefydlog. A ydych yn credu bod hynny'n deg?

Y Prif Weinidog: Y nifer bach sy'n derbyn budd-dal y dreth gyngor yw'r ffactor hanfodol yn hyn o beth. Mae nifer y perchenfeddianwyr sy'n derbyn budd-dal y dreth gyngor yn ofnadwy o isel: mae ymhell o dan 50 y cant. Am ryw reswm, mae'r nifer yn uwch ymysg mamau sengl, ac ymysg y rhai sy'n rhentu. Y ddau grŵp lle y mae'r nifer sy'n derbyn y budd-dal yn fach yw pensiynwyr, a pherchenfeddianwyr, wrth i tua 40 y cant o'r rhai sy'n gymwys ei dderbyn. Dyna'r allwedd i ddatrys y broblem. Os yw'r esgid fach yn gwasgu, os caf ei gyffelybu i hynny fel y gwnaethoch chi, mae'n bwysig bod pobl rywsut yn trechu'r ymdeimlad o gywilydd o orfod ymgeisio am fudd-dal y dreth gyngor. Cadarnhaodd yr adolygiad o gydbwysedd cyllido, a drefnwyd gan Swyddfa'r Dirprwy Brif Weinidog, mai gwell, yn ôl pob tebyg, fyddai i'r wlad hon barhau â system o godi treth ar eiddo fel y sail i godi arian ar gyfer llywodraeth leol. Dywedwyd hefyd fod angen gwneud rhywbeth i beri i fudd-dal y dreth gyngor fod ar gael yn lled-awtomatig, yn hytrach na bod rhaid ymgeisio amdano. Cefnogwn hynny'n gryf, ond rhaid inni ganfod yr union fodd i

wneud hynny.

Michael German: Of course, in the meantime, while we are waiting two or three years for the London Government to make its mind up about what it wants to do about those issues, we have means testing. Many pensioners hate and detest the means testing currently done. The Labour Party used to be the party that campaigned against means testing; New Labour now seems to be the party of means testing. We have means testing for council tax benefit and for pensioners' credit, and we will have means testing for the tuition fees that students—including many Welsh students—will have to pay post 2006. Do you agree that means testing is an inefficient way of approaching the problem? What people need is a basic rise in the standard pension so that they, like everyone else, can afford to keep up with payments.

Michael German: Wrth gwrs, yn y cyfamser, tra byddwn yn disgwyl dwy neu dair blynedd i Lywodraeth Llundain benderfynu beth y mae am ei wneud ynghylch y materion hynny, mae gennym brawf moddion. Mae llawer o bensiynwyr yn casáu ac yn ffieiddio'r profi a wneir ar hyn o bryd. Y Blaid Lafur oedd y blaid a arferai ymgyrchu yn erbyn prawf moddion; ymddengys bellach mai Llafur Newydd yw plaid y prawf moddion. Mae gennym brawf moddion ar gyfer budd-dal y dreth gyngor ac ar gyfer credyd pensiynwyr, a chawn brawf moddion ar gyfer y ffioedd dysgu y bydd myfyrwyr—gan gynnwys llawer o fyfyrwyr o Gymru—yn gorfod eu talu ar ôl 2006. A ydych yn cytuno bod prawf moddion yn ddull aneffeithlon o ymdrin â'r broblem? Yr hyn y mae ar bobl ei angen yw cynnydd sylfaenol yn y pensiwn arferol fel y gallant hwy, fel pawb arall, fforddio'r taliadau.

The First Minister: Yes, Mike, but I would not want you to give the public the impression that your party was entirely against means testing. When you were members of the Government, both you and Jenny Randerson were keen on a means-tested Assembly learning grant. We must all accept that some benefits will be means tested and others not. You should have a judicious mixture of those which are universally available, with no stigma attached to them, and those for which you must apply on the basis of a means test. However, you should try to help people overcome the stigma. That is why I said that it was important to increase the owner-occupier and pensioner—in particular, pensioner owner-occupier—take-up of the full entitlement to council tax benefit, without the stigma that is traditionally attached to the means test.

Y Prif Weinidog: Ydwyf, Mike, ond ni fyddwn am ichi roi'r argraff i'r cyhoedd fod eich plaid yn llwyr yn erbyn prawf moddion. Pan oeddech yn aelodau o'r Llywodraeth, yr oeddech chi a Jenny Randerson yn frwd dros roi grant dysgu'r Cynulliad ar sail prawf moddion. Rhaid inni i gyd dderbyn y bydd rhai budd-daliadau'n amodol ar brawf moddion ac eraill na fyddant ddim. Dylid cael cymysgedd synhwyrol o rai sydd ar gael yn gyffredinol, nad ydynt yn creu unrhyw ymdeimlad o gywilydd, a rhai y mae'n rhaid ymgeisio amdanynt ar sail prawf moddion. Fodd bynnag, dylech geisio helpu pobl i drechu'r ymdeimlad hwnnw. Dyna pam y dywedais ei bod yn bwysig sicrhau bod mwy o berchen-feddianwyr a phensiynwyr—yn enwedig pensiynwyr sy'n berchen-feddianwyr—yn derbyn y budd-dal y mae ganddynt hawl iddo, heb deimlo'r cywilydd a gysylltir yn draddodiadol â'r prawf moddion.

Cynnwys Grwpiau Lleiafrifol yn y Broses Ddemocrataidd Engaging Minority Groups in the Democratic Process

Q2 Leanne Wood: What plans does the First Minister have to improve the ability of minority groups to engage in the democratic process? (OAQ37589)

C2 Leanne Wood: Pa gynlluniau sydd gan y Prif Weinidog i'w gwneud yn haws i grwpiau lleiafrifol gyfranogi yn y broses ddemocrataidd? (OAQ37589)

The First Minister: The Assembly

Y Prif Weinidog: Mae Llywodraeth y

Government continues to work with the Electoral Commission and the Welsh Local Government Association to promote good practice in all aspects of the democratic process, especially in the fields of widening participation, accessible democracy and voting methods.

Leanne Wood: Many minority groups, in particular Wales's Muslim citizens, feel let down by the political process over issues such as the debate over immigration and the war on Iraq. Yet the Secretary of State for Wales, Peter Hain, said this weekend that the war on Iraq is a fringe issue. Do you concur with that view? Do you believe that the war on Iraq is a fringe issue?

The First Minister: I have been asked this question several times in public, and you may possibly have chanced upon one of the interviews during which that happened. In case you have not, I will repeat my reply. This is paradoxical. It is not a matter of what we say to the people; it is what the people say to us. If you ask people what are the big issues of the day, they will place Iraq with the national health service at the top of the list. If you then ask them on the basis of which issues they will decide how to vote at the next general election, the Iraq issue drops either to the bottom, or entirely out, of the top 10.

John Griffiths: Would you take this opportunity to condemn the action of the Assembly Member for Monmouth, who last week wrote to Muslim Labour Members of Parliament comparing the blood sport of fox-hunting with the practice of halal slaughter? Do you agree that our UK Labour Government will not back down in the face of the bullying posture of the anti-hunt lobby, which seeks to put itself above democracy and the law? Will you join me in calling on the leader of the Welsh Conservative Party to condemn David Davies's actions?

The Presiding Officer: Order. It is not appropriate for a Member to ask an oral question relating to the conduct of another Member. There are Standing Orders and

Cynulliad yn dal i weithio gyda'r Comisiwn Etholiadol a Chymdeithas Llywodraeth Leol Cymru i hyrwyddo arferion da ym mhob agwedd ar y broses ddemocrataidd, yn enwedig ym meysydd ehangu cyfranogiad, democratiaeth hygyrch a dulliau pleidleisio.

Leanne Wood: Mae llawer o grwpiau lleiafrifol, yn enwedig dinasyddion Moslemaidd Cymru, yn teimlo eu bod wedi cael eu siomi gan y broses wleidyddol yng nghyd-destun materion fel y ddadl ynghylch mewnfudo a'r rhyfel yn erbyn Irac. Ac eto, dywedodd Ysgrifennydd Gwladol Cymru, Peter Hain, y penwythnos hwn mai mater mymlol yw'r rhyfel yn erbyn Irac. A ydych yn cyd-fynd â'r farn honno? A ydych yn credu bod y rhyfel yn erbyn Irac yn fater mymlol?

Y Prif Weinidog: Gofynnwyd y cwestiwn hwn imi sawl gwaith yn gyhoeddus, ac efallai'ch bod wedi digwydd clywed un o'r cyfweiliadau pan wnaed hynny. Rhag ofn nad ydych, ailadroddaf fy ateb. Mae hyn yn barodocsaid. Nid yw'n fater o'r hyn a ddywedwn ni wrth y bobl; mae'n ymwneud â'r hyn a ddywed pobl wrthym ni. Os gofynnwch i bobl beth yw materion pwysig y dydd, byddant yn rhoi Irac gyda'r gwasanaeth iechyd gwladol ar ben y rhestr. Os gofynnwch iddynt wedyn ar sail pa faterion y penderfynant sut i bleidleisio yn yr etholiad cyffredinol nesaf, mae pwnc Irac yn disgyn i waelod y 10 uchaf, neu'n is na hynny.

John Griffiths: A wnewch chi achub ar y cyfle hwn i gollfarnu'r camau a gymerodd Aelod y Cynulliad dros Fynwy, a ysgrifennodd yr wythnos diwethaf at Aelodau Seneddol Moslemaidd Llafur gan gymharu hela llwynogod â'r arfer o ladd yn y dull *halal*? A ydych yn cytuno na wnaiff Llywodraeth Lafur y DU ildio yn wyneb bygythion y lobi gwrth-hela, sy'n ceisio ei gosod ei hun uwchlaw democratiaeth a'r gyfraith? A wnewch chi ymuno â mi i alw ar arweinydd Plaid Geidwadol Cymru i gollfarnu'r camau a gymerodd David Davies?

Y Llywydd: Trefn. Nid yw'n briodol i Aelod ofyn cwestiwn llafar sy'n ymwneud ag ymddygiad Aelod arall. Mae Rheolau Sefydlog a gweithdrefnau ar gyfer delio â

procedures for dealing with matters of conduct, and they are better not discussed in this public forum. However, if the First Minister wishes to answer without referring to the conduct of a Member, I am sure that he will be in order.

The First Minister: I was going to try, in my inadequate way, to roughly say what you have just said much better, from your more elevated position, with regard to condemning another Assembly Member. We must all be aware of what can cause an ethnic or religious minority to feel that it is being discriminated against. We must all bear that in mind at all times.

Mark Isherwood: If the measure of a democracy is how it treats its minorities—and I am sure that you agree that it is—what representations have you, as First Minister, made to your colleagues in Westminster in order to protect those who control predators with dogs from elected dictatorship?

2.10 p.m.

The First Minister: A refusal to accept the will of Parliament is a sign that someone needs a few lessons in democracy. It is a cheap response, if it does not coincide with your political views, to say that, since the House of Commons has voted for this three or four times by an overwhelming majority, that is elected dictatorship. All you mean is that you do not like the decision, so you will take your cricket bat home. You cannot have that in a democracy. Once Parliament has decided, in this case it has decided three times, it then behoves all of us to accept that that is how democracy works and that sometimes we like it and sometimes we do not, but we must abide by it.

materion sy'n ymwneud ag ymddygiad, a gwell yw peidio â'u trafod yn y fforwm cyhoeddus hwn. Fodd bynnag, os yw'r Prif Weinidog yn dymuno ateb heb gyfeirio at ymddygiad Aelod, yr wyf yn siŵr y bydd mewn trefn.

Y Prif Weinidog: Yr oeddwn am geisio dweud yn fras, yn fy ffordd annigonol fy hun, yr hyn yr ydych newydd ei ddweud yn llawer gwell, o'ch safle uwch, ynghylch collfarnu Aelod Cynulliad arall. Rhaid inni i gyd fod yn ymwybodol o'r hyn a all beri i leiafrif ethnig neu grefyddol deimlo bod gwahaniaethu'n digwydd yn ei erbyn. Rhaid inni oll gofio hynny bob amser.

Mark Isherwood: Os mai'r maen prawf ar gyfer democratiaeth yw'r modd y mae'n trin lleiafrifoedd—ac yr wyf yn siŵr eich bod yn cytuno mai hwnnw ydyw—pa sylwadau yr ydych chi, fel Prif Weinidog, wedi'u cyflwyno i'ch cymheiriaid yn San Steffan er mwyn amddiffyn y rhai sy'n difa anifeiliaid rheibus â chŵn rhag unbennaeth etholedig?

Y Prif Weinidog: Mae gwrthodiad i dderbyn ewyllys y Senedd yn dangos bod ar rywun angen ychydig o wersi mewn democratiaeth. Ymateb cywilyddus yw dweud, os nad yw'n cyd-fynd â'ch barn wleidyddol chi, gan ei fod wedi pleidleisio o blaid hyn dair neu bedair gwaith gyda mwyafrif ysgubol, mai unbennaeth etholedig yw Tŷ'r Cyffredin. Y cwbl a olygwch yw nad ydych yn hoffi'r penderfyniad, ac felly na wnewch gymryd rhan. Ni ellir ymddwyn felly mewn democratiaeth. Wedi i'r Senedd benderfynu, ac yn yr achos hwn mae wedi penderfynu dair gwaith, dylem ni i gyd dderbyn mai felly y mae democratiaeth yn gweithio a'n bod weithiau'n ei hoffi ac weithiau ddim, ond rhaid inni ufuddhau iddi.

Blaenoriaethau Cyfiawnder Cymdeithasol Social Justice Priorities

Q3 John Griffiths: Will the First Minister make a statement on progress with the Assembly Government's social justice priorities for Wales? (OAQ37616)

C3 John Griffiths: A wnaiff y Prif Weinidog ddatganiad ar hynt blaenoriaethau Llywodraeth y Cynulliad ym maes cyfiawnder cymdeithasol yng Nghymru? (OAQ37616)

The First Minister: We have moved the social justice and regeneration agenda forward, for example, by having the child poverty task group. It first met in April 2003 and reported in June 2004 and will inform the work of the Assembly Government in producing a child poverty strategy for Wales. We have also had the over-indebtedness review, which I mentioned during questions last week. Another example, with which you will be more than familiar, John, is the older person's strategy.

John Griffiths: Equal pay is important for social justice for working women in Wales, and to achieving higher earnings in our communities. Do you agree that we must take forward our tripartite approach, with the Assembly Government, Wales Trades Union Congress and the Equal Opportunities Commission leading the equal pay campaign, and that trade union recognition is highly significant? Where workers are represented in bargaining and negotiating with employers, equal pay is more likely to exist.

The First Minister: That is the general principle. Equal pay does not come about by magic, but because of the efforts of campaigners or representative organisations, such as trade unions. In the case of the Assembly, as a new body, we set out our stall to try to ensure that it happened with regard to our practice as employers. The same applies to the Assembly sponsored public bodies, where we—having set out our stall in terms of how we employ our civil servants—are ensuring that the ASPBs do the same. We would commend that, because the results in terms of retention, recruitment and attitudes to work and so forth are good. It benefits the employers even though they may not see the advantages at first.

The Leader of the Welsh Conservatives (Nick Bourne): An important aspect of social justice is ensuring that we have a free national health service available to everybody in Wales. In light of that, what would you say about the 86 per cent increase in waiting lists since you came to power in the Assembly in 1999?

Y Prif Weinidog: Yr ydym wedi hyrwyddo'r agenda ar gyfiawnder cymdeithasol ac adfywio, er enghraifft, drwy sefydlu grŵp gorchwyl tlodi plant. Cyfarfu'r grŵp am y tro cyntaf yn Ebrill 2003 a rhoddodd ei adroddiad ym Mehefin 2004 a bydd yn llywio gwaith Llywodraeth y Cynulliad wrth iddi lunio strategaeth i Gymru ar dlodi ymysg plant. Cynhaliwyd adolygiad o orddyled hefyd, y cyfeiriais ato yn ystod cwestiynau yr wythnos diwethaf. Un enghraifft arall, y byddwch yn gyfarwydd iawn â hi, John, yw'r strategaeth ar gyfer pobl hŷn.

John Griffiths: Mae cyflogau cyfartal yn bwysig o ran cyfiawnder cymdeithasol i fenywod sy'n gweithio yng Nghymru, ac o ran sicrhau enillion mwy yn ein cymunedau. A ydych yn cytuno y dylem hyrwyddo ein dull gweithredu tairochrog, fel y bydd Llywodraeth y Cynulliad, Cyngres Undebau Llafur Cymru a'r Comisiwn Cyfle Cyfartal yn arwain yr ymgyrch ar gyflogau cyfartal, a'i bod yn dra phwysig cydnabod undebau llafur? Mae gweithwyr yn fwyaf tebygol o gael cyflogau cyfartal pan gânt eu cynrychioli wrth fargeinio a negodi â chyflogwyr.

Y Prif Weinidog: Dyna'r egwyddor gyffredinol. Ni cheir cyflogau cyfartal drwy eu hudo o'r awyr, ond drwy ymdrechion ymgyrchwyr neu gyrff cynrychioladol, fel undebau llafur. Yn achos y Cynulliad, fel corff newydd, gwnaethom osod esiampl drwy geisio sicrhau y digwyddai hynny mewn cysylltiad â'n harferion fel cyflogwyr. Mae'r un peth yn wir am y cyrff cyhoeddus a noddir gan y Cynulliad, lle yr ydym ni—a ninnau wedi gosod esiampl o ran y modd y cyflogwn ein gweision sifil—yn sicrhau bod y CCNC yn gwneud yr un peth. Cymeradwyem hynny, gan fod y canlyniadau'n dda o ran cadw a recriwtio staff a'u hagwedd at eu gwaith ac yn y blaen. Daw â budd i'r cyflogwyr er nad ydynt efallai'n gweld y manteision ar y dechrau.

Arweinydd Ceidwadwyr Cymru (Nick Bourne): Un agwedd bwysig ar gyfiawnder cymdeithasol yw sicrhau y cawn wasanaeth iechyd gwladol rhad ac am ddim sydd ar gael i bawb yng Nghymru. Yng ngolwg hynny, beth a ddywedech ynghylch y ffaith bod rhestrau aros wedi cynyddu 86 y cant ers ichi ddod i rym yn y Cynulliad yn 1999?

The First Minister: You will also have noticed that long waiting lists have come down sharply in the targeted sectors for which we have said that the waiting lists are unacceptably long. We set targets of four months for cataract operations and 10 months for cardiac operations and so on. We have targeted those waits and they have come down sharply. The number of people waiting over 18 months in those sectors is now small, or has disappeared altogether.

Nick Bourne: No-one should have to wait anything like 18 months for treatment. You have not addressed the main issue of the massive increase in waiting lists since you came to power in 1999. Over 300,000 people, virtually the population of Cardiff, are on a waiting list in Wales. That is far worse than it was before we had a Labour Government and a Labour administration in the Assembly. What is your view on that and how are you going to reverse it?

The First Minister: We have already reversed it and virtually eliminated the long waiting lists of over 18 months, or four months for cataract operations, whichever the target is. We also have the second offer guarantee scheme, which originally applied to those waiting more than 18 months, but which will be brought down so that it applies to those waiting more than 12 months by 1 April 2005. I commend those responsible for the second offer guarantee scheme, and their colleagues in the national health service operational divisions, on their success in implementing the 18-month scheme and in preparing for the impending 12-month second offer guarantee scheme. You mentioned a figure of 300,000, but you must remember that almost a third of the population of Wales, around 1 million people, attend hospital every year through accident and emergency departments. A far greater number go to hospital through the accident and emergency route rather than for elective surgery.

Nick Bourne: That sounds like dangerous complacency. The fact remains that the number of people on a waiting list is equivalent to the population of Cardiff. You

Y Prif Weinidog: Byddwch wedi sylwi hefyd fod rhestrau aros hir wedi lleihau'n sydyn yn y sectorau a dargedwyd, ar ôl inni ddweud bod y rhestrau aros ar eu cyfer yn annerbyniol o hir. Gosodwyd targedau o bedwar mis ar gyfer llawdriniaethau cataract a 10 mis ar gyfer llawdriniaethau ar y galon ac yn y blaen. Yr ydym wedi targedu'r cyfnodau aros hynny ac maent wedi gostwng yn sydyn. Mae'r nifer sy'n disgwyl yn hwy na 18 mis yn y sectorau hynny'n fach, neu wedi diflannu'n llwyr bellach.

Nick Bourne: Ni ddylai neb orfod disgwyl yn agos i 18 mis am driniaeth. Nid ydych wedi ymdrin â'r prif fater, sef y cynnydd aruthrol yn y rhestrau aros ers ichi ddod i rym yn 1999. Mae mwy na 300,000 o bobl, sef tua'r un nifer â phoblogaeth Caerdydd, ar restr aros yng Nghymru. Mae hynny'n waeth o lawer nag yr ydoedd cyn inni gael Llywodraeth Lafur a gweinyddiaeth Lafur yn y Cynulliad. Beth yw eich barn am hynny a sut y gwnewch chi wrthdroi'r sefyllfa?

Y Prif Weinidog: Yr ydym eisoes wedi'i wrthdroi, ac yr ydym bron â dileu'r rhestrau aros hir o fwy na 18 mis, neu bedwar mis ar gyfer llawdriniaethau cataract, pa un bynnag yw'r targed. Hefyd mae gennym gynllun gwarant yr ail gynnig, a gymhwyswyd yn wreiddiol at y rhai a fu'n aros yn hwy na 18 mis, ond a ostyngir fel y caiff ei gymhwyso at y rhai sy'n disgwyl yn hwy na 12 mis erbyn 1 Ebrill 2005. Canmolaf y rhai sy'n gyfrifol am gynllun gwarant yr ail gynnig, a'u cydweithwyr yn is-adrannau gweithredol y gwasanaeth iechyd gwladol, am eu llwyddiant wrth roi'r cynllun 18 mis ar waith ac am baratoi ar gyfer cynllun gwarant yr ail gynnig ar ôl 12 mis, a gyflwynir cyn hir. Wrth gyfeirio at ffigur o 300,000, rhaid ichi gofio bod bron traean o boblogaeth Cymru, tua 1 filiwn o bobl, yn mynd i'r ysbyty bob blwyddyn drwy eu derbyn i adrannau damweiniau ac achosion brys. Mae nifer mwy o lawer yn mynd i'r ysbyty ar hyd y llwybr honno yn hytrach na thrwy gael llawdriniaethau dewisol.

Nick Bourne: Mae hynny'n swnio'n beryglus o hunanfodlon. Mae'n ffaith, er hynny, fod y nifer sydd ar restr aros yr un maint â phoblogaeth Caerdydd. Soniwch am

talk about the 18-month and 12-month second guarantee scheme; in England that period is counted from when you see a GP, but in Wales it is from when you see a consultant, which makes it a far longer time. No other country in the world would tolerate this: why do you?

The First Minister: I do not think that you are right about the period being counted from the time that you see a GP. As I understand it, that will come in from 2008, but at the moment there is no waiting list in England—no more than there is in Wales—for how long you wait for a test, an MRI scan, or anything else of that kind. That comes in the middle of your wait, because after seeing a GP, in order to see a consultant, you need a test. There is not a waiting list for a test in England or Wales. That is true. Therefore, it cannot be the case that you have a waiting list that jumps straight from seeing the GP to treatment by the consultant because, in between, you will have a no-waiting-list period to get an MRI scan or whatever test is necessary. That is the same in England as in Wales. I know that you are addicted to the theory that everything is better in England than in Wales but, as I mentioned in a speech that I made yesterday, you should recognise occasionally that we are ahead of the national health service over the border. Infant mortality rates, which used to be higher in Wales than in England or Scotland are now considerably lower here, and you should commend the achievements of the Welsh health service in that regard.

Brian Gibbons: Do you not agree that the so-called halcyon days of short waiting lists under the Conservatives came at a desperate price for patients and illness, and throughout that time we had the unedifying spectacle of seriously ill patients travelling up and down the M4 trying to find acute beds because the hospitals were so intent on protecting their elective beds that they were not prepared to admit seriously ill patients?

The First Minister: That is what happens—you cannot have it both ways. Again, Nick, you are obsessed with the population of Cardiff. I mentioned the far larger population

gynllun y warant o ail gynnig ar ôl 18 mis a 12 mis; yn Lloegr cyfrifir y cyfnod hwnnw o'r adeg y gwelwch feddyg teulu, ond yng Nghymru gwneir hynny o'r adeg y gwelwch ymgynghorydd, fel ei fod yn gyfnod llawer hwy. Ni fyddai'r un wlad arall yn y byd yn goddef hyn: pam yr ydych chi?

Y Prif Weinidog: Ni chredaf eich bod yn iawn wrth ddweud bod y cyfnod yn cael ei gyfrif o'r adeg y gwelwch feddyg teulu. Fel yr wyf fi'n ei ddeall, bydd hynny'n dechrau yn 2008, ond ar hyn o bryd nid oes unrhyw restr aros yn Lloegr—nac yng Nghymru ychwaith—ar gyfer y cyfnod y disgwylwch am brawf, am sgan MRI, neu am unrhyw beth arall o'r fath. Daw hynny ar ganol eich arhosiad oherwydd, ar ôl gweld meddyg teulu, rhaid cael prawf er mwyn gweld ymgynghorydd. Nid oes rhestr aros ar gyfer profion yn Lloegr nac yng Nghymru. Mae hynny'n wir. Felly, ni ellir cael rhestr aros sy'n neidio'n syth o weld y meddyg teulu at driniaeth gan yr ymgynghorydd oherwydd, rhwng y ddau, ceir cyfnod heb restr aros i gael sgan MRI neu ba bynnag brawf sydd ei angen. Mae hynny yr un fath yn Lloegr ag yng Nghymru. Gwn eich bod yn gaeth i'r syniad bod popeth yn Lloegr yn well nag yng Nghymru ond, fel y dywedais mewn araith a draddodais ddoe, dylech gydnabod weithiau ein bod ar y blaen i'r gwasanaeth iechyd gwladol tu hwnt i'r ffin. Mae cyfraddau marwolaethau babanod, a arferai fod yn uwch yng Nghymru nag yn Lloegr neu'r Alban, yn is o lawer yma'n awr, a dylech ganmol cyflawniadau'r gwasanaeth iechyd yng Nghymru yn hynny o beth.

Brian Gibbons: Oni chytunwch fod oes aur honedig y rhestrau aros byr o dan y Ceidwadwyr wedi costio'n ddud ofnadwy i gleifion a'u hiechyd, a'n bod drwy gydol y cyfnod hwnnw wedi profi'r cywilydd o weld cleifion difrifol wael yn teithio i fyny ac i lawr yr M4 yn ceisio dod o hyd i welyau aciwt gan fod yr ysbytai mor benderfynol o gadw eu gwelyau ar gyfer triniaeth ddewisol fel nad oeddent yn barod i dderbyn cleifion difrifol wael?

Y Prif Weinidog: Dyna'r hyn sy'n digwydd—ni ellir ei chael bob ffordd. Unwaith eto, Nick, mae gennych obsesiwn â maint poblogaeth Caerdydd. Cyfeiriais at y

that comes into accident and emergency departments. If you can remember your fourth-form mathematics, 1 million is a far bigger number than 300,000. We are not complacent, but, again, you threw in this snide reference to complacency. We cannot be complacent when we have just come down from 18 months to 12 months. If we had gone from 12 months to 18 months, I could understand your accusation, but given that we are going from 18 months to 12 months before the second offer guarantee kicks in on 1 April 2005, it is clear that we are not complacent. We appreciate that 18 months is too long to wait and, having proved that the second offer guarantee scheme works, we are now bringing the time down to 12 months, and I hope that that will not be the last move in that direction.

nifer fwy o lawer a ddaw i adrannau damweiniau ac achosion brys. Os cofiwch eich gwersi mathemateg, mae 1 filiwn yn rhif mwy o lawer na 300,000. Nid ydym yn hunanfodlon, ond, unwaith eto, chi a gyfeiriodd yn goeglyd at hunanfodlondeb. Ni allem fod yn hunanfodlon a ninnau newydd ostwng y cyfnod o 18 mis i 12 mis. Pe byddem wedi'i godi o 12 mis i 18 mis, gallwn ddeall y cyhuddiad a wnaethoch, ond gan ein bod yn newid o 18 mis i 12 mis cyn i warant yr ail gynnig ddechrau ar 1 Ebrill 2005, mae'n amlwg nad ydym yn hunanfodlon. Sylweddolwn fod 18 mis yn gyfnod rhy hir i ddisgwyl ac, ar ôl profi bod cynllun gwarant yr ail gynnig yn llwyddo, yr ydym yn gostwng yr amser hwnnw'n awr i 12 mis, a gobeithiaf nad hwnnw fydd y cam olaf i'r cyfeiriad hwnnw.

Cynllun yr Ail Gynnig The Second Offer Scheme

C4 Rhodri Glyn Thomas: A oes gan y Prif Weinidog unrhyw gynlluniau i wella'r niferoedd sy'n manteisio ar gynllun yr ail gynnig? (OAQ37588)

Q4 Rhodri Glyn Thomas: Does the First Minister have any plans in order to improve take-up within the second offer scheme? (OAQ37588)

Y Prif Weinidog: Bydd tîm cynllun yr ail gynnig yn anfon pecynnau gwybodaeth at feddygon teulu er mwyn eu galluogi i ateb unrhyw ymholiadau gan gleifion ar y rhestr aros. Hefyd, mae'r Gweinidog, Jane Hutt, wedi gofyn i dîm cynllun yr ail gynnig gomisiynu arolwg o ymatebion er mwyn ein galluogi i ddarganfod pam mae cymaint o bobl, yn enwedig yn Abertawe a gorllewin Cymru, wedi bod yn gwrthod y cynnig, er bod pobl mewn ardaloedd eraill o Gymru yn llawer mwy brwdfrydig wrth ei dderbyn.

The First Minister: The second offer scheme team will send information packs to general practitioners to enable them to answer any queries that patients on the waiting lists may have. Also, the Minister, Jane Hutt, has asked the second offer team to commission a survey of responses to discover why so many people, particularly in Swansea and west Wales, have been declining this offer, although people in other parts of Wales have been much more enthusiastic in accepting it.

Rhodri Glyn Thomas: First Minister, you were factually incorrect in your response to Nick Bourne earlier: you should check those facts.

Rhodri Glyn Thomas: Brif Weinidog, yr oedd y ffeithiau yn eich ateb i Nick Bourne yn gynharach yn anghywir: dylech wirio'r ffeithiau hynny.

You argue that bringing waiting lists down from 18 months to 12 months is a success story, but it is certainly not for those people who are waiting 12 months for operations. Is it not a fact that people must now wait 12 and 18 months before they get any offer whatsoever? It is not so much a second offer as the only offer that they will get.

Yr ydych yn dadlau mai llwyddiant yw gostwng y rhestrau aros o 18 mis i 12 mis ond, yn sicr, nid yw'r rhai sy'n disgwyl 12 mis am lawdriniaeth yn ei ystyried yn llwyddiant. Onid yw'n wir bod rhaid i bobl ddisgwyl 12 a 18 mis bellach cyn y cânt unrhyw gynnig o gwbl? Nid ail gynnig ydyw hynny'n ogymaint â'r unig gynnig a gânt.

I refer you to a letter sent by Mr C. Overton, a consultant in obstetrics and gynaecology, to his patients in Withybush, which tells them quite clearly that their chance of getting a bed when they telephone is becoming less likely. That is the strategic plan: less beds, nurses, and doctors, and, after 12 months, they will get an offer of treatment.

The First Minister: That was a mishmash of cheap words. I am afraid that I have got used to that from you, Rhodri Glyn. You said that I was 'factually wrong', but you did not attempt to support that with any facts whatsoever. If you have knowledge, tell us what it is, otherwise do not chuck these cheap remarks across and say that I am factually wrong without specifying in what way.

2.20 p.m.

On the question that you referred to when patients are told by a particular consultant that they may have to wait 18 months, let us be clear that that 18 months is for orthopaedic treatment; it is four months for cataract operations. Of course, opposition spokesmen do not like that as it reminds them that, although they like to think that everything is faster over the border, it is six months for cataract in England while it is four months in Wales. The maximum waiting list is shorter in Wales than it is in England. Just occasionally, you should refer to the fact that the grass is not always greener on the other side. You should, perhaps, have responded to my remarks on infant mortality in Wales being substantially lower than in England, even though it was higher when we took over responsibility. You cannot bear any references to the national health service in Wales out-performing that east of the border, can you? Welsh nationalists you may be, but you have to believe that everything is worse in Wales. You have to run down Wales and its health service at all times, and those are the facts.

Rhodri Glyn Thomas: It is not the fault of

Fe'ch cyfeiriaf at lythyr a anfonwyd gan Mr C. Overton, ymgynghorydd mewn obstetreg a gynecoleg, at ei gleifion yn ysbyty Llwynhelyg, sy'n dweud wrthynt yn eithaf pendant ei bod yn fwyfwy annhebygol y cânt wely pan fyddant yn teleffonio. Dyna'r strategaeth: llai o welyau, nyrsys, a meddygon, ac, ar ôl 12 mis, cânt gynnig triniaeth.

Y Prif Weinidog: Yr oedd hynny'n gybolfa o eiriau diwerth. Mae arnaf ofn fy mod wedi arfer â chael hynny gennych chi, Rhodri Glyn. Dywedasoeh fod fy 'ffeithiau'n anghywir', ond ni cheisiasoeh brofi hynny drwy gynnig unrhyw ffeithiau. Os oes gennych wybodaeth, dywedwch wrthym beth ydyw neu, fel arall, peidiwch â thafllu sylwadau rhad o'r fath a dweud bod fy ffeithiau'n anghywir heb nodi ym mha fodd y mae hynny.

Ynghylch y cwestiwn y cyfeiriasoeh ato am yr hyn a ddigwydd pan ddywed ymgynghorydd wrth gleifion y gallent orfod disgwyl 18 mis, gadewch inni ddeall yn glir mai disgwyl 18 mis am driniaeth orthopedig yw hynny; mae'n bedwar mis ar gyfer llawdriniaethau cataract. Wrth gwrs, nid yw llefarywyr y gwrthbleidiau'n hoffi clywed hynny gan ei fod yn eu hatgoffa, er eu bod yn tybio bod popeth yn digwydd yn gynt y tu draw i'r ffin, fod rhaid disgwyl chwe mis am lawdriniaeth ar gataract yn Lloegr tra bo'n bedwar mis yng Nghymru. Mae'r rhestr aros hwyaf yn fyrrach yng Nghymru nag ydyw yn Lloegr. Ambell waith, dylech nodi'r ffaith nad yw'r borfa bob amser yn lasach yr ochr draw. Efallai y dylech fod wedi ymateb i'm sylwadau i'r perwyl bod cyfradd marwolaethau babanod yng Nghymru'n is o lawer nag yn Lloegr, er ei bod yn uwch pan ddaethom i rym. Ni allwch oddef unrhyw gyfeiriadau at y ffaith bod y gwasanaeth iechyd gwladol yng Nghymru'n perfformio'n well na'r un dros y ffin i'r dwyrain, oni allwch? Efallai'n wir mai cenedlaetholwyr Cymreig ydych, ond yr ydych yn mynnu credu bod popeth yn waeth yng Nghymru. Yr ydych wedi bychanu Cymru a'i gwasanaeth iechyd bob amser, a dyna'r ffeithiau.

Rhodri Glyn Thomas: Nid pobl Cymru sydd

the people of Wales; it is your fault.

The Presiding Officer: Order. I have said before that only one supplementary question per Member is allowed, unless that person is a party leader, which you are not yet.

Jonathan Morgan: First Minister, as you are so keen to talk about the comparisons between England and Wales, perhaps you would like to comment on the state of affairs for cardiac surgery. In England, it is exceptionally rare for anybody to wait longer than four months for cardiac surgery, yet in Wales, you have an ambitious target of cardiac patients waiting up to 10 months for such surgery. It is ridiculous for someone who might require a triple heart bypass to be told that he or she may have to wait upwards of 10 months when Health Commission Wales, in evidence in March this year, said that there was capacity in England to treat more Welsh patients. However, Health Commission Wales also stated that it could only operate within the agreed financial envelope—that is, your lot would not put any more money into treating more Welsh patients in England. Would you comment on that?

The First Minister: Yes. I will tell you again what I have told you before. When we took over our responsibilities in this matter, it was routine for patients to die on the heart surgery waiting list. That no longer happens. You will not accept that, but it is a fact. Ask anybody in the health service in Wales. Five-and-a-half years ago, it was routine for patients to die on the cardiac surgery waiting list. That does not happen now.

You also mentioned having an ambitious target of 10 months. We already operate within the 10 month target—the ambitious target is eight months by April 2005. It is also the case that it has been coming down sharply, and heart surgery is one of the great success stories of the Welsh national health service since we took over our responsibilities some five-and-a-half years

ar fai am hynny; chi sydd ar fai.

Y Llywydd: Trefn. Yr wyf wedi dweud o'r blaen mai dim ond un cwestiwn atodol a ganiateir i bob Aelod, oni bai ei fod yn arweinydd plaid, ac nid un felly ydych chi eto.

Jonathan Morgan: Brif Weinidog, gan eich bod mor awyddus i sôn am gymariaethau rhwng Cymru a Lloegr, efallai y carech wneud sylw am y sefyllfa o ran llawfeddygaeth y galon. Yn Lloegr, anaml iawn y bydd neb yn disgwyl yn hwy na phedwar mis i gael llawdriniaeth ar y galon, ac eto yng Nghymru, mae gennych darged uchelgeisiol o aros hyd at 10 mis am lawdriniaeth o'r fath. Peth hurt yw dweud wrth rywun y gallai fod arno angen llawdriniaeth ddargyfeiriol driphlyg ar y galon y gallai orfod disgwyl 10 mis a mwy a Chomisiwn Iechyd Cymru wedi dweud, mewn tystiolaeth a roddodd fis Mawrth eleni, fod digon o gapasiti yn Lloegr i drin mwy o gleifion o Gymru. Fodd bynnag, dywedodd Comisiwn Iechyd Cymru hefyd na allai ond gweithredu o fewn yr amlen ariannol y cytunwyd arni—hynny yw, ni roddai'ch criw chi unrhyw arian ychwanegol at drin mwy o gleifion o Gymru yn Lloegr. A wneuch sylw am hynny?

Y Prif Weinidog: Gwnaf. Dywedaf wrthyhych eto yr hyn a ddywedais wrthyhych o'r blaen. Pan ymgyngherasom â'n cyfrifoldebau yn y mater hwn, yr oedd yn arferol i gleifion farw wrth ddisgwyl ar y rhestr aros am lawdriniaeth ar y galon. Nid yw hynny'n digwydd bellach. Ni dderbyniwch hynny, ond mae'n wir. Gofynnwch i unrhyw un yn y gwasanaeth iechyd yng Nghymru. Bum mlynedd a hanner yn ôl, yr oedd yn arferol i gleifion farw wrth ddisgwyl ar y rhestr aros am lawdriniaeth ar y galon. Nid yw hynny'n digwydd yn awr.

Cyfeiriasoch hefyd at darged uchelgeisiol o 10 mis. Yr ydym eisoes yn gweithredu o fewn y targed o 10 mis—wyth mis fydd y targed uchelgeisiol erbyn Ebrill 2005. Mae hefyd yn wir ei fod wedi gostwng yn sydyn, a llawfeddygaeth y galon yw un o lwyddiannau mawr gwasanaeth iechyd gwladol Cymru ers inni ymgymryd â'n cyfrifoldebau tua phum mlynedd a hanner yn ôl.

ago.

Denise Idris Jones: First Minister, I was at Ysbyty Gwynedd yesterday for the North West Wales NHS Trust annual general meeting, where the news, I am sure you will agree, was excellent. They are doing extremely well there: few patients are waiting more than 18 months. They are on target and that is good news. Maybe Members would like to hear about what is going on in north Wales, because I was proud to be there.

The First Minister: The record of the national health service in north Wales is good and exceeds the record of the national health service in south Wales. The distribution and resourcing of the health service in north Wales enables the national health service, the three major hospitals there and some of the intermediate-sized hospitals to perform extremely well and to adhere to, or exceed, targets across a wide range of specialities while sending super speciality cases across the border to Waltham Hospital, Clatterbridge, Christie's, Alder Hey or wherever in Liverpool, Manchester and Chester.

Arweinydd yr Wrthblaid (Ieuan Wyn Jones): Yr oeddwn yn falch o'ch clywed mewn ateb blaenorol yn cydnabod bod disgwyl mwy na 18 mis am driniaeth yn anghywir a bod angen i'r ffigurau hynny ostwng. Yr wyf wedi bod yn ymhél ag achos penodol etholwraig, Mrs Elizabeth Moses o Borthaethwy, sy'n disgwyl am glun newydd yn ysbyty Gobowen. Ysgrifennais at yr arbenigwr yn Gobowen, ac mae wedi anfon llythyr yn ôl ataf yn dweud oherwydd diffyg cyllido gan Lywodraeth Cymru, nad yw wedi cael caniatâd—'I am not allowed,' meddai—i drin cleifion sydd wedi aros llai na 18 mis. Mae hynny'n sgandal, Brif Weinidog. Beth wnewch chi amdano?

Y Prif Weinidog: Pe gallech ddarllen y llythyr inni neu ei gyhoeddi ar y we, byddai hynny'n helpu pawb i ddeall beth sydd ynddo. Yr wyf wedi darllen y llythyr, ac mae'n amlwg ei fod yn *cri de cœur* oddi wrth y llawfeddyg at ei weinyddwyr. Nid yw'n hapus ynglŷn â'r hyn sy'n digwydd yn yr

Denise Idris Jones: Brif Weinidog, bûm yn Ysbyty Gwynedd ddoe ar gyfer cyfarfod blynyddol cyffredinol Ymddiriedolaeth GIG Gogledd Orllewin Cymru, lle'r oedd y newydd a glywyd yn rhagorol, fel y cytunwch, yr wyf yn siŵr. Maent yn gwneud yn dda iawn yno: ychydig o gleifion sy'n disgwyl yn hwy na 18 mis. Maent yn cyrraedd eu targed ac mae hynny'n newydd da. Efallai y carai Aelodau glywed am yr hyn sy'n digwydd yn y Gogledd, gan fy mod yn falch o fod yno.

Y Prif Weinidog: Mae record dda gan y gwasanaeth iechyd gwladol yn y Gogledd ac mae'n well na record y gwasanaeth iechyd gwladol yn y De. Mae dosbarthiad y gwasanaeth iechyd yn y Gogledd, a'r dull o'i gyllido, yn galluogi'r gwasanaeth iechyd gwladol, y tri ysbyty mawr a rhai o'r ysbytai canolig eu maint, i berfformio'n dda dros ben ac i gadw at y targedau, a rhagori arnynt, mewn amrywiaeth mawr o arbenigeddau tra byddant yn anfon achosion tra arbenigol dros y ffin i ysbyty Waltham, ysbyty Clatterbridge, ysbyty Christie, ysbyty Alder Hey neu ba le bynnag yn Lerpwl, Manceinion a Chaer.

The Leader of the Opposition (Ieuan Wyn Jones): I was glad to hear you acknowledge in a previous answer that waiting longer than 18 months for treatment is wrong and that these figures must decrease. I have been dealing with a particular case of a constituent, Mrs Elizabeth Moses of Menai Bridge, who is waiting for a hip replacement at Gobowen hospital. I wrote to the specialist at Gobowen, and he sent a reply stating that, because of lack of funding by the Government of Wales, he is prevented—'I am not allowed,' he says—from treating patients who have been waiting for less than 18 months. That is a scandal, First Minister. What will you do about it?

The First Minister: If you could read that letter aloud or publish it to the internet, that would help everyone to understand its contents. I have read the letter and it is clearly a *cri de cœur* from the surgeon to his administrators. He is frustrated by what is happening in the hospital. As I read it, he is

ysbyty. Yr wyf yn ei ddarllen fel ei fod yr un mor anhapus ynglŷn â'r hyn sydd yn digwydd o ran ei gleifion o Loegr ag y mae o ran ei gleifion o Gymru.

O ran ein perthynas ni ag ysbyty Gobowen, mae pawb sydd yn gweithio yng ngweinyddiaeth yr ysbyty yn hollol glir mai'r amser mwyaf yw 18 mis, ac nid rhyw gyfnod penodol y mae'n rhaid ichi aros amdano cyn y gallwch dderbyn triniaeth. Mae'r weinyddiaeth yn gwybod hynny. Os yw'n dweud yn wahanol wrth y llawfeddygon, mae'n hollol anghywir. Yr ydym ni yn hollol glir mai blaenoriaethau clinigol a ddylai benderfynu pryd mae ein cleifion yn cael eu trin yn yr ysbyty yn Gobowen.

Ieuan Wyn Jones: Mae'n amlwg nad yw hynny yn digwydd yng Ngobowen. Darllenaf ichi'r frawddeg sydd yn nodi polisi eich Llywodraeth:

'As you know, contracts'—

for operations—

'are discussed between management and the commissioning bodies and the Welsh purchasers have decided that they do not want their patients to be admitted within 18 months.'

Dyna yn union beth y mae Mr Patrick Gregson, sydd yn arbenigwr yng Ngobowen, yn ei ddweud. Mae'n dweud na fyddai neb o Gymru yn cael ei drin mewn llai na 18 mis. A wnewch sicrhau nad yw'r polisi hwnnw yn parhau fel bod Mrs Moses a phawb arall sydd yn disgwyl am driniaeth yn cael eu trin yn yr amser cywir?

Y Prif Weinidog: Af yn ôl i'r egwyddor wreiddiol y mae'r ddau ohonom yn cytuno arni: nid yw'n dderbyniol i bobl aros am 18 mis, ac, yn sicr, nid yw'n dderbyniol i bobl aros am fwy na 18 mis. Yr ydym yn hollol glir, ac mae'r weinyddiaeth yng Ngobowen yn hollol glir—ni wn beth sydd yn digwydd o ran y cyfathrebu gwael rhwng y weinyddiaeth a'r llawfeddygon yno—mai'r amser mwyaf y dylai pobl aros yw 18 mis, a dylai unrhyw driniaeth ddigwydd o fewn yr amser hwnnw, yn ôl blaenoriaethau clinigol.

just as frustrated as regards what is happening to his patients from England as he is with what is happening to his patients from Wales.

In terms of our relationship with the Gobowen Hospital, it is clear to all who work in the hospital's administration that 18 months is the maximum waiting time, rather than a specified period that patients must wait before they can receive treatment. The administration understands that. If it is saying something different to the surgeons, it is completely wrong. We are perfectly clear that clinical priorities should determine when our patients are treated at Gobowen.

Ieuan Wyn Jones: It is clear that that is not happening in Gobowen. I will read you the sentence that sets out your Government's policy:

Fel y gwyddoch, trafodir contractau—

ar gyfer llawdriniaethau—

rhwng y rheolwyr a'r cyrff comisiynu ac mae'r prynwyr yng Nghymru wedi penderfynu nad ydynt am i'w cleifion gael eu derbyn o fewn 18 mis.

That is exactly what Mr Patrick Gregson, who is a specialist at Gobowen, says. He says that no-one from Wales will be treated in less than 18 months. Will you ensure that that policy does not continue so that Mrs Moses and everybody else awaiting treatment will be treated within the correct timescale?

The First Minister: I will return to the original principle on which we both agree: it is unacceptable for people to wait for 18 months, and it is certainly unacceptable for people to wait longer than 18 months. We are completely clear, and the administration at Gobowen is completely clear—I do not know what is happening as regards the poor communication between the administration and the surgeons there—that the longest time for which people should wait is 18 months, and any treatment should take place within that time, according to clinical priority.

Ieuan Wyn Jones: Let us try to clarify this. In his letter, Mr Gregson, the consultant orthopaedic surgeon, is saying that if Mrs Moses lived in Oswestry, the maximum time for which she would have to wait is nine months, because Oswestry is in England. If Mrs Moses lived in Chirk, which is only two miles away from Gobowen and about three miles away from Oswestry, she would have to wait 18 months. Mr Gregson is saying that Welsh patients are being discriminated against because they live in Wales, as they have to wait 18 months rather than nine months. I have checked this with Mr Gregson, and that is what he is saying. Mrs Moses wants to know why she has to wait 18 months when, if she lived in England, she would only have to wait nine months. Mr Gregson is saying that the Government's policy is causing that. Will you look into this matter and ensure that the policy is changed?

The First Minister: I am always willing to look into matters raised here, subject to patient confidentiality of course—but I presume that you have the patient's permission here—

Ieuan Wyn Jones: Of course I do.

The First Minister: That was not a criticism; I am saying that that is a general principle. I am always willing to take up cases that are raised in the Assembly, subject to patient confidentiality, along with those that are raised in letter form. I have not had a conversation with the individual, as you seem to have had, because the information that you have just set before the Assembly was not in the letter, and I think that you would accept that, Ieuan, because I also read the letter. The important issue is that, for some reason, I read that letter as a *cri de cœur* from a surgeon saying, 'I am not allowed to determine the order in which I treat my patients in clinical priority terms, because'—I think that he says—'I am just a civil servant; the management has taken away all my clinical freedom to determine that'. Yes, he is referring to a Welsh case, and he is not happy about the situation, but it seems to me that he is equally unhappy about what is happening

Ieuan Wyn Jones: Gadewch inni geisio rhoi gwedd eglurach ar hyn. Yn ei llythyr, mae Mr Gregson, y llawfeddyg orthopedig ymgynghorol, yn dweud mai'r cyfnod hwyaf y byddai'n rhaid i Mrs Moses ddisgwyl, os oedd yn byw yng Nghroesoswallt, fyddai naw mis, gan fod Croesoswallt yn Lloegr. Pe byddai Mrs Moses yn byw yn y Waun, nad yw ond dwy filltir o Gobowen a thua thair milltir o Groesoswallt, byddai'n gorfod aros 18 mis. Mae Mr Gregson yn dweud bod gwahaniaethu'n digwydd yn erbyn cleifion o Gymru gan eu bod yn byw yng Nghymru, gan fod rhaid iddynt ddisgwyl 18 mis yn hytrach na naw mis. Yr wyf wedi holi Mr Gregson i gadarnhau hyn, a dyna mae'n ei ddweud. Mae Mrs Moses yn dymuno cael gwybod pam y mae'n gorfod disgwyl 18 mis gan na fyddai ond yn gorfod disgwyl naw mis pe byddai'n byw yn Lloegr. Dywed Mr Gregson mai polisi'r Llywodraeth sy'n achosi hynny. A wnewch ymchwilio i'r mater hwn a sicrhau y caiff y polisi ei newid?

Y Prif Weinidog: Yr wyf bob amser yn barod i ymchwilio i faterion a godir yma, yn amodol ar gyfrinachedd y claf, wrth gwrs—ond yr wyf yn cymryd eich bod wedi cael caniatâd gan y claf yn hyn o beth—

Ieuan Wyn Jones: Ydwyf, wrth gwrs.

Y Prif Weinidog: Nid beirniadaeth oedd hynny; yr wyf yn dweud mai egwyddor gyffredinol yw hynny. Yr wyf bob amser yn barod i fynd i'r afael ag achosion a godir yn y Cynulliad, yn amodol ar gyfrinachedd y claf, a rhai a godir mewn llythyrau hefyd. Ni chefais sgwrs â'r unigolyn dan sylw, fel yr ymddengys eich bod chi, gan nad oedd y wybodaeth yr ydych newydd ei rhoi gerbron y Cynulliad yn y llythyr, a chredaf y byddech yn derbyn hynny, Ieuan, gan fy mod i wedi darllen y llythyr hefyd. Y mater pwysig yw fy mod i, am ryw reswm, wedi dehongli'r llythyr fel cri o'r galon gan lawfeddyg a oedd yn dweud, 'Ni chaf bennu ym mha drefn y byddaf yn trin fy nghleifion yn ôl blaenoriaeth glinigol, oherwydd'—credaf ei fod yn dweud—'nid wyf ond yn was sifil; mae'r rheolwyr wedi mynd â'r cwbl o'm rhyddid clinigol i bennu hynny'. Ydyw, mae'n cyfeirio at achos o Gymru, ac nid yw'n fodlon ar y sefyllfa, ond ymddengys i

as regards English patients. I restate the important issue that the Welsh Assembly Government policy is well known to the authorities in Gobowen, namely that the 18 months' wait is a maximum, and it remains a clinical decision for the orthopaedic consultants as to whether any patient ought to be operated on sooner.

mi ei fod yr un mor anfodlon ar yr hyn sy'n digwydd mewn cysylltiad â chleifion o Loegr. Ailddatganaf y mater pwysig, sef bod yr awdurdodau yng Ngobowen yn gyfarwydd iawn â pholisi Llywodraeth Cynulliad Cymru, sef mai'r cyfnod hwyaf yw'r arhosiad o 18 mis, ac mai cyfrifoldeb ymgynghorwyr orthopedig o hyd yw gwneud penderfyniad clinigol ynghylch a ddylid rhoi llawdriniaeth i unrhyw glaf cyn hynny.

2.30 p.m.

Cynulliad Cenedlaethol Cymru (System Etholiadol) The National Assembly for Wales (System of Election)

Q5 Glyn Davies: What discussions has the First Minister had with the Secretary of State for Wales about his plans to change the system of election to the National Assembly for Wales? (OAQ37597)

C5 Glyn Davies: Pa drafodaethau y mae'r Prif Weinidog wedi'u cael gyda'r Ysgrifennydd Gwladol ynghylch ei gynlluniau i newid y system etholiadol ar gyfer Cynulliad Cenedlaethol Cymru? (OAQ37597)

The First Minister: I have had many such discussions, as you would expect, in the context of the Richard recommendations for fundamental change to the Assembly's electoral system. I made it clear in several recent speeches that I am not persuaded by the Richard commission's arguments about the single transferable vote, boundary reorganisation and reduced representation from Wales in Westminster, which are contained in the final recommendations on voting.

Y Prif Weinidog: Cefais sawl trafodaeth o'r fath, fel y disgwyliech, yng nghyd-destun argymhellion Richard ar gyfer newid sylfaenol i system etholiadol y Cynulliad. Eglurais mewn sawl araith ddiweddar nad wyf wedi fy argyhoeddi gan ddadleuon comisiwn Richard ynghylch y bleidlais sengl drosglwyddadwy, ad-drefnu ffiniau a llai o gynrychiolaeth i Gymru yn San Steffan, a geir yn yr argymhellion terfynol ar bleidleisio.

Glyn Davies: I agree, but I wish to ask about a different point. You are in favour of barring candidates for election to the National Assembly from fighting a seat and being placed on a party list. I have noticed your Clwyd West argument, if I can call it that. This will mean that 20 AMs—almost a third of us—will not have asked a single person to vote for them; 20 AMs will be parachuted in by party machines, not by the electors. Alun Michael, as far as I know, remains the only AM parachuted into the Assembly without a single elector directly voting for him. That is a strange sort of democracy. Is that the sort of democracy that you support? What sort of a democrat are you?

Glyn Davies: Yr wyf yn cytuno, ond dymunaf eich holi am bwynt gwahanol. Yr ydych o blaid gwahardd rhai sy'n ymgeisio i gael eu hethol i'r Cynulliad Cenedlaethol rhag ymladd dros ennill sedd a chael eu gosod ar restr plaid hefyd. Yr wyf wedi sylwi ar eich dadl ar sail Gorllewin Clwyd, os caf ei galw'n hynny. Golyga hyn y bydd 20 AC—bron i draean ohonom—heb ofyn i neb bleidleisio drostynt; caiff 20 AC eu gollwng yma drwy drefniadau'r pleidiau, ac nid gan yr etholwyr. Alun Michael, hyd y gwn i, yw'r unig AC a ollyngwyd yn y Cynulliad heb i'r un etholwr bleidleisio drosto'n uniongyrchol. Democratiaeth ryfedd yw honno. Ai democratiaeth felly yr ydych chi'n ei chefnogi? Pa fath o ddemocrat ydych chi?

The First Minister: I would like to think that

Y Prif Weinidog: Carwn feddwl mai

I am a democrat that knows how voters respond to seeing people who have been rejected by electors in a constituency popping up through the regional list—you turn over the page in the pop-up book and up they pop. I find that odd. Voters say, ‘are you a loser or a winner, we are not sure’. Therefore, as they are not sure, people are confused about the purpose of their vote in the first place. They think that they have chosen an AM, and then they find that, somehow or other, having rejected another candidate, that person pops up as a regional list member. Labour has not yet had a case of anyone who has been rejected in a constituency popping up, which I believe was your point about Alun Michael. However, the difference can be seen in workloads, for example. I notice that Jonathan Morgan admitted last week that he had nothing to do during the nine-week summer recess because he was rejected by the voters of Cardiff North. There is a problem in that we, as constituency AMs, are all busy because we have a huge workload. There are all sorts of problems for the voters in knowing who their AMs really are. There are improvements that we could make to the voting system to make it more acceptable to the voters.

Lynne Neagle: Do you agree that the Tories in Wales seem more concerned about the rights of politicians than about the rights of hard-working families to fairness and social justice? Do you also agree that the Conservatives would be better off using their time to correct Michael Howard’s and John Redwood’s recipe for cuts, privatisation, and recession, which would mean disaster for Welsh public services and the economy?

The First Minister: Indeed. One party in the Assembly is entirely comprised of directly elected AMs, another two parties are something like a 50-50 mixture, and one party has one directly elected Member and 10 or 11 that have come in by another route. That gives you a different perspective. Glyn made an interesting point. The Conservative Party claims to be against proportional

democrat wyf fi sy’n gwybod sut y mae pleidleiswyr yn ymateb o weld rhai a wrthodwyd gan etholwyr mewn etholaeth yn dod i’r golwg drwy’r rhestr ranbarthol—mae rhywun yn troi’r ddalen yn y llyfr a dyna hwy’n codi i’r golwg eto. Yr wyf yn cael hynny’n beth rhyfedd. Dywed pleidleiswyr, ‘ai wedi colli neu wedi ennill yr ydych, nid ydym yn siŵr’. Felly, gan nad ydynt yn siŵr, mae pobl mewn penbleth ynghylch pwrpas eu pleidlais yn y lle cyntaf. Credant eu bod wedi dewis AC, a chael wedyn, a hwythau wedi gwrthod ymgeisydd arall, fod hwnnw, rywsut neu’i gilydd, yn dod i’r golwg fel Aelod ar restr ranbarthol. Nid yw Llafur wedi cael achos eto o rywun a wrthodwyd mewn etholaeth yn dod i’r golwg eto, a chredaf mai hynny oedd y pwynt a wnaethoch am Alun Michael. Fodd bynnag, gellir gweld y gwahaniaeth yn y llwythi gwaith, er enghraifft. Sylwaf fod Jonathan Morgan wedi cyfaddef yr wythnos diwethaf nad oedd ganddo ddim i’w wneud yn ystod y toriad o naw wythnos dros yr haf gan ei fod wedi’i wrthod gan bleidleiswyr Gogledd Caerdydd. Mae problem i’r graddau ein bod ni i gyd, fel ACau dros etholaethau, yn brysur gan fod gennym lwyth gwaith enfawr. Mae pob math o broblemau gan y pleidleiswyr o ran gwybod pwy yw eu AC mewn gwirionedd. Gallem wella’r system bleidleisio er mwyn iddi fod yn fwy derbyniol i’r pleidleiswyr.

Lynne Neagle: A ydych yn cytuno bod y Toriaid yng Nghymru’n ymboeni’n fwy, i bob golwg, am hawliau gwleidyddion nag am hawliau teuluoedd gweithgar i gael tegwch a chyfiawnder cymdeithasol? A ydych hefyd yn cytuno y byddai’n fwy buddiol i’r Ceidwadwyr ddefnyddio eu hamser i gywiro bwriadau Michael Howard a John Redwood o ran toriadau, preifateiddio, a dirwasgiad, a fyddai’n cael effaith drychinebus ar wasanaethau cyhoeddus yng Nghymru a’r economi?

Y Prif Weinidog: Yn wir. Mae un blaid yn y Cynulliad yn cynnwys ACau a etholwyd yn uniongyrchol yn unig, mae dwy blaid arall yn gymysgedd o hanner a hanner bron, ac mae gan un blaid un Aelod a etholwyd yn uniongyrchol a 10 neu 11 a ddaeth i mewn ar hyd llwybr arall. Mae hynny’n rhoi golwg gwahanol i chi ar bethau. Gwnaeth Glyn bwynt diddorol. Mae’r Blaid Geidwadol yn

representation, and yet when indications are made that we could clarify the system to assist the voters, it comes out as a strong proponent of proportional representation. It is almost like its attitude to devolution itself. You must not try to ride two horses at once. If you are for proportional representation, come out and say so, and say which method you like. Do not hang back as a party, attacking proportional representation one time, but defending it another when anyone suggests clarifying the system.

Rhodri Glyn Thomas: If you are not keen on the list system, why do you stand on the list?

The Presiding Officer: Order. I have told you once before that you are not a party leader yet.

honni ei bod yn erbyn cynrychiolaeth gyfrannol, ond pan ddangosir y gallem symleiddio'r system i helpu'r pleidleiswyr, mae'n codi ei llais yn gryf dros gynrychiolaeth gyfrannol. Mae bron yr un fath â'i hymagwedd at ddatganoli ei hun. Ni ddylech geisio fynd ar gefn dau geffyl yr un pryd. Os ydych o blaid cynrychiolaeth gyfrannol, dywedwch hynny'n blaen, a dweud pa ddull sydd orau gennych. Peidiwch â dal yn ôl fel plaid, gan ymosod ar gynrychiolaeth gyfrannol un tro, ond ei hamddiffyn dro arall pan fo rhywun yn awgrymu symleiddio'r system.

Rhodri Glyn Thomas: Os nad ydych yn frwd dros y system rhestrau, pam yr ydych yn sefyll ar y rhestr?

Y Llywydd: Trefn. Yr wyf wedi dweud wrthyhch unwaith o'r blaen nad ydych yn arweinydd plaid eto.

Brand Cymreig o Laeth Masnach Deg A Welsh Brand of Fair Trade Milk

Q6 Mick Bates: Will the First Minister make a statement on Assembly support to assist the launch of a Welsh brand of fair trade milk? (OAQ37598)

The First Minister: We are not familiar with this concept as applied to domestic produce, but I assume that what you mean is that it would be a product that was the result of some sort of agreed pricing mechanism, or how much profit from the supply of milk comes to the farmer and how much goes to the intermediate wholesalers, and how much the shopper pays. This is fair trade with a small 'f' and a small 't', if you like, not to be confused with Fair Trade our dealings with cocoa producers in the third world. We do not target the milk price. That does not mean that we do not watch with considerable sympathy the difficulties that dairy farmers have in making a profit with the price of milk below 19p a litre, as it is today. We would look with a great deal of interest if farmers, retailers and wholesalers could come forward with what you would call a viable scheme for marked milk that was based on what you could call fair trade principles. However, we could not institute such a scheme ourselves.

C6 Mick Bates: A wnaiff y Prif Weinidog ddatganiad ar y gefnogaeth y mae'r Cynulliad yn ei rhoi i helpu i lansio brand Cymreig o laeth masnach deg? (OAQ37598)

Y Prif Weinidog: Nid ydym yn gyfarwydd â'r syniad hwn mewn cysylltiad â chynnyrch domestig, ond cymeraf mai'r hyn a olygwch yw y byddai'n gynnyrch a oedd yn ganlyniad i ryw fath o ddull prisio cytûn, neu faint yr elw o gyflenwi laeth a ddaw i'r ffermwr a faint a aiff i'r cyfanwerthwyr yn y canol, a faint y bydd y siopwr yn ei dalu. Masnach deg ag 'm' fach a 'd' fach yw hynny, os caf ei roi felly, ac ni ddylid cymysgu rhyngddi a Masnach Deg yn ein trafodion â chynhyrchwyr coco yn y trydydd byd. Nid ydym yn pennu pris llaeth. Nid yw hynny'n golygu nad oes gennym gryn gydymdeimlad â ffermwyr llaeth wrth weld y trafferthion a gânt i wneud elw, a phris llaeth yn is na 19c y litr, fel y mae heddiw. Byddem yn ymddiddori'n fawr pe gallai ffermwyr, adwerthwyr a chyfanwerthwyr ddyfeisio'r hyn a alwech yn gynllun dichonol ar gyfer llaeth â brand a oedd yn seiliedig ar yr hyn y gallech ei alw'n egwyddorion masnachu teg. Fodd bynnag, ni allem gychwyn cynllun o'r fath ein hunain.

The Presiding Officer: I call Helen Mary Jones. I am sorry, it is Mick Bates's turn—the answer was so long, I thought that you had asked your supplementary question, Mick.

Mick Bates: I, like you, have always supported the concept of free and fair trade in principle. Milk is an essential healthy product. In Wales, we have reintroduced free milk in schools at key stage 1. Do you not think that the best way to solve the commercial problem that the milk industry faces is to sell more milk and, by doing that, perhaps consider introducing free milk at key stage 2, which would bring great long-term health benefits to many people in Wales?

The First Minister: It might, but we currently do not have such proposals. I apologise for my previous answer, but I had to explain the question as well as give an answer.

Helen Mary Jones: I am sure that the milk industry will be grateful for your sympathy, but when it faces a situation whereby in the past eight years the price for consumers has increased by 11 per cent and the money that farmers receive has fallen by 30 per cent, it needs more action than sympathy. Your Minister keeps telling us that he hopes that milk prices will rise, but I think that he is living more in hope than in expectation. While we greatly welcome the concept of fair trade milk, will your Government reconsider the establishment of a milk ombudsman who could ensure transparency in pricing and recommend a fair pricing policy?

The First Minister: It is not only about showing sympathy; many steps are currently being taken, such as those via the agri-food partnership, in trying to improve the supply chain linkages, the performance of the processes and the producers and the market focus. Grant schemes are available with value-added incentives for milk producers to turn the milk into yoghurt, rice pudding and so on. Therefore, we are not only providing

Y Llywydd: Galwaf Helen Mary Jones. Mae'n ddrwg gennyf, tro Mick Bates ydyw—yr oedd yr ateb mor hir fel fy mod yn credu'ch bod wedi gofyn eich cwestiwn atodol, Mick.

Mick Bates: Fel chithau, bûm yn gefnogol erioed i'r syniad o fasnachu rhydd a theg mewn egwyddor. Mae llaeth yn gynnyrch iach hanfodol. Yng Nghymru, yr ydym wedi ailgyflwyno llaeth am ddim mewn ysgolion yng nghyfnod allweddol 1. Oni chredwch mai'r modd gorau i ddatrys y broblem fasnachol y mae'r diwydiant llaeth yn ei hwynebu yw gwerthu rhagor o laeth ac, wrth wneud hynny, efallai y dylid ystyried cyflwyno llaeth am ddim yng nghyfnod allweddol 2, gan y deuai hynny â buddion mawr yn y tymor hir i iechyd llawer o bobl yng Nghymru?

Y Prif Weinidog: Gallai, ond nid oes gennym unrhyw gynigion o'r fath ar hyn o bryd. Ymddiheuraf am fy ateb blaenorol, ond bu'n rhaid imi egluro'r cwestiwn yn ogystal â rhoi ateb.

Helen Mary Jones: Yr wyf yn siŵr y bydd y diwydiant llaeth yn ddiolchgar am eich cydymdeimlad, ond gan ei fod yn wynebu sefyllfa lle y mae'r pris i ddefnyddwyr yn yr wyth mlynedd diwethaf wedi codi o 11 y cant a'r arian a gaiff ffermwyr wedi gostwng o 30 y cant, mae arno fwy o angen am weithredu nag am gydymdeimlad. Mae'ch Gweinidog yn dweud wrthym o hyd ei fod yn gobeithio y bydd prisiau llaeth yn codi, ond credaf ei fod yn gobeithio hynny yn hytrach na'i ddisgwyl. Er ein bod yn croesawu'r syniad o laeth masnach deg yn fawr, a wnaiff eich Llywodraeth ailystyried sefydlu swydd ombwdsmon llaeth a allai sicrhau prisio tryloyw ac argymell polisi prisio teg?

Y Prif Weinidog: Nid dangos cydymdeimlad yn unig a wneir; cymerir llawer o gamau ar hyn o bryd, fel y rhai a geir drwy'r bartneriaeth bwyd-amaeth, i geisio gwella'r cysylltiadau yn y gadwyn gyflenwi, perfformiad y prosesau a'r cynhyrchwyr a'r pwyslais yn y farchnad. Mae cynlluniau grant ar gael sy'n annog cynhyrchwyr llaeth i ychwanegu gwerth drwy droi'r llaeth yn iogwrt, yn bwdin reis ac yn y blaen. Gan

tea and sympathy. Every time the price of milk drops below 19 pence a litre, we realise that it is tough and that some people will leave the industry as a result. However, we cannot target a market price for milk that is sold in a free market.

hynny, nid geiriau o gysur yn unig a gynigiwn. Bob tro y bydd pris llaeth yn gostwng yn is na 19 ceiniog y litr, yr ydym yn sylweddoli ei bod yn anodd ac y bydd rhai'n gadael y diwydiant o ganlyniad. Fodd bynnag, ni allwn bennu pris marchnad ar gyfer llaeth a werthir mewn marchnad rydd.

Penodiadau Cyhoeddus Public Appointments

C7 Ieuan Wyn Jones: A wnaiff y Prif Weinidog ddatganiad ar benodiadau cyhoeddus? (OAQ37591)

Q7 Ieuan Wyn Jones: Will the First Minister make a statement on public appointments? (OAQ37591)

Y Prif Weinidog: Yr ydym yn unigryw, cyn belled ag y gwyddom, yn y ffaith ein bod yn rhoi'r hawl i gynrychiolwyr pleidiau eraill, drwy gael eu henwebu gan bwyllgorau pwnc, eistedd ar y pwyllgorau sy'n penderfynu ar benodiadau gyda'r Gweinidog ac aseswyr annibynnol. Mae ganddynt hawl hefyd i fwrw pleidlais a rhoddir rhan eithaf blaenllaw iddynt, ynghyd â'r aseswyr annibynnol, gyda chytundeb aelodau eraill y pwyllgor. Felly, fe awn lawer ymhellach yn y ffordd yr ydym yn dod â phobl eraill, yn ogystal â'r Gweinidog, yn rhan o'r broses o benodi pobl i fod yn gadeiryddion cyrff a noddir gan y Cynulliad neu unrhyw gorff arall.

The First Minister: We are unique, as far as we are aware, in that we give representatives of other parties the right, through subject committee nomination, to sit alongside the Minister and independent assessors on appointment panels. They are also allowed to vote and are given a relatively prominent role, along with the independent assessors, in the process, with the agreement of other committee members. Therefore, we go much further in bringing others, in addition to the Minister, into the process of appointing chairs to Assembly sponsored public bodies or other bodies.

Ieuan Wyn Jones: Yn ôl yr hyn a ddeallaf, yn achos penodi cadeirydd Bwrdd yr Iaith Gymraeg, nid oedd cytundeb rhwng aelodau'r panel penodi, a'r Gweinidog a wnaeth y penderfyniad terfynol. A allwch chi gadarnhau mai dyna oedd y sefyllfa? Gwyddoch hefyd fod egwyddorion sylfaenol ar gyfer ystyried penodiadau. Bu ichi sôn am y broses, ond ceir egwyddorion megis sicrhau y gwneir penodiadau ar sail teilyngdod a chydaddoldeb a bod yn rhaid i'r broses fod yn agored a thryloyw. Yr ydych yn ymwybodol bod Owen John Thomas, oedd yn aelod o'r panel, wedi gwneud cwyn ffurfiol ynglŷn â sut y gwnaed y penodiad ac mae wedi gofyn am gopïau o'r cofnodion o'r cyfarfod er mwyn iddo baratoi ar gyfer y gŵyn honno. Hyd yma, ni roddwyd y papurau hynny iddo. A wnewch drefnu, yn unol â'r egwyddor o fod yn agored a thryloyw, fod Owen John yn derbyn yr holl bapurau y gwnaeth gais amdanynt gan swyddogion?

Ieuan Wyn Jones: As I understand it, there was no consensus between panel members on the appointment of the chair of the Welsh Language Board, and the final decision was made by the Minister. Can you confirm that that was the case? You also know that there are fundamental principles governing appointments. You mentioned the process, but there are principles such as ensuring that appointments are made on the basis of merit and equality and that the process is open and transparent. You will know that Owen John Thomas, who was a member of the panel, has made an official complaint regarding how that appointment was made and has requested copies of the minutes of the meeting so that he can prepare to take that complaint forward. To date, those papers have not been forthcoming. Will you arrange, in line with the principles of openness and transparency, that Owen John receives all the papers that he requested from officials?

Y Prif Weinidog: Mae'r egwyddor yn gwbl glir: os oes anghytundeb, y Gweinidog sy'n gorfod gwneud y penderfyniad. Mae hynny'n glir ac mae wedi ei osod yn blwmp ac yn blaen yn y cod ar benodiadau. Credaf hefyd fod yr asesydd annibynnol wedi cadarnhau y bu'r broses o benodi cadeirydd ar gyfer bwrdd yr iaith yn hollol deg ac na thorwyd unrhyw reol yn y broses, heblaw efallai'r ffaith bod Owen John wedi holi am faterion a ddylai, mewn egwyddor, aros yn gyfrinachol er mwyn iddo wneud ei gŵyn. Gwnaeth ei gŵyn, ac felly nid wyf am wneud unrhyw sylw ar hynny. Nid wyf yn fodlon ei helpu ef nac Ieuan ynglŷn â'r mater hwn. Mater i Owen John a Swyddfa'r Comisiynydd ar gyfer Penodiadau Cyhoeddus, a fydd yn ystyried tegwch y broses benodi, yw hwn.

The First Minister: The principle is crystal clear: if there is disagreement, the Minister must make the decision. That is clear and is set out unequivocally in the code on appointments. I also believe that the independent assessor has confirmed that the process of appointing the chair of the language board was completely fair and that no rules were broken during that process, apart perhaps from the fact that Owen John has made inquiries about matters that should, in principle, remain confidential in order to pursue his complaint. He has made his complaint, and therefore I do not wish to comment on that. I am not willing to assist him or Ieuan in this matter. It is a matter for Owen John and the Office of the Commissioner for Public Appointments, which will be investigating the fairness of the appointment process.

2.40 p.m.

Eleanor Burnham: Er mwyn cadw hyder yn gyffredinol ymhlith ymgeiswyr yn y dyfodol, pa gofnodion a gedwir gan Lywodraeth y Cynulliad o daflenni sgorio paneli cyfweid? Beth a wnewch i sicrhau chwarae teg a thryloywder a bod canfyddiaeth pobl o'r broses a realiti yn un?

Eleanor Burnham: In order to uphold overall confidence among future applicants, what record does the Assembly Government keep of appointment panel score sheets? What steps will you take to ensure fair play and transparency and to ensure that people's perception of the process and reality are one and the same?

Y Prif Weinidog: Disgwylir i aseswyr annibynnol lofnodi tystysgrifau sy'n nodi eu bod yn hapus gyda'r broses benodi a'i bod wedi'i chynnal yn deg. Dyna'r peth pwysig. Fel y dywedais, yr ydym yn rhoi mwy o hawliau i aseswyr annibynnol nag unrhyw le arall ym Mhrydain. Yr ydym hefyd yn rhoi mwy o hawliau i Aelodau'r gwrthbleidiau oherwydd, hyd y gwn i, nid yw'r gwrthbleidiau yn yr Alban, yn Lloegr nac yng Ngogledd Iwerddon yn cymryd rhan mewn penodiadau cyhoeddus.

The First Minister: Independent assessors are expected to sign certificates recording their satisfaction with appointment processes and noting that they were conducted fairly. That is the important issue. As I said, we, more than anywhere else in Britain, give assessors greater rights. We also give opposition Members greater rights because, as far as I am aware, opposition members in Scotland, England or Northern Ireland are not involved in public appointments.

Cyfrifoldebau Gweinidogion Ministerial Responsibility

C8 Alun Ffred Jones: A wnaiff y Prif Weinidog ddatganiad ar gyfrifoldebau Gweinidogion? (OAQ37595)

Q8 Alun Ffred Jones: Will the First Minister make a statement on ministerial responsibility? (OAQ37595)

Y Prif Weinidog: Mae'r canllawiau ar gyfrifoldebau Gweinidogion wedi'i nodi yn y Cod i'r Gweinidogion.

The First Minister: Guidance on ministerial responsibility is set out in the Ministerial Code.

Alun Ffred Jones: Mae gennyf gwestiwn am berthynas Gweinidogion â chwangos neu gyrff enwebedig. Mae'r ymddiriedolaeth ysbyty yng Nghaernarfon yn bwriadu cau Ysbyty Bryn Seiont cyn bod cyfleusterau newydd yn barod, yn groes i'r addewid a wnaed ar ôl yr ymgynghoriad. A yw hwn yn enghraifft o fater y dylai Gweinidog ymyrryd ynddo ac, os nad ydyw, sut y gellid dal corff neu gwango fel hwn yn atebol i'r cyhoedd sy'n talu am y gwasanaeth?

Y Prif Weinidog: Ni chredaf fod y broses wedi newid dros y 15 mlynedd diwethaf. Yn ôl a ddeallaf, os yw ymddiriedolaeth yn awyddus i gau ysbyty neu ran sylweddol o ysbyty, rhaid mynd â'r cynnig i'r cyngor iechyd cymuned lleol. Os yw'r cyngor yn derbyn y cynnig, gall yr ymddiriedolaeth fwrw ymlaen â'i chynllun, ond, os caiff ei wrthod, daw'r cynnig gerbron y Gweinidog. Nid yw'r broses hon wedi newid. Pe baech yn ysgrifennu ataf i ddweud a oedd y cyngor iechyd cymuned wedi cael cyfle, fel sy'n briodol, i dderbyn neu wrthod y cynnig, gallaf fynd ar drywydd y mater ac fe fyddaf i neu Jane Hutt yn ysgrifennu atoch.

Alun Ffred Jones: My question relates to the relationship between Ministers and quangos or nominated bodies. The hospital trust in Caernarfon plans to close Bryn Seiont Hospital before new facilities are in place, contrary to the pledge made following consultation. Is this an example of a case where a Minister should intervene and, if not, how can this type of body or quango be held accountable to the public, who pay for the service?

The First Minister: I do not believe that the process has changed over the past 15 years. It is my understanding that if a trust is eager to close a hospital, or a substantial part of a hospital, the proposal must be brought before the local community health council. If the council accepts the proposal, the trust can proceed with the closure, but, if it is rejected, the proposal is brought before the Minister. This process has not changed. If you could write to me with details of whether or not the community health council had an opportunity, as it should have done, to accept or reject the proposal, I will make further inquiries, and either Jane Hutt or I will respond to you in writing.

Llwyddiant MasnachCymru Rhyngwladol The Success of WalesTrade International

Q9 Tamsin Dunwoody-Kneafsey: Would the First Minister report on the success of WalesTrade International? (OAQ37600)

The First Minister: As I experienced at first hand during my participation in the trade mission to China earlier this month, WalesTrade International continues to provide excellent support services to Welsh exporting businesses. Since its establishment, it has identified over £2 billion of international trading opportunities, assisted in converting over £275 million into actual orders, and helped over 220 companies to become exporters.

Tamsin Dunwoody-Kneafsey: I am sure that you would be pleased to congratulate Consort Equipment Products Ltd of Thornton Industrial Estate in Milford Haven, which recently won a contract, following a WTI trade mission to New Zealand and Australia,

C9 Tamsin Dunwoody-Kneafsey: A wnaiff y Gweinidog roi adroddiad ar lwyddiant MasnachCymru Rhyngwladol? (OAQ37600)

Y Prif Weinidog: Fel y profais wrth gymryd rhan yn y daith fasnach i Tsieina yn gynharach y mis hwn, mae MasnachCymru Rhyngwladol yn dal i ddarparu gwasanaethau cymorth rhagorol i fusnesau yng Nghymru sy'n allforio. Ers ei sefydlu, canfu werth dros £2 biliwn o gyfleoedd i fasnachu'n rhyngwladol, a helpu i droi gwerth mwy na £275 miliwn ohonynt yn archebion, a helpu mwy na 220 o gwmnïau i ddechrau allforio.

Tamsin Dunwoody-Kneafsey: Yr wyf yn siŵr y byddech yn falch o longyfarch Consort Equipment Products Cyf yn Ystâd Ddiwydiannol Thornton yn Aberdaugleddau, a enillodd gontract yn ddiweddar, yn sgîl taith fasnach gan MasnachCymru

to sell heating panels made in Wales. Could you assure us that you will continue to support WTI in its endeavours?

The First Minister: Indeed. Merging the WDA's export services unit and our administration's export services to form WalesTrade International some four years ago has been a great success story. It is notable that we are ahead of our target regarding the number of new exporting companies—we had hoped to establish 200 companies, but the total has reached 220. The recent export sales figures for Wales, compared with those for the UK, show that, since 2001, which was our chosen base year, the rate of growth in exports from Wales is almost double the rate for the UK as a whole. We are pleased about this development.

Alun Cairns: What would you say to businesses that have participated in trade missions and criticised them by saying that resultant contracts were arranged before the mission took place? If WalesTrade International is so successful, why is it that we are far from reaching your economic development target on increasing the value of exports?

The First Minister: You obviously did not listen to the previous answer. The target set in 'A Winning Wales' was to match UK growth over the programme period. We are well ahead of that target. The rate of growth in exports in Wales since 2001 is 4 per cent, which is double the UK rate of 2.1 per cent. I am sorry, Alun, but you had better either sack your research officer or do some research yourself. I am not sure which would be the better answer. However, you have got the figures completely wrong. Please try harder next time.

Owen John Thomas: What is being done by WalesTrade International to uplift its promotion of Welsh products abroad in order to increase the profitability of Welsh firms and thus avoid further redundancy notices

Rhyngwladol i Seland Newydd ac Awstralia, i werthu paneli gwresogi a wneir yng Nghymru. A allwch ein sicrhau y daliwch i gefnogi MasnachCymru Rhyngwladol yn ei ymdrechion?

Y Prif Weinidog: Yn wir. Cafwyd llwyddiant mawr ar ôl cyfuno uned gwasanaethau allforio'r WDA a gwasanaethau allforio ein gweinyddiaeth ni i ffurfio MasnachCymru Rhyngwladol tua phedair blynedd yn ôl. Mae'n werth nodi ein bod yn rhagori ar ein targed mewn cysylltiad â nifer y cwmnïau allforio newydd—yr oeddem wedi gobeithio sefydlu 200 o gwmnïau, ond mae'r nifer wedi cyrraedd 220. Mae'r ffigurau diweddar am werthiant allforion ar gyfer Cymru, o'u cymharu â'r rhai ar gyfer y DU, yn dangos, er 2001, sef y flwyddyn llinell sylfaen a ddewisasom, fod allforion o Gymru wedi cynyddu bron ddwywaith yn gyflymach nag yn y DU gyfan. Yr ydym yn falch o weld y datblygiadau hyn.

Alun Cairns: Beth a ddywedech wrth fusnesau sydd wedi cymryd rhan mewn teithiau masnach a'u beirniadu gan ddweud bod y contractau a gafwyd wedi'u trefnu cyn i'r daith ddigwydd? Os yw MasnachCymru Rhyngwladol mor llwyddiannus, pam yr ydym mor bell o'ch targed datblygu economaidd ar gynyddu gwerth allforion?

Y Prif Weinidog: Mae'n amlwg na wrandawoch ar yr ateb blaenorol. Y targed a osodwyd yn 'Cymru'n Ennill' oedd gwneud cystal â'r twf yn y DU dros gyfnod y rhaglen. Yr ydym ymhell ar y blaen i'r targed hwnnw. Cyfradd twf allforion yng Nghymru er 2001 yw 4 y cant, sy'n ddwywaith gymaint â chyfradd y DU o 2.1 y cant. Mae'n ddrwg gennyf, Alun, ond byddai'n well ichi un ai diswyddo'ch swyddog ymchwil neu wneud rhywfaint o waith ymchwil eich hun. Nid wyf yn sicr pa un fyddai orau. Fodd bynnag, yr ydych wedi cael y ffigurau'n gwbl anghywir. Gwnewch well ymdrech y tro nesaf, os gwelwch yn dda.

Owen John Thomas: Beth a wnaiff MasnachCymru Rhyngwladol i hyrwyddo cynhyrchion o Gymru'n well mewn gwledydd tramor er mwyn peri i fusnesau yng Nghymru fod yn fwy proffidiol a thrwy

like the 480 notices issued today to Panasonic workers in Cardiff?

The First Minister: It is important that we understand that, however successful we have been in reducing unemployment, that does not mean that factories never close down. Since we took over our responsibilities in early 1999, unemployment in Wales has come down about three times as fast as it has in the rest of the UK. That must be a success, and I think that even you could perhaps raise a faint cheer for that achievement.

However, as I said, that does not mean that factories never close down. From time to time, big multinational companies such as Panasonic will decide for reasons of wage differentials to shift television production from Cardiff to Slovakia. In a way, that is for the same reasons that the factory came to Cardiff from Japan in the first place, 30 years ago. When Panasonic came here, Wales was the cheapest place to assemble Japanese-designed television sets within the EU tariff walls. That is no longer the case. There are some products that will still be made at the plant, and some 600 jobs will remain. However, that is nothing like the 3,000 jobs and more that were located there at one time. It is a sad fact of life.

There is never a good time to be made redundant or to lose a job. However, if there is a relatively better time at which to be made redundant, it is when unemployment is at 4.5 per cent, and not the 7.7 per cent that it was when Labour came into office five and a half years ago, not to mention the 10 per cent that it was under Conservative government.

Jenny Randerson: Our success in the export business is an important contributor to employment in the manufacturing sector, yet National Statistics figures show a net loss of manufacturing jobs in Wales of over 36,000 since 1997, and the rate of decline is faster in Wales than it is in England. Do you not agree that it is therefore essential that Wales has the guarantee of continued funding for

hynny osgoi cael rhagor o hysbysiadau diswyddo fel y 480 o hysbysiadau a roddwyd heddiw i weithwyr Panasonic yng Nghaerdydd?

Y Prif Weinidog: Mae'n bwysig inni ddeall, pa mor llwyddiannus bynnag y buom wrth leihau diweithdra, nad yw hynny'n golygu na fydd ffatrïoedd byth yn cau. Ers inni ymgymryd â'n cyfrifoldebau ar ddechrau 1999, mae diweithdra yng Nghymru wedi gostwng tua thair gwaith yn gyflymach nag yng ngweddill y DU. Llwyddiant yw hynny'n sicr, a chredaf y gallech chi hyd yn oed roi ychydig o gymeradwyaeth am y cyflawniad hwnnw.

Fodd bynnag, fel y dywedais, nid yw hynny'n golygu na fydd ffatrïoedd byth yn cau. O bryd i'w gilydd, bydd cwmnïau mawr rhyngwladol fel Panasonic yn penderfynu, am resymau sy'n ymwneud â'r gwahaniaeth rhwng cyflogau, i symud y gwaith o wneud setiau teledu o Gaerdydd i Slofacia. Ar un ystyr, gwnaed hynny am yr un rhesymau ag y daethpwyd â'r ffatri i Gaerdydd o Siapan yn y lle cyntaf, 30 mlynedd yn ôl. Pan ddaeth Panasonic yma, Cymru oedd y lle rhataf i gydosod setiau teledu a gynlluniwyd yn Siapan o fewn ffiniau diffyndollau'r UE. Nid felly y mae bellach. Gwneir rhai cynhyrchion yn y ffatri honno o hyd, a bydd tua 600 o swyddi'n parhau. Er hynny, nid yw hynny'n ddim byd tebyg i'r 3,000 o swyddi a rhagor a oedd yno ar un adeg. Mae'n un o ffeithiau trist bywyd.

Nid oes byth adeg dda i rywun gael ei ddiswyddo. Serch hynny, os oes adeg gymharol well i rywun gael ei ddiswyddo, honno yw pan fo diweithdra ar 4.5 y cant, ac nid 7.7 y cant fel yr oedd pan ddaeth Llafur i rym bum mlynedd a hanner yn ôl, heb sôn am y 10 y cant a gafwyd o dan lywodraeth y Ceidwadwyr.

Jenny Randerson: Mae ein llwyddiant wrth allforio'n gyfraniad pwysig i gyflogaeth yn y sector gweithgynhyrchu, ac eto dengys ffigurau'r Swyddfa Ystadegau Gwladol fod colled net o fwy na 36,000 o swyddi gweithgynhyrchu yng Nghymru er 1997, ac mae'r dirywiad yn gyflymach yng Nghymru nag yn Lloegr. Oni chytunwch ei bod yn hollbwysig, felly, i Gymru gael gwarant o

regeneration? That can be supplied by the proposals of the European Commission, rather than the vague promises in the UK Government's repatriation proposals, which seem to have been recently revived, according to a Treasury spokesperson in Wales. When, First Minister, will you give us a strong lead on this issue?

The First Minister: Thank you for your lessons in this regard. The extraordinary fall in unemployment in Wales, which, as I mentioned, has been three times as fast as it has been in the rest of the UK over the past five and a half years, has been achieved despite adverse conditions for manufacturing. Adverse conditions were created by the rocketing pound in 2000, and the pound has not yet fallen to its launch rate with the euro of 71p. It has been 56p, and it is now about 67p. That is not as bad as it was in 2000, but it still makes things tough for manufacturing exporters, especially those with commodity products such as televisions and steel. However, people have survived those difficult times. There is around £800 million-worth of current or projected investment in the Welsh steel industry, although it has come through the fires of hell to get to that. You can now see a number of substantial manufacturing projects coming through, such as the Ford engine plant in Bridgend and the steel industry projects in Port Talbot, Cardiff and Newport. You can see the revival taking place. That is sometimes because the cost base has been brought down by some difficult decisions and the job losses to which you referred, but the future looks much better.

barhad yn y cyllid ar gyfer adfywio? Gellir cael hynny drwy gynigion y Comisiwn Ewropeaidd, yn hytrach na'r addewidion annelwig yng nghynigion Llywodraeth y DU ar ailwladoli, yr ymddengys eu bod wedi'u hailgodi'n ddiweddar, yn ôl un o lefarwyr y Trysorlys yng Nghymru. Pa bryd, Brif Weinidog, y rhoddwch arweiniad cadarn i ni ar y mater hwn?

Y Prif Weinidog: Diolch i chi am eich gwersi yn hyn o beth. Sicrhawyd y gostyngiad rhyfeddol mewn diweithdra yng Nghymru, a ddigwyddodd dair gwaith yn gyflymach nag yng ngweddill y DU dros y pum mlynedd a hanner diwethaf, fel y dywedais, er gwaethaf amodau gwael i weithgynhyrchu. Crëwyd yr amodau gwael gan y cynnydd sydyn yng ngwerth y bunt yn 2000, ac nid yw'r bunt wedi disgyn eto at ei chyfradd wrth lansio'r ewro o 71c. Bu ar 56c, ac mae bellach tua 67c. Nid yw hynny cyn waethed ag yr oedd yn 2000, ond mae'n dal i beri anawsterau i weithgynhyrchwyr sy'n allforio, yn enwedig y rhai sy'n cynhyrchu nwyddau fel setiau teledu a dur. Fodd bynnag, mae pobl wedi llwyddo i oroesi'r cyfnod anodd hwnnw. Mae gwerth tua £800 miliwn o fuddsoddi cyfredol neu arfaethedig yn y diwydiant dur yng Nghymru, er ei fod wedi mynd drwy danau uffern i gael hynny. Bellach gwelir bod nifer o brosiectau gweithgynhyrchu sylweddol yn dwyn ffrwyth, fel gwaith peiriannau Ford ym Mhen-y-bont ar Ogwr a phrosiectau'r diwydiant dur ym Mhort Talbot, Caerdydd a Chasnewydd. Gellir gweld yr adfywiad. Mewn rhai achosion, mae hynny am fod y sylfaen gostau wedi'i lleihau drwy rai penderfyniadau anodd a'r colledion swyddi y cyfeiriasoch atynt, ond mae'n argoeli'n well o lawer ar gyfer y dyfodol.

Caniatáu Dinasyddiaeth yng Nghymru Granting Citizenship in Wales

Q10 Jocelyn Davies: Will the First Minister make a statement on the role of Assembly Members in granting citizenship in Wales? (OAQ37587)

The First Minister: Assembly Members do not grant citizenship in Wales. However, there has been a recent suggestion from the Home Office that Assembly Members should

C10 Jocelyn Davies: A wnaiff y Prif Weinidog ddatganiad ar rôl Aelodau'r Cynulliad yn y broses o ganiatáu dinasyddiaeth yng Nghymru? (OAQ37587)

Y Prif Weinidog: Nid yw Aelodau Cynulliad yn caniatáu dinasyddiaeth yng Nghymru. Er hynny, bu awgrym yn ddiweddar gan y Swyddfa Gartref y dylai Aelodau Cynulliad

become certifiers of competence in respect of the language test.

Jocelyn Davies: As you say, the UK Government wants those seeking citizenship to demonstrate fluency in English, which I am sure will be difficult for those with learning difficulties and speech impediments. Assembly Members are likely to be included on the list of those able to test that fluency. Do you think that this fluency test is compatible with our obligations to promote equality of opportunity?

2.50 p.m.

The First Minister: You make an interesting point about speech difficulties, but it is important that a would-be British citizen has plenty of opportunity to prove sufficient knowledge of English. Where relevant, the languages may be Scots Gaelic or Welsh instead. The prospective citizen can then show the certificate, indicating that he or she has attained English for speakers of other languages at NP3 level or other educational qualifications, such as A-levels and degrees in the English-speaking world. For native English-speakers, there is no educational qualification. However, I will take up your point about people with speech difficulties and how to certify how well they have mastered English.

William Graham: Will you join me in condemning the backlog in these ceremonies and do all that you can to bring them forward? I gather that, at one time, there were more than 40,000 people across the UK caught in a backlog of applicants. The numbers for Wales are not available. As these ceremonies are paid for by the applicants themselves, there must be some certainty that they are held in good time, and not in a backlog of what might be several years.

The First Minister: The ceremonies to award or openly certify British citizenship are a relatively new concept and, as you will be aware, His Royal Highness The Prince of Wales took part in the first one in Wales and the first in England, which was in the borough of Brent I believe. Cynics may mock these ceremonies, but there is no question that

ddod yn ardystwyr rhugledd mewn cysylltiad â'r prawf iaith.

Jocelyn Davies: Fel y dywedwch, mae Llywodraeth y DU am i'r rhai sy'n ceisio dinasyddiaeth ddangos eu bod yn rhugl yn y Saesneg, ac yr wyf yn siŵr y bydd hynny'n anodd i'r rhai sydd ag anawsterau dysgu a nam ar y lleferydd. Mae Aelodau Cynulliad yn debygol o gael eu cynnwys ar y rhestr o'r rhai sy'n gallu rhoi prawf ar rugledd o'r fath. A gredwch fod y prawf rhugledd hwn yn gydnaws â'n hymrwymiaidau i hyrwyddo cyfle cyfartal?

Y Prif Weinidog: Gwnaethoch bwynt diddorol am anawsterau llefaru, ond mae'n bwysig i ddarpar ddinesydd Prydeinig gael digon o gyfle i brofi bod ganddo wybodaeth ddigonol o'r Saesneg. Lle y bo'n briodol, gallai fod yn wybodaeth o'r Aeleg neu'r Gymraeg yn lle hynny. Wedyn gall y darpar ddinesydd ddangos y dystysgrif, sy'n nodi ei fod wedi ennill cymhwyster Saesneg ar gyfer siaradwyr ieithoedd eraill ar lefel NP3 neu gymwysterau addysgol eraill, fel y Safon Uwch a graddau yn y gwledydd Saesneg eu hiaith. Ar gyfer siaradwyr Saesneg brodorol, nid oes cymhwyster addysgol. Fodd bynnag, af ynghylch y pwynt a wnaethoch am rai sydd ag anawsterau llefaru a'r modd i ardystio'r graddau y maent wedi dysgu'r Saesneg.

William Graham: A wnewch ymuno â mi i gondemnio'r ôl-groniad o seremonïau a gwneud popeth a allwch i'w dwyn ymlaen? Yr wyf yn casglu bod mwy na 40,000 o bobl ledled y DU, ar un adeg, a oedd wedi'u dal yn yr ôl-groniad o ymgeiswyr. Nid yw'r ffigurau ar gyfer Cymru ar gael. Gan mai'r ymgeiswyr eu hunain sy'n talu am y seremonïau hyn, rhaid cael rhyw sicrwydd y cânt eu cynnal mewn da bryd, ac na chânt eu dal yn ôl am gyfnod o rai blynnyddoedd o bosibl.

Y Prif Weinidog: Mae'r seremonïau i roddi dinasyddiaeth Brydeinig, neu ei hardystio'n gyhoeddus, yn syniad cymharol newydd ac, fel y gwyddoch, cymerodd Ei Fawrhydi Brenhinol Tywysog Cymru ran yn y gyntaf yng Nghymru a'r gyntaf yn Lloegr, a gynhaliwyd ym mwrdeistref Brent, yr wyf yn credu. Gallai sinigiaid wneud hwyl am ben y

they mean a great deal to those who take part, therefore we should commend this new initiative. I was not aware of the backlog, but I will take that up with the Home Office. You will know that we do not have a direct role in this. The local authorities provide them: it is rather similar to a marriage ceremony in a registrar's office, or other ceremonies that take place in city halls, Brent town hall or any other town hall. We are not directly involved, but I will raise the issue with the relevant Home Office Minister.

seremonïau hyn, ond nid oes amheuaeth eu bod yn golygu llawer iawn i'r rhai sy'n cymryd rhan, felly dylem ganmol y fenter newydd hon. Ni wyddwn am yr ôl-groniad, ond codaf hynny gyda'r Swyddfa Gartref. Gwyddoch nad oes gennym rôl uniongyrchol yn hyn. Yr awdurdodau lleol sy'n eu darparu: mae'n eithaf tebyg i seremoni briodas mewn swyddfa cofrestrydd, neu seremonïau eraill a geir mewn neuaddau dinas, neuadd dref Brent neu unrhyw neuadd dref arall. Nid ydym yn ymwneud â hyn yn uniongyrchol, ond codaf y mater gyda'r Gweinidog perthnasol yn y Swyddfa Gartref.

Cwestiwn Brys Urgent Question

Gwasanaethau Ysbytai Cymunedol Community Hospital Services

The Presiding Officer: I have accepted an urgent question under Standing Order No. 6.34.

Y Llywydd: Yr wyf wedi derbyn cwestiwn brys o dan Reol Sefydlog Rhif 6.34.

Michael German: Will the Minister for Health and Social Services make a statement about the continuing provision of services by GPs in community hospitals in Wales? (EAQ38184)

Michael German: A wnaiff y Gweinidog dros Iechyd a Gwasanaethau Cymdeithasiol ddatganiad ar barhad darpariaeth gwasanaethau gan feddygon teulu yn ysbytai cymunedol Cymru? (EAQ38184)

The Minister for Health and Social Services (Jane Hutt): The new general medical services contract, which operates on a UK basis, has resulted in new negotiations to cover provision for GP services to community hospitals. The GMS contract is being introduced in Wales with £20 million in additional funding over the next three years. Patterns of community hospital and allied services differ throughout Wales, reflecting different needs and circumstances, and the responsibility for negotiating the provision of services at community hospitals lies clearly with local NHS trusts. The Assembly Government has issued a national framework of principles to assist local negotiations in this matter. It provides a template against which professional staff might be remunerated when working in community hospitals, and thereafter the detailed discussions must take place at trust level and are proceeding throughout Wales.

Y Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol (Jane Hutt): Mae'r contract newydd ar gyfer gwasanaethau meddygol cyffredinol, sy'n gweithredu ledled y DU, wedi arwain at gynnal negodiadau newydd i ddarparu ar gyfer gwasanaethau gan feddygon teulu i ysbytai cymunedol. Cyflwynir y contract GMC yng Nghymru gyda £20 miliwn o gyllid ychwanegol dros y tair blynedd nesaf. Ceir gwahanol batrymau o wasanaethau ysbyty cymunedol a gwasanaethau cysylltiedig ledled Cymru, gan adlewyrchu gwahanol anghenion ac amgylchiadau, ac mae'n amlwg mai ymddiriedolaethau GIG lleol sy'n gyfrifol am negodi ar gyfer darparu gwasanaethau mewn ysbytai cymunedol. Mae Llywodraeth y Cynulliad wedi cyhoeddi fframwaith egwyddorion cenedlaethol i hyrwyddo negodiadau lleol yn y mater hwn. Mae'n cynnig templed y gellid ei ddefnyddio wrth dalu staff proffesiynol pan ydynt yn gweithio mewn ysbytai cymunedol, ac wedi hynny rhaid cynnal y trafodaethau manwl ar lefel yr

ymddiriedolaethau ac maent yn mynd ymlaen ledled Cymru.

Michael German: Do you share my concern that GP beds per se are good and that the involvement of GPs often leads to a shorter stay for patients in hospital? Are GPs not better placed to understand the needs of their own patients within the community and in those local hospitals? Are you aware that around a third of all doctors in Wales are considering leaving the service of our community hospitals, that doctors have already removed themselves from Chepstow and Maesteg and are considering doing so in Monmouth, and that this practice is, unfortunately, spreading throughout Wales? Can you outline the nature of your discussions with the British Medical Association on this issue and explain what the difference is between the negotiations that have taken place in Wales and those that have taken place in Scotland? As you say, the GMS contract is on a UK basis, but the Scottish Executive has negotiated a deal with the BMA so that these services continue in Scotland. If the GPs pull out, which, in my view, would be a matter of great regret, and are replaced by consultants, can you tell me whether that will lead to a more expensive service being provided by the NHS overall? Finally, do you agree that the real challenge here is for you take the lead, and not to hide behind the differences and the NHS trusts but give a sense of clear direction to our NHS trusts about what is important? That is, the continuing service of our local GPs to local patients in our local community hospitals, so that we can continue to have the excellent service that has been provided across Wales and that we are not threatened with this overall withdrawal, which would be to the detriment of patients everywhere in Wales.

Jane Hutt: You know, Mike, that, following the implementation of the new GP contract, many GPs have given notice of their intent to discontinue working in community hospitals. GPs must give 12 weeks' notice of that intent. You will also know that patterns of community hospitals, as I said in my initial response, differ throughout Wales and reflect

Michael German: A gredwch fel minnau fod gwelyau meddygon teulu'n beth da fel y cyfryw a bod y rhan a gymerir gan feddygon teulu'n peri'n aml y bydd cleifion yn aros am gyfnod byrrach yn yr ysbyty? Onid yw meddygon teulu mewn gwell lle i ddeall anghenion eu cleifion eu hunain yn y gymuned ac yn yr ysbytai lleol hynny? A wyddoch fod tua un rhan o dair o'r holl feddygon yng Nghymru'n ystyried rhoi'r gorau i wasanaethu ein hysbytai cymunedol, fod meddygon eisoes wedi rhoi'r gorau iddi yng Nghas-gwent a Maesteg a'u bod yn ystyried gwneud hynny yn Nhrefynwy, a bod yr arfer hwn yn ymledu drwy Gymru, gwaetha'r modd? A allwch ddisgrifio natur eich trafodaethau â Chymdeithas Feddygol Prydain ar y mater hwn ac egluro beth yw'r gwahaniaeth rhwng y negodiadau a fu yng Nghymru a'r rhai a fu yn yr Alban? Fel y dywedwch, mae'r contract GMC yn gweithredu ledled y DU, ond mae Gweithrediaeth yr Alban wedi negodi cytundeb gyda Chymdeithas Feddygol Prydain fel y bydd y gwasanaethau hyn yn parhau yn yr Alban. Os bydd y meddygon teulu'n tynnu'n ôl, a fyddai'n destun gofid mawr yn fy marn i, ac ymgynghorwyr yn cymryd eu lle, a allwch ddweud wrthyf a fydd hynny'n peri i'r gwasanaeth y mae'r GIG yn ei ddarparu fod yn ddrutach yn gyffredinol? Yn olaf, a gytunwch mai'r wir her yn hyn o beth yw i chi roi arweiniad pendant, a pheidio â chuddio y tu ôl i'r gwahaniaethau a'r ymddiriedolaethau GIG a chynnig arweiniad cryf i'n hymddiriedolaethau GIG ynghylch yr hyn sy'n bwysig? Hynny yw, cynnal gwasanaeth ein meddygon teulu lleol i gleifion lleol yn ein hysbytai cymunedol lleol, fel y gallwn barhau â'r gwasanaeth rhagorol a roddir ledled Cymru ac fel na fydd bygythiad cyffredinol i dynnu'n ôl, a fyddai er anfantais i gleifion ym mhob rhan o Gymru.

Jane Hutt: Gwyddoch, Mike, fod llawer o feddygon teulu, ar ôl rhoi contract newydd meddygon teulu ar waith, wedi rhoi rhybudd o'u bwriad i roi'r gorau i weithio mewn ysbytai cymunedol. Rhaid i feddygon teulu roi 12 wythnos o rybudd o'r bwriad hwnnw. Gwyddoch hefyd fod gwahanol batrymau o ysbytai cymunedol ledled Cymru, fel y

different needs and different circumstances. That is why it is important that local trusts take responsibility for looking at their style of treatment in the context of the Wanless action plans, reconfiguration and modernisation. If we look at Chepstow, for example, the trust has viewed the withdrawal of GPs there as an opportunity to improve its services. Medical cover has been provided by a staff grade medical doctor on site and the trust is also developing a nurse-led elderly support ward and enhancing the skills of nurses in rehabilitation and palliative care treatment. It is also considering the development of a nurse-led minor injury unit, supported by emergency nurse practitioners. This is about changing and developing services according to the Wanless agenda, modernisation, and about building the skills of our nurse-led teams in Wales. It is also about acknowledging GPs' wishes to discontinue working in community hospitals.

To set the record straight on what is happening in the rest of the UK, particularly in England, primary care trusts are being left to negotiate, on a local basis, future remuneration arrangements for GPs. Scotland is developing a national framework, as we have done in Wales, for GPs working in hospitals. However, as in Wales, that model must be capable of adapting to local levels and it must also recognise local circumstances in terms of remuneration. Historically, the remuneration of GPs in community hospitals has varied considerably as a result of arrangements that have developed locally over many years. There are a variety of working practices, with widely differing terms and conditions, across all parts of the UK. This is an opportunity for the medical profession, whether GPs, staff grade medical doctors or the nursing profession, to work with the trust to get the right services for local communities.

The Presiding Officer: Before I call William Graham, I remind the Minister that this is an urgent question, not a statement.

dywedais yn fy ymateb cyntaf, a'u bod yn adlewyrchu gwahanol anghenion ac amgylchiadau. Dyna pam y mae'n bwysig i ymddiriedolaethau lleol ymgymryd â chyfrifoldeb dros ystyried eu dull o drin yng nghyd-destun cynlluniau gweithredu Wanless, ad-drefnu a moderneiddio. Os edrychwn ar Gas-gwent, er enghraifft, mae'r ymddiriedolaeth wedi gweld y tynnu'n ôl gan feddygon teulu yn y fan honno'n gyfle i wella ei gwasanaethau. Darparwyd gofal meddygol gan feddyg graddfa staff ar y safle ac mae'r ymddiriedolaeth hefyd yn datblygu ward cynorthwyo'r henoed dan arweiniad nyrsys ac yn gwella sgiliau nyrsys ym maes ailsefydlu a thriniaeth gofal lliniarol. Mae hefyd yn ystyried datblygu uned i drin mân ddamweiniau dan arweiniad nyrsys, gyda chymorth ymarferwyr nyrsio ar gyfer achosion brys. Mae hyn yn ymwneud â newid a datblygu gwasanaethau yn unol ag agenda Wanless, moderneiddio, a datblygu sgiliau timau sy'n cael eu harwain gan nyrsys yng Nghymru. Mae hefyd yn ymwneud â chydabod dymuniadau meddygon teulu i roi'r gorau i weithio mewn ysbytai cymunedol.

Er mwyn egluro'r hyn sy'n digwydd yng ngweddill y DU, yn enwedig yn Lloegr, gadewir i ymddiriedolaethau gofal sylfaenol negodi'n lleol ar y trefniadau ar gyfer talu meddygon teulu yn y dyfodol. Mae'r Alban yn datblygu fframwaith cenedlaethol, fel y gwnaethom ni yng Nghymru, ar gyfer meddygon teulu sy'n gweithio mewn ysbytai. Fodd bynnag, yn yr un modd ag yng Nghymru, rhaid i'r model hwnnw fod yn agored i'w addasu i lefelau lleol ac i gydnabod amgylchiadau lleol o ran talu. Yn y gorffennol, mae'r taliadau a gâi meddygon teulu mewn ysbytai cymunedol wedi amrywio'n fawr o ganlyniad i drefniadau a ddatblygwyd yn lleol dros flynyddoedd lawer. Mae amryw o arferion gweithio, a thelerau ac amodau tra gwahanol, ym mhob rhan o'r DU. Mae hyn yn gyfle i'r proffesiwn meddygol, boed yn feddygon teulu, yn feddygon graddfa staff neu'n nyrsys, weithio gyda'r ymddiriedolaeth i sicrhau'r gwasanaethau priodol i gymunedau lleol.

Y Llywydd: Cyn imi alw William Graham, yr wyf yn atgoffa'r Gweinidog mai cwestiwn brys yw hwn, nid datganiad.

William Graham: Will you take this opportunity, Minister, to reassure people in Chepstow about the provision for their clinical priorities, and, no doubt, through that reassure other people in Wales? You will know that there is a remarkable degree of trust in GPs not only in the United Kingdom, but in Wales in particular. That must not be affected by this change, of which you have had notice for some time. Can you reassure people that their clinical priorities will not be downgraded?

Jane Hutt: I have already explained how the new services will develop in Chepstow. Local people will welcome the new nurse-led elderly support ward and the fact that nurses' skills in rehabilitation and palliative care treatment will be recognised and supported. They will also welcome the fact that the trust is considering developing a nurse-led minor injury unit, as well as employing emergency nurse practitioners, and that doctors will also provide medical cover. I hope that you, as well as your colleagues, will look at the opportunities that this development provides and recognise that we can negotiate on this with our colleagues in the GP profession, as well as with other staff in the medical and nursing profession.

Rhodri Glyn Thomas: Cyfeiriasoch ar ddiwedd eich ymateb at yr angen i gynnal trafodaethau gyda chynrhychiolwyr meddygon teulu. Onid yw hi'n wir bod Cymdeithas Feddygol Prydain wedi hysbysu'ch adran wyth mis yn ôl bod problemau'n mynd i godi o ran y gwaith yr oedd y meddygon teulu yn ei gyflawni mewn ysbytai cymunedol, ei bod wedi gofyn am drafodaethau dri mis a hanner yn ôl, ac eich bod chi a'ch hadran wedi gwrthod cymryd rhan yn y trafodaethau hynny? Derbyniad pan fo cynllunio manwl yn lleol, y gellir bod yn hyblyg a manteisio ar ddatblygiadau fel hyn. Er enghraifft, mae meddygon teulu ar hyn o bryd yn edrych ar ôl yr adran frys yn Ysbyty Tywysog Philip yn Llanelli. Ond y gwir amdani, Weinidog, yw eich bod chi a'ch adran wedi gwrthod cynnal trafodaethau gyda meddygon teulu er mwyn datrys y sefyllfa

William Graham: A wnewch chi achub ar y cyfle hwn, Weinidog, i dawelu meddwl pobl yng Nghas-gwent ynghylch y ddarpariaeth ar gyfer eu blaenoriaethau clinigol, a thawelu meddwl pobl eraill yng Nghymru drwy wneud hynny? Gwyddoch fod ymddiriedaeth fawr mewn meddygon teulu nid yn unig yn y Deyrnas Unedig, ond yng Nghymru'n enwedig. Rhaid gofalu na fydd y newid hwn, y cawsoch rybudd ohono ers cryn amser, yn effeithio ar hynny. A allwch sicrhau pobl na fydd eu blaenoriaethau clinigol yn cael eu hisraddio?

Jane Hutt: Yr wyf eisoes wedi egluro sut y bydd y gwasanaethau newydd yn datblygu yng Nghas-gwent. Bydd pobl leol yn croesawu'r ward newydd i gynorthwyo'r henoed dan arweiniad nyrsys a'r ffaith y bydd sgiliau nyrsys ym maes ailsefydlu a thriniaeth gofal lliniarol yn cael eu cydnabod a'u hyrwyddo. Byddant hefyd yn croesawu'r ffaith bod yr ymddiriedolaeth yn ystyried datblygu uned i drin mân ddamweiniau dan arweiniad nyrsys, yn ogystal â chyflogi ymarferwyr nyrsio ar gyfer achosion brys, ac y bydd meddygon yn darparu gofal meddygol hefyd. Gobeithiaf y byddwch chi, yn ogystal â'ch cyd-Aelodau, yn ystyried y cyfleoedd y mae'r datblygiad hwn yn eu cynnig ac yn cydnabod y gallwn negodi ar hyn gyda meddygon teulu, yn ogystal â meddygon eraill a nyrsys.

Rhodri Glyn Thomas: You referred at the end of your response to the need to hold talks with GPs' representatives. Is it not true that the British Medical Association notified your department eight months ago that problems would arise with regard to the work that GPs undertook in community hospitals, that it asked for discussions three and a half months ago, and that your department refused to participate in those discussions? I accept that where there is detailed planning locally, there is room for flexibility and an opportunity to take advantage of such developments. For example, GPs are now staffing the accident and emergency unit in Prince Phillip Hospital, Llanelli. Is it not the case, Minister, that you and your department have refused to hold discussions with GPs to resolve this issue?

hon?

3.00 p.m.

Jane Hutt: Clearly we have negotiated with the General Practitioner's Committee, in Wales and at a UK level, for this new GMS contract, which is bringing huge new opportunities. It is not only a GP contract, there is £20 million additional funding over the next three years, and all sorts of opportunities in relation to access and enhanced services. GPs will now take this forward in the coming week, and they have already done so in some parts of Wales. Out-of-hours services have changed, they are no longer the direct responsibility of GPs.

This is all part of the benefits for GPs of the new contract. As you said, through local arrangements GPs now play an important part, such as in the new 24-hour accident and emergency service that has been reinstated at Prince Phillip Hospital. I foresee that we will have these developments throughout Wales as a result of local negotiations. As I have said, I have met the BMA and agreed that we need a national framework of principles. My role, and that of my officials, is to ensure that there is a national framework of principles that will allow local arrangements in terms of negotiating with GPs, not only on remuneration, but on their role in providing local services.

Kirsty Williams: What guarantees can you give the people of Brecon and Radnorshire, given that the area does not have a district general hospital and the people rely on community hospitals, that the changes and developments that you have just described will not lead to our community hospitals becoming glorified nursing homes? It is well recognised in the NHS in Wales that some NHS trusts have an ulterior motive and are not particularly supportive of community hospitals. What will you do to guarantee that there is a vibrant future for community facilities?

Jane Hutt: I hope that you have had an opportunity recently to meet the Powys Local

Jane Hutt: Wrth gwrs, yr ydym wedi negodi gyda Phwyllgor y Meddygon Teulu, yng Nghymru ac ar lefel y DU, ar y contract GMC newydd hwn, sy'n cynnig cyfleoedd newydd pwysig. Nid contract i feddygon teulu'n unig ydyw, gan fod £20 miliwn o gyllid ychwanegol dros y tair blynedd nesaf, a phob math o gyfleoedd mewn cysylltiad â mynediad a gwell gwasanaethau. Bydd meddygon teulu'n bwrw ymlaen â hyn yn yr wythnos sydd i ddod, ac maent eisoes wedi gwneud hynny mewn rhai rhannau o Gymru. Mae gwasanaethau y tu allan i oriau wedi newid, ac nid ydynt bellach yn gyfrifoldeb uniongyrchol i feddygon teulu.

Mae hyn i gyd yn rhan o'r manteision sydd i feddygon teulu yn y contract newydd. Fel y dywedasoch, drwy drefniadau lleol mae meddygon teulu yn chwarae rhan bwysig yn awr, er enghraifft yn y gwasanaeth damweiniau ac achosion brys newydd 24 awr a ailsefydlwyd yn Ysbyty'r Tywysog Philip. Rhagwelaf y cawn ddatblygiadau o'r fath ledled Cymru o ganlyniad i negodiadau lleol. Fel y dywedais, cyfarfûm â'r BMA a chytuno bod arnom angen fframwaith egwyddorion cenedlaethol. Fy rôl i, ac un fy swyddogion, yw sicrhau y ceir fframwaith egwyddorion cenedlaethol a fydd yn hwyluso trefniadau lleol wrth negodi â meddygon teulu, nid yn unig ynghylch tâl, ond ynghylch eu rôl wrth ddarparu gwasanaethau lleol.

Kirsty Williams: Pa sicrwydd y gallwch ei roi i bobl Brycheiniog a Sir Faesyfed, gan nad oes ysbyty dosbarth cyffredinol yn yr ardal honno ac am fod y bobl yn dibynnu ar ysbytai cymunedol, na fydd y newidiadau a'r datblygiadau yr ydych newydd eu disgrifio yn peri y bydd ein hysbytai cymunedol yn fawr gwell na chartrefi nyrsio? Derbynnir gan lawer yn y GIG yng Nghymru fod amcan cudd gan rai ymddiriedolaethau GIG ac nad ydynt yn arbennig o gefnogol i ysbytai cymunedol. Beth a wnewch i warantu dyfodol bywiog i gyfleusterau cymunedol?

Jane Hutt: Gobeithiaf eich bod wedi cael cyfle i gwrdd â Bwrdd Iechyd Lleol Powys

Health Board. I had a constructive and positive meeting with the board recently, which your colleague, Mick Bates, attended, which showed how Powys health board is developing its community hospitals to such an extent that they are treating people from outside as well as inside Powys, bringing down waiting times dramatically, and depending less on trusts in England. Let us in the Assembly acknowledge the growing role of nurses at every level, particularly at a community level in community hospitals, as well as the valuable role that GPs have played. I have every confidence that Powys health board will safeguard and develop those services.

yn ddiweddar. Cefais gyfarfod adeiladol a chadarnhaol gyda'r bwrdd yn ddiweddar, y bu eich cyd-Aelod, Mick Bates, yn bresennol ynddo, a ddangosodd fod bwrdd iechyd Powys yn datblygu ei ysbytai cymunedol i'r fath raddau fel eu bod yn trin pobl o Bowys ac o du hwnt i'r sir, gan ostwng amseroedd aros yn sylweddol, a dibynnu'n llai ar ymddiriedolaethau yn Lloegr. Gadewch i ni yn y Cynulliad gydnabod y rôl gynyddol sydd gan nyrsys ar bob lefel, yn enwedig yn y gymuned mewn ysbytai cymunedol, yn ogystal â'r rôl werthfawr y mae meddygon teulu wedi'i chwarae. Mae gennyf bob ffydd y bydd bwrdd iechyd Powys yn diogelu ac yn datblygu'r gwasanaethau hynny.

Datganiad Busnes Business Statement

The Business Minister (Karen Sinclair):

There are no changes to report to this week's business. Business for the next three weeks is as set out in the draft statement, which can be found on the Chamberweb, under supporting documents. I draw Members' attention to the motion scheduled for Tuesday, 5 October on Scarweather. The purpose of that debate will be to decide whether the legislation in question should follow full Assembly procedures.

Following this morning's Business Committee meeting, the Deputy Presiding Officer determined that under Standing Order No. 24.6, the following items of subordinate legislation need not be referred to a subject committee for extended consideration: the Feeding Stuffs (Sampling and Analysis) (Amendment) (Wales) Regulations 2004, and the Food Safety (Act of Accession concerning the Czech Republic and other States) (Consequential Amendments) (Wales) Regulations 2004. The Compulsory Purchase of Land (Prescribed Forms) (National Assembly for Wales) Regulations 2004 and the Compulsory Purchase of Land (Written Representations Procedure) (National Assembly for Wales) Regulations 2004 have been referred to the Environment, Planning and Countryside Committee for consideration. The committee has been asked to report back within two weeks.

Y Trefnydd (Karen Sinclair):

Nid oes unrhyw newidiadau i'w hadrodd i fusnes yr wythnos hon. Mae'r busnes ar gyfer y tair wythnos nesaf fel y mae wedi'i nodi yn y datganiad drafft, y gellir ei weld ar we'r Siambr, o dan ddogfennau ategol. Tynnaf sylw Aelodau at y cynnig a amserlennwyd ar gyfer dydd Mawrth 5 Hydref ar Scarweather. Pwrpas y ddadl honno yw penderfynu a ddylai'r ddeddfwriaeth dan sylw ddilyn gweithdrefnau llawn y Cynulliad.

Yn dilyn cyfarfod y Pwyllgor Busnes y bore yma, mae'r Dirprwy Lywydd wedi penderfynu o dan Reol Sefydlog Rhif 24.6, nad oes angen cyfeirio'r eitemau canlynol o is-ddeddfwriaeth i bwyllgor pwnc i'w hystyried yn helaethach: Rheoliadau Bwydydd Anifeiliaid (Samplu a Dadansoddi) (Diwygio) (Cymru) 2004, a Rheoliadau Diogelwch Bwyd (Deddf Ymaelodi ynghylch y Weriniaeth Tsiec a Gwladwriaethau Eraill) (Diwygiadau Canlyniadol) (Cymru) 2004. Mae Rheoliadau Prynu Tir Gorfodol (Ffurfiâu Rhagnodedig) (Cynulliad Cenedlaethol Cymru) 2004 a Rheoliadau Prynu Tir Gorfodol (Gweithdrefn Sylwadau Ysgrifenedig) (Cynulliad Cenedlaethol Cymru) 2004 wedi'u cyfeirio i Bwyllgor yr Amgylchedd, Cynllunio a Chefn Gwlad i'w hystyried. Gofynnwyd i'r pwyllgor adrodd yn ôl o fewn pythefnos.

Y Llywydd: A oes gwrthwynebiadau i'r datganiad busnes? Gwelaf fod o leiaf 10 yn ei wrthwynebu. [*Torri ar draws.*]

Order. It is a legitimate part of Assembly procedure under our Standing Orders to object to the business statement. It is a traditional parliamentary device. [*Interruption.*]

The Presiding Officer: Order. Assembly Members are asking Brian Gibbons to withdraw a remark, but I did not hear him say anything. I ask the Business Minister to formally propose the business statement.

The Business Minister (Karen Sinclair): I propose that

the National Assembly for Wales adopts the business statement.

Helen Mary Jones: We in Plaid Cymru—The Party of Wales object to the business statement this week because we are disappointed that the Government has refused as inappropriate my request that the Minister for Economic Development and Transport make a statement about the potential loss of 400 jobs at Krupp Camford Pressings Ltd in Llanelli. I realise that there is not yet a formal closure plan, but this is a serious threat to vital jobs. I had hoped to have the opportunity to press the Minister, as I have pressed him for the last five years, to deal directly with the German parent company on this issue, as there are concerns about the the Staffordshire-based management's attitude towards the workforce in Llanelli. We frequently have statements about closures that have already been announced, but I am at a loss as to why we cannot have a statement on a matter where there is still an opportunity for the Minister to get in there and do something about it. I am sorry that the Government does not share the sense of urgency felt about this matter by the workforce in Camford's in Llanelli. I urge Members to oppose this business statement, as it is fundamentally unjust. Surely, this is exactly the kind of issue that the Assembly should discuss.

The Presiding Officer: Are there any objections to the business statement? I see that there are at least 10 objections. [*Interruption.*]

Trefn. Rhan ddilys o weithdrefn y Cynulliad o dan ein Rheolau Sefydlog yw gwrthwynebu'r datganiad busnes. Mae'n ddyfais seneddol draddodiadol. [*Torri ar draws.*]

Y Llywydd: Trefn. Mae Aelodau'r Cynulliad yn gofyn i Brian Gibbons dynnu sylw yn ôl, ond nis clywais yn dweud unrhyw beth. Gofynnaf i'r Trefnydd gynnig y datganiad busnes yn ffurfiol.

Y Trefnydd (Karen Sinclair): Cynigiau fod

Cynulliad Cenedlaethol Cymru yn derbyn y datganiad busnes.

Helen Mary Jones: Yr ydym ni ym Mhlaid Cymru—The Party of Wales yn gwrthwynebu'r datganiad busnes yr wythnos hon gan ein bod yn siomedig bod y Llywodraeth wedi gwrthod fy nghais i'r Gweinidog dros Ddatblygu Economaidd a Thrafnidiaeth wneud datganiad am y posibilrwydd o golli 400 o swyddi yn Krupp Camford Pressings Cyf yn Llanelli, gan ddweud nad yw'n briodol. Sylweddolaf nad oes cynllun ffurfiol i'w gau eto, ond mae hyn yn fygythiad difrifol i swyddi hollbwysig. Yr oeddwn wedi gobeithio cael cyfle i bwysu ar y Gweinidog, fel y gwneuthum dros y pum mlynedd diwethaf, i ddelio'n uniongyrchol â'r rhiant-gwmni yn yr Almaen ar y mater hwn, gan fod pryderon ynghylch agwedd y rheolwyr yn swydd Stafford at y gweithlu yn Llanelli. Cawn ddatganiadau'n aml am fwradau i gau a gyhoeddwyd eisoes, ond ni allaf ddeall pam na allwn gael datganiad ar fater lle y mae cyfle o hyd i'r Gweinidog ymyrryd a gwneud rhywbeth yn ei gylch. Mae'n ddrwg gennyf nad yw'r Llywodraeth yn rhannu'r ymdeimlad o frys ynghylch y mater hwn a geir ymysg y gweithlu yng ngwaith Camford yn Llanelli. Anogaf Aelodau i wrthwynebu'r datganiad busnes hwn, gan ei fod yn hanfodol anghyfiawn. Yn sicr, dyma'r union fath o bwnc y dylai'r Cynulliad ei drafod.

Nick Bourne: We support Plaid Cymru on the points that Helen Mary Jones has just made. She can no doubt expect some support from the Member for Llanelli on that, which means that we will carry the day on the business statement.

Two additional issues were raised with you, Business Minister, in the Business Committee meeting this morning. First, on the children's hospital for Wales, we wanted a debate, or at the least a statement, relating to the fact that we are now entering funding for the second phase and the Government has not made any announcement. The Noah's Ark appeal was led to believe that there would be funding, but a decision on that has been postponed. This is an important issue and the Minister should come forward with a statement on that issue.

Secondly, we need a debate on an issue that we raised last week, which Members know affects people around Wales, that of council tax revaluation. It is a sensitive issue, but many throughout Wales will be worse off because of this revaluation—there will be far more losers than winners under it, contrary to what the Minister promised. We need a debate on this issue.

Kirsty Williams: We in the Liberal Democrat group are still concerned that there is no progress on the appointment of the Local Government Partnership Council. Can you inform us when the Minister with responsibility intends to make a decision with regard to the disputed places on that important body? I also reiterate our request, made last week, with regard to the rebanding exercise.

While accepting that the Minister responded to the urgent question by Mike German earlier on out-of-hours cover in community hospitals, the Welsh Liberal Democrats ask for a debate on the future of community hospitals and GPs' involvement in them.

I trust that Brian Gibbons will not regard it as a waste of time for the Assembly to discuss BT's proposed closure of 1,000 telephone

Nick Bourne: Cefnogwn Blaid Cymru ar y pwyntiau y mae Helen Mary Jones newydd eu gwneud. Mae'n sicr y gall ddisgwyl rhywfaint o gefnogaeth gan yr Aelod dros Lanelli ar hynny, ac mae hynny'n golygu yr enillwn y dydd ar y datganiad busnes.

Codwyd dau fater ychwanegol gyda chi, Drefnydd, yng nghyfarfod y Pwyllgor Busnes y bore yma. Yn gyntaf, ynghylch yr ysbyty plant i Gymru, yr oeddem am gael dadl, neu o leiaf ddatganiad, ynghylch y ffaith bod cyllido'r ail ran ar fin dechrau ac nad yw'r Llywodraeth wedi gwneud unrhyw gyhoeddiad eto. Yr oedd apêl Arch Noa wedi'i harwain i gredu y byddai cyllid ar gael, ond gohiriwyd penderfyniad ar hynny. Mae hyn yn fater pwysig a dylai'r Gweinidog ddod gerbron gyda datganiad ar y mater hwnnw.

Yn ail, mae arnom angen dadl ar fater a godwyd yr wythnos diwethaf y gŵyr Aelodau ei fod yn effeithio ar bobl ym mhob rhan o Gymru, sef ailbriso'r dreth gyngor. Mae'n fater sensitif, ond bydd llawer ledled Cymru ar eu colled oherwydd yr ailbriso hwn—bydd llawer mwy ar eu colled nag ar eu hennill o ganlyniad iddo, yn groes i'r hyn a addawodd y Gweinidog. Rhaid inni gael dadl ar y mater hwn.

Kirsty Williams: Yr ydym ni yng ngrŵp y Democratiaid Rhyddfrydol yn dal i fod yn bryderus am na wnaed cynnydd ar benodi'r Cyngor Partneriaeth Llywodraeth Leol. A allwch ein hysbysu pryd y mae'r Gweinidog sy'n gyfrifol yn bwriadu penderfynu ynghylch y lleoedd ar y corff pwysig hwnnw y mae dadlau yn eu cylch? Yr wyf hefyd yn ailddatgan ein cais, a wnaed yr wythnos diwethaf, mewn cysylltiad â'r ailfandio.

Er ein bod yn derbyn bod y Gweinidog wedi ymateb i'r cwestiwn brys gan Mike German yn gynharach ynghylch gofal y tu allan i oriau mewn ysbytai cymunedol, mae Democratiaid Rhyddfrydol Cymru yn gofyn am gael dadl ar ddyfodol ysbytai cymunedol a chysylltiad meddygon teulu â hwy.

Hyderaf na fydd Brian Gibbons yn ystyried mai gwastraff amser fyddai i'r Cynulliad drafod bwriad BT i gau 1,000 o flychau

boxes across Wales, in urban and rural areas. I understand that the Minister is not minded to accept this request as it is on a non-devolved issue. However, I remind you, Business Minister, that post offices are a non-devolved issue, yet this Assembly has discussed them and put proposals in place to safeguard them. There are many opportunities where this Assembly has discussed issues that are not devolved, and I ask you to reconsider this important public safety issue with regard to the proposed removal of telephone boxes.

Catherine Thomas: I assure those Members who have already spoken that the Minister for Economic Development and Transport is more than aware of the situation with regard to Krupp Camford Pressings Ltd in my constituency, Llanelli. Following several discussions with him, the Minister will visit my constituency to meet shop stewards, management and me as a matter of urgency. I suggest that, in future, Members do their homework, find out the facts and do not play cheap politics with the lives of my constituents.

The Business Minister (Karen Sinclair): On Krupp Camford Pressings' plans, as I have said, there are no plans to make a statement. There have been no announcements on job losses, and to raise this matter in Plenary would be inappropriate. Andrew has been in touch with the company and the union on several occasions and is in constant touch at the moment. Helen Mary, your stance on this matter, given the explanation, is outrageous.

3.10 p.m.

It is far too soon to make a statement on the future of funding the children's hospital for Wales. The options for the development of phase 2 of the children's hospital are being actively considered. In view of the specialist nature of the services expected to be included in the next phase, Health Commission Wales is working with Cardiff and Vale NHS Trust to develop the formal business case submission that will be required. That is the important part. Once that has been done, the trust will submit its supported business case

teleffon ledled Cymru, mewn ardaloedd trefol a gwledig. Deallaf nad yw'r Trefnydd o blaid derbyn y cais hwn gan ei fod yn ymwneud â mater nas datganolwyd. Er hynny, yr wyf yn eich atgoffa, Drefnydd, nad yw swyddfeydd post yn fater a ddatganolwyd, ac eto mae'r Cynulliad hwn wedi'u trafod ac wedi rhoi cynlluniau ar waith i'w diogelu. Cafodd y Cynulliad hwn lawer cyfle i drafod materion nas datganolwyd, a gofynnaf ichi ailystyried y mater pwysig hwn sy'n ymwneud â diogelwch cyhoeddus mewn cysylltiad â'r bwriad i gael gwared ar flychau teleffon.

Catherine Thomas: Yr wyf yn sicrhau'r Aelodau hynny sydd eisoes wedi siarad fod y Gweinidog dros Ddatblygu Economaidd a Thrafnidiaeth yn ymwybodol iawn o'r sefyllfa mewn cysylltiad â Krupp Camford Pressings Cyf yn fy etholaeth, Llanelli. Yn dilyn sawl trafodaeth gydag ef, bydd y Gweinidog yn ymweld â'm hetholaeth i gwrdd â siop-stiwardiaid, y rheolwyr a minnau fel mater brys. Awgrymaf y dylai Aelodau wneud eu gwaith cartref yn y dyfodol, cael gwybod y ffeithiau a pheidio â chwarae gwleidyddiaeth gyda bywydau fy etholwyr.

Y Trefnydd (Karen Sinclair): Ynghylch cynlluniau Krupp Camford Pressings, fel y dywedais, nid oes unrhyw fwriad i wneud datganiad. Ni fu unrhyw gyhoeddiadau ynghylch colli swyddi, ac amhriodol fyddai codi'r mater hwn mewn Cyfarfod Llawn. Bu Andrew mewn cysylltiad â'r cwmni a'r undeb ar sawl achlysur ac mae mewn cysylltiad yn barhaus ar hyn o bryd. Helen Mary, mae'ch safbwynt ynghylch y mater hwn, o ystyried yr eglurhad, yn warthus.

Mae'n rhy fuan o lawer i wneud datganiad ar gyllido'r ysbyty plant i Gymru yn y dyfodol. Mae'r dewisiadau ar gyfer datblygu rhan 2 yr ysbyty plant yn cael eu hystyried. Yng ngolwg natur arbenigol y gwasanaethau y disgwylir eu cynnwys yn y rhan nesaf, mae Comisiwn Iechyd Cymru yn gweithio gydag Ymddiriedolaeth GIG Caerdydd a'r Fro i baratoi'r achos busnes ffurfiol y bydd angen ei gyflwyno. Dyna'r rhan bwysig. Ar ôl gwneud hynny, bydd yr ymddiriedolaeth yn cyflwyno'r achos busnes a gefnogwyd i

to the Welsh Assembly Government for consideration.

The Minister does not intend to make a statement on council tax rebanding, Nick. The approach to rebanding and revaluation has been, and will continue to be, a matter for detailed consideration and scrutiny by the Local Government and Public Services Committee, which is where the matter belongs. The committee discussed this last week and did not make a request to bring it before Plenary. Sue Essex will bring forward legislation before Christmas to establish a scheme to ensure that no property will go up by more than one band in any one year. Members will have a full opportunity to debate the legislation when it comes forward.

On telephone boxes, as you well know, Kirsty, this is not a devolved matter. However, it is your prerogative to bring forward any subject you want in your own party's time.

Lywodraeth Cynulliad Cymru i'w ystyried.

Nid yw'r Gweinidog yn bwriadu gwneud datganiad ar ailfandio ar gyfer y dreth gyngor, Nick. Mae'r Pwyllgor Llywodraeth Leol a Gwasanaethau Cyhoeddus wedi ystyried y dull o ailfandio ac ailbriso ac wedi craffu'n fanwl arno, a deil i wneud hynny; dyna'r lle priodol i ddelio â'r mater hwn. Trafododd y pwyllgor hyn yr wythnos diwethaf ac ni wnaeth gais am ei ddwyn gerbron Cyfarfod Llawn. Bydd Sue Essex yn rhoi deddfwriaeth gerbron cyn y Nadolig i sefydlu cynllun i sicrhau na fydd unrhyw eiddo'n codi o fwy nag un band mewn unrhyw flwyddyn. Caiff Aelodau bob cyfle i drafod y ddeddfwriaeth pan ddaw gerbron.

Ynghylch blychau teleffon, fel y gwyddoch yn iawn, Kirsty, nid yw'r mater hwn wedi'i ddatganoli. Serch hynny, mae gennych hawl i roi unrhyw fater a ddymunwch gerbron yn amser eich plaid eich hun.

Cynnig: O blaid 30, Ymatal 0, Yn erbyn 29.

Motion: For 30, Abstain 0, Against 29.

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

Andrews, Leighton
Barrett, Lorraine
Butler, Rosemary
Chapman, Christine
Cuthbert, Jeff
Davidson, Jane
Davies, Andrew
Dunwoody-Kneafsey, Tamsin
Essex, Sue
Gibbons, Brian
Gregory, Janice
Griffiths, John
Gwyther, Christine
Hart, Edwina
Hutt, Jane
Idris Jones, Denise
James, Irene
Jones, Ann
Jones, Carwyn
Law, Peter
Lewis, Huw
Lloyd, Val
Mewies, Sandy
Morgan, Rhodri
Neagle, Lynne
Pugh, Alun
Sargeant, Carl
Sinclair, Karen
Thomas, Catherine
Thomas, Gwenda

Pleidleisiodd yr Aelodau canlynol yn erbyn:
The following Members voted against:

Bates, Mick
Black, Peter
Bourne, Nick
Burnham, Eleanor
Cairns, Alun
Davies, David
Davies, Glyn
Davies, Janet
Davies, Jocelyn
Francis, Lisa
German, Michael
Graham, William
Isherwood, Mark
Jones, Alun Ffred
Jones, Elin
Jones, Helen Mary
Jones, Ieuan Wyn
Jones, Laura Anne
Lloyd, David
Marek, John
Melding, David
Morgan, Jonathan
Randerson, Jenny
Ryder, Janet
Thomas, Owen John
Thomas, Rhodri Glyn
Williams, Brynle
Williams, Kirsty
Wood, Leanne

*Derbyniwyd y cynnig.
Motion carried.*

Pwyntiau o Drefn Points of Order

The Presiding Officer: I call Brian Gibbons, who has a point of order arising out of questions. [ASSEMBLY MEMBERS: 'Apologise.']

Brian Gibbons: I apologise.

Point of order. Presiding Officer, this arises from the exchange between the First Minister and Glyn Davies and is in line with your repeated rulings, under Standing Order No. 3, in favour of parity of esteem and equal treatment for all Assembly Members. I have before me a press article in which Conservative Members state that they are only working 25 hours a week. A straw poll of Labour Members shows that we are working, even during recess, 40 hours a week—[*Interruption.*]

The Presiding Officer: Order.

Brian Gibbons: We work 40 hours a week during recess, dealing with constituency business, not to mention the additional hours that we work when the Assembly is in session. In view of this serious underemployment of the Conservative group, which can only be down to the fact that they are list Members without a constituency workload—[*Interruption.*]

The Presiding Officer: Order. Brian Gibbons is raising a point of order, and I am waiting to see what he expects me to rule on.

Brian Gibbons: In view of the fact that the overwhelming majority of Conservative Members are list members who do not have a constituency workload, do you not think that it is time to revisit your previous ruling on this matter?

The Presiding Officer: As regards what is relevant to me, my concern applies to what happens in the Chamber and, as Chair of the Panel of Chairs and by association with my

Y Llywydd: Galwaf Brian Gibbons, sydd â phwynt o drefn sy'n codi o gwestiynau. [AELODAU'R CYNULLIAD: 'Ymddiheurwch.']

Brian Gibbons: Yr wyf yn ymddiheuro.

Pwynt o drefn. Lywydd, mae hyn yn codi o'r geiriau a fu rhwng y Prif Weinidog a Glyn Davies ac mae'n unol â'ch dyfarniadau, a wnaed dro ar ôl tro, o dan Reol Sefydlog Rhif 3, o blaid dangos parch cydradd at holl Aelodau'r Cynulliad a'u trin yn gyfartal. Mae gennyf erthygl o'r wasg ger fy mron lle y mae Aelodau Ceidwadol yn datgan nad ydynt ond yn gweithio 25 awr yr wythnos. Mae pŵl ar antur ymysg Aelodau Llafur yn dangos ein bod ni'n gweithio 40 awr yr wythnos, hyd yn oed yn ystod y toriad —[*Torri ar draws.*]

Y Llywydd: Trefn.

Brian Gibbons: Yr ydym yn gweithio 40 awr yr wythnos yn ystod y toriad, yn delio â busnes etholaeth, heb sôn am yr oriau ychwanegol a weithiwn pan yw'r Cynulliad yn eistedd. Yng ngolwg y diffyg gwaith difrifol hwn ar ran grŵp y Ceidwadwyr, na ellir ond ei briodoli i'r ffaith mai Aelodau rhestr ydynt heb lwyth gwaith etholaeth—[*Torri ar draws.*]

Y Llywydd: Trefn. Mae Brian Gibbons yn codi pwynt o drefn, ac yr wyf yn aros i weld beth y mae'n disgwyl i mi ddyfarnu yn ei gylch.

Brian Gibbons: Yng ngolwg y ffaith mai Aelodau rhestr yw mwyafrif llethol yr Aelodau Ceidwadol a hwythau heb lwyth gwaith etholaeth, oni chredwch ei bod yn bryd ailystyried eich dyfarniad blaenorol ar y mater hwn?

Y Llywydd: O ran yr hyn sy'n berthnasol i mi, yr wyf fi'n ymwneud â'r hyn sy'n digwydd yn y Siambr ac, fel Cadeirydd Panel y Cadeiryddion a thrwy gysylltiad â'm cyd-

colleagues on that panel, to what happens in committee. Under the Government of Wales Act 1998, all Members are elected equally to serve in the Assembly. If and when that Act is changed, I will continue to treat Members equally for the purposes of my relationship with you all and for the purposes of what happens in the Chamber. What Members choose to say to the press about the hours that they work is entirely a matter for them, and I would not want to get involved with any statement of that kind.

Peter Law: Point of order.

The Presiding Officer: Is this further to this point of order?

Peter Law: Yes. Further to this point of order, is it appropriate for Conservative Assembly Members to cast aspersions on all Assembly Members by suggesting that we should be judged by their yardstick? I am aware of many Members of all parties—possibly not Conservative—who have been in this building and working in their constituency offices throughout the summer recess. Is it not remarkable that this comes from the Tory Members, who are a bunch of lottery winners—apart from one—who have been on a big holiday here since the last election in 2003?

The Presiding Officer: Order. I cannot detect any matter there that asks for a ruling from me.

Huw Lewis: Further to this point of order, there is a matter pertaining to the Assembly regarding expenses and office allowances, which the Scottish Parliament accepts needs to be examined. List Members may place a constituency office, for instance, for electoral purposes at the behest of their national party in a particular constituency for the purpose of aiding and abetting a win in a council election or a parliamentary election. Public money may be used for that campaigning purpose. Worse than that, certain constituencies within the region could be ignored by list Members or worked in much less often in order to maintain the political focus on an electoral result. The Scottish Parliament has recognised that this matter needs to be examined.

aelodau ar y panel hwnnw, â'r hyn sy'n digwydd mewn pwyllgorau. O dan Ddeddf Llywodraeth Cymru 1998, etholir yr holl Aelodau'n gyfartal i wasanaethu yn y Cynulliad. Hyd oni newidir y Ddeddf honno, parhaf i drin Aelodau'n gyfartal i ddibenion fy mherthynas â chi i gyd ac i ddibenion yr hyn a ddigwydd yn y Siambr. Mae'r hyn y mae Aelodau'n dewis ei ddweud wrth y wasg am yr oriau a weithiant yn fater iddynt hwy'n gyfan gwbl, ac ni charwn ymwneud ag unrhyw ddatganiad o'r natur honno.

Peter Law: Pwynt o drefn.

Y Llywydd: A yw ymhellach i'r pwynt o drefn hwn?

Peter Law: Ydyw. Ymhellach i'r pwynt o drefn hwn, a yw'n beth priodol i Aelodau Cynulliad Ceidwadol fwrw sen ar holl Aelodau'r Cynulliad drwy awgrymu y dylid ein barnu yn ôl eu ffon fesur hwy? Gwn am sawl Aelod ym mhob plaid—nid y Blaid Geidwadol o bosibl—a fu yn yr adeilad hwn ac yn gweithio yn eu swyddfeydd etholaeth drwy gydol toriad yr haf. Onid yw'n rhyfeddol mai'r Aelodau Torïaidd sy'n dweud hyn, a hwythau'n griw o enillwyr loteri—heblaw am un—a fu ar wyliau hir yma ers yr etholiad diwethaf yn 2003?

Y Llywydd: Trefn. Ni allaf ganfod unrhyw fater yn hynny sy'n gofyn dyfarniad gennyf fi.

Huw Lewis: Ymhellach i'r pwynt o drefn hwn, mae mater sy'n berthnasol i'r Cynulliad sy'n ymwneud â threuliau a lwfansau swyddfa, y mae Senedd yr Alban yn derbyn bod angen ei archwilio. Caiff Aelodau rhestr leoli swyddfa etholaeth, er enghraifft, i ddibenion etholiadol ar gais eu plaid genedlaethol mewn etholaeth benodol er mwyn helpu ac ategu ymgais i ennill etholiad cyngor neu etholiad seneddol. Gellir defnyddio arian cyhoeddus i ddiben ymgyrchu o'r fath. Yn waeth na hynny, gallai Aelodau rhestr anwybyddu rhai etholaethau yn y rhanbarth neu weithio ynddynt yn llawer llai aml er mwyn canolbwyntio'n wleidyddol ar ennill etholiad. Mae Senedd yr Alban wedi cydnabod bod angen edrych ar y mater hwn.

The Presiding Officer: Order. The Assembly has determined on allowances and salaries. The House Committee, in terms of its own budget, ensures that resources are available to all Members. No Assembly resources—that is, public money—can be spent for any purpose other than Assembly business. I am sure that the Chair of the Audit Committee would be interested in any information that money is being spent in that way. That is the appropriate avenue for any issues involving the use of Assembly expenditure.

Nick Bourne: Thank you for that last point, Llywydd. Further to that point of order, I seem to recall that there were expenditure issues regarding some members of the Scottish Parliament, not least the former First Minister, Henry McLeish. We must therefore be careful about how we address these issues. The people of Wales expect us to discuss the substantive issues that they face. The point made in the press release that was referred to related to how much time we spend debating issues in Plenary. I am willing to publish—I have done so previously and will do so again—the official figures on the number of oral and written questions asked, the number of participants in debates; I believe that you will find that every one of my Members is in the top 15, and that every one of the bottom five Members is a Labour Party Member. Let us just be careful, therefore, when we raise these issues, because they invite retribution.

The Presiding Officer: Order. I am pleased to say that retribution is not mine.

Glyn Davies: Further to this point of order, Brian Gibbons, in raising this, sought to draw the exchange between the First Minister and me into this discussion. I do not believe that he was addressing that debate between the First Minister and me, which was an extremely serious issue about the democratic process and how the Labour Party intends to demean that. I am sorry that he decided to treat that in such a casual way when it is a serious issue that Labour should also be addressing—it will be in a position to deal

Y Llywydd: Trefn. Mae'r Cynulliad wedi penderfynu ar lwfansau a chyflogau. Mae Pwyllgor y Tŷ, o ran ei gyllideb ei hun, yn sicrhau bod adnoddau ar gael i'r holl Aelodau. Ni ellir gwario dim o adnoddau'r Cynulliad—hynny yw, arian cyhoeddus—i unrhyw ddiben heblaw busnes y Cynulliad. Yr wyf yn siŵr y byddai Cadeirydd y Pwyllgor Archwilio yn ymddiddori mewn unrhyw wybodaeth bod arian yn cael ei wario felly. Dyna'r modd priodol i ymdrin ag unrhyw faterion sy'n ymwneud â'r defnydd o wariant y Cynulliad.

Nick Bourne: Diolch i chi am wneud y pwynt diwethaf, Lywydd. Ymhellach i'r pwynt o drefn hwnnw, yr wyf fel petawn yn cofio bod materion yn ymwneud â gwariant wedi codi mewn cysylltiad â rhai o aelodau Senedd yr Alban, a'r cyn-Brif Weinidog, Henry McLeish, yn anad neb. Gan hynny, rhaid inni fod yn ofalus wrth ymdrin â'r materion hyn. Mae pobl Cymru'n disgwyl inni drafod y materion pwysig a wynebant. Yr oedd y pwynt a wnaed yn y datganiad i'r wasg y cyfeiriwyd ato'n ymwneud â pha faint o amser a dreuliwn yn dadlau ynghylch materion yn y Cyfarfod Llawn. Yr wyf yn barod i gyhoeddi—gwneuthum hynny o'r blaen a gwnaf hynny eto—y ffigurau swyddogol ar nifer y cwestiynau llafar ac ysgrifenedig a ofynnwyd, nifer y rhai a gymerodd ran mewn dadleuon; credaf y cewch fod pob un o'm Haelodau ymysg y 15 uchaf, a bod pob un o'r pum Aelod isaf yn Aelod o'r Blaid Lafur. Gadewch inni fod yn ofalus, felly, pan godwn y materion hyn, gan eu bod yn peri dial.

Y Llywydd: Trefn. Yr wyf yn falch o ddweud nad myfi piau dial.

Glyn Davies: Ymhellach i'r pwynt o drefn hwn, yr oedd Brian Gibbons, wrth godi hyn, yn ceisio cynnwys y geiriau a fu rhwng y Prif Weinidog a mi yn y drafodaeth hon. Ni chredaf ei fod yn ymateb i'r ddadl honno rhwng y Prif Weinidog a mi, a oedd yn ymwneud â mater tra difrifol ynghylch y broses ddemocrataidd a'r modd y mae'r Blaid Lafur yn bwriadu ei hiselhau. Mae'n ddrwg gennyf ei fod wedi penderfynu ymdrin â hynny'n ysgafala gan ei fod yn fater difrifol y dylai Llafur ymdrin ag ef hefyd—bydd mewn

with this issue itself when it is soundly defeated at the next election.

The Presiding Officer: Order. We are now getting well beyond matters for me.

Carl Sargeant: Further to that point of order, and as a directly elected Member for Alyn and Deeside, I would like to hear your ruling on whether you believe that it is democratic to deal with list Members as we do first-past-the-post Members, given the differences between them. I know that you have ruled before that we are all equal, but when people come up with lists—like Adrian Mole in his diary—of how many questions they have tabled, frankly, it makes a mockery of the whole process.

The Presiding Officer: Order. I have made it quite clear, as I did in the first Assembly, that, until if and when there is a change in the legislation in the ways in which Members are elected to this Chamber, or there is a clear constitutional shift in the position as a result of that, it is not for me to treat Members differently. That was the wish of the first Assembly, and I have heard nothing of substance in the second Assembly that has persuaded me otherwise.

3.20 p.m.

Helen Mary Jones: Point of order. I raise this point of order under Standing Order No. 7, which relates to conduct in the Chamber. I understood the Business Minister to allege when responding to my comments on the business statement, that my conduct was outrageous in some way. I sincerely hope that that was not the case; I was simply attempting to raise the legitimate concerns of my neighbours and regional constituents. I seek your ruling as to whether or not there was anything inappropriate in my manner in doing so.

The Presiding Officer: Had you behaved outrageously, or if any other Member had behaved in a way that was out of order, I would have tried to deal with it in the ways available to me. You may take it as read that if the occupant of the chair does not draw

lle i ddelio â'r mater hwn ei hun pan gaiff gurfa iawn yn yr etholiad nesaf.

Y Llywydd: Trefn. Yr ydym yn mynd ymhell y tu hwnt i faterion sydd ar fy nghyfer i.

Carl Sargeant: Ymhellach i'r pwynt o drefn hwnnw, ac fel Aelod a etholwyd yn uniongyrchol dros Alun a Glannau Dyfrdwy, carwn glywed eich dyfarniad ynghylch a ddylem delio ag Aelodau rhestr yn yr un modd â'r rhai cyntaf i'r felin, oherwydd y gwahaniaethau rhyngddynt. Gwn eich bod wedi dyfarnu o'r blaen ein bod ni i gyd yn gyfartal, ond pan yw pobl yn llunio rhestrau—fel y gwnâi Adrian Mole yn ei ddyddiadur—o nifer y cwestiynau a gyflwynwyd, mae hynny'n gwneud yr holl broses yn gyff gwawd, a dweud y gwir.

Y Llywydd: Trefn. Yr wyf wedi'i gwneud yn gwbl glir, fel y gwneuthum yn y Cynulliad cyntaf, nad fy lle i, hyd nes y newidir y ddeddfwriaeth sy'n ymwneud â'r dulliau o ethol Aelodau i'r Siambr hon, neu hyd nes y ceir newid cyfansoddiadol clir o ganlyniad i hynny, yw trin Aelodau'n wahanol. Dyna oedd dymuniad y Cynulliad cyntaf, ac ni chlywais ddim o sylwedd yn yr ail Gynulliad sydd wedi fy mherswadio fel arall.

Helen Mary Jones: Pwynt o drefn. Codaf y pwynt o drefn hwn o dan Reol Sefydlog Rhif 7, sy'n ymwneud ag ymddygiad yn y Siambr. Deallaf fod y Trefnydd wedi honni, wrth ymateb i'm sylwadau ar y datganiad busnes, fod fy ymddygiad yn waradwyddus mewn rhyw fodd. Yr wyf yn gwir obeithio nad felly yr oedd; nid oeddwn ond yn ceisio codi pryderon dilys fy nghymdogion ac etholwyr fy rhanbarth. Ceisiaf ddyfarniad gennyh ynghylch a oedd unrhyw beth amhriodol yn y modd y gwneuthum hynny.

Y Llywydd: Pe byddech wedi ymddwyn yn waradwyddus, neu pe byddai unrhyw Aelod arall wedi ymddwyn mewn modd a oedd allan o drefn, byddwn wedi ceisio delio â hynny drwy'r dulliau sydd ar gael i mi. Gallwch gymryd yn ganiataol, os nad yw'r

attention to behaviour that is said to be disorderly, you may carry on.

Mark Isherwood: Point of order. I seek your wisdom and guidance on a statement made by the Minister for Education and Lifelong Learning last week when she accused me of talking garbage. This related to comments that I made regarding the fact that the initial proposed allocation under the national planning and funding system would see a 4 per cent cut in post-16 local education authority budgets across north Wales. I place on record the fact that this figure was calculated on the basis of the proposed allocations under the new system, which are available on the Education and Learning Wales website.

The Presiding Officer: I do not think that there is anything further that I can add to what I said on 21 September when David Davies inquired in a point of order whether the word 'garbage' was courteous language. The Minister responded to that at the time. She has heard your comments and there is nothing further to add.

**Cymeradwyo Rheoliadau Plaleiddiaid (Lefelau Gweddillion Uchaf mewn Cnydau, Bwydydd a Phorthiant) (Cymru a Lloegr) (Diwygio) (Rhif 3) 2004
Approval of the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (England and Wales) (Amendment) (No. 3) Regulations 2004**

Y Llywydd: O dan Reol Sefydlog Rhif 24.25, ni chynhelir dadl ar y cynnig hwn.

The Business Minister (Karen Sinclair): I propose that

the National Assembly for Wales, acting under Standing Order Nos 24.25, 25.13 and 25.14:

1. approves the draft, the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (England and Wales) (Amendment) (No. 3) Regulations 2004, a copy of which was laid in the Table Office and e-mailed to Assembly Members on 21 September 2004; and

cadeirydd yn tynnu sylw at ymddygiad y dywedir ei fod allan o drefn, y cewch fynd yn eich blaen.

Mark Isherwood: Pwynt o drefn. Ceisiaf eich doethineb a'ch cyfarwyddyd ar ddatganiad a wnaeth y Gweinidog dros Addysg a Dysgu Gydol Oes yr wythnos diwethaf pan gyhuddodd fi o siarad sothach. Yr oedd hynny'n ymwneud â sylwadau a wneuthum am y ffaith y byddai'r dyraniad arfaethedig cyntaf o dan y system cynllunio a chyllido genedlaethol yn golygu toriad o 4 y cant yng nghyllidebau awdurdodau lleol ar gyfer addysg ôl-16 ledled y Gogledd. Er mwyn i bawb gael gwybod, cyfrifwyd y ffigur hwn ar sail y dyraniadau arfaethedig o dan y system newydd, sydd i'w gweld ar wefan Dysgu ac Addysgu Cymru.

Y Llywydd: Ni chredaf fod dim y gallaf ei ychwanegu at yr hyn a ddywedais ar 21 Medi pan holodd David Davies mewn pwynt o drefn a oedd y gair 'sothach' yn iaith gwrtais. Ymatebodd y Gweinidog i hynny ar y pryd. Mae wedi clywed eich sylwadau ac nid oes dim pellach i'w ychwanegu.

The Presiding Officer: Under Standing Order No. 24.25, this motion is not subject to debate.

Y Trefnydd (Karen Sinclair): Cynigaf fod

Cynulliad Cenedlaethol Cymru, gan weithredu o dan Reol Sefydlog Rhifau 24.25, 25.13 a 25.14:

1. yn cymeradwyo'r rheoliadau drafft, Rheoliadau Plaleiddiaid (Lefelau Gweddillion Uchaf mewn Cnydau, Bwydydd a Phorthiant) (Cymru a Lloegr) (Diwygio) (Rhif 3) 2004, y gosodwyd copi ohonynt yn y Swyddfa Gyflwyno ac a anfonwyd drwy'r e-bost at Aelodau'r Cynulliad ar 21 Medi 2004; a

2. notes the explanatory memorandum for this Order laid in the Table Office and e-mailed to Assembly Members on 21 September 2004. (NDM2098)

2. yn nodi'r memorandwm esboniadol ar gyfer y Gorchymyn hwn, a osodwyd yn y Swyddfa Gyflwyno ac a anfonwyd drwy'r e-bost at Aelodau'r Cynulliad ar 21 Medi 2004. (NDM2098)

*Cynnig (NDM2098): O blaid 58, Ymatal 0, Yn erbyn 0.
Motion (NDM2098): For 58, Abstain 0, Against 0.*

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

Andrews, Leighton
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
Hart, Edwina
Hutt, Jane
Idris Jones, Denise
Isherwood, Mark
James, Irene
Jones, Alun Ffred
Jones, Ann
Jones, Carwyn
Jones, Elin
Jones, Helen Mary
Jones, Ieuan Wyn
Jones, Laura Anne
Law, Peter
Lewis, Huw
Lloyd, David
Lloyd, Val
Melding, David
Mewies, Sandy
Morgan, Jonathan
Morgan, Rhodri
Neagle, Lynne
Pugh, Alun
Randerson, Jenny
Ryder, Janet
Sargeant, Carl
Sinclair, Karen
Thomas, Catherine
Thomas, Gwenda

Thomas, Owen John
 Thomas, Rhodri Glyn
 Williams, Brynle
 Williams, Kirsty
 Wood, Leanne

*Derbyniwyd y cynnig.
 Motion carried.*

Cymeradwyo Rheoliadau Labelu Bwyd (Diwygio) (Cymru) 2004 Approval of the Food Labelling (Amendment) (Wales) Regulations 2004

Y Llywydd: O dan Reol Sefydlog Rhif 24.25, ni chynhelir dadl ar y cynnig hwn. **The Presiding Officer:** Under Standing Order No. 24.25, this motion is not subject to debate.

The Business Minister (Karen Sinclair) : I propose that **Y Trefnydd (Karen Sinclair):** Cynigiau fod

the National Assembly for Wales, acting under Standing Order No. 24.25: *Cynulliad Cenedlaethol Cymru, gan weithredu o dan Reol Sefydlog Rhif 24.25:*

1) considers the report of the Legislation Committee laid in the Table Office and e-mailed to Assembly Members on 21 September 2004 on the draft Food Labelling (Amendment) (Wales) Regulations 2004; and *1) yn ystyried adroddiad y Pwyllgor Deddfau, a anfonwyd drwy'r e-bost at Aelodau'r Cynulliad ar 21 Medi 2004, mewn perthynas â'r rheoliadau drafft, Rheoliadau Labelu Bwyd (Diwygio) (Cymru) 2004; a*

2) approves that the Food Labelling (Amendment) (Wales) Regulations 2004 are made in accordance with: *2) yn cymeradwyo bod Rheoliadau Labelu Bwyd (Diwygio) (Cymru) 2004 yn cael eu gwneud yn unol ag:*

a) the draft regulations laid in the Table Office on 22 July 2004; *a) y rheoliadau drafft a osodwyd yn y Swyddfa Gyflwyno ar 22 Gorffennaf 2004;*

b) the regulatory appraisal laid in the Table Office on 22 July 2004; and *b) yr arfarniad rheoliadol a osodwyd yn y Swyddfa Gyflwyno ar 22 Gorffennaf 2004; a*

c) the memorandum of corrections laid in the Table Office and e-mailed to Assembly Members on 21 September 2004. (NDM2101) *c) y memorandwm cywiriadau a osodwyd yn y Swyddfa Gyflwyno ac a anfonwyd drwy'r e-bost at Aelodau'r Cynulliad ar 21 Medi 2004. (NDM2101)*

*Cynnig (NDM2101): O blaid 58, Ymatal 0, Yn erbyn 0.
 Motion (NDM2101): For 58, Abstain 0, Against 0.*

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

Andrews, Leighton
 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
Hart, Edwina
Hutt, Jane
Idris Jones, Denise
Isherwood, Mark
James, Irene
Jones, Alun Ffred
Jones, Ann
Jones, Carwyn
Jones, Elin
Jones, Helen Mary
Jones, Ieuan Wyn
Jones, Laura Anne
Law, Peter
Lewis, Huw
Lloyd, David
Lloyd, Val
Melding, David
Mewies, Sandy
Morgan, Jonathan
Morgan, Rhodri
Neagle, Lynne
Pugh, Alun
Randerson, Jenny
Ryder, Janet
Sargeant, Carl
Sinclair, Karen
Thomas, Catherine
Thomas, Gwenda
Thomas, Owen John
Thomas, Rhodri Glyn
Williams, Brynle
Williams, Kirsty
Wood, Leanne

*Derbyniwyd y cynnig.
Motion carried.*

**Cymeradwyo Deddf Ymddygiad Gwrthgymdeithasol 2003 (Cychwyn Rhif 2 ac
Arbedion) (Cymru) 2004**
**Approval of the Anti-social Behaviour Act 2003 (Commencement No. 2 and
Savings) (Wales) Order 2004**

Y Llywydd: Yr wyf wedi dethol gwelliant 1 i
NDM2099 yn enw Kirsty Williams.

The Presiding Officer: I have selected
amendment 1 to NDM2099 in the name of
Kirsty Williams.

The Minister for Social Justice and Y Gweinidog dros Gyfiawnder

Regeneration (Edwina Hart): I propose that

the National Assembly for Wales considers the principle of the Anti-social Behaviour Act 2003 (Commencement No.2 and Savings) (Wales) Order 2004, a copy of which was laid in the Table Office on 22 July 2004. (NDM2099)

I propose that

the National Assembly for Wales:

1. considers the report of the Legislation Committee laid in the Table Office and e-mailed to Assembly Members on 21 September 2004 in relation to the draft regulations, the Anti-social Behaviour Act 2003 (Commencement No.2 and Savings) (Wales) Order 2004; and

2. approves that the Anti-social Behaviour Act 2003 (Commencement No.2 and Savings) (Wales) Order 2004 is made in accordance with:

a) the draft Order laid in the Table Office on 22 July 2004; and

b) the memorandum of correction laid in the Table Office and e-mailed to Assembly Members on 21 September 2004. (NDM2100)

The Anti-social Behaviour Act received Royal Assent in November 2003. The housing provisions of the Act will give social landlords in Wales more tools to deal proactively with the various forms of anti-social behaviour that can cause misery and disruption within our communities. Among other things, this commencement Order gives us the power to make regulations in respect of tenancy demotion, which allows social landlords faced with anti-social tenants to take court action to secure a demoted tenancy. These are similar to introductory tenancies in that they can be brought to an end without the landlord having to prove grounds for possession. However, a balance must be struck. I believe that social landlords must consider this issue in the context of wider social inclusion and the anti-homelessness agenda. If landlords' responses

Cymdeithasol ac Adfywio (Edwina Hart):
Cynigiad fod

Cynulliad Cenedlaethol Cymru yn ystyried egwyddor Gorchymyn Deddf Ymddygiad Gwrthgymdeithasol 2003 (Cychwyn Rhif 2 ac Arbed) (Cymru) 2004, y gosodwyd copi ohono yn y Swyddfa Gyflwyno ar 22 Gorffennaf 2004. (NDM2099)

Cynigiad fod

Cynulliad Cenedlaethol Cymru:

1. yn ystyried adroddiad y Pwyllgor Deddfau, a osodwyd yn y Swyddfa Gyflwyno ac a anfonwyd drwy'r e-bost at Aelodau'r Cynulliad ar 21 Medi 2004, mewn perthynas â'r gorchymyn drafft, Gorchymyn Deddf Ymddygiad Gwrthgymdeithasol 2003 (Cychwyn Rhif 2 ac Arbed) (Cymru) 2004; a

2. yn cymeradwyo bod Gorchymyn Deddf Ymddygiad Gwrthgymdeithasol 2003 (Cychwyn Rhif 2 ac Arbed) (Cymru) 2004 yn cael ei wneud yn unol ag:

a) y Gorchymyn drafft a osodwyd yn y Swyddfa Gyflwyno ar 22 Gorffennaf 2004; a

b) y memorandwm cywiriadau a osodwyd yn y Swyddfa Gyflwyno ac a anfonwyd drwy'r e-bost at Aelodau'r Cynulliad ar 21 Medi 2004. (NDM2100)

Rhoddyd Cydsyniad Brenhinol i Ddeddf Ymddygiad Gwrthgymdeithasol ym mis Tachwedd 2003. Bydd y darpariaethau sydd yn y Ddeddf ar gyfer tai yn rhoi ychwaneg o ddulliau i landlordiaid cymdeithasol yng Nghymru gael delio'n rhagweithiol â'r gwahanol fathau o ymddygiad gwrthgymdeithasol a all beri gofid ac aflonyddwch yn ein cymunedau. Ymysg pethau eraill, mae'r Gorchymyn cychwyn hwn yn rhoi pŵer inni wneud rheoliadau mewn cysylltiad ag israddio tenantiaeth, sy'n caniatáu i landlordiaid cymdeithasol sy'n wynebu tenantiaid gwrthgymdeithasol gymryd camau drwy'r llys i sicrhau tenantiaeth isradd. Mae'r rhain yn debyg i denantiaethau rhagarweiniol gan y gellir eu dirwyn i ben heb i'r landlord orfod dangos y rhesymau dros feddiannu. Serch hynny, rhaid dal y ddsogl yn wastad. Credaf fod rhaid i

to anti-social behaviour rely too heavily on particular remedies, there is a danger that those who cause anti-social behaviour will simply be displaced, or switch their activities to other locations. Therefore, that is not a long-term solution.

Members should bear in mind that this is not just a housing issue. Social landlords are part of a wider community, and will share the problems and challenges of that community. As a result, multi-agency working is vital to successful strategies to prevent and combat anti-social behaviour and to make our communities safe and secure places to live.

Our position on anti-social behaviour is reflected in the draft guidance for social landlords, which we have recently issued for consultation, on the policies and procedures that they must have in place to deal with this issue. The guidance will be issued in final form, and other housing provisions of the Anti-social Behaviour Act 2003 will be commenced separately, in early 2005. It is a challenge, but one that I feel is enhanced by the increased powers afforded to social landlords by the Act.

Turning to the Liberal Democrats' amendment, the Order commences section 14 only so far as it gives the National Assembly the power to make regulations. The substantive power will be commenced separately, along with the relevant regulations, in spring 2005. The regulations will govern how local authorities and housing associations may use demotion orders, and will set out a procedure for a review of an authority's subsequent decision to seek a possession order, in line with arrangements already in place for introductory tenancies. A commitment has been made to refer the regulations to the Social Justice and Regeneration Committee before presenting them to Plenary, because I am aware that

landlordiaid cymdeithasol ystyried y mater hwn yng nghyd-destun cynhwysiant cymdeithasol yn gyffredinol a'r agenda yn erbyn digartrefedd. Os yw ymatebion landlordiaid i ymddygiad gwrthgymdeithasol yn dibynnu'n ormodol ar rai rhwymedïau, mae perygl na fydd y rhai sy'n peri ymddygiad gwrthgymdeithasol ond yn cael eu symud, neu'n mynd i fannau eraill i gyflawni eu gweithgareddau. Felly, nid yw'n ateb tymor hir.

Dylai Aelodau gofio nad mater sy'n ymwneud â thai'n unig yw hwn. Mae landlordiaid cymdeithasol yn rhan o gymuned ehangach, a byddant yn rhannu problemau a heriau'r gymuned honno. O ganlyniad, mae gwaith amlasiantaethol yn hollbwysig i sicrhau llwyddiant strategaethau i atal a gwrthweithio ymddygiad gwrthgymdeithasol a pheri i'n cymunedau fod yn lleoedd diogel i fyw.

Gwelir ein safbwynt ar ymddygiad gwrthgymdeithasol yn y canllawiau drafft i landlordiaid cymdeithasol, a gyhoeddassom yn ddiweddar ar gyfer ymgynghori, ar y polisiau a'r gweithdrefnau y mae'n rhaid iddynt eu rhoi ar waith i ddelio â'r mater hwn. Cyhoeddir y canllawiau ar ffurf derfynol, a bydd y darpariaethau eraill ar gyfer tai yn Neddf Ymddygiad Gwrthgymdeithasol 2003 yn cael eu cychwyn ar wahân, ar ddechrau 2005. Mae'n her, ond teimlaf fod y pwerau helaethach a roddir i landlordiaid cymdeithasol drwy'r Ddeddf yn rhoi hwb i'w hwynebu.

Gan droi at welliant y Democratiaid Rhyddfrydol, nid yw'r Gorchymyn ond yn cychwyn adran 14 i'r graddau y mae'n rhoi pŵer i'r Cynulliad Cenedlaethol wneud rheoliadau. Cychwynnir y prif bŵer ar wahân, ynghyd â'r rheoliadau perthnasol, yng ngwanwyn 2005. Bydd y rheoliadau'n llywodraethu'r modd y gall awdurdodau lleol a chymdeithasau tai ddefnyddio gorchmynion israddio, a byddant yn nodi gweithdrefn ar gyfer adolygu penderfyniad gan awdurdod wedyn i geisio gorchymyn ildio meddiant, yn unol â threfniadau sydd eisoes ar waith ar gyfer tenantiaethau rhagarweiniol. Ymrwymwyd i gyfeirio'r rheoliadau i'r Pwyllgor Cyfiawnder Cymdeithasol ac Adfywio cyn eu cyflwyno i'r Cyfarfod

members of the committee are concerned that the regulations should be properly introduced in Wales so that they solve, rather than exacerbate, the problems that they are meant to address.

Peter Black: I propose amendment 1 to NDM2099 in the name of Kirsty Williams. Add as new points at the end of the motion:

is concerned that in the hands of a landlord who wishes to be unscrupulous a demotion order could effectively be an eviction order;

that there is virtually nothing to prevent a landlord from moving from a demotion order straight to eviction;

calls on the Assembly Government to ensure that in the drafting of the relevant secondary legislation that such fast-track eviction would not be possible without a right to appeal.

I welcome the Minister's comments on demoted tenancies. This issue was raised when we first considered the Anti-social Behaviour Act 2003. Committee members from all parties were concerned about the way in which demotion orders would be enacted and the problems that they could cause for tenants. I welcome the Minister's description of the context of a social landlord's wider duty to the community and the problems that relying solely on eviction can create for the community and for those trying to tackle anti-social behaviour.

As the Minister said, further regulations on this aspect will be brought to committee and Plenary. However, amendment 1 was tabled in order to put down a marker in terms of this power. We feel strongly that if we are to go down the road of demoted tenancies, tenants must be allowed proper right of appeal. They must also have a certain degree of protection, so that tenants placed on a demoted tenancy because of the anti-social behaviour of one member of their family are not further penalised as a result of another issue and evicted in circumstances that would not normally lead to eviction. For example, a couple may be placed on a demoted tenancy due to the anti-social behaviour of their

Llawn, gan y gwn ei bod yn bwysig gan aelodau'r pwyllgor fod y rheoliadau'n cael eu cyflwyno'n iawn yng Nghymru fel y byddant yn datrys, yn hytrach nag yn gwaethygu, y problemau y maent i fod i ymdrin â hwy.

Peter Black: Cynigiau welliant 1 i NDM2099 yn enw Kirsty Williams. Ychwanegu pwyntiau newydd ar ddiwedd y cynnig:

yn pryderu y gallai gorchymyn israddio fod yn orchymyn troi allan i bob pwrpas, yn nwylo landlord sy'n dymuno gweithredu mewn ffordd ddiogwyddor;

nad oes bron ddim i rwystro landlord rhag symud o orchymyn israddio yn syth i droi pobl allan;

yn galw ar Lywodraeth y Cynulliad i sicrhau, wrth ddrafftio'r is-ddeddfwriaeth berthnasol, na fyddai troi allan cyflym o'r fath yn bosibl heb yr hawl i apelio.

Croesawaf sylwadau'r Gweinidog ar denantiaethau isradd. Codwyd y mater hwn pan ystyriasom Ddeddf Ymddygiad Gwrthgymdeithasol 2003 gyntaf. Yr oedd aelodau pwyllgor o bob plaid yn pryderu ynghylch y modd y rhoddid gorchymynion israddio ar waith a'r problemau y gallent eu hachosi i denantiaid. Croesawaf ddisgrifiad y Gweinidog o gyd-destun dyletswydd ehangach y landlord cymdeithasol at y gymuned a'r problemau a all ddod i ran y gymuned a'r rhai sy'n ceisio delio ag ymddygiad gwrthgymdeithasol o ddibynnu'n gyfan gwbl ar droi allan.

Fel y dywedodd y Gweinidog, deuir â rheoliadau pellach ar yr agwedd hon i'r pwyllgor a'r Cyfarfod Llawn. Fodd bynnag, cyflwynwyd gwelliant 1 er mwyn nodi terfyn o ran defnyddio'r pŵer hwn. Teimlwn yn gryf, os ydym i wneud defnydd o denantiaethau isradd, fod rhaid rhoi hawl briodol i apelio i denantiaid. Rhaid iddynt hefyd gael rhywfaint o amddiffyniad, fel na fydd tenantiaid a roddir ar denantiaeth isradd oherwydd ymddygiad gwrthgymdeithasol un aelod o'u teulu'n cael eu cosbi ymhellach o ganlyniad i fater arall ac yn cael eu troi allan o dan amgylchiadau na fyddent fel arfer yn arwain at eu troi allan. Er enghraifft, gellid rhoi dau gymar ar denantiaeth isradd

unruly teenaged child. If the child then leaves home and the couple's circumstances change, perhaps as a result of unemployment and subsequent arrears, the demoted tenancy means that set procedures usually followed to try to resolve the issue would not apply and the couple could be evicted immediately. Therefore, the system must have checks and balances in order to ensure that it is not abused.

We must bear in mind that a tenant evicted as a result of anti-social behaviour becomes a problem for someone else, by ending up renting a private property and creating problems in another community. Therefore, this effectively moves the problem from one community to the next. It is important that we have regard to the Welsh Assembly Government policies already in place and to the reports on tackling anti-social behaviour, so that we resolve the problem and do not pass it on to other people.

Jeff Cuthbert: I will concentrate on an incident in Aberbargoed in my constituency. The incident illustrates well the growing problem of anti-social behaviour and why I consider this Order to be a good thing. I sent an e-mail to the Minister a while ago, which said:

3.30 p.m.

'In Aberbargoed, in my constituency, a family consisting of a young woman, her two children and her partner has been placed in a council flat. Their flat is directly above the ground floor flat of an elderly and infirm single woman. This elderly woman has lived in her flat for more than forty years.

'The young family living upstairs is particularly disruptive. They play loud music and are constantly shouting, arguing and generally behaving badly.... Often, they have "visitors" who behave equally poorly. The children are uncontrolled and other local residents fear for the welfare of the two children.

oherwydd ymddygiad gwrthgymdeithasol plentyn afreolus iddynt sydd yn ei ardddegau. Os bydd y plentyn wedyn yn gadael cartref ac amgylchiadau'r ddau gymar yn newid, o ganlyniad i ddiweithdra efallai, ac ôl-ddyledion sy'n dilyn hynny, oherwydd y denantiaeth isradd, ni fyddai gweithdrefnau penodol a ddilynid fel arfer i geisio datrys y mater yn cael eu rhoi ar waith a gellid troi'r ddau gymar allan ar unwaith. Felly, rhaid cael rhwystrau a gwrthbwysau yn y system i sicrhau na chaiff ei chamddefnyddio.

Rhaid inni gofio y bydd tenant a gaiff ei droi allan o ganlyniad i ymddygiad gwrthgymdeithasol yn dod yn broblem i rywun arall, drwy rentu eiddo preifat yn y diwedd a chreu problemau mewn cymuned arall. Gan hynny, mae hyn i bob pwrpas yn golygu symud y broblem o un gymuned i'r nesaf. Mae'n bwysig inni dalu sylw i'r polisïau sydd ar waith eisoes gan Lywodraeth Cynulliad Cymru ac i'r adroddiadau ar ddelio ag ymddygiad gwrthgymdeithasol, fel y byddwn yn datrys y broblem yn hytrach na'i throsglwyddo i bobl eraill.

Jeff Cuthbert: Canolbwyntiaf ar ddigwyddiad yn Aberbargod yn fy etholaeth. Mae'r digwyddiad hwn yn dangos yn glir fod problem ymddygiad gwrthgymdeithasol ar gynydd a pham y barnaf fod y Gorchymyn hwn yn beth da. Anfonais neges drwy'r e-bost at y Gweinidog ychydig yn ôl, a'i geiriau oedd:

Yn Aberbargod, yn fy etholaeth, mae teulu o un fenyw, ei dau blentyn a'i chymar wedi'i roi mewn fflat cyngor. Mae eu fflat yn union uwchben fflat menyw sengl oedrannus ac eiddil ar y llawr gwaelod. Bu'r fenyw oedrannus hon yn byw yn ei fflat am fwy na 40 mlynedd.

Mae'r teulu ifanc sy'n byw i fyny'r grisïau'n arbennig o aflonyddol. Maent yn chwarae cerddoriaeth uchel ac maent yn gweiddi, yn ffraeo ac yn camymddwyn yn gyffredinol drwy'r amser.... Yn aml, daw 'ymwelwyr' atynt sy'n camymddwyn i'r un graddau. Nid oes rheolaeth ar y plant ac mae trigolion lleol eraill yn poeni ynghylch lles y ddau blentyn.

'All relevant agencies (including the Police) are aware of the situation. They are monitoring the situation but nothing happens. The life of the elderly lady downstairs is made a constant misery.

Mae'r holl asiantaethau perthnasol (gan gynnwys yr heddlu) yn gwybod am y sefyllfa. Maent yn cadw golwg ar y sefyllfa ond nid oes dim yn digwydd. Perir gofid yn barhaus i'r fenyw oedrannus sy'n byw i lawr y grisiau.

'Furthermore, it appears that the problems associated with this family were known about by the council *before* they were moved into the upstairs flat, yet they were placed in a flat that was directly above the flat of an elderly and vulnerable lady who had lived there for a long time....

Ar ben hynny, ymddengys fod y problemau a oedd yn gysylltiedig â'r teulu hwn yn hysbys i'r cyngor *cyn* ei symud i'r fflat i fyny'r grisiau, ac eto fe'i rhoddwyd mewn fflat a oedd yn union uwchben fflat menyw oedrannus ac eiddil a oedd yn byw yno ers amser maith...

'I fully appreciate that people need housing. I also understand the obligations on Councils to house people. However, it seems to me that Councils should give greater attention to the likely disruptive effects on other residents when they know that there are particular problems with the people whom they want to house. I can sympathise with the concerned local working-class residents who try to hang on to decent values and complain to me that the rules and regulations provide help for the problem families but ignore their right to quiet enjoyment.

Yr wyf yn deall yn iawn bod angen tai ar bobl. Yr wyf hefyd yn deall y rhwymedigaethau sydd gan gynghorau i gartrefu pobl. Fodd bynnag, ymddengys i mi y dylai cynghorau roi mwy o sylw i'r aflonyddu tebygol ar drigolion eraill pan wyddant fod problemau penodol mewn cysylltiad â'r rhai y dymunant eu cartrefu. Gallaf gydymdeimlo â'r trigolion dosbarth gweithiol pryderus sy'n ceisio dal eu gafael mewn gwerthoedd gweddus ac yn cwyno wrthyf fod y rheolau a'r rheoliadau'n helpu'r teuluoedd problemus ond yn diystyru eu hawl hwy i gael mwynhad tawel.

'Surely, there must be a better balance.'

Mae'n rhaid bod gwell cydbwysedd i'w gael.

I believe that what we have before us today in terms of this Order will help to provide that better balance, and I commend it to Members.

Credaf y bydd yr hyn sydd ger ein bron heddiw yng nghyd-destun y Gorchymyn hwn yn helpu i gael gwell cydbwysedd o'r fath, ac fe'i cymeradwyaf i Aelodau.

Leanne Wood: Members will be aware that I have previously raised concerns around the thrust of the anti-social behaviour legislation. I am not prepared to outline those arguments in depth again today. Plaid Cymru accepts that anti-social behaviour causes major problems to some people and in some communities. However, we believe that people engage in anti-social behaviour for a variety of reasons. A zero-tolerance approach, particularly policies which simply move people with problematic behaviour to different areas, is not the way to solve those problems. We believe in tackling the causes of crime, and this legislation does not attempt to address the causes of crime.

Leanne Wood: Gŵyr Aelodau fy mod wedi mynegi pryderon o'r blaen ynghylch pwyslais y ddeddfwriaeth ar ymddygiad gwrthgymdeithasol. Nid wyf yn barod i ddisgrifio'r dadleuon hynny'n fanwl eto heddiw. Mae Plaid Cymru'n derbyn bod ymddygiad gwrthgymdeithasol yn peri problemau mawr i rai pobl ac mewn rhai cymunedau. Er hynny, credwn fod pobl yn ymddwyn yn wrthgymdeithasol am amryw o resymau. Nid yw dull dim goddefgarwch, yn enwedig polisïau nad ydynt ond yn symud rhai sy'n ymddwyn yn broblemus i ardaloedd gwahanol, yn fodd i ddatrys y problemau hynny. Credwn y dylid delio ag achosion troseddu, ac nid yw'r ddeddfwriaeth hon yn ceisio ymdrin ag achosion troseddu.

David Davies: Has it ever occurred to you that rather than moving these people away, we need to punish them? Ordinary working people are suffering as a result of the actions of an irresponsible minority, and, on this issue, we should be prepared to support the Government because what it is suggesting is at least a step forward in the right direction. It is not much of a step—I would prefer to see more action—but it is better than no action at all.

Leanne Wood: I agree that this causes problems for many people. However, we need to act on evidence-based research on what works. Moving people about and punishing them, as you call it, does not work. It increases the amount of homeless people on the streets and moves the problem into other communities.

We will support the amendment tabled by the Liberal Democrats, as it fits in with the spirit of what I have said. I believe that the thrust of this legislation is a right-wing approach to crime, as David Davies outlined in his support. As a socialist, I cannot support it.

Brian Gibbons: When Leanne Wood returns to her constituency with that message, it will help to explain why Leighton Andrews is likely to continue to be the Assembly Member for Rhondda, instead of Leanne. There is a concern with this piece of legislation, however, as it only deals with a limited number of tenancies. It deals with local authorities, registered social landlords and housing action trusts. There is no mention in this legislation—that I could see—of private landlords and the options open to them to address anti-social behaviour by their tenants. Anti-social behaviour exists in the private rented sector as well as in the social rented sector. It is a real problem in many communities. Sometimes, unscrupulous landlords buy up low-cost housing and place anti-social tenants in those properties without any consideration of the right to a peaceful life that Jeff Cuthbert so eloquently explained. However, while there are unscrupulous profiteering landlords who house anti-social tenants, there are also many private sector landlords who wish their tenants to behave in a socially responsible

David Davies: A ydych erioed wedi meddwl bod angen inni gosbi'r bobl hyn, yn hytrach na'u symud i ffwrdd? Mae gweithwyr cyffredin yn dioddef o ganlyniad i weithredoedd lleiafrif anghyfrifol, ac, ar y mater hwn, dylem fod yn barod i gefnogi'r Llywodraeth gan fod yr hyn y mae'n ei awgrymu'n gam ymlaen o leiaf. Nid yw'n fawr o gam—byddai'n well gennyf weld mwy o weithredu—ond mae'n well na pheidio â gweithredu o gwbl.

Leanne Wood: Cytunaf fod hyn yn achosi problemau i lawer o bobl. Fodd bynnag, rhaid inni weithredu ar sail tystiolaeth o ymchwil i'r hyn sy'n llwyddo. Nid yw symud pobl o gwmpas a'u cosbi, eich chwedl chi, yn llwyddo. Mae'n peri y bydd mwy o bobl ddigartref ar y strydoedd ac mae'n symud y broblem i gymunedau eraill.

Cefnogwn y gwelliant a gyflwynwyd gan Democratiaid Rhyddfrydol, gan ei fod yn gydnaws â'r hyn a ddywedais. Credaf fod y pwyslais yn y ddeddfwriaeth hon ar ddull asgell dde o ymdrin â throsedd, fel y nododd David Davies yn ei gefnogaeth iddi. Fel sosialydd, ni allaf ei chefnogi.

Brian Gibbons: Pan aiff Leanne Wood yn ôl i'w hetholaeth gyda'r neges honno, bydd yn helpu i egluro pam y mae Leighton Andrews yn debygol o barhau'n Aelod Cynulliad dros Rhondda, yn hytrach na Leanne. Mae pryder ynghylch y ddeddfwriaeth hon, fodd bynnag, gan nad yw ond yn ymwneud â nifer cyfyngedig o denantiaethau. Mae'n ymwneud ag awdurdodau lleol, landlordiaid cymdeithasol cofrestredig ac ymddiriedolaethau gweithredu tai. Nid oes unrhyw sôn yn y ddeddfwriaeth hon—y gallwn i ei weld—am landlordiaid preifat a'r dewisiadau sydd ar gael iddynt hwy i ymdrin ag ymddygiad gwrthgymdeithasol gan eu tenantiaid. Ceir ymddygiad gwrthgymdeithasol yn y sector rhentu preifat yn ogystal â'r sector rhentu cymdeithasol. Mae problem wirioneddol mewn sawl cymuned. Weithiau, bydd landlordiaid diegwyddor yn prynu tai isel eu cost ac yn rhoi tenantiaid gwrthgymdeithasol yn y tai hynny heb unrhyw ystyriaeth o gwbl i'r hawl i gael bywyd tawel a eglurodd Jeff Cuthbert mor huawdl. Fodd bynnag, er y ceir landlordiaid budrelwol diegwyddor sy'n

way. There is a limited range of options open to them, however, to address the anti-social behaviour of their tenants.

My reading of the Act is that there is no way that the Assembly can use the powers outlined in this commencement Order to assist landlords in the private sector who wish to deal with the anti-social behaviour of their tenants. Could the Minister confirm whether or not that is the case? If there are no powers to deal with private sector problems, would the Minister make further representations on this matter to get the legislation enhanced?

I understand the point of view outlined in the Liberal Democrats' amendment, as this legislation could be exploited by ruthless landlords. However, I hope that the fact that it is necessary to go to court to get a demotion order will be some protection against exploitation. Perhaps further protection is needed, but the failure to address the issue of private sector tenants and anti-social behaviour in the private sector is an omission that we should, hopefully, be able to deal with.

William Graham: Minister, you will know that we have dealt with many of the points raised this afternoon in committee. The Welsh Conservatives welcome this constructive measure, which will go some way towards dealing with some of the problems that all Members, however we are elected, are clear about.

Would the Minister also outline that, before this legislation was introduced, when possession orders were granted, they were usually suspended, which provided an excellent opportunity for tried and tested methods of support to be given once again to those people who really needed it? Would you also make representations to ensure that adequate funds are made available for training housing officers? That will go some way towards addressing some of the problems that we have heard about this afternoon, which so commonly appear in our

cartrefu tenantiaid gwrthgymdeithasol, ceir llawer o landlordiaid yn y sector preifat hefyd sy'n dymuno i'w tenantiaid ymddwyn yn gymdeithasol gyfrifol. Ychydig o ddewisiadau sydd ar gael iddynt hwy, serch hynny, i ddelio ag ymddygiad gwrthgymdeithasol eu tenantiaid.

Yn ôl fy nehongliad i o'r Ddeddf, nid oes unrhyw fodd i'r Cynulliad ddefnyddio'r pwerau a nodir yn y Gorchymyn cychwyn hwn i helpu landlordiaid yn y sector preifat sy'n dymuno delio ag ymddygiad gwrthgymdeithasol eu tenantiaid. A all y Gweinidog gadarhau ai felly y mae ai peidio? Os nad oes unrhyw bwerau i ddelio â phroblemau yn y sector preifat, a wnaiff y Gweinidog gyflwyno sylwadau pellach ar y mater hwn i wella'r ddeddfwriaeth?

Deallaf y safbwynt a nodir yng ngwelliant y Democratiaid Rhyddfrydol, gan y gallai landlordiaid didostur gamddefnyddio'r ddeddfwriaeth hon. Fodd bynnag, gobeithiaf y bydd y rheidrwydd i fynd i'r llys i gael gorchymyn israddio'n cynnig rhyw fath o amddiffyniad rhag ei chamddefnyddio. Efallai fod angen amddiffyniad pellach, ond mae'r methiant i ymdrin â mater ymddygiad gwrthgymdeithasol ymysg tenantiaid y sector preifat yn rhywbeth y gallem ddelio ag ef, gobeithio.

William Graham: Weinidog, gwyddoch ein bod wedi ymdrin eisoes â sawl pwynt a godwyd y prynhawn yma yn y pwyllgor. Mae Ceidwadwyr Cymru'n croesawu'r mesur adeiladol hwn, a fydd yn cyfrannu i ryw raddau at ddelio â rhai o'r problemau y mae'r holl Aelodau, ym mha fodd bynnag y'n hetholwyd, yn eu deall.

A wnaiff y Gweinidog nodi hefyd fod gorchymynion ildio meddiant, pan roddid hwy cyn cyflwyno'r ddeddfwriaeth hon, yn cael eu gohirio fel arfer a bod hynny'n cynnig cyfle gwych i roi cymorth drwy ddulliau profedig i'r rhai yr oedd arnynt ei wir angen? A wnewch gyflwyno sylwadau hefyd i sicrhau bod cyllid digonol ar gael i hyfforddi swyddogion tai? Bydd hynny'n cyfrannu i ryw raddau at ddelio â rhai o'r problemau y clywsom amdanynt y prynhawn yma sy'n gyffredin iawn yn y llythyrau a gawn oddi wrth ein hetholwyr.

constituency postbags.

I also make a plea with regard to registered social landlords to whom this applies. In some cases, in order to meet their targets, they have used their funds to buy properties whose capital value was exceeded by the legal costs. That should have acted as a warning from the beginning, but it did not. Therefore, time has passed and tenants living in those properties are living in dwelling houses that are expensive to maintain, which has contributed to further social problems. Would the Minister also take that into account?

Finally, I make the same point as Dr Gibbons: I am sure that many private landlords would be delighted if this legislation were brought in. However, the two-month notice period in the current Housing Act 1996 is often far too long where there is a very disruptive tenant.

Mark Isherwood: I endorse my colleague's comments. My experience, like that of many Members, is of a growing caseload of people coming to us with claims of anti-social behaviour from neighbours. Those people live in social housing, and on social housing estates where they have bought a property, as well as in areas where houses are exclusively privately owned. It can be a universal problem and, therefore, we need a universal approach to address it.

I am mindful of the 12 years that I spent on the board of a housing association, where these issues arose regularly. We would always bend over backwards to avoid taking legal action and to seek solutions through counselling and support. It was always a last resort and, speaking as a former building society area manager, our approach was always one of providing support, advice and counselling rather than taking someone away from his or her property. However, in Wales, and in the UK as a whole, this is a growing problem that causes a great deal of concern, anxiety and worse for the many people who come to us all. There has to be a panoply of solutions available to those people and to the legal and public agencies involved in tackling

Gwnaf apel hefyd mewn cysylltiad â'r landlordiaid cymdeithasol cofrestredig y mae hyn yn berthnasol iddynt. Mewn rhai achosion, er mwyn cyrraedd eu targedau, maent wedi defnyddio'u cyllid i brynu tai yr oedd y costau cyfreithiol ar eu cyfer yn fwy na'u gwerth fel cyfalaf. Dylai hynny fod wedi seinio rhybudd, ond ni wnaeth. Felly, mae amser wedi mynd heibio ac mae'r tenantiaid yn y tai hynny'n byw bellach mewn anheddau sy'n ddud i'w cynnal a'u cadw, ac mae hynny wedi cyfrannu at broblemau cymdeithasol pellach. A wnaiff y Gweinidog ystyried hynny hefyd?

Yn olaf, gwnaf yr un pwynt ag a wnaeth Dr Gibbons: yr wyf yn siŵr y byddai llawer o landlordiaid preifat wrth eu bodd pe cyflwynid y ddeddfwriaeth hon. Fodd bynnag, mae'r cyfnod rhybudd o ddau fis yn y Ddeddf Tai 1996 bresennol yn rhy hir o lawer yn aml os oes tenant aflonyddol iawn.

Mark Isherwood: Ategaf sylwadau fy nghyd-Aelod. Yn fy mhrofiad i, a sawl Aelod arall, mae mwyfwy o achosion o rai sy'n dod atom gan honni bod eu cymdogion yn ymddwyn yn wrthgymdeithasol. Mae'r bobl hynny'n byw mewn tai cymdeithasol, ac ar ystadau tai cymdeithasol lle y maent wedi prynu tŷ, yn ogystal ag mewn ardaloedd lle y mae'r holl dai mewn perchnogaeth breifat. Gall fod yn broblem gyffredinol ac, felly, mae arnom angen dull cyffredinol i ymdrin ag ef.

Cofiaf am y 12 mlynedd a dreuliais ar fwrdd cymdeithas dai, lle'r oedd y materion hyn yn codi'n rheolaidd. Byddem bob amser yn gwneud ein gorau glas i beidio â chymryd camau cyfreithiol ac yn ceisio atebion drwy gynghori a chymorth. At hynny y troid olaf bob amser ac, a minnau'n siarad fel un a fu'n rheolwr ardal i gymdeithas adeiladu, ein dull o ymdrin â hyn bob amser oedd cynnig cymorth, cyngor a chynghori yn hytrach na mynd â thŷ rhywun oddi arno. Fodd bynnag, yng Nghymru, ac yn y DU gyfan, mae hyn yn broblem gynyddol sy'n peri llawer iawn o bryder, gofid a gwaeth na hynny i lawer o bobl, a ddaw atom ni i gyd. Rhaid cynnig dewis eang o atebion i'r bobl hynny ac i'r asiantaethau cyfreithiol a chyhoeddus sy'n

this.

These solutions must be universal; it is no good simply saying that it is up to local authorities or individual housing associations how they progress this. I will not name the authority, but a police officer speaking to my wife over the weekend complained about one north Wales authority that was failing to take action on these issues even when the local police officers were encouraging it to do so. Therefore, we must adopt a consistent and universal approach.

3.40 p.m.

Overall, the direction of this proposal is positive, but we must remember the interests of all the people concerned. In addition, if somebody is evicted, a support structure must be in place to help them, so that where they are able and willing to be rehabilitated and overcome the social, economic, and, often, the solvent abuse, problems that they are suffering, they have the opportunity to become a useful member of society again.

The Minister for Social Justice and Regeneration (Edwina Hart): I will reply to the comments that deal with the commencement Order. However, on anti-social behaviour, the assumption is made that it only occurs in sink estates or in certain areas. Anti-social behaviour occurs everywhere across society—one could call the invasion of the Secretary of State for Wales's house by hunting enthusiasts anti-social behaviour.

I will address the comments on the amendment. I understand the spirit of it, but it is not appropriate to accept it at this juncture, as I will be having further discussions on the regulations in committee, and Members will have the opportunity to adopt the points of the amendment at that stage. I have guaranteed that there will be a full discussion in committee and a debate in the Chamber. William's points about supporting people are certainly relevant, which is particularly important when we talk about evictions. There is an issue around moving problems

gysylltiedig â'r gwaith o fynd i'r afael â hyn.

Rhaid i'r atebion hyn fod yn rhai cyffredinol; nid yw'n werth dweud mai mater i'r awdurdodau lleol neu'r cymdeithasau tai eu hunain yw eu dull o hyrwyddo hyn. Nid enwaf yr awdurdod dan sylw, ond cwynodd heddwys a fu'n siarad â'm gwraig dros y penwythnos am un awdurdod yn y Gogledd a oedd yn methu â chymryd camau ynghylch y materion hyn hyd yn oed pan oedd yr heddwysion lleol yn ei annog i wneud hynny. Felly, rhaid inni fabwysiadu dull gweithredu cyson a chyffredinol.

At ei gilydd, mae pwyslais y cynnig hwn yn un cadarnhaol, ond rhaid inni gofio am fuddiannau pawb sy'n gysylltiedig. Yn ogystal â hynny, os caiff rhywun ei droi allan, rhaid cael fframwaith i'w gynorthwyo, fel y caiff gyfle, os yw'n abl ac yn barod i gael ei ailsefydlu ac i ddatrys y problemau cymdeithasol ac economaidd sydd ganddo, a rhai sy'n ymwneud â chamdefnyddio toddyddion hefyd mewn sawl achos, i ddod yn aelod defnyddiol o gymdeithas unwaith eto.

Y Gweinidog dros Gyfiawnder Cymdeithasol ac Adfywio (Edwina Hart): Ymatebaf i'r sylwadau sy'n ymwneud â'r Gorchymyn cychwyn. Fodd bynnag, ynghylch ymddygiad gwrthgymdeithasol, cymerir nad yw ond yn digwydd ar ystadau diffygiol neu mewn rhai ardaloedd. Ceir ymddygiad gwrthgymdeithasol ym mhob rhan o gymdeithas—gellid galw'r gwrthio i dŷ Ysgrifennydd Gwladol Cymru gan selogion hela yn ymddygiad gwrthgymdeithasol.

Ymdriniaf â'r sylwadau am y gwelliant. Yr wyf yn deall ei ysbryd, ond ni fyddai'n briodol ei dderbyn ar hyn o bryd, gan y byddaf yn cael trafodaethau pellach ar y rheoliadau yn y pwyllgor, a chaiff Aelodau gyfle i ddadlau dros y pwyntiau yn y gwelliant bryd hynny. Rhoddais sicrwydd y bydd trafodaeth lawn yn y pwyllgor a dadl yn y Siambr. Mae'r pwyntiau a wnaeth William am gynorthwyo pobl yn berthnasol, yn sicr, ac mae hynny'n arbennig o bwysig wrth sôn am droi pobl allan. Mae mater yn codi ynghylch symud problemau ymlaen. Mae'n

on. It is important that that is not the only solution. We must recognise that we must support some individuals. They do not indulge in anti-social behaviour because they want to cause mayhem. There are probably reasons behind their behaviour, and we must tackle those underlying reasons and provide support. William's other point about training housing officers and others to understand people's needs is also important. That only currently applies to registered social landlords.

We can all appreciate that anti-social behaviour causes problems for those individuals who must live cheek by jowl with it. Hopefully, when these regulations come into force, they will help to deal with that, but we must remember that we are only dealing with the symptom, and not the disease. The regulations must be part of a comprehensive package that deals with individuals' problems and which intervenes at a much earlier stage. I ask Members to oppose the amendment, as it is not appropriate at this stage, and ask you to support the motions.

bwysig nad hwnnw fydd yr unig ateb. Rhaid inni gydnabod bod angen inni gynorthwyo rhai unigolion. Nid ydynt yn ymroi i ymddygiad gwrthgymdeithasol am eu bod yn dymuno achosi anhrefn. Mae rhesymau dros eu hymddygiad, yn ôl pob tebyg, a rhaid inni ymdrin â'r rhesymau sylfaenol hynny a rhoi cymorth. Mae'r pwynt arall a wnaeth William ynghylch hyfforddi swyddogion tai ac eraill i ddeall anghenion pobl yn bwysig hefyd. Nid yw hynny ond yn berthnasol i landlordiaid cymdeithasol cofrestredig ar hyn o bryd.

Gallwn oll ddeall bod ymddygiad gwrthgymdeithasol yn peri problemau i'r bobl hynny sy'n gorfod byw ochr yn ochr ag ef. Pan ddaw'r rheoliadau hyn i rym, yr wyf yn gobeithio y byddant o gymorth i ddelio â hynny, ond rhaid inni gofio nad ydym ond yn ymdrin â'r symptom, ac nid â'r clefyd ei hun. Rhaid i'r rheoliadau fod yn rhan o becyn cynhwysfawr sy'n delio â phroblemau'r unigolion hynny ac yn ymyrryd yn gynharach o lawer. Gofynnaf i Aelodau wrthod y gwelliant, gan nad yw'n briodol ar hyn o bryd, a gofynnaf ichi gefnogi'r cynigion.

*Gwelliant 1: O blaid 17, Ymatal 0, Yn erbyn 41.
Amendment 1: For 17, Abstain 0, Against 41.*

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

Bates, Mick
Black, Peter
Burnham, Eleanor
Davies, Janet
Davies, Jocelyn
German, Michael
Jones, Alun Ffred
Jones, Elin
Jones, Helen Mary
Jones, Ieuan Wyn
Lloyd, David
Randerson, Jenny
Ryder, Janet
Thomas, Owen John
Thomas, Rhodri Glyn
Williams, Kirsty
Wood, Leanne

Pleidleisiodd yr Aelodau canlynol yn erbyn:
The following Members voted against:

Andrews, Leighton
Barrett, Lorraine
Bourne, Nick
Butler, Rosemary
Cairns, Alun
Chapman, Christine
Cuthbert, Jeff
Davidson, Jane
Davies, Andrew
Davies, David
Davies, Glyn
Dunwoody-Kneafsey, Tamsin
Essex, Sue
Francis, Lisa
Gibbons, Brian
Graham, William
Gregory, Janice
Griffiths, John
Gwyther, Christine
Hart, Edwina
Hutt, Jane
Idris Jones, Denise
Isherwood, Mark
James, Irene
Jones, Ann
Jones, Carwyn

Jones, Laura Anne
 Law, Peter
 Lewis, Huw
 Lloyd, Val
 Melding, David
 Mewies, Sandy
 Morgan, Jonathan
 Morgan, Rhodri
 Neagle, Lynne
 Pugh, Alun
 Sargeant, Carl
 Sinclair, Karen
 Thomas, Catherine
 Thomas, Gwenda
 Williams, Brynle

*Gwrthodwyd y gwelliant.
 Amendment defeated.*

*Cynnig (NDM2099): O blaid 47, Ymatal 0, Yn erbyn 11.
 Motion (NDM2099): For 47, Abstain 0, Against 11.*

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

Andrews, Leighton
 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
 Dunwoody-Kneafsey, Tamsin
 Essex, Sue
 Francis, Lisa
 German, Michael
 Gibbons, Brian
 Graham, William
 Gregory, Janice
 Griffiths, John
 Gwyther, Christine
 Hart, Edwina
 Hutt, Jane
 Idris Jones, Denise
 Isherwood, Mark
 James, Irene
 Jones, Ann
 Jones, Carwyn
 Jones, Laura Anne
 Law, Peter
 Lewis, Huw
 Lloyd, Val
 Melding, David
 Mewies, Sandy
 Morgan, Jonathan
 Morgan, Rhodri
 Neagle, Lynne
 Pugh, Alun
 Randerson, Jenny

Pleidleisiodd yr Aelodau canlynol yn erbyn:
 The following Members voted against:

Davies, Janet
 Davies, Jocelyn
 Jones, Alun Ffred
 Jones, Elin
 Jones, Helen Mary
 Jones, Ieuan Wyn
 Lloyd, David
 Ryder, Janet
 Thomas, Owen John
 Thomas, Rhodri Glyn
 Wood, Leanne

Sargeant, Carl
Sinclair, Karen
Thomas, Catherine
Thomas, Gwenda
Williams, Brynle
Williams, Kirsty

*Derbyniwyd y cynnig.
Motion carried.*

*Cynnig (NDM2100): O blaid 46, Ymatal 0, Yn erbyn 11.
Motion (NDM2100): For 46, Abstain 0, Against 11.*

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

Andrews, Leighton
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
Dunwoody-Kneafsey, Tamsin
Essex, Sue
Francis, Lisa
German, Michael
Gibbons, Brian
Graham, William
Gregory, Janice
Griffiths, John
Gwyther, Christine
Hart, Edwina
Hutt, Jane
Idris Jones, Denise
James, Irene
Jones, Ann
Jones, Carwyn
Jones, Laura Anne
Law, Peter
Lewis, Huw
Lloyd, Val
Melding, David
Mewies, Sandy
Morgan, Jonathan
Morgan, Rhodri
Neagle, Lynne
Pugh, Alun
Randerson, Jenny
Sargeant, Carl
Sinclair, Karen
Thomas, Catherine
Thomas, Gwenda
Williams, Brynle
Williams, Kirsty

Pleidleisiodd yr Aelodau canlynol yn erbyn:
The following Members voted against:

Davies, Janet
Davies, Jocelyn
Jones, Alun Ffred
Jones, Elin
Jones, Helen Mary
Jones, Ieuan Wyn
Lloyd, David
Ryder, Janet
Thomas, Owen John
Thomas, Rhodri Glyn
Wood, Leanne

*Derbyniwyd y cynnig.
Motion carried.*

Cymeradwyo Rheoliadau Awdurdodau Lleol (Lwfansau i Aelodau Awdurdodau Tân) (Cymru) 2004 o dan Reol Sefydlog Rhif 24.27 (iv)
Approval of the Local Authorities (Allowances for Members of Fire Authorities) (Wales) Regulations 2004 under Standing Order No. 24.27 (iv)

The Finance Minister (Sue Essex): I propose that

the National Assembly for Wales considers the principle of the Local Authorities (Allowances for Members of Fire Authorities) (Wales) Regulations 2004, a copy of which was laid in the Table Office and e-mailed to Assembly Members on 21 September 2004. (NDM2094)

I propose that

the National Assembly for Wales approves that the Local Authorities (Allowances for Members of Fire Authorities) (Wales) Regulations 2004 is made in accordance with the draft laid in the Table Office and e-mailed to Assembly Members on 21 September 2004. (NDM2095)

The purpose of the motion is for the Assembly to make regulations requiring Wales's three fire authorities to make schemes for the payment of allowances to their members. The maximum allowances that fire authorities can pay their members are set out in the regulations: all fire authority members will receive a basic allowance of £1,002 per year, and the chair and vice chair will receive additional special responsibility allowances of £9,108 and £7,000 respectively. All allowance amounts refer to the maximum and fire authorities can pay their members less, if they wish to do so. Currently, members of fire authorities do not receive a separate allowance for their service on fire authorities—that service is covered by the allowances that councillors receive for their roles as county and county borough councillors. The Fire and Rescue Services Act 2004, which is likely to be commenced in Wales later this year, will result in fire authority members taking on additional responsibilities for the allocation and deployment of resources, developing policies based on local risk assessments, and for the actions required in the event of a terrorist

Y Gweinidog Cyllid (Sue Essex): Cynigïaf fod

Cynulliad Cenedlaethol Cymru yn ystyried egwyddor Rheoliadau Awdurdodau Lleol (Lwfansau i Aelodau Awdurdodau Tân) (Cymru) 2004, y gosodwyd copi ohonynt yn y Swyddfa Gyflwyno ac a anfonwyd drwy'r e-bost at Aelodau'r Cynulliad ar 21 Medi 2004. (NDM2094)

Cynigïaf fod

Cynulliad Cenedlaethol Cymru yn cymeradwyo bod Rheoliadau Awdurdodau Lleol (Lwfansau i Aelodau Awdurdodau Tân) (Cymru) 2004 yn cael eu gwneud yn unol â'r drafft a osodwyd yn y Swyddfa Gyflwyno ac a anfonwyd drwy'r e-bost at Aelodau'r Cynulliad ar 21 Medi 2004. (NDM2095)

Pwrpas y cynnig yw galluogi'r Cynulliad i wneud rheoliadau i fynnu y bydd y tri awdurdod tân yng Nghymru'n gwneud cynlluniau ar gyfer talu lwfansau i'w haelodau. Nodir y lwfansau mwyaf y gall awdurdodau tân eu talu i'w haelodau yn y rheoliadau: bydd pob aelod o awdurdod tân yn cael lwfans sylfaenol o £1,002 y flwyddyn, a bydd y cadeirydd a'r isgadeirydd yn cael lwfansau ychwanegol ar gyfer cyfrifoldeb arbennig o £9,108 a £7,000 yn y drefn honno. Mae holl symiau'r lwfansau'n cyfeirio at y mwyaf y gellir ei dalu a gall awdurdodau tân dalu llai i'w haelodau os dymunant. Ar hyn o bryd, nid yw aelodau awdurdodau tân yn cael lwfans ar wahân am eu gwasanaeth mewn awdurdodau tân—darperir ar gyfer y gwasanaeth hwnnw yn y lwfansau a gaiff cynghorwyr ar gyfer eu rolau fel cynghorwyr sir a bwrdeistref sirol. Bydd Deddf Gwasanaethau Tân ac Achub 2004, sy'n debygol o gael ei chychwyn yng Nghymru'n ddiweddarach eleni, yn peri y bydd aelodau awdurdod tân yn ymgymryd â chyfrifoldebau ychwanegol dros ddyrannu a defnyddio adnoddau, dros ddatblygu polisïau sy'n seiliedig ar asesiadau risg lleol, a thros y

attack. It is only fair that these additional responsibilities be reflected in fire authority members' remunerations.

The regulations have been made using the executive procedure and will come into effect tomorrow, 29 September. I regret the delay in bringing forward these regulations—equivalent regulations in England came into effect in June 2003, but resource constraints meant that it was not possible for us to match that timetable. It was my hope that the regulations could have been made last June, and they were discussed in committee at the beginning of the year. The delay is due to the detailed consideration of representations that I received following the committee's discussion on whether the allowances could be backdated and on the entitlements to special responsibility allowances. Following careful examination of legal advice, it was established that it was not possible for the regulations to have a retrospective effect. However, although I still have concerns about a fire authority chair or vice chair who is also an executive member or board member of their county council receiving a special responsibility allowance from the fire authority, I recognise that this argument does not apply uniquely to fire authorities. Therefore, I have decided that the right way to return to this issue would be in a wider consultation about how allowances are determined. In the meantime, the draft regulations have been altered to bring them in line with the regulations relating to national parks and police authorities.

The Presiding Officer: As no-one wishes to speak to these motions, we will move straight to a vote.

camau sy'n ofynnol os ceir ymosodiad gan derfysgwyr. Nid yw ond yn deg adlewyrchu'r cyfrifoldebau ychwanegol hyn yn y taliadau i aelodau awdurdod tân.

Gwnaed y rheoliadau hyn drwy ddefnyddio'r weithdrefn weithredol a deuant i rym yfory, 29 Medi. Mae'n ofid i mi fod oedi wedi bod cyn dwyn y rheoliadau hyn gerbron—daeth rheoliadau cyfatebol yn Lloegr i rym ym mis Mehefin 2003, ond oherwydd cyfyngiadau ar adnoddau, ni fu'n bosibl inni ddilyn yr un amserlen. Yr oeddwn wedi gobeithio y gallasid gwneud y rheoliadau fis Mehefin diwethaf, ac fe'u trafodwyd yn y pwyllgor ar ddechrau'r flwyddyn. Mae'r oedi'n ganlyniad i'r ystyriaeth fanwl a roddais i sylwadau a gyflwynwyd i mi ar ôl y drafodaeth yn y pwyllgor ynghylch a ellid ôl-ddyddio'r lwfansau ac ar yr hawl i gael lwfansau ar gyfer cyfrifoldeb arbennig. Ar ôl ystyried cyngor cyfreithiol yn fanwl, profwyd nad oedd modd i'r rheoliadau gael effaith ôl-weithredol. Serch hynny, er bod gennyf bryderon o hyd ynghylch cael cadeirydd neu is-gadeirydd ar awdurdod tân sydd hefyd yn aelod gweithredol neu'n aelod o fwrdd ei gyngor sir a fydd yn cael lwfans ar gyfer cyfrifoldeb arbennig oddi wrth yr awdurdod tân, yr wyf yn cydnabod nad yw'r ddadl hon yn berthnasol i awdurodau tân yn unig. Gan hynny, yr wyf wedi penderfynu mai'r modd priodol i ailystyried y mater hwn fyddai drwy ymgynghori'n ehangach ynghylch y dull o bennu lwfansau. Yn y cyfamser, mae'r rheoliadau drafft wedi'u newid i'w cysoni â'r rheoliadau sy'n ymwneud â pharciau cenedlaethol ac awdurdodau heddlu.

Y Llywydd: Gan nad oes neb yn dymuno siarad ar destun y cynigion hyn, awn yn syth ymlaen i gael pleidlais.

Cynnig (NDM2094): O blaid 54, Ymatal 0, Yn erbyn 0.

Motion (NDM2094): For 54, Abstain 0, Against 0.

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

Andrews, Leighton
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
Dunwoody-Kneafsey, Tamsin
Essex, Sue
Francis, Lisa
German, Michael
Gibbons, Brian
Graham, William
Gregory, Janice
Griffiths, John
Gwyther, Christine
Hart, Edwina
Hutt, Jane
Idris Jones, Denise
Isherwood, Mark
James, Irene
Jones, Ann
Jones, Carwyn
Jones, Elin
Jones, Helen Mary
Jones, Ieuan Wyn
Jones, Laura Anne
Law, Peter
Lewis, Huw
Lloyd, David
Lloyd, Val
Melding, David
Mewies, Sandy
Morgan, Jonathan
Morgan, Rhodri
Neagle, Lynne
Pugh, Alun
Randerson, Jenny
Ryder, Janet
Sargeant, Carl
Sinclair, Karen
Thomas, Catherine
Thomas, Gwenda
Thomas, Owen John
Thomas, Rhodri Glyn
Williams, Brynle
Wood, Leanne

*Derbyniwyd y cynnig.
Motion carried.*

*Cynnig (NDM2095): O blaid 55, Ymatal 0, Yn erbyn 0.
Motion (NDM2095): For 55, Abstain 0, Against 0.*

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

Andrews, Leighton
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
 Dunwoody-Kneafsey, Tamsin
 Essex, Sue
 Francis, Lisa
 German, Michael
 Gibbons, Brian
 Graham, William
 Gregory, Janice
 Griffiths, John
 Gwyther, Christine
 Hart, Edwina
 Hutt, Jane
 Idris Jones, Denise
 Isherwood, Mark
 James, Irene
 Jones, Ann
 Jones, Carwyn
 Jones, Elin
 Jones, Helen Mary
 Jones, Ieuan Wyn
 Jones, Laura Anne
 Law, Peter
 Lewis, Huw
 Lloyd, David
 Lloyd, Val
 Melding, David
 Mewies, Sandy
 Morgan, Jonathan
 Morgan, Rhodri
 Neagle, Lynne
 Pugh, Alun
 Randerson, Jenny
 Ryder, Janet
 Sargeant, Carl
 Sinclair, Karen
 Thomas, Catherine
 Thomas, Gwenda
 Thomas, Owen John
 Thomas, Rhodri Glyn
 Williams, Brynle
 Williams, Kirsty
 Wood, Leanne

*Derbyniwyd y cynnig.
 Motion carried.*

Rhoi Awdurdod i Bwyllgor y Tŷ ddod yn Gyfrifol am yr Adeilad Newydd pan fo hynny'n Briodol
Authorisation of the House Committee to take Responsibility for the New Building at an Appropriate Stage

The Deputy Presiding Officer (John Y Dirprwy Lywydd (John Marek):
Marek): I propose Cynigiad fod

under Standing Order No. 18.2 (iv), that the Assembly agrees that the House Committee may commit such of its resources to the new Assembly building as it thinks fit, and that the House Committee may take responsibility for the completed building at such time as it so

o dan Reol Sefydlog Rhif 18.2(iv) bod y Cynulliad yn cytuno y gall Pwyllgor y Tŷ roi faint bynnag o'i adnoddau i adeilad newydd y Cynulliad ag y mae'n ystyried sy'n briodol, a bod Pwyllgor y Tŷ yn cael ysgwyddo'r cyfrifoldeb am yr adeilad gorffenedig pan

decides. (NDM2104)

The building is there and thus it is not a question of what the parties may or may not have done had the situation been different. The facts are that it is there, and it will be completed in about a year's time. The principle of the separation of powers has been accepted, and it is therefore right that, at an appropriate time, the House Committee should take responsibility for the building. Before it does, I can promise Members that we will ensure that it is free of debt and that there are no unforeseen problems or pitfalls with the building when the House Committee takes over. I am sure that that will be the case and that there will be no problems. I urge Members to support this motion.

3.50 p.m.

William Graham: With regard to that splendid undertaking by the Deputy Presiding Officer, I am sure that the Welsh Conservatives can do nothing other than vote for the motion. [ASSEMBLY MEMBERS: 'Oh.']

fydd yn dewis gwneud hynny. (NDM2104)

Mae'r adeilad yn bod ac felly nid yw'n fater o beth a wnaethai neu na wnaethai'r pleidiau pe buasai'r sefyllfa'n wahanol. Y ffeithiau yw ei fod yn bod, ac y caiff ei gwblhau ymhen tua blwyddyn. Derbyniwyd yr egwyddor o wahanu pwerau, ac mae'n iawn felly, ar yr adeg briodol, y dylai Pwyllgor y Tŷ ymgymryd â chyfrifoldeb dros yr adeilad. Cyn iddo wneud hynny, gallaf addo i Aelodau y sicrhawn y bydd yn rhydd o ddyled ac na fydd unrhyw broblemau neu ddiffygion nas rhagwelwyd mewn cysylltiad â'r adeilad pan fydd Pwyllgor y Tŷ yn ei gymryd drosodd. Yr wyf yn siŵr mai felly y bydd ac na fydd problemau. Anogaf Aelodau i gefnogi'r cynnig hwn.

William Graham: Gyda golwg ar yr ymgymriad rhagorol hwnnw gan y Dirprwy Lywydd, yr wyf yn siŵr na all Ceidwadwyr Cymru wneud dim heblaw pleidleisio o blaid y cynnig. [AELODAU'R CYNULLIAD: 'O.']

*Cynnig (NDM2104): O blaid 54, Ymatal 0, Yn erbyn 0.
Motion (NDM2104): For 54, Abstain 0, Against 0.*

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

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

James, Irene
 Jones, Ann
 Jones, Carwyn
 Jones, Elin
 Jones, Helen Mary
 Jones, Ieuan Wyn
 Jones, Laura Anne
 Law, Peter
 Lewis, Huw
 Lloyd, David
 Lloyd, Val
 Melding, David
 Mewies, Sandy
 Morgan, Jonathan
 Morgan, Rhodri
 Neagle, Lynne
 Pugh, Alun
 Randerson, Jenny
 Ryder, Janet
 Sargeant, Carl
 Sinclair, Karen
 Thomas, Catherine
 Thomas, Gwenda
 Thomas, Owen John
 Thomas, Rhodri Glyn
 Williams, Brynle
 Williams, Kirsty
 Wood, Leanne

*Derbyniwyd y cynnig.
 Motion carried.*

Cymeradwyo Cyllideb Gwasanaeth Seneddol y Cynulliad Approval of the Budget of the Assembly Parliamentary Service

The Deputy Presiding Officer (John Y Dirprwy Lywydd (John Marek):
Marek): I propose that Cynigiau fod

that the National Assembly, acting under Standing Order No. 21.1, adopts the budget for the Assembly Parliamentary Service for 2005-06 and indicative allocations for the subsequent two years as set out in the table entitled 'Assembly Parliamentary Service Budget for 2005-06 and Indicative Budget for 2006-07 and 2007-08' laid in the Table Office and e-mailed to Members on 21 September 2004. (NDM2096)

Cynulliad Cenedlaethol, gan weithredu o dan Reol Sefydlog Rhif 21.1, yn mabwysiadu'r gyllideb ar gyfer Gwasanaeth Seneddol y Cynulliad ar gyfer 2005-06 a'r dyraniadau dangosol ar gyfer y ddwy flynedd ganlynol, fel y'u nodwyd yn y tabl a elwir yn 'Cyllideb Gwasanaeth Seneddol y Cynulliad ar gyfer 2005-06 a'r Gyllideb Ddangosol ar gyfer 2006-07 a 2007-08', a osodwyd yn y Swyddfa Gyflwyno ac a anfonwyd drwy'r e-bost at yr holl Aelodau ar 21 Medi 2004. (NDM2096)

The overall budget proposes to include an allowance for inflation and changes to pension and national insurance provision of 5 per cent in common with other budgets across the Assembly. There is also a further allowance to reflect the provision of additional services. These additional costs of just under £1 million had previously been absorbed in savings, as the Assembly Parliamentary Service suffered from high

Mae'n fwriad i'r gyllideb gyffredinol gynnwys lwfans ar gyfer chwyddiant a newidiadau i'r ddarpariaeth ar gyfer pensiynau ac yswiriant gwladol o 5 y cant yn yr un modd â chyllidebau eraill yn y Cynulliad. Darperir ymhellach hefyd ar gyfer cynnig gwasanaethau ychwanegol. Yr oedd y costau ychwanegol hyn o ychydig llai nag £1 filiwn wedi'u cynnwys o'r blaen ar ffurf arbedion, gan fod nifer mawr o swyddi gwag

staff turnover and a high degree of vacancies, which has been alleviated considerably in the last 18 months.

The estimated costs of running and securing the new Chamber building are an additional call on the budget, which the House Committee will review after operational experience and make savings where it can. We have made some provision on salaries and allowances in advance of the forthcoming senior salaries review board review. We will need to bring the review back for a further motion in Plenary when the review has been published and considered by the House Committee. The budget also includes an additional provision of about £160,000 to allow for the new verbatim record of committees, which will start in April 2005. I trust that the other items in the table are clear and self explanatory, but I am happy to answer Members' questions, if they have any. I urge Members to support the motion.

Y Llywydd: Cyn imi alw pleidlais, manteisiad ar y cyfle prin hwn i ddiolch i holl swyddogion Gwasanaeth Seneddol y Cynulliad sydd yn ein gwasanaethu mor drylwyr ac sydd yn dod ag anrhydedd inni fel y byddent i unrhyw senedd.

a throsiant uchel ymysg staff Gwasanaeth Seneddol y Cynulliad, sydd wedi'i liniaru'n sylweddol yn y 18 mis diwethaf.

Mae'r costau amcanol o redeg a diogelu adeilad y Siambr newydd yn alwad ychwanegol ar y gyllideb, y bydd Pwyllgor y Tŷ yn ei hadolygu ar ôl cael profiad o'i redeg ac yn gwneud arbedion lle y bo modd. Gwnaethom rywfaent o ddarpariaeth ar gyfer cyflogau a lwfansau cyn yr adolygiad gan fwrdd adolygu cyflogau uwch swyddogion a gynhelir cyn hir. Bydd yn rhaid inni ddwyn yr adolygiad gerbron y Cyfarfod Llawn ar gyfer cynnig pellach ar ôl cyhoeddi'r adolygiad ac wedi i Bwyllgor y Tŷ ei ystyried. Mae'r gyllideb hefyd yn cynnwys darpariaeth ychwanegol o tua £160,000 ar gyfer y cofnod gair am air o bwyllgorau, a fydd yn dechrau ym mis Ebrill 2005. Hyderaf fod yr eitemau eraill yn y tabl yn glir ac yn hunaneglurhaol, ond byddaf yn falch o ateb unrhyw gwestiynau gan Aelodau. Anogaf Aelodau i gefnogi'r cynnig.

The Presiding Officer: Before I call the vote, I would like to take this rare opportunity to thank all Assembly Parliamentary Service officials who serve us so thoroughly and who bring honour to us as they would to any parliament.

*Cynnig (NDM2096): O blaid 55, Ymatal 0, Yn erbyn 0.
Motion (NDM2096): For 55, Abstain 0, Against 0.*

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

Andrews, Leighton
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
Dunwoody-Kneafsey, Tamsin
Essex, Sue
Francis, Lisa
German, Michael
Gibbons, Brian
Graham, William
Gregory, Janice

Griffiths, John
 Gwyther, Christine
 Hart, Edwina
 Hutt, Jane
 Idris Jones, Denise
 Isherwood, Mark
 James, Irene
 Jones, Ann
 Jones, Carwyn
 Jones, Elin
 Jones, Helen Mary
 Jones, Ieuan Wyn
 Jones, Laura Anne
 Law, Peter
 Lewis, Huw
 Lloyd, David
 Lloyd, Val
 Melding, David
 Mewies, Sandy
 Morgan, Jonathan
 Morgan, Rhodri
 Neagle, Lynne
 Pugh, Alun
 Randerson, Jenny
 Ryder, Janet
 Sargeant, Carl
 Sinclair, Karen
 Thomas, Catherine
 Thomas, Gwenda
 Thomas, Owen John
 Thomas, Rhodri Glyn
 Williams, Brynle
 Williams, Kirsty
 Wood, Leanne

*Derbyniwyd y cynnig.
 Motion carried.*

Dadl Plaid Leiafrifol (Plaid Cymru) Minority Party Debate (Plaid Cymru)

Gwasanaeth Deintyddol y GIG NHS Dentistry

Y Llywydd: Cyn imi alw Rhodri Glyn Thomas ar gyfer y ddadl hon, atgoffaf Aelodau y bydd rheolau arferol dadl y blaid leiafrifol yn weithredol, sef bod gan y blaid sydd yn cynnal y ddadl—yn yr achos hwn, Plaid Cymru—The Party of Wales—15 munud i agor a chau'r ddadl, fod gan y sawl sydd yn cynnig gwelliannau bum munud yr un a bod wyth munud i'r Llywodraeth ymateb. Byddaf, o'r Gadair, yn ffafrio Aelodau'r blaid sydd wedi cynnig y ddadl. Oherwydd y rheolau hyn a'r nifer o Aelodau sydd am siarad, yr wyf wedi gosod cyfyngiad amser o dri munud ar bob siaradwr, ar wahân i'r rhai a nodais.

The Presiding Officer: Before I call Rhodri Glyn Thomas to open this debate, I remind Members that the usual rules governing minority party debates apply, namely that the party proposing the debate—in this case, Plaid Cymru—The Party of Wales—has 15 minutes in which to open and close the debate, that those moving amendments have five minutes each and that the Government has eight minutes in which to respond. I will, from the Chair, favour Members from the party that has proposed the debate. Given these rules and the number of Members who wish to speak, I have set a time limit of three minutes on every speaker, with the exception of those whom I have mentioned.

Yr wyf wedi dethol gwelliant 1 yn enw Karen Sinclair.

I have selected amendment 1 in the name of Karen Sinclair.

Rhodri Glyn Thomas: Cynigiaf fod

Rhodri Glyn Thomas: I propose that

Cynulliad Cenedlaethol Cymru yn gresynu at yr argyfwng presennol yng ngwasanaeth deintyddol y GIG. (NDM2102)

the National Assembly for Wales deplores the current crisis in NHS dentistry. (NDM2102)

Wrth ddwyn y cynnig hwn gerbron, ein bwriad oedd tynnu sylw at yr argyfwng o ran gwasanaeth deintyddol y gwasanaeth iechyd gwladol yng Nghymru. Mae'n ffaith gydnabyddedig bod argyfwng. Mae'r cynnig hwn yn codi o gyfarfod a gefais i a Dr Dai Lloyd gyda nifer o ddeintyddion sydd yn poeni am y gwasanaeth a'i ddyfodol. Yn ddiweddar, cynhaliodd y *Daily Post* arolwg o'r sefyllfa yn y Gogledd a bu iddo ganfod mai dim ond pum meddygfa deintyddol yn y Gogledd sydd yn derbyn cleifion newydd o dan y gwasanaeth iechyd gwladol erbyn hyn. Mae meddygfa newydd wedi agor yn Llangollen, ond dim ond pump o feddygfeydd deintyddol felly sydd drwy Ogledd Cymru i gyd, sydd yn dangos pa mor bell y mae pobl yn gorfod teithio er mwyn cael mynediad i ddeintydd o dan y GIG.

In tabling this motion, our intention was to highlight the crisis in the national health dental service in Wales. The existence of this crisis is a recognised fact. This motion arises from a meeting that Dr Dai Lloyd and I had with several dentists who are concerned about the service and its future. The *Daily Post* recently conducted a survey of the situation in north Wales and discovered that only five dental surgeries in north Wales currently accept new NHS patients. A new surgery has opened in Llangollen, but there are only five such dental surgeries throughout the whole of north Wales, which shows just how far people have to travel to see an NHS dentist.

Dywedodd dyn o Gaernarfon wrthyf mai'r ateb a gafodd pan roddodd ganiad i'r gwasanaeth brys, a dweud ei fod yn dod o Gaernarfon ac yn chwilio am ddeintydd yn y GIG oedd, 'Ydy Caernarfon yn agos i Rydaman?' Yr oedd yn rhaid iddo esbonio bod cryn bellter rhwng Caernarfon a Rhydaman ac y byddai rhaid teithio ar hyd arfordir gogledd-orllewin Cymru i gyd er mwyn cyrraedd yno. Yn yr ardaloedd gwledig hynny y mae'r problemau mwyaf; mae'n eithriadol anodd i unrhyw un gael gwasanaeth o dan y GIG yno.

A man from Caernarfon told me that he rang the emergency service and that, on telling the operator that he was in Caernarfon and seeking an NHS dentist, was asked, 'Is Caernarfon close to Ammanford?'. He had to explain that there was a considerable distance between Caernarfon and Ammanford, and that he would have to travel along the whole north-west Wales coast to get there. It is in those rural areas that the greatest problems lie; it is exceptionally difficult for anybody to receive an NHS service there.

Felly, yr oeddem yn tybio y byddai pawb yn derbyn bod argyfwng, ond mae'n ymddangos nad yw Llywodraeth Cymru yn derbyn hynny, gan ei bod wedi dewis dileu'r cyferiad at argyfwng o'r cynnig hwn. Felly, gallaf ond tybio bod y Gweinidog yn bwriadu codi a dweud wrthym nad oes argyfwng yng Nghymru.

Therefore, we assumed that everybody would accept that there is a crisis, but it appears that the Government of Wales does not accept that, as it has deleted the reference to a crisis from this motion. Therefore, I can only assume that the Minister intends to stand up and tell us that there is no crisis in Wales.

Pe baech yn mesur faint o ddeintyddion sydd yng Nghymru i bob 1,000 o bobl, Weinidog, byddech yn darganfod, er mwyn inni fod yn

If you were to measure the number of dentists available in Wales per 1,000 people, Minister, you would discover that, in order to be in the

yr un sefyllfa â Gwlad Pwyl—a gwn nad ydych yn hoff o gymariaethau—byddai angen 292 deintydd ychwanegol. Dyna faint y broblem sydd yn ein hwynebu. Os nad yw hynny'n argyfwng, ni wn beth yw argyfwng.

Bu i Sefydliad Joseph Rowntree ddweud wrthym fod plant pum mlwydd oed yng Nghymru, ar gyfartaledd, yn colli, neu angen gwaith ar, ddwywaith cymaint o ddannedd na phlant 5 mlwydd oed yng nghanolbarth neu dde-ddwyrain Lloegr. Os nad yw hynny'n argyfwng, nid wyf yn siŵr beth yw argyfwng.

Bydd y sefyllfa yn gwaethygu oherwydd dywed Cymdeithas Ddeintyddol Prydain yng Nghymru wrthym y bydd tua 60 y cant o ddeintyddion sydd yn gweithredu ar hyn o bryd naill ai am dynnu allan o'r gwasanaeth iechyd gwladol neu'n ymddeol o ddeintyddia. Dyna faint y broblem, ac eto ymddengys, o ddarllen eich gwelliant, Weinidog, nad ydych yn credu bod y sefyllfa yn argyfyngus.

*Daeth y Dirprwy Lywydd i'r Gadair am 4 p.m.
The Deputy Presiding Officer took the Chair at 4 p.m.*

Cyfeiriwch yn eich gwelliant at rai o'r pethau y mae'r Llywodraeth wedi eu gwneud; soniwch am fenter ddeintyddol Cymru. Dywedaf eto beth mae Cymdeithas Ddeintyddol Prydain yng Nghymru yn ei ddweud am y fenter honno. Cred y gall yr arian hwnnw gael ei wario yn llawer mwy effeithiol i greu mwy o amser ar gyfer y gwasanaeth iechyd gwladol yng Nghymru. Hynny yw, nid yw'r fenter hon yn llwyddo fel y byddwch, mae'n debyg, yn honni ei bod. Pa warant y gallwch ei roi y prynhawn yma y bydd pobl sy'n sefydlu meddygfeydd ddeintyddol dan y fenter hon yn parhau o fewn y GIG? Onid y gwir yw y byddant ymhen dim amser, fel cynifer o ddeintyddion eraill yng Nghymru, yn gadael y GIG er mwyn sefydlu meddygfeydd preifat oherwydd na allant gael y gydnabyddiaeth ariannol ac na allant gynnig y gwasanaeth y maent am ei gynnig o dan y GIG? Hyd nes yr ewch i'r afael â'r broblem honno, bydd y sefyllfa'n aros fel ag y mae, os nad yn gwaethygu. Yr ydych wedi cydnabod hynny mewn ateb ysgrifenedig, Weinidog, drwy ddweud na fu gwelliant o ran y gwasanaeth ddeintyddol dan y GIG yn eich cyfnod chi yn Weinidog.

same position as Poland—and I know that you are not fond of comparisons—you would need an additional 292 dentists. That is the scale of the problem facing us. If that is not a crisis, I do not know what is.

The Joseph Rowntree Foundation told us that, on average, five-year-olds in Wales lose, or need work on, twice as many teeth as five-year-olds in the Midlands or in south-east England. If that is not a crisis, I do not know what is.

The situation will deteriorate because the British Dental Association in Wales tells us that around 60 per cent of dentists currently working will either withdraw from the NHS or will retire from dentistry. That is the scale of the problem, and yet it seems, reading your amendment, Minister, that you do not believe that the situation is critical.

You refer in your amendment to some of the things that the Government has done; you mention the Welsh dental initiative. I repeat what the British Dental Association in Wales says about that initiative. It believes that that funding could be spent far more effectively on ensuring more time for the national health service in Wales. In other words, this initiative is not succeeding, as I am sure you will claim it is. What guarantee can you give us this afternoon that those establishing dental practices under this initiative will continue to work within the NHS? Is it not the case that they will, within a short period of time, like so many other dentists in Wales, leave the NHS in order to establish private practices because they cannot receive the financial remuneration and are not able to offer the service that they wish to offer under the NHS? Until you tackle that problem, the situation will remain as it is now, if not worsen. You have acknowledged that in a written answer, Minister, by saying that there has been no improvement in NHS dental services during your tenure as Minister.

Gallai pob Aelod Cynulliad eich cyfeirio at y math o broblemau sydd yn codi yn eu hardaloedd, Weinidog. Pan agorodd deintyddfa newydd yn nhref Caerfyrddin, arhosodd 600 o bobl mewn ciw ar y stryd fawr yn y glaw i cofrestru gyda'r ddeintyddfa honno—dim ond 300 ohonynt a gafodd y cyfle i fynd ar y rhestr.

Fe'ch cyfeiriaf at sefyllfaoedd eraill yn fy etholaeth. Yr oedd deintyddfa Brynteg yn Rhydaman yn cynnig gwasanaeth dan y GIG, ond daeth hynny i ben. Cynghorwyd dau o'm hetholwyr, a oedd yn 70 mlwydd oed, i fynd i ddeintyddfa arall. Yr oeddynt eisoes yn gorfod teithio 22 milltir er mwyn cyrraedd y ddeintyddfa hon. Caeodd y ddeintyddfa yn Cross Hands. Cynghorwyd un arall o'm hetholwyr y byddai angen iddo deithio dros 50 milltir i dderbyn gwasanaeth o dan y GIG. Mae'r etholwr hwn yn anabl; sut mewn difrif calon y disgwylwch iddo deithio yr holl filltiroedd hynny er mwyn derbyn gwasanaeth?

Derbyniwn fod rhai pethau'n digwydd. Wrth sôn am y GIG yn ei gyfanrwydd yn ystod cwestiynau, nododd y Prif Weinidog ambell beth yr oedd ei Lywodraeth wedi ei gyflawni, fel pe bai'n rhyfeddu eich bod wedi cyflawni unrhyw beth o gwbl mewn pum mlynedd. Mae rhai pethau wedi digwydd, wrth gwrs. Fodd bynnag, y gwir amdani yw ein bod yn dal i wynebu argyfwng yn y gwasanaeth deintyddol dan y GIG yng Nghymru. Pryd y dechreuwch fynd i'r afael â'r problemau sylfaenol, Weinidog, a chydabod bod yn rhaid sicrhau y gall deintyddion sicrhau y gall eu meddygfeydd weithredu yn ariannol dan y GIG, ac y gallant gynnig y gwasanaeth y dymunant ei gynnig dan y gwasanaeth hwnnw? Pryd y sicrhewch hynny er mwyn sicrhau bod gennym y capasiti o fewn y GIG i gynnig i bobl Cymru y gwasanaeth y maent yn eu haeddu, a'r gwasanaeth sydd ei angen arnynt?

The Minister for Health and Social Services (Jane Hutt): I propose amendment 1 in the name of Karen Sinclair. Delete everything after 'Wales' and add:

notes the improvements made as a result of the success of the Welsh dental initiative;

Every Assembly Member could refer you to the kind of problems that arise in their areas, Minister. When a new dental practice opened in Carmarthen, 600 queued in the rain on the high street waiting to register with the practice—only 300 of them got on the list.

I refer you to other cases in my constituency. The Brynteg dental surgery in Ammanford offered an NHS service, but that came to an end. Two of my constituents, who are 70 years old, were advised to go to another dental surgery. They already had to travel 22 miles to get to this surgery. The Cross Hands dental surgery closed. Another of my constituents was advised that he would have to travel over 50 miles to receive an NHS service. He is disabled; how, in all seriousness, do you expect him to travel that far in order to receive this service?

We accept that some things are happening. In referring to the NHS in its entirety during questions, the First Minister noted a few things that his Government had accomplished, as if he were surprised that you had achieved anything at all in five years. Some things have, of course, happened. However, the truth of the matter is that we are still facing a crisis in the NHS dental service in Wales. When will you begin to address the fundamental problems, Minister, and acknowledge that you must ensure that dentists must be able to ensure that their surgeries are financially viable under the NHS, and that they are able to offer the service that they wish to offer under that service? When will you ensure that this happens in order to ensure that we have the capacity within the NHS to offer the people of Wales the service that they deserve and that they need?

Y Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol (Jane Hutt): Cynigiaf welliant 1 yn enw Karen Sinclair. Dileu popeth ar ôl 'Cymru' ac ychwanegu:

yn nodi'r gwelliannau a wnaed o ganlyniad i lwyddiant menter ddeintyddol Cymru;

endorses the decision to increase the number of student dental training places in Wales by 17 per cent; and

welcomes the intention of the Assembly Government to implement a new dental contract in Wales and to invest an additional £5.3 million in NHS dental services in Wales over the next three years.

Peter Law: I am delighted to support the Minister on this issue. We are proceeding with a first-class dental care initiative, which is in the interest of all the people of Wales. Assembly Government funding of £5.3 million is a major commitment to deal with dentistry. I agree that dentistry has been in the shadows for years, but it has been in the shadows for many years—a long time before this Government came to power. You can take that from me, because I have been involved in the health service for a long time. The Minister has seen this and has moved forward. No-one wants to see people queuing in the street and worrying because dental lists have closed. However, it takes time for changes to take effect in the system. There has been a 17 per cent increase in new entrants to dental schools in Wales this academic year, which is an achievement.

Janet Ryder: Although we welcome the fact that there has been an increase of 17 per cent in the number of training places available, what is your Government doing to encourage dental graduates to practice in Wales?

Peter Law: Grants of up to £40,000, or even £50,000 in some areas, are available under the Welsh dental initiative to attract those dentists and to help them to establish their businesses. I greatly commend that. These measures are starting to bite. They are helping us to move the dentistry service in Wales forward, and I believe that the Minister is on the right track. I come from Blaenau Gwent, where there have been difficulties in the past in terms of dental lists being closed. However, we have a new dental practice in Abertillery, which is an old-style NHS practice, which I was pleased that the Minister supported. I am a patient at that

yn ategu'r penderfyniad i sicrhau cynnydd o 17 y cant yn nifer y lleoedd hyfforddi deintyddol sydd ar gael i fyfyrwyr yng Nghymru; ac

yn croesawu bwriad Llywodraeth y Cynulliad i gyflwyno contract deintyddol newydd yng Nghymru ac i fuddsoddi £5.3 miliwn yn ychwanegol yng ngwasanaethau deintyddol y GIG yng Nghymru dros y tair blynedd nesaf.

Peter Law: Yr wyf yn falch iawn o gefnogi'r Gweinidog ar y mater hwn. Yr ydym yn hyrwyddo menter gofal deintyddol o'r radd flaenaf, sydd er budd holl bobl Cymru. Mae'r cyllid o £5.3 miliwn oddi wrth Lywodraeth y Cynulliad yn ymrwymiad mawr i ddelio â deintyddiaeth. Cytunaf fod deintyddiaeth o dan gysgod ers blynyddoedd, ond bu o dan gysgod am flynyddoedd lawer—ymhell cyn i'r Llywodraeth hon ddod i rym. Gallwch gymryd fy ngair i am hynny, gan y bûm yn gysylltiedig â'r gwasanaeth iechyd am gyfnod hir. Mae'r Gweinidog wedi gweld hynny ac wedi symud ymlaen. Nid oes neb am weld pobl yn ciwio yn y stryd ac yn poeni am fod rhestrau deintyddion wedi'u cau. Fodd bynnag, cymer amser i newidiadau gael effaith yn y system. Bu cynnydd o 17 y cant yn nifer y myfyrwyr newydd mewn ysgolion deintyddol yng Nghymru yn y flwyddyn academaidd hon, ac mae hynny'n gamp.

Janet Ryder: Er ein bod yn croesawu'r ffaith bod cynnydd o 17 y cant wedi bod yn nifer y lleoedd hyfforddi sydd ar gael, beth y mae'ch Llywodraeth yn ei wneud i gymhell graddedigion mewn deintyddiaeth i ymarfer yng Nghymru?

Peter Law: Mae grantiau o hyd at £40,000, neu hyd yn oed £50,000 mewn rhai ardaloedd, wedi'u cynnig o dan fenter ddeintyddol Cymru i ddenu'r deintyddion hynny a'u helpu i sefydlu eu busnesau. Cymeradwyaf hynny'n fawr. Mae'r mesurau hyn yn dechrau cael effaith. Maent yn ein helpu i hyrwyddo'r gwasanaeth deintyddol yng Nghymru, a chredaf fod y Gweinidog yn dilyn y llwybr cywir. Un o Flaenau Gwent ydwyf fi, a bu anawsterau yno yn y gorffennol o ran cau rhestrau deintyddion. Fodd bynnag, mae gennym bractis deintyddol newydd yn Abertillery, sydd ar ffurf practis GIG o'r hen fath, ac yr wyf yn falch bod y

practice and I pay tribute to the resident dentist for the good work carried out by him and his staff.

Rhodri Glyn Thomas: You say that the services in Blaenau Gwent are improving. Blaenau Gwent Local Health Board has the lowest number of dentists per thousand people in Wales, which is 0.29. That is lower than the figure for Wales, which is 0.36, and far lower than the figures in other countries, including Poland, which I referred to earlier. Are you happy that you have the lowest number of dentists per thousand people and what will you do to ensure that dentists who set up their businesses under the initiative remain within the NHS after the required five-year period?

Peter Law: I believe that the dentists that have established their businesses under that initiative will remain in Wales. My dentist has spoken about that and said how pleased he is with the work that he is carrying out in Blaenau Gwent. People are able to register with him because his list is open. We may have the lowest average number of dentists, but we are much better off under the Welsh Assembly Government's proposals than we were for a long time before the Assembly was established and better off than we were under the Conservatives when dentistry was forgotten and ignored for years. A first class move is being made and I support the dental initiative that the Minister is pursuing. I look forward to all patients in Wales being able to receive the dental care that they need in future.

Elin Jones: Mae diffyg mynediad at ddeintydd NHS yn un o brif wendidau'r gwasanaeth iechyd yng Ngheredigion. Erbyn hyn, dim ond 38.8 y cant o blant a 26 y cant o oedolion sydd wedi'u cofrestru gyda deintydd yng Ngheredigion, sef hanner cyfartaledd Cymru yn y naill achos a'r llall. Ers blynyddoedd, bu'r gwasanaeth hwn mewn argyfwng, a bu ymateb y Gweinidog i'r argyfwng hwn yn gythreulig o araf. Rhyw dair blynedd yn ôl, gofynnais gwestiynau yn y Siambr a bûm yn gohebu â'r Gweinidog ynglŷn â chaniatáu i awdurdod iechyd Dyfed Powys, fel y'i gelwid bryd hynny, i roi

Gweinidog wedi'i gefnogi. Yr wyf yn glaf gyda'r practis hwnnw a thalaf deyrnged i'r deintydd preswyl am y gwaith da a wnaiff ef a'i staff.

Rhodri Glyn Thomas: Dywedwch fod y gwasanaethau ym Mlaenau Gwent yn gwella. Bwrdd Iechyd Lleol Blaenau Gwent sydd â'r nifer isaf o ddeintyddion i bob mil o bobl yng Nghymru, sef 0.29. Mae hynny'n is na'r ffigur ar gyfer Cymru, sef 0.36, ac yn is o lawer na'r ffigurau ar gyfer gwledydd eraill, gan gynnwys Gwlad Pwyl, y cyfeiriais ati'n gynharach. A ydych yn fodlon mai gennych chi y mae'r nifer isaf o ddeintyddion am bob mil o bobl a pha beth a wnewch i sicrhau bod deintyddion sy'n cychwyn eu busnesau o dan y fenter yn aros gyda'r GIG ar ôl y cyfnod gofynnol o bum mlynedd?

Peter Law: Credaf y bydd y deintyddion a gychwynnodd eu busnesau o dan y fenter honno'n aros yng Nghymru. Mae fy neintydd wedi sôn am hynny ac wedi dweud mor falch ydyw o'r gwaith y mae'n ei wneud ym Mlaenau Gwent. Gall pobl gofrestru gydag ef am fod ei restr yn agored. Efallai mai ni sydd â'r nifer isaf o ddeintyddion ar gyfartaledd, ond mae'n well o lawer arnom o dan gynigion Llywodraeth Cynulliad Cymru nag y bu am gyfnod hir cyn sefydlu'r Cynulliad ac mae'n well arnom yn awr nag o dan y Ceidwadwyr pan anghofwyd am ddeintyddiaeth a'i hesgeuluso am flynyddoedd. Gwneir ymdrech ragorol a chefnogaf y fenter ddeintyddol y mae'r Gweinidog yn ei hyrwyddo. Edrychaf ymlaen at weld yr holl gleifion yng Nghymru'n gallu cael y gofal deintyddol y mae arnynt ei angen yn y dyfodol.

Elin Jones: The lack of access to an NHS dentist is one of the main failings of NHS services in Ceredigion. Only 38.8 per cent of children and 26 per cent of adults are now registered with a dentist in Ceredigion, which is half the Welsh average in both cases. This service has been in crisis for many years, and the Minister's response to this crisis has been incredibly slow. Some three years ago, I raised questions in the Chamber and was in correspondence with the Minister regarding allowing the Dyfed Powys health authority, as it was then called, to award bursaries to dentistry students. However, she was not

bwrsariaethau i fyfyrwyr deintyddol. Fodd bynnag, nid oedd yn barod i wneud hynny bryd hynny. Yr wyf yn fwy na pharod yn awr i dalu teyrnged i Fwrdd Iechyd Lleol Ceredigion, sydd wedi gosod deintyddiaeth ar frig ei agenda o ran blaenoriaethau ac a gyhoeddodd yn ddiweddar y bydd yn cynnig bwrsariaethau, y bu ichi gytuno iddynt, i dri myfyriwr. Fodd bynnag, pe baech wedi gweithredu ar hyn dair blynedd yn ôl, neu yn 1999 pan ddaethoch yn Weinidog, byddai rhai o'r myfywrwyr hyn ar fin cychwyn gweithio yn yr NHS yng Ngheredigion erbyn hyn yn hytrach nag yn 2009 neu yn 2010.

Cyfeiriodd Rhodri Glyn Thomas at rai o'r prif faterion sy'n effeithio ar gynifer o bobl oherwydd y diffyg o ran darpariaeth ddeintyddol. Dymunaf gyfeirio at rai o sgil-effeithiau penodol yr argyfwng hwn yng Ngheredigion. Bu i rywun sy'n gweithio o fewn y sector dwristiaeth gysylltu â mi yn ddiweddar gan ddweud y bu i aelod o deulu a fu'n aros mewn bwthyn yn yr ardal ddiweddeff â dant poenus yn ystod eu gwyliau a bu'n rhaid iddynt geisio triniaeth argyfwng. Bu iddynt gysylltu â phob deintydd lleol, ond gan nad oedd ganddynt gynllun Denplan a chan nad oeddynt wedi eu cofrestru'n lleol, nid oedd ganddynt obaith cael triniaeth argyfwng. Bu iddynt geisio cysylltu ag NHS Direct a Bwrdd Croeso Cymru, ond ni chawsant unrhyw gyngor na thriniaeth. Paciodd y teulu eu bagiau a mynd adref. Yr wyf yn amau na ddaw'r teulu hwnnw yn ôl i Gymru ar ei wyliau. Mae'r profiad hwn yn gyffredin ymysg etholwyr Ceredigion, yn enwedig pan fônt ymysg y 70 y cant sydd heb gofrestru gyda deintydd y GIG.

4.10 p.m.

Cefais wahoddiad yn ddiweddar i drafod diffyg gwasanaethau deintyddol gyda grŵp o bobl sydd dan orchmynion trin a phrofi cyffuriau. Gwnaethant gryn argraff arnaf drwy sôn am y broblem. Wrth ymroi i geisio torri eu caethiwed i gyffuriau, un o'r problemau mwyaf a wynebant, oherwydd eu bod wedi cymryd cyffuriau a meddyginiaethau—

The Deputy Presiding Officer: Order. The Presiding Officer has imposed a limit of three minutes on speakers, therefore we must move

prepared to do that at that time. I am more than willing now to pay tribute to the Ceredigion Local Health Board, which has placed dentistry on top of its agenda in terms of its priorities and announced recently that it will offer bursaries, which you have agreed to, for three students. However, if you had taken this action three years ago, or in 1999 when you became Minister, then some of these students would now be about to start work in the NHS in Ceredigion rather than starting in 2009 or 2010.

Rhodri Glyn Thomas referred to some of the main issues that effect so many people as a result of the shortage of dentists. I wish to refer to some specific knock-on effects of this crisis in Ceredigion. Someone who works within the tourism sector contacted me recently and said that a member of a family who were staying in a cottage in the area suffered from tooth ache during their holiday and had to seek emergency treatment. They contacted every local dentist, but because they were not signed up to Denplan and were not registered locally, they had no hope of receiving emergency treatment. They tried to contact NHS Direct and the Wales Tourist Board, but they did not receive any advice or treatment. The family packed its bags and went home. I doubt that this family will ever return to Wales on holiday. This is a common experience among my constituents, particularly among the 70 per cent who are not registered with an NHS dentist.

I was invited recently to discuss the shortage of dentists with a group of people under drug treatment and testing orders. This group made a considerable impression on me during our discussion. In their commitment to combating their drug addiction, one of the biggest problems they face, as a result of their drug taking and the medication—

Y Dirprwy Lywydd: Trefn. Mae'r Llywydd wedi gosod cyfyngiad o dri munud ar siaradwyr, felly rhaid inni symud ymlaen.

on.

Jonathan Morgan: We support Plaid Cymru's motion and do not feel that the Government's amendment 1 adds anything. In rejecting the word 'crisis', the Government is burying its head in the sand, when hundreds of people have been queuing to register with NHS dentists in recent years. Rhodri's Wales is reminiscent of places like Moscow, where people queue for essential services. This is a ridiculous situation for the twenty-first century. We all know that gaining access to high-street dentistry is becoming increasingly difficult, if not impossible. However, 43 per cent of dental practices in England can take new patients. In her response to the debate, will the Minister indicate how many practices in Wales are able to take new patients; I suspect that it is a lot lower than 43 per cent. It should be noted that the percentage of adults and children registered with an NHS dentist in England has fallen since Labour came to power. Therefore, in answer to Peter Law's question about the Conservatives' record, a higher proportion of adults and children were registered with an NHS dentist prior to 1997 because the capacity was there for them to be registered if they wished. Will the Minister confirm what percentage of adults and children in Wales are registered with an NHS dentist, and how the figure compares with the situation prior to her becoming Minister for Health and Social Services?

The capacity of local health boards to commission services is an issue. Some of us think that 22 LHBs is a ridiculous number of commissioning bodies, and the issue, therefore, is one of money, capacity and the way in which services are commissioned.

We also need to address the issue of recruitment. In north Wales, dentists have been paying for trainees from their own pockets—somewhere in the region of £4,000 for trainees, who would otherwise receive money directly from the Assembly Government. Not enough is being done to fill the gaps. As Rhodri Glyn Thomas said, the British Dental Association has warned that 60

Jonathan Morgan: Cefnogwn gynnig Plaid Cymru ac ni theimlwn fod gwelliant 1 y Llywodraeth yn ychwanegu dim. Drwy wrthod y gair 'argyfwng', mae'r Llywodraeth yn cuddio ei phen yn y tywod, pan fu cannoedd o bobl yn ciwio i gofrestru gyda deintyddion y GIG yn y blynyddoedd diwethaf. Mae Cymru Rhodri yn atgoffa rhywun o leoedd fel Mosgo, lle y mae pobl yn ciwio i gael gwasanaethau hanfodol. Mae hyn yn sefyllfa hurt a ninnau yn yr unfed ganrif ar hugain. Yr ydym oll yn gwybod ei bod yn mynd yn fwyfwy anodd, os nad yn amhosibl, cael lle gyda deintydd ar y stryd fawr. Er hynny, mae 43 y cant o bractisiau deintyddol yn Lloegr yn gallu derbyn cleifion newydd. Yn ei hymateb i'r ddadl, a wnaiff y Gweinidog nodi pa sawl practis yng Nghymru sy'n gallu derbyn cleifion newydd; yr wyf yn amau bod hynny'n llawer is na 43 y cant. Dylid nodi bod canran yr oedolion a'r plant sydd wedi cofrestru gyda deintydd GIG yn Lloegr wedi gostwng ers i Lafur ddod i rym. Gan hynny, i ateb y cwestiwn a ofynnodd Peter Law ynghylch record y Ceidwadwyr, yr oedd cyfran fwy o oedolion a phlant wedi cofrestru gyda deintydd GIG cyn 1997 gan fod digon o leoedd ar gael os oeddent yn dymuno cofrestru. A wnaiff y Gweinidog gadarnhau pa ganran o oedolion a phlant yng Nghymru sydd wedi cofrestru gyda deintydd GIG, a sut y mae'r ffigur hwnnw'n cymharu â'r sefyllfa cyn iddi ddod yn Weinidog dros Iechyd a Gwasanaethau Cymdeithasol?

Mae gallu byrddau iechyd lleol i gomisiynu gwasanaethau'n fater sy'n gofyn sylw. Mae rhai ohonom o'r farn bod cael cynifer â 22 o BILlau yn gyrrff comisiynu yn chwerthinllyd, ac mae'r hyn sydd dan sylw'n ymwneud, felly, ag arian, capasiti a'r dull o gomisiynu gwasanaethau.

Rhaid inni ymdrin â mater recriwtio hefyd. Yn y Gogledd, bu deintyddion yn talu am hyfforddeion o'u poced eu hunain—tua £4,000 am hyfforddeion, a gâi arian fel arall yn uniongyrchol gan Lywodraeth y Cynulliad. Ni wneir digon i gau'r bylchau. Fel y dywedodd Rhodri Glyn Thomas, mae Cymdeithas Ddeintyddol Prydain wedi rhybuddio y bydd 60 y cant o ddeintyddion y

per cent of NHS dentists will either reduce their NHS commitment or scrap it altogether. That is a stark warning.

There is a crisis in dentistry in Wales. The Government should accept the warnings not just from the opposition parties, but from the dental association itself. It is the professional representative body, and we should take notice of its warnings.

Janet Ryder: Despite the rosy picture painted by Peter Law, it is worth reconsidering the statistics to which Rhodri referred. Forty per cent of children in Wales are not registered with a dentist. This may be partly due to parental choice or poor parental guidance, but it is also due to the shortage of NHS dentists in Wales. A five-year-old in Wales has, on average, twice as many missing, decayed or filled teeth as a five-year-old in the west midlands and south-east England. After five years of a New Labour Government in the Assembly, this is not an acceptable statistic. Despite the increase in dentist training places and the fact that some counties are considering introducing bursaries, we need to ensure that dentists are retained in Wales. The only way of doing this would be to consider introducing a salaried dentist system so that dentists are encouraged to stay within the NHS. The British Dental Association estimates that about 60 per cent of high-street dentists plan to either reduce their NHS commitment or quit the service altogether.

That is not an acceptable situation. We have the situation, as Jonathan outlined and which Eirug Wyn emphasized in Ynys Môn, where dentists have to pay from their own pockets because the National Assembly grants that are made available to dentists arrive late. In the whole of north Wales, only six practices accept NHS patients. Many people are forced to travel to England to find NHS treatment, which is not an acceptable situation. Of 104 dental surgeries in north Wales, only six will take new NHS patients. In Flintshire, out of 20 dental surgeries, only one accepts new NHS patients. In Gwynedd, out of 23 dental

GIG naill ai'n lleihau eu hymrwymiad i'r GIG neu'n cael gwared arno'n llwyr. Mae hynny'n rhybudd clir.

Mae argyfwng mewn deintyddiaeth yng Nghymru. Dylai'r Llywodraeth wrando ar y rhybuddion, nid yn unig oddi wrth y gwrthbleidiau, ond oddi wrth y gymdeithas ddeintyddol ei hun. Hi yw corff cynrychioladol y proffesiwn, a dylem gymryd sylw o'i rhybuddion.

Janet Ryder: Er gwaethaf y darlun hyfryd a gyfleodd Peter Law, mae'n werth ailystyried yr ystadegau y cyfeiriodd Rhodri atynt. Mae 40 y cant o blant yng Nghymru nad ydynt wedi'u cofrestru gyda deintydd. Gallai hynny fod yn ganlyniad yn rhannol i ddewis rhieni neu ddiffyg arweiniad gan rieni, ond mae hefyd yn ganlyniad i brinder deintyddion y GIG yng Nghymru. Ar gyfartaledd, mae gan blentyn pum mlwydd oed yng Nghymru ddwywaith gynifer o ddannedd sydd ar goll, wedi pydru neu wedi'u llenwi ag sydd gan blentyn pum mlwydd oed yng ngorllewin canolbarth Lloegr a de-ddwyrain Lloegr. Wedi pum mlynedd o Lywodraeth Lafur Newydd yn y Cynulliad, nid yw'r ystadegyn hwnnw'n dderbyniol. Er bod nifer y lleoedd hyfforddi i ddeintyddion wedi cynyddu ac er bod rhai siroedd yn ystyried cyflwyno bwrsariaethau, rhaid inni sicrhau y cedwir deintyddion yng Nghymru. Yr unig fodd i wneud hynny yw ystyried cyflwyno system deintyddion cyflogedig fel y caiff deintyddion eu hannog i aros yn y GIG. Mae Cymdeithas Ddeintyddol Prydain yn amcangyfrif bod tua 60 y cant o ddeintyddion y stryd fawr yn bwriadu naill ai lleihau eu hymrwymiad i'r GIG neu adael y gwasanaeth yn gyfan gwbl.

Nid yw sefyllfa o'r fath yn dderbyniol. Mae gennym sefyllfa, fel y nododd Jonathan ac fel y dangosodd Eirug Wyn yn Ynys Môn, lle y mae deintyddion yn gorfod talu eu hunain am fod grantiau'r Cynulliad Cenedlaethol a gynigir i ddeintyddion yn cyrraedd yn hwyr. Ledled y Gogledd, dim ond chwe phractis sy'n derbyn cleifion y GIG. Mae llawer yn gorfod mynd i Loegr i ddod o hyd i driniaeth GIG, ac nid yw sefyllfa felly'n dderbyniol. O blith 104 o ddeintyddfeydd yn y Gogledd, dim ond chwech a wnaiff dderbyn cleifion GIG newydd. Yn sir y Fflint, o blith 20 o ddeintyddfeydd, dim ond un sy'n derbyn

surgeries, one will accept new NHS patients. Something needs to be done to address and face the situation. We need to do so by introducing a system of salaries for dentists.

Elin Jones: A ydych yn derbyn bod argyfwng penodol yn wynebu rhai pobl, yn enwedig y rhai sy'n ceisio dod dros eu caethiwed i gyffuriau? Maent mewn poen sylweddol ac ni allant gofrestru'n lleol ar gyfer gwasanaeth deintyddol. Oherwydd hynny, mae rhai ohonynt wedi dweud wrthyf yn benodol eu bod yn teimlo temtasiwn anhygoel i gymryd cyffuriau eto, a hynny am fod y ddannoedd arnynt.

Janet Ryder: It is an issue, especially for drug users who suffer a great deal of pain who go back and use drugs to overcome that pain. This emphasises why we need to encourage dentists to offer more NHS services, and the only way to do so is by offering a salary.

Kirsty Williams: Today, less than 50 per cent of adults across the principality are registered with a NHS dentist. This figure drops to 31 per cent in Gwynedd, as we have heard, and 27.9 per cent in Ceredigion. Some 100,000 people have dropped off lists since Labour came to power in 1997. Despite the wide acceptance of 'Routes to Reform: A Strategy for Primary Dental Care in Wales' when it was published, the Minister has been painfully slow in taking it forward. It is not as if the lack of dental care is not a serious problem. Apart from the obvious pain that patients suffer with decayed teeth, and the shocking statistics that we have seen on dental decay in children, it should be noted that no Welsh constituency has better-than-average tooth decay in children. We are all at average level or above. The presence of gum disease has been linked to the issue of low birth-weight babies and it is also an issue with the early detection of oral cancers. As we have heard, access is hugely problematic if non-existent, even in an emergency situation. A constituent of mine had to drive her eight-year old son from Rhayader to Birmingham when he knocked out his front tooth at a party.

cleifion GIG newydd. Yng Ngwynedd, o blith 23 o ddeintyddfeydd, un a wnaiff dderbyn cleifion GIG newydd. Rhaid gwneud rhywbeth i wynebu'r sefyllfa hon ac ymdrin â hi. Rhaid inni wneud hynny drwy gyflwyno system gyflogau ar gyfer deintyddion.

Elin Jones: Do you accept that some people face a specific crisis, particularly those who are trying to overcome their drug addiction? They are in considerable pain but cannot register locally for dental services. Because of that, some have told me that they feel an incredible urge to take drugs again as a direct result of toothache.

Janet Ryder: Mae'n fater sy'n codi, yn enwedig ymysg defnyddwyr cyffuriau sy'n profi poen fawr ac yn aildechrau defnyddio cyffuriau i leddfu'r boen honno. Mae hynny'n amlygu'r angen inni annog deintyddion i gynnig mwy o wasanaethau GIG, a'r unig fodd i wneud hynny yw drwy gynnig cyflog.

Kirsty Williams: Heddiw, llai na 50 y cant o oedolion ledled y dywysogaeth sydd wedi'u cofrestru gyda deintydd GIG. Mae'r ffigur gyn ised â 31 y cant yng Ngwynedd, fel y clywsom, a 27.9 y cant yng Ngheredigion. Mae tua 100,000 o bobl wedi mynd oddi ar restrau ers i Lafur ddod i rym yn 1997. Er bod 'Ffyrdd i Ddiwygio: Strategaeth ar gyfer Gofal Deintyddol Sylfaenol yng Nghymru' wedi'i derbyn yn gyffredinol pan gyhoeddwyd hi, bu'r Gweinidog yn boenus o araf wrth ei rhoi ar waith. Mae'n amlwg bod diffyg gofal deintyddol yn broblem ddifrifol. Ar wahân i'r boen amlwg y mae cleifion yn ei dioddef oherwydd pydredd dannedd, a'r ystadegau brawychus a welsom ar bydredd dannedd ymysg plant, dylid nodi nad oes yr un etholaeth yng Nghymru lle y mae pydredd dannedd ymysg plant yn well na'r cyfartaledd. Yr ydym ar y lefel gyfartalog neu'n uwch. Mae presenoldeb afiechyd yng nghig y dannedd wedi'i gysylltu â mater pwysau geni isel ac mae hefyd yn berthnasol i'r gallu i ddarganfod canserau geneuol yn gynnar. Fel y clywsom, mae'n anodd iawn, os nad yn amhosibl, cael deintydd, hyd yn oed mewn argyfwng. Bu'n rhaid i un o'm hetholwyr yrru gyda'i mab wyth mlwydd oed o Raeadr Gwy i Birmingham pan gnociodd ei

ddant blaen allan mewn parti.

Brian Gibbons: There is concern about dental health. This question could also be directed to Janet Ryder. Surely it is better to prevent dental disease in the first place, particularly as dental disease has one of the highest class gradients in terms of incidence. What would your view be on water fluoridation as a means of achieving this?

Brian Gibbons: Mae pryder ynghylch iechyd deintyddol. Gellid cyfeirio'r cwestiwn hwn i Janet Ryder hefyd. Oni fyddai'n well atal afiechyd deintyddol yn y lle cyntaf, yn enwedig gan fod afiechyd deintyddol ymysg yr afiechydon y mae eu hamlder yn cynyddu'n fwyaf yn ôl dosbarth. Beth yw'ch barn am fflworideiddio dŵr fel modd i gyflawni hynny?

Kirsty Williams: I think that it is no coincidence that two spokespeople from Plaid Cymru have today cited the English West Midlands as having good levels of dental health—water fluoridation exists in that area.

Kirsty Williams: Credaf nad yw'n gyddigwyddiad bod dau o lefarwyr Plaid Cymru wedi cyfeirio heddiw at orllewin canolbarth Lloegr fel man sydd â lefelau iechyd deintyddol da—mae dŵr yn cael ei fflworideiddio yn yr ardal honno.

The Welsh dental initiative needs to be reviewed. Even with large amounts of money being offered, it has failed to recruit dentists in some places, such as Presteigne in my constituency. Where the initiative has recruited, it has only been a short-term solution to the problem. When the contract has expired, the dentists have reverted to private practice alone.

Mae angen adolygu menter ddeintyddol Cymru. Hyd yn oed ar ôl cynnig symiau mawr o arian, mae wedi methu â recriwtio deintyddion mewn rhai mannau, fel Llanandras yn fy etholaeth i. Lle y mae'r fenter wedi llwyddo i recriwtio, ni fu ond yn ateb tymor byr i'r broblem. Pan ddaeth y contract i ben, aeth y deintyddion yn ôl at ymarfer preifat yn unig.

The increase in training places is welcome, Peter Law. However, the 17 per cent increase that the Government has put in place is only half the rate recommended by 'Routes to Reform', that states that we need a 38 per cent increase in the number of dental undergraduates. There is evidence to show that where students train and study, they stay. We also need to make more progress in developing training opportunities as in the Primary Dental Care Unit at the St David's Hospital in Cardiff, by having training units in mid and north Wales. We also need to look at the structure of the dental profession by looking to promote new posts that carry out work under the supervision of qualified dentists in a routine way, which allows dentists to concentrate on the more complex needs of some of their patients.

Mae'r cynnydd yn nifer y lleoedd hyfforddi i'w groesawu, Peter Law. Er hynny, nid yw'r 17 y cant o gynnydd a sicrhodd y Llywodraeth ond yn hanner y gyfradd a argymhellwyd yn 'Ffyrdd i Ddiwygio', lle y dywedir bod arnom angen 38 y cant o gynnydd yn nifer yr israddedigion deintyddol. Mae tystiolaeth sy'n dangos bod myfyrwyr yn aros yn y mannau lle y maent yn hyfforddi ac yn astudio. Rhaid inni wneud mwy o gynnydd hefyd wrth ddatblygu cyfleoedd hyfforddi yn yr Uned Gofal Deintyddol Sylfaenol yn Ysbyty Dewi Sant yng Nghaerdydd, drwy gael unedau hyfforddi yn y Canolbarth a'r Gogledd. Rhaid inni hefyd ystyried strwythur y proffesiwn deintyddol drwy geisio hyrwyddo swyddi newydd lle y cyflawnir gwaith o dan oruchwyliaeth deintyddion cymwysedig fel mater o arfer, fel y caiff deintyddion ganolbwyntio ar yr anghenion mwy cymhleth sydd gan rai o'u cleifion.

4.20 p.m.

However, the be-all and end-all of this debate

Fodd bynnag, craidd y ddadl hon yw na

is that until we get a new comprehensive contract for dentists, we will not solve that problem. Salaried options are part of that process, but we need a proper and newly negotiated contract that gets us out of the mess in which the Tory Party put us in the first place.

We need to ensure that dentists are properly paid for the work that they undertake. We need to ensure that they can offer a range of treatment to their patients and we urgently need to address issues of workload and stress in the profession. Without a comprehensive contract worked up in negotiation with practitioners, we are not going to solve this problem.

David Melding: It is clear that the contract introduced in the 1990s has not worked properly and needs to be dramatically reviewed in the light of experience. The Minister for Health and Social Services needs to go away from this debate to consider how we can adopt a new contract and establish effective dental care for the bulk of the population. We are well below providing the care that would give us that and there are problems in terms of public health—acute problems when people develop tooth decay and other dental diseases.

A great deal of what has been said in this debate does not get to grips with the central problem. Kirsty Williams, who has now left the Chamber, is right—if we had an effective contract, I am sure that we would be able to recruit enough dentists delivering NHS treatment. The option of salaried dentists could be used in areas where, for whatever reason, you cannot get people to practise as dentists under the current model, where they have to make a great deal of capital investment. Therefore, that option could be used as a way of improving the overall system, but the main requirement is the provision of an effective contract.

I am sure that most Conservatives would be big enough to realise that the reforms that we introduced have not worked. We must ask ourselves as a society: are we going to allow dentistry to become private and no longer part of the NHS—we are well on the way to

wnawn ddatrys y broblem honno nes y cawn gontract newydd cynhwysfawr ar gyfer deintyddion. Mae'r cyfle i ddewis swydd â chyflog yn rhan o'r broses honno, ond rhaid inni gael contract iawn a negodir o'r newydd a wnaiff ein hachub o'r twll y rhoddodd y Blaid Doriaidd ni ynddo yn y lle cyntaf.

Rhaid inni sicrhau y caiff deintyddion eu talu'n iawn am y gwaith a wnânt. Rhaid inni sicrhau y gallant gynnig amrediad o driniaethau i'w cleifion ac mae taer angen inni ymdrin â materion sy'n ymwneud â'r llwyth gwaith a straen ymysg deintyddion. Os na cheir contract cynhwysfawr a lunnir drwy negodi ag ymarferwyr, ni fyddwn yn datrys y broblem hon.

David Melding: Mae'n amlwg nad yw'r contract a gyflwynwyd yn y 1990au wedi gweithio'n iawn a bod angen ei adolygu'n helaeth yn sgîl profiad. Dylai'r Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol fynd oddi yma ar ôl y ddadl hon ac ystyried sut y gallwn fabwysiadu contract newydd a sicrhau gofal deintyddol effeithiol ar gyfer trwch y boblogaeth. Yr ydym ymhell o ddarparu'r gofal a fyddai'n sicrhau hynny ac mae problemau o ran iechyd cyhoeddus—problemau dwys pan fo pobl yn cael pydredd yn eu dannedd ac afiechydon deintyddol eraill.

Mae llawer iawn a ddywedwyd yn y ddadl hon nad yw'n mynd i'r afael â'r broblem ganolog. Mae Kirsty Williams, sydd wedi gadael y Siambr bellach, yn gywir—pe byddai gennym gontract effeithiol, yr wyf yn siŵr y gallem recriwtio digon o ddeintyddion a fyddai'n cynnig triniaeth GIG. Gellid defnyddio'r dewis o gael deintyddion cyflogedig mewn ardaloedd lle na ellir cael rhai i ymarfer fel deintyddion o dan y drefn bresennol, am ba bynnag reswm, lle y mae'n rhaid iddynt fuddsoddi llawer o gyfalaf. Felly, gellid defnyddio'r dewis hwnnw fel modd i wella'r system gyffredinol, ond y prif anghenraid yw darparu contract effeithiol.

Yr wyf yn siŵr y byddai'r rhan fwyaf o Geidwadwyr yn ddigon mawrfrydig i sylweddoli nad yw'r diwygiadau a gyflwynasom wedi llwyddo. Rhaid inni ymholi fel cymdeithas: a ydym am adael i ddeintyddiaeth fynd yn beth preifat na fydd

that—while we have a chance to step back? However, if we take a step back, we will require a new contract. The GP contract has been introduced and we know that its financial implications are considerable. We all agreed that if we did not act, we would not retain as many GPs, leading to problems because many of them would be tied, if we did not deal with out of hours and so on. Modern treatment requires more investment. I am afraid that that is our position with dentistry. If we get the level of resource that we need, there will be considerable improvement. However, if that does not occur we will see the continuing privatisation of dental practice, which will inevitably mean that some people in Wales on lower incomes and in situations of acute need will be denied treatment, or will have to travel far to get it, rather than receive timely treatment, which could mean all the difference between maintaining good oral health or not.

We should remember that there are other options along with this to strengthen dental care. Fluoridation is one of them and the general contribution of dental care to general health such as the detection of oral cancer is an excellent example—

The Deputy Presiding Officer: Order. I am afraid that your time is up, David.

The Minister for Health and Social Services (Jane Hutt): The motion tabled by Jocelyn Davies portrays an unrealistically bleak picture, which fails to acknowledge the successes, hard work and dedication of dentists in the NHS across Wales. It also ignores the proactive approach that the Assembly is taking along with, importantly, the proposed reforms to be introduced from October 2005, to which David and Kirsty referred, which will also form the basis of our discussions on finding a way forward.

I proposed our amendment because it highlights the development of the dentistry that we are taking forward to improve services. The Welsh dental initiative, which was introduced by the Conservative Government in 1995, has benefited over 100

bellach yn rhan o'r GIG—yr ydym ymhell ar y ffordd at hynny—tra bo gennym gyfle i gamu'n ôl? Fodd bynnag, os cymerwn gam yn ôl, bydd yn rhaid inni gael contract newydd. Cyflwynwyd contract y meddygon teulu a gwyddom fod goblygiadau ariannol helaeth iddo. Gwnaethom oll gytuno na chadwem gynifer o feddygon teulu, os na weithredem, ac y byddai hynny'n peri problemau gan y byddai llawer ohonynt â'u dwylo wedi'u clymu, pe na fyddem yn delio â gweithio y tu allan i oriau ac yn y blaen. Mae triniaeth fodern yn gofyn mwy o fuddsoddi. Mae arnaf ofn ein bod mewn sefyllfa felly yn achos deintyddiaeth. Os cawn gymaint o adnoddau ag y mae arnom eu hangen, ceir gwelliant sylweddol. Fodd bynnag, os na ddigwydd hynny, gwelwn breifateiddio ymarfer deintyddol yn parhau, a bydd hynny'n sicr o olygu gwrthod triniaeth i rai yng Nghymru sydd ar incwm isel ac mewn angen mawr, neu orfod teithio'n bell i'w chael, yn hytrach na derbyn triniaeth amserol, a allai olygu'r gwahaniaeth rhwng parhau ag iechyd geneuol da neu beidio.

Dylem gofio bod dewisiadau eraill ynghyd â hynny i wella gofal deintyddol. Fflworideiddio yw un ohonynt ac mae cyfraniad cyffredinol gofal deintyddol at iechyd cyffredinol, fel darganfod canser geneuol, yn enghraifft ragorol—

Y Dirprwy Lywydd: Trefn. Mae arnaf ofn bod eich amser ar ben, David.

Y Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol (Jane Hutt): Mae'r cynnig a gyflwynwyd gan Jocelyn Davies yn cyfleu darlun afrealistig o dywyll, sy'n methu â chydabod llwyddiannau, gwaith caled ac ymroddiad deintyddion yn y GIG ledled Cymru. Mae hefyd yn anwybyddu'r camau y mae'r Cynulliad yn eu cymryd ynghyd â'r diwygiadau pwysig arfaethedig a gyflwynir o fis Hydref 2005, y cyfeiriodd David a Kirsty atynt, a fydd hefyd yn sail i'n trafodaethau ar ganfod ffordd ymlaen.

Cynigiais ein gwelliant gan ei fod yn tynnu sylw at y modd yr ydym yn datblygu deintyddiaeth er mwyn gwella gwasanaethau. Mae menter ddeintyddol Cymru, a gyflwynwyd gan y Llywodraeth Geidwadol yn 1995, wedi dod â budd i fwy na 100 o

dentists. It is aimed at providing care to people in areas short of NHS dentistry. In the last year, over 23,000 additional NHS places have been provided as a result of our Welsh dental initiative. England does not have one, but we do. Janet Ryder and Rhodri Glyn asked about how we keep our graduates, while acknowledging the positive developments, such as the 17 per cent increase in the number of student training places. That will go a long way to retain Welsh-trained graduates. The Welsh dental initiative provides grants for vocational trainees. I met one of those trainees recently when I opened the new extended practice in Treorchy. The initiative provides those grants for vocational trainees. I announced an additional £150,000 to increase trainees' allowance at the same time as announcing the extra places at the dental school. That is now higher than England—we are doing more to keep our graduates and trainees. Let us get the facts straight. Overall, the Assembly Government's spending on NHS dentistry has risen—Jonathan is not here—by £6.2 million to £76.7 million in the last two years. In addition, 51 per cent of the population, as Kirsty said, is registered with an NHS dentist, compared with 47 per cent in England—1.5 million people are registered with an NHS dentist in Wales. There are 57 more dentists undertaking NHS work since the Assembly was established.

I will put the record straight on one particular issue. Jonathan is still not here, but perhaps his colleagues will tell him—dentists are being paid for their vocational trainees. I checked today that all claims to the dental practice board have been paid. Please put that matter straight. We are supporting innovative schemes, not only the Welsh dental initiative, but the fissure sealant programme for children in our Communities First areas. We are targeting areas of special need and where there are access problems.

Helen Mary Jones: You mentioned

ddeintyddion. Ei hamcan yw cynnig gofal i rai mewn ardaloedd lle y mae deintyddiaeth y GIG yn brin. Yn y flwyddyn a aeth heibio, darparwyd mwy na 23,000 o leoedd GIG ychwanegol o ganlyniad i fenter ddeintyddol Cymru. Nid oes menter o'r fath yn Lloegr, ond mae un gennym ni. Holodd Janet Ryder a Rhodri Glyn am y modd yr ydym yn cadw ein graddedigion, gan gydnabod y datblygiadau cadarnhaol, fel y cynnydd o 17 y cant yn nifer y lleoedd hyfforddi myfyrwyr. Bydd hynny'n cyfrannu'n helaeth at gadw graddedigion a hyfforddwyd yng Nghymru. Mae menter ddeintyddol Cymru'n cynnig grantiau i hyfforddeion galwedigaethol. Cyfarfûm ag un o'r hyfforddeion hynny'n ddiweddar pan agorais y practis newydd mwy yn Nhreorchy. Mae'r fenter yn cynnig y grantiau hynny i hyfforddeion galwedigaethol. Cyhoeddais swm ychwanegol o £150,000 i gynyddu lwfansau i hyfforddeion ar yr un pryd ag y cyhoeddais y lleoedd newydd yn yr ysgol ddeintyddol. Mae hynny'n fwy yn awr nag yn Lloegr—yr ydym yn gwneud mwy i gadw ein graddedigion a'n hyfforddeion. Gadewch inni gael y ffeithiau cywir. Yn gyffredinol, mae gwariant Llywodraeth y Cynulliad ar ddeintyddiaeth y GIG wedi codi—nid yw Jonathan yma—£6.2 miliwn i £76.7 miliwn yn y ddwy flynedd diwethaf. Yn ogystal â hynny, mae 51 y cant o'r boblogaeth, fel y dywedodd Kirsty, wedi cofrestru gyda deintydd GIG, o'i gymharu â 47 y cant yn Lloegr—mae 1.5 miliwn o bobl wedi cofrestru gyda deintydd GIG yng Nghymru. Mae 57 yn rhagor o ddeintyddion yn ymgymryd â gwaith GIG ers sefydlu'r Cynulliad.

Rhoddaf eglurhad ynghylch un mater penodol. Nid yw Jonathan yma o hyd, ond efallai y dywed ei gyd-Aelodau wrtho—telir i ddeintyddion ar gyfer eu hyfforddeion galwedigaethol. Cefais gadarnhad heddiw fod yr holl hawliadau i'r bwrdd ymarfer deintyddol wedi'u talu. Cywirwch hynny, os gwelwch yn dda. Yr ydym yn hybu cynlluniau arloesol, nid yn unig menter ddeintyddol Cymru, ond y rhaglen selio tyllau yn y geg ar gyfer plant yn ardaloedd Cymunedau yn Gyntaf. Yr ydym yn targedu ardaloedd lle y mae angen penodol a lle y mae problemau o ran cael mynediad.

Helen Mary Jones: Cyfeiriasoch at

Communities First areas. Dentists in the Llanelli area have recently not only withdrawn from the NHS, but have also refused to accept any patients who do not feel that they can take up private insurance. You were asked at the time whether it would be possible for you to speak to the British Dental Association to ascertain its reasoning for that. While we are waiting for these excellent initiatives to be introduced, what are we going to do about those people who have been kicked off dentists' lists?

Jane Hutt: We are not waiting for these excellent initiatives—they are already operating, Helen Mary, and I have just given you the facts and figures. Assembly Members are well aware that under the present arrangements and contract—which David Melding admitted has not worked—dentists can vary their NHS commitments at will and without notice. Everyone in the Assembly recognises that that must change. Dentists can pack up their bags and leave, regardless of all the investment. The decision of a dentist to cease or reduce his or her commitment to NHS treatment can result in patients losing access, which is why we must change that with the new contract. Under the current contract, money reverts to the central pot and we lose it. The new contract will enable us to keep that money locally, and we will devolve budgets to local health boards. If a dentist decides to reduce his or her commitment to treat NHS patients, that will allow us to keep the money locally. In addition, there will be a floor below which local health boards' spending on NHS dentistry may not fall. The new contract, in the same way as the GP contract, will be between the dental practice and the local health board. It is an entirely different arrangement, which will safeguard NHS dentistry.

Elin Jones: Un o brif wendidau'r cytundeb presennol yw nad yw'r ffioedd sy'n cael eu rhoi i ddeintyddion o dan yr NHS yn ddigon bob amser—yn ôl yr ychydig ddeintyddion NHS sydd ar ôl yng Ngheredigion—i dalu costau darparu'r driniaeth. A wnewch chi hefyd, yn eich trafodaethau ynglŷn â'r

ardaloedd Cymunedau yn Gyntaf. Mae deintyddion yn ardal Llanelli wedi tynnu allan o'r GIG yn ddiweddar, a hefyd wedi gwrthod derbyn unrhyw gleifion nad ydynt yn teimlo y gallant godi yswiriant preifat. Gofynnwyd ichi bryd hynny a fyddai modd ichi siarad â Chymdeithas Ddeintyddol Prydain i ganfod ei rhesymau dros wneud hynny. Tra ydym yn disgwyl am gyflwyno'r mentrau rhagorol hyn, beth a wnawn ynghylch y bobl hynny a daflwyd oddi ar restrau deintyddion?

Jane Hutt: Nid ydym yn disgwyl am y mentrau rhagorol hyn—maent ar waith eisoes, Helen Mary, ac yr wyf newydd roi'r ffeithiau a'r ffigurau i chi. Mae Aelodau'r Cynulliad yn ymwybodol iawn bod deintyddion, o dan y trefniadau a'r contract presennol—y cyfaddefodd David Melding nad yw'n llwyddo—yn gallu newid eu hymrwymadau i'r GIG fel y mynnant a heb roi rhybudd. Mae pawb yn y Cynulliad yn cydnabod bod rhaid i hynny newid. Gall deintyddion hel eu pac a gadael, heb ystyried yr hyn a fuddsoddwyd. Os yw deintydd yn penderfynu terfynu neu leihau ei ymrwymiad i driniaeth GIG, gall hynny beri y bydd cleifion yn colli gwasanaeth, a dyna pam y mae'n rhaid inni newid hynny drwy'r contract newydd. O dan y contract presennol, mae arian yn mynd yn ôl i'r gronfa ganolog ac yr ydym yn ei golli. Bydd y contract newydd yn ein galluogi i gadw'r arian hwnnw'n lleol, a byddwn yn datganoli cyllidebau i fyrddau iechyd lleol. Os yw deintydd yn penderfynu lleihau ei ymrwymiad i drin cleifion y GIG, bydd hynny'n fodd inni gadw'r arian yn lleol. Ar ben hynny, bydd terfyn isaf ar yr hyn y gall byrddau iechyd lleol ei wario ar ddeintyddiaeth y GIG. Bydd y contract newydd, yn yr un modd â chontract y meddygon teulu, yn un rhwng y practis deintyddol a'r bwrdd iechyd lleol. Mae'n drefniant cwbl wahanol, a fydd yn diogelu deintyddiaeth y GIG.

Elin Jones: According to the few NHS dentists left in Ceredigion, one of the main weaknesses of the current contract is that the fees given to dentists working for the NHS are not always adequate to cover the costs of treatment. Will you also, in your negotiations on the new contract, ensure that dentists are

cytundeb newydd, sicrhau y bydd cyfleon a chwarae teg i'r deintyddion o dan system ffioedd yr NHS?

Jane Hutt: That is one of the key issues that we must address, Elin, in the major reform of the dental contract. It will result in a reform of services.

4.30 p.m.

Catherine Thomas: Do you agree that listening to the opposition parties, especially Jonathan Morgan, is a little like pulling teeth? It is about time that they acknowledged what the Government is doing in relation to dentistry in Wales. As you know, Minister, I have raised with you on many occasions the serious situation in my constituency, Llanelli, but this Government more than any other, and in a complete reversal of what we saw under the Tories, is trying to combat the situation. Do you think that they will ever admit to that?

Jane Hutt: I have put the record straight. Jonathan Morgan can read it in the transcript, as he was not in the room when I demonstrated that the points that he made were entirely inaccurate in terms of our record on dentistry in the health service.

Jonathan Morgan: Will you give way?

Jane Hutt: No, I am continuing with my speech. We will provide a new service framework for primary care dentistry with the new contract. That is important because, as Kirsty and David have said, this is about how we build incentives to enable dentists to respond appropriately to clinical needs. This is the point that Elin made—it is about enabling dentists, not just sticking to the current system whereby you have six-monthly check-ups, which is a highly interventionist approach to treatment. Removing those demands will help free up capacity over time. It will be about ensuring that the new contract stabilises access and the funding position and helps dentists to get off the treadmill.

I went to Treorchy recently, and at the dental practice there are three dentists who are entirely committed to the NHS, in one of the

given opportunities and are treated fairly under the NHS fees system?

Jane Hutt: Dyna un o'r prif faterion y mae'n rhaid inni ymdrin â hwy, Elin, yn y diwygio helaeth ar y contract deintyddol. Bydd yn arwain at ddiwygio gwasanaethau.

Catherine Thomas: A ydych yn cytuno bod gwrando ar y gwrthbleidiau, ac ar Jonathan Morgan yn enwedig, yn debyg braidd i dynnu dannedd? Mae'n hen bryd iddynt gydnabod yr hyn y mae'r Llywodraeth yn ei wneud mewn cysylltiad â deintyddiaeth yng Nghymru. Fel y gwyddoch, Weinidog, yr wyf wedi codi mater y sefyllfa ddifrifol yn fy etholaeth, Llanelli, lawer gwaith, ond mae'r Llywodraeth hon, yn fwy na'r un arall, ac yn gwbl wahanol i'r hyn a welsom o dan y Toriaid, yn ceisio adfer y sefyllfa. A ydych yn credu y cyfaddefant hynny byth?

Jane Hutt: Yr wyf wedi egluro hyn. Gall Jonathan Morgan ei ddarllen yn y trawsgrifiad, gan nad oedd yn yr ystafell pan brofais fod y pwyntiau a wnaeth ynghylch ein record ar ddeintyddiaeth yn y gwasanaeth iechyd yn gwbl anghywir.

Jonathan Morgan: A wnewch chi ildio?

Jane Hutt: Na wna, af ymlaen â'm haraith. Darparwn fframwaith gwasanaeth newydd ar gyfer deintyddiaeth gofal sylfaenol drwy'r contract newydd. Mae hynny'n bwysig oherwydd, fel y dywedodd Kirsty a David, ein bwriad yw cynnig anogaethau fel y gall deintyddion ymateb yn briodol i anghenion clinigol. Dyna'r pwynt a wnaeth Elin—mae'n ymwneud â galluogi deintyddion, nid glynu wrth y system bresennol o gael archwiliadau bob chwe mis yn unig, sy'n ddull tra ymyraethol o drin cleifion. Drwy ddileu'r gofynion hynny, bydd modd rhyddhau capasiti dros amser. Bydd yn rhaid sicrhau bod y contract newydd yn sefydlogi mynediad a'r dull o gyllido ac yn helpu deintyddion i roi'r gorau i waith undonog.

Bûm yn Nhreorci'n ddiweddar, ac yn y practis deintyddol hwnnw mae tri deintydd sydd wedi llwyr ymrwymo i'r GIG, yn un o'r

most deprived areas of Wales, serving 12,000 patients. They have not chosen to go private, they just serve their patients through the NHS, and that is what they want to do. They certainly welcome the Welsh dental initiative: it gave them funding to extend their practice in Treorchy to serve a population of 12,000. That is what some dentists are doing with the present contract. The changes will mean that other dentists will not be trapped in the service treadmill, which has resulted in us losing many dentists from the NHS. We recognise that the system is bureaucratic and it requires dentists to work to a schedule of some 400 free items, but this will change under the new contract. The range of treatments will be undertaken on the basis of clinical need, without worry about whether it qualifies or not.

The Deputy Presiding Officer: Order. You need to wind up, Jane.

Jane Hutt: In conclusion, we will encourage dentists and the LHBs to work towards the new local contracts—that is why I have announced £5.3 million. I hope that they will also take advantage of the personal dental scheme, which will enable us to take forward issues like salaried—

The Deputy Presiding Officer: Order. The Presiding Officer set eight minutes for the Minister to speak and, I am sorry, but that time has run out.

David Lloyd: NHS dentistry is in crisis. That is what patients, dentists in the community, and consultant oral surgeons in hospitals are telling us. Less than 50 per cent of the Welsh population is registered with an NHS dentist. If that was the situation with NHS GPs, there would be riots in the streets. We have seen the queues; there are just not enough NHS dentists.

The current dental contract, as we have heard, is discredited. A new dental contract that reflects the need for dental health promotion and flexible working, and provides for basic emergency care, more salaried dentists and for dental care centres is well overdue. We

ardaloedd mwyaf difreintiedig yng Nghymru, gan wasanaethu 12,000 o gleifion. Nid ydynt wedi dewis mynd yn breifat, nid ydynt ond yn gwasanaethu eu cleifion drwy'r GIG, a dyna eu dymuniad. Maent yn sicr yn croesawu menter ddeintyddol Cymru: rhoddodd gyllid iddynt gael ehangu eu practis yn Nhreforci i wasanaethu poblogaeth o 12,000. Dyna a wnaiff rhai deintyddion o dan y contract presennol. Drwy'r newidiadau, ni fydd deintyddion eraill yn cael eu clymu wrth waith undonog y gwasanaeth, a barodd inni golli llawer o ddeintyddion o'r GIG. Cydnabyddwn fod y system yn fiwrocraidd a'i bod yn mynnu bod deintyddion yn gweithio ar sail rhestr o tua 400 o eitemau rhad ac am ddim, ond bydd hynny'n newid o dan y contract newydd. Ymgymerir â'r amrediad o driniaethau ar sail angen clinigol, heb yr angen i boeni ynghylch a ydynt yn gymwys ai peidio.

Y Dirprwy Lywydd: Trefn. Rhaid ichi orffen, Jane.

Jane Hutt: I derfynu, byddwn yn annog deintyddion a'r BILlau i ymdrechu i gael y contractau lleol newydd—dyna pam y cyhoeddais swm o £5.3 miliwn. Gobeithiaf y byddant hefyd yn manteisio ar y cynllun deintyddol personol, a fydd yn ein galluogi i hyrwyddo materion fel—

Y Dirprwy Lywydd: Trefn. Gwnaeth y Llywydd neilltuo wyth munud i'r Gweinidog gael siarad ac mae'r amser hwnnw wedi dod i ben, mae'n ddrwg gennyf.

David Lloyd: Mae deintyddiaeth y GIG mewn argyfwng. Dyna y mae cleifion, deintyddion yn y gymuned a llawfeddygon geneuol ymgynghorol mewn ysbytai yn ei ddweud wrthym. Llai na 50 y cant o boblogaeth Cymru sydd wedi cofrestru gyda deintydd GIG. Pe byddai felly yn achos meddygon teulu'r GIG, byddai trwr ofnadwy. Gwelsom y ciwiau; yn syml, nid oes digon o ddeintyddion GIG.

Mae'r contract deintyddol presennol dan gwmwl, fel y clywsom. Mae'n hen bryd cael contract deintyddol newydd sy'n adlewyrchu'r angen i hybu iechyd deintyddol a'r angen am weithio hyblyg, ac yn darparu ar gyfer gofal brys sylfaenol, mwy o

have been talking about this for years: various strategies have come out, but no action has been taken since the 'Routes to Reform' document came out over two years ago. A new dental contract is required because we need a complete revamp of NHS dental care, in both primary and secondary care—only a new contract will enable this.

Amendment 1, in the name of the Government, completely wipes out any reference to a crisis. On the grants, dentists and consultants tell me that the dental initiative grants are not long term, but are basically tinkering with a failing system—it is just a matter of firefighting. That is according to the dentists themselves, it is not just being said by the opposition parties. Dentists tell me that the initiative grants are short-term fixes, just firefighting. NHS dentists still have to go private, they are still leaving the NHS in droves, and these are dentists that have received these initiative grants. They are set up, they get the initiative grants, and they still have to go private. On the part of amendment 1 that recognises the increase in training places, yes, there is a 17 per cent increase, but 50 per cent of dental graduates from Cardiff then work outside Wales. According to British Dental Association research, as we have heard, 60 per cent of high-street dentists now plan to either reduce their NHS work or quit the NHS altogether. Those are the facts. I know that some Members will just want to believe in the 17 per cent improvement, but do not forget about the 50 per cent of trainees that leave Wales and the 60 per cent of existing dentists who are about to retire from the NHS.

I had a meeting with a dentist in Swansea recently in response to his letter to the Minister, dated 6 September 2004, just three weeks ago. It states:

'Dear Ms Hutt,

I write to you personally as a last resort for I am at the point of being forced to terminate

ddeintyddion cyflogedig a chanolfannau gofal deintyddol. Buom yn sôn am hyn ers blynyddoedd: cafwyd gwahanol strategaethau, ond ni chymerwyd unrhyw gamau ers cyhoeddi'r ddogfen 'Ffyrdd i Ddiwygio' dros ddwy flynedd yn ôl. Mae angen contract deintyddol newydd gan fod rhaid inni lwyr ailwampio gofal deintyddol y GIG, mewn gofal sylfaenol a gofal eilaidd—dim ond contract newydd a all hwyluso hynny.

Mae gwelliant 1, sydd yn enw'r Llywodraeth, yn dileu unrhyw gyfeiriad at argyfwng. Ynghylch y grantiau, dywed deintyddion ac ymgynghorwyr wrthyf nad yw grantiau'r fenter ddeintyddol yn rhai tymor hir, ac nad ydynt ond yn chwarae â system sy'n methu—nid ydynt ond yn fodd i ymateb i broblemau sy'n codi. Y deintyddion eu hunain sy'n dweud hynny, nid y gwrthbleidiau'n unig. Dywed deintyddion wrthyf mai atebion tymor byr yw grantiau'r fenter, ac nad ydynt ond yn fodd i ymateb i broblemau. Mae deintyddion GIG yn dal i orfod mynd yn breifat, ac maent yn dal i adael y GIG yn lluoedd, a deintyddion a gafodd grantiau gan y fenter yw'r rhain. Fe'u sefydlir, rhoddir grantiau'r fenter iddynt, ac maent yn dal i orfod mynd yn breifat. Ynghylch y rhan o welliant 1 sy'n cydnabod y cynnydd yn nifer y lleoedd hyfforddi, oes, mae cynnydd o 17 y cant, ond mae 50 y cant o'r deintyddion sy'n graddio yng Nghaerdydd yn mynd i weithio y tu allan i Gymru wedyn. Yn ôl ymchwil gan Gymdeithas Ddeintyddol Prydain, fel y clywsom, mae 60 y cant o ddeintyddion y stryd fawr bellach yn bwriadu un ai gwneud llai o waith i'r GIG neu adael y GIG yn gyfan gwbl. Dyna'r ffeithiau. Gwn na fydd rhai Aelodau ond am gredu yn y cynnydd o 17 y cant, ond peidiwch ag anghofio am y 50 y cant o hyfforddeion sy'n gadael Cymru a'r 60 y cant o'r deintyddion presennol sydd ar fin ymddeol o'r GIG.

Cyfarfûm â deintydd yn Abertawe yn ddiweddar mewn ymateb i'w lythyr at y Gweinidog, dyddiedig 6 Medi 2004, dim ond tair wythnos yn ôl. Dywed:

Annwyl Ms Hutt,

Ysgrifennaf atoch yn bersonol, wedi i bopeth arall fethu, gan fy mod ar fin gofod terfynu

my practices' involvement in NHS Dentistry.'

This is a letter from somebody with 30 years of commitment to NHS dentistry in Swansea. He continues,

'My position is that my practices' gross income to year end March 2004 for the caring of NHS patients has dropped again by about £10,000. This has been an annual pattern since the year 2000.'

That is £10,000 less year on year. There is no way to balance the books. Dentists are independent, self-employed contractors who need to be able to meet their costs. Minister, the new dental contract must come in sooner rather than later. There is an ominous silence in Wales. Nobody knows what is happening with the dental contract.

Rhodri Glyn Thomas: Given that the Minister seemed to say that the answer to this problem is a new dental contract for dentists, why are dentists telling us that they have not had any information from the Government of Wales or the Minister as to when this new contract will come into being or what it will entail? Surely, the dentists who are now trying to decide whether to remain in the NHS or to cut their losses and go into private practice deserve to know from the Minister the detail of this new contract and when they are likely to see it.

David Lloyd: That is exactly the point, and the main point of proposing this debate. Dentists are asking us 'what about the new dental contract?' People have been talking about it for years. Primary care trusts in England are making the right noises, but there is an ominous silence in Wales. When will the new dental contract come into place in Wales—not tinkering with initiative grants but a proper revamp of the system? Minister, please put dentistry at the core of the NHS once again. We know that the National Assembly for Wales has no teeth; we do not want the population of Wales to go the same way.

cysylltiad fy mhraectis â deintyddiaeth y GIG.

Llythyr oddi wrth rywun sydd â 30 mlynedd o ymrwymiad i ddeintyddiaeth y GIG yng Nghymru yw hwn. Aiff ymlaen,

Y sefyllfa yw bod incwm crynswth fy mhraectis hyd at ddiwedd y flwyddyn ym Mawrth 2004 o ofalu am gleifion y GIG wedi gostwng eto oddeutu £10,000. Dyna a fu'r patrwm bob blwyddyn er 2000.

Dyna £10,000 yn llai o'r naill flwyddyn i'r llall. Nid oes modd mantoli'r cyfrifon. Contractwyr annibynnol hunangyflogedig yw deintyddion sy'n gorfod talu eu costau. Weinidog, rhaid cyflwyno'r contract deintyddol newydd cyn gynted ag y bo modd. Mae distawrwydd anffodus yng Nghymru. Ni wŷr neb beth sy'n digwydd ynghylch y contract deintyddol.

Rhodri Glyn Thomas: Gan ei bod yn ymddangos bod y Gweinidog yn dweud mai'r ateb i'r broblem hon yw cael contract deintyddol newydd ar gyfer deintyddion, pam y mae deintyddion yn dweud wrthym na chawsant unrhyw wybodaeth gan Lywodraeth Cymru na'r Gweinidog am yr adeg y ceir y contract newydd hwn a'r hyn y bydd yn ei olygu? Yn sicr, mae'r deintyddion sy'n ceisio penderfynu'n awr a ydynt am aros yn y GIG neu leihau eu colledion a dechrau ymarfer yn breifat yn haeddu cael gwybod gan y Gweinidog am fanylion y contract newydd hwn a pha bryd y maent yn debygol o'i weld.

David Lloyd: Dyna'r union bwynt, a'r prif reswm dros gynnig y ddadl hon. Mae deintyddion yn ein holi 'beth am y contract deintyddol newydd?' Bu sôn amdano ers blynyddoedd. Mae ymddiriedolaethau gofal sylfaenol yn Lloegr yn gwneud y synau iawn, ond mae distawrwydd anffodus yng Nghymru. Pa bryd y ceir y contract deintyddol newydd yng Nghymru—nid tincran drwy grantiau'r fenter ond ailwampio'r system yn iawn? Weinidog, rhowch le canolog i ddeintyddiaeth yn y GIG unwaith eto, os gwelwch yn dda. Gwyddom nad oes gan Gynulliad Cenedlaethol Cymru unrhyw ddannedd; nid ydym am weld yr un peth yn digwydd i bobl Cymru.

*Gwelliant 1: O blaid 32, Ymatal 0, Yn erbyn 26.
Amendment 1: For 32, Abstain 0, Against 26.*

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

Andrews, Leighton
Barrett, Lorraine
Butler, Rosemary
Chapman, Christine
Cuthbert, Jeff
Davidson, Jane
Davies, Andrew
Dunwoody-Kneafsey, Tamsin
Essex, Sue
Gibbons, Brian
Gregory, Janice
Griffiths, John
Gwyther, Christine
Hart, Edwina
Hutt, Jane
Idris Jones, Denise
Isherwood, Mark
James, Irene
Jones, Ann
Jones, Carwyn
Law, Peter
Lewis, Huw
Lloyd, Val
Mewies, Sandy
Morgan, Rhodri
Neagle, Lynne
Pugh, Alun
Sargeant, Carl
Sinclair, Karen
Thomas, Catherine
Thomas, Gwenda
Williams, Brynle

Pleidleisiodd yr Aelodau canlynol yn erbyn:
The following Members voted against:

Bates, Mick
Black, Peter
Bourne, Nick
Burnham, Eleanor
Cairns, Alun
Davies, David
Davies, Glyn
Davies, Janet
Davies, Jocelyn
Francis, Lisa
German, Michael
Graham, William
Jones, Alun Ffred
Jones, Elin
Jones, Helen Mary
Jones, Ieuan Wyn
Jones, Laura Anne
Lloyd, David
Melding, David
Morgan, Jonathan
Randerson, Jenny
Ryder, Janet
Thomas, Owen John
Thomas, Rhodri Glyn
Williams, Kirsty
Wood, Leanne

*Derbyniwyd y gwelliant.
Amendment carried.*

Motion NDM2102 as amended:

the National Assembly for Wales:

*notes the improvements made as a result of
the success of the Welsh dental initiative;*

*endorses the decision to increase the number
of student dental training places in Wales by
17 per cent;*

*welcomes the intention of the Assembly
Government to implement a new dental
contract in Wales and to invest an additional
£5.3 million in NHS dental services in Wales
over the next three years.*

Cynnig NDM2102 wedi'i ddiwygio:

Cynulliad Cenedlaethol Cymru:

*yn nodi'r gwelliannau a wnaed o ganlyniad i
lwyddiant menter ddeintyddol Cymru;*

*yn ategu'r penderfyniad i sicrhau cynnydd o
17 y cant yn nifer y lleoedd hyfforddi
deintyddol sydd ar gael i fyfyrwyr yng
Nghymru;*

*yn croesawu bwriad Llywodraeth y Cynulliad
i gyflwyno contract deintyddol newydd yng
Nghymru ac i fuddsoddi £5.3 miliwn yn
ychwanegol yng ngwasanaethau deintyddol y
GIG yng Nghymru dros y tair blynedd nesaf.*

Cynnig wedi'i ddiwygio: O blaid 30, Ymatal 0, Yn erbyn 28.

Amended motion: For 30, Abstain 0, Against 28.

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

Andrews, Leighton
Barrett, Lorraine
Butler, Rosemary
Chapman, Christine
Cuthbert, Jeff
Davidson, Jane
Davies, Andrew
Dunwoody-Kneafsey, Tamsin
Essex, Sue
Gibbons, Brian
Gregory, Janice
Griffiths, John
Gwyther, Christine
Hart, Edwina
Hutt, Jane
Idris Jones, Denise
James, Irene
Jones, Ann
Jones, Carwyn
Law, Peter
Lewis, Huw
Lloyd, Val
Mewies, Sandy
Morgan, Rhodri
Neagle, Lynne
Pugh, Alun
Sargeant, Carl
Sinclair, Karen
Thomas, Catherine
Thomas, Gwenda

Pleidleisiodd yr Aelodau canlynol yn erbyn:
The following Members voted against:

Bates, Mick
Black, Peter
Bourne, Nick
Burnham, Eleanor
Cairns, Alun
Davies, David
Davies, Glyn
Davies, Janet
Davies, Jocelyn
Francis, Lisa
German, Michael
Graham, William
Isherwood, Mark
Jones, Alun Ffred
Jones, Elin
Jones, Helen Mary
Jones, Ieuan Wyn
Jones, Laura Anne
Lloyd, David
Melding, David
Morgan, Jonathan
Randerson, Jenny
Ryder, Janet
Thomas, Owen John
Thomas, Rhodri Glyn
Williams, Brynle
Williams, Kirsty
Wood, Leanne

*Derbyniwyd y cynnig.
Motion carried.*

**‘Tegwch i Bawb: Comisiwn Cydraddoldeb a Hawliau Dynol Newydd’
‘Fairness for All: A New Commission for Equality and Human Rights’**

The Deputy Presiding Officer: I have selected amendments 1 and 6 in the name of Kirsty Williams, amendment 2 in the name of Jocelyn Davies and amendment 3, 4 and 5 in the name of Jonathan Morgan.

Y Dirprwy Lywydd: Yr wyf wedi dethol gwelliant 1 a 6 yn enw Kirsty Williams, gwelliant 2 yn enw Jocelyn Davies a gwelliannau 3, 4 a 5 yn enw Jonathan Morgan.

The Minister for Social Justice and Regeneration (Edwina Hart): I propose that

Y Gweinidog dros Gyfiawnder Cymdeithasol ac Adfywio (Edwina Hart): Cynigiaf fod

the National Assembly for Wales

Cynulliad Cenedlaethol Cymru:

1. notes the proposal to create a new commission for equality and human rights;

1. yn nodi'r cynnig i greu comisiwn newydd ar gyfer cydraddoldeb a hawliau dynol;

2. welcomes the commitment to create a committee for Wales which will have competence over Welsh matters;

2. yn croesawu'r ymrwymiad i greu pwyllgor ar gyfer Cymru, a fydd yn gyfrifol am faterion Cymreig;

3. recognises that further detailed work is required in shaping the work of the commission, including the development of a new single equality Act. (NDM2097)

3. yn cydnabod bod angen rhagor o waith manwl i ddiffinio gwaith y comisiwn, gan gynnwys datblygu Deddf cydraddoldeb gyfun newydd. (NDM2097)

4.40 p.m.

I am glad to have the opportunity to open this important debate. It sets the scene for the most fundamental change in the way in which equality issues in this country are to be developed in the future. The decision to press ahead with the creation of a new commission will bring together the different bodies that currently work on race, gender and disability discrimination into a single body that deals with issues of discrimination in relation to age, religion and belief and sexual orientation, and a new focus on human rights issues will be added to this cluster of responsibilities.

Yr wyf yn falch o gael cyfle i agor y ddadl bwysig hon. Mae'n paratoi'r llwyfan ar gyfer y newid mwyaf sylfaenol yn y modd y mae materion sy'n ymwneud â chydaddoldeb i gael eu datblygu yn y dyfodol. Bydd y penderfyniad i fwrw ymlaen i greu comisiwn newydd yn cyfuno'r gwahanol gyrff sy'n gweithio ar hyn o bryd ar wahaniaethu ar sail hil, rhyw ac anabledd yn un corff sy'n ymdrin â materion sy'n ymwneud â gwahaniaethu mewn cysylltiad ag oed, crefydd a chredo a thueddiad rhywiol, ac yn ychwanegu pwyslais newydd ar faterion sy'n ymwneud â hawliau dynol at y clwstwr cyfrifoldebau hwn.

The motion before you is reasonably explicit in welcoming the proposals, but in the spirit of inclusivity, which the new body demonstrates, I will support amendment 3 in the name of Jonathan Morgan, which draws to the surface the new responsibilities to be undertaken by the commission. While this mood of generosity lasts, I will also support Jonathan's amendment 4. Its proposals are captured in the motion's final point, but it again draws out specific points that the Assembly Government considers to be relevant. However, no amount of generosity could lead to my supporting Jonathan's amendment 5, which can be best understood as an attempt to amend his first two amendments. He welcomes the new work that the commission will undertake, makes some sensible points about the need for proper planning, and then announces that the whole thing is a failure in principle and in practice. It is an act of kindness to recommend that the Conservatives' amendment 5 be rejected.

Mae'r cynnig sydd ger eich bron yn croesawu'r cynigion yn eithaf diamwys, ond o ran cynwysoldeb, a amlygir yn y corff newydd, cefnogaf welliant 3 yn enw Jonathan Morgan, sy'n tynnu sylw at y cyfrifoldebau newydd y bydd y comisiwn yn ymgymryd â hwy. Tra pery'r haelfrydedd hwn, gwnaf hefyd gefnogi gwelliant 4 yn enw Jonathan. Mae'r hyn y mae'n ei gynnig wedi'i grisialu ym mhwynt olaf y cynnig, ond unwaith eto mae'n tynnu sylw at bwyntiau penodol y mae Llywodraeth y Cynulliad yn credu eu bod yn berthnasol. Fodd bynnag, ni allwn byth â bod yn ddigon haelfrydig i gefnogi gwelliant 5 yn enw Jonathan, y gellir ei ddeall orau fel ymgais i ddiwygio ei ddau welliant cyntaf. Mae'n croesawu'r gwaith newydd a wnaiff y comisiwn, yn gwneud rhai pwyntiau synhwyrol ynghylch yr angen am gynllunio priodol, ac wedyn yn datgan bod y cwbl yn fethiant o ran egwyddor ac yn ymarferol. Caredigrwydd yw argymhell y dylid gwrthod gwelliant 5 y Ceidwadwyr.

Amendment 2 in the name of Jocelyn Davies seeks to make the National Assembly, rather than the commission, responsible for all equality matters, including, presumably, those arising from the non-devolved areas of social security and Home Office. That would be a nonsense. How could we assume responsibility for the equality dimension of

Mae gwelliant 2 yn enw Jocelyn Davies yn ceisio gwneud y Cynulliad Cenedlaethol, yn hytrach na'r comisiwn, yn gyfrifol am yr holl faterion sy'n ymwneud â chydaddoldeb, gan gynnwys, gellir cymryd, y rhai sy'n codi ym meysydd nawdd cymdeithasol a'r Swyddfa Gartref sydd heb eu datganoli. Nonsens fyddai hynny. Sut y gallem ymgymryd â

policies and practices for which we are not accountable? Proceeding in the way that the amendment suggests would lead to people in Wales having less of a service in relation to questions of equality, not more. This amendment should be rejected.

On amendment 1 in the name of Kirsty Williams, the approach of the Liberal Democrats in the Assembly is beginning to remind me of what, in nineteenth century European history, was known as the Polish question. It was said that, whenever a political discussion on any topic was held, from corn laws to the Abyssinian railway, someone in the audience would spring up and say, 'Ah, but what about the Polish question?'. The Children's Commissioner for Wales has become the equivalent of the Polish question for the Liberal Democrats in Wales. It seems that, no matter what we debate, an amendment about the children's commissioner will appear in the name of Kirsty Williams. It might look like a good try, but this motion is about something different, and the discussion is not helped by confusing two distinct issues.

On the Liberal Democrats' amendment 6, we all agree about a new equality Act, and that is included in the motion. As for the issue of money, the committee and I, as Minister, are addressing that in correspondence with Whitehall.

The Assembly is then left with a motion that sensibly balances the welcome that we need to extend to this important development, and emphasises the significant steps forward that are to be taken in relation to the way in which the commission will operate in Wales.

I pay particular tribute to the work of Professor Teresa Rees, a former Equal Opportunities Commissioner for Wales. She represented us at the task force, the work of which is reflected in the White Paper. Teresa has drawn on the active assistance of a wide range of bodies in Wales that have a direct interest in this field. I am glad that she has

chyfrifoldeb dros elfennau sy'n ymwneud â chydaddoldeb mewn polisiau ac arferion nad ydym yn atebol drostynt? Byddai gweithredu fel y mae'r gwelliant yn awgrymu yn peri i bobl yng Nghymru gael llai o wasanaeth mewn cysylltiad â materion sy'n ymwneud â chydaddoldeb, nid mwy. Dylid gwrthod y gwelliant hwn.

Ynghylch gwelliant 1 yn enw Kirsty Williams, mae ymagwedd y Democratiaid Rhyddfrydol yn y Cynulliad yn dechrau fy atgoffa o'r hyn a elwid, yn hanes Ewrop yn y bedwaredd ganrif ar bymtheg, yn bwnc Gwlad Pwyl. Yn ôl y sôn, pryd bynnag y cynhelid trafodaeth wleidyddol ar unrhyw bwnc, o'r deddfau yd i reilffordd Abysinia, byddai rhywun yn y gynulleidfa yn sicr o godi ar ei draed a dweud, 'A, ond beth am bwnc Gwlad Pwyl?'. Mae Comisiynydd Plant Cymru yn cyfateb bellach i bwnc Gwlad Pwyl yng ngolwg y Democratiaid Rhyddfrydol yng Nghymru. Mae'n ymddangos, ni waeth ar beth y cawn ddadl, y bydd gwelliant am y comisiynydd plant yn ymddangos yn enw Kirsty Williams. Gallai ymddangos yn ymgais deg, ond mae'r cynnig hwn yn ymwneud â rhywbeth gwahanol, ac ni hwylusir y drafodaeth drwy gymysgu dau fater gwahanol.

Ynghylch gwelliant 6 y Democratiaid Rhyddfrydol, yr ydym yn gytûn ynghylch Deddf cydraddoldeb newydd, ac mae hynny wedi'i gynnwys yn y cynnig. Gyda golwg ar fater arian, mae'r pwyllgor a minnau, fel Gweinidog, yn ymdrin â hynny drwy ohebu â Whitehall.

Gadewir y Cynulliad wedyn â chynnig synhwyrol sy'n rhoi'r un pwys ar yr angen inni groesawu'r datblygiad newydd hwn ag ar y camau mawr sydd i'w cymryd mewn cysylltiad â'r modd y bydd y comisiwn yn gweithredu yng Nghymru.

Talaf deyrnged yn benodol i waith yr Athro Teresa Rees, cyn-Gomisiynydd Cyfle Cyfartal dros Gymru. Bu'n ein cynrychioli yn y tasglu, yr adlewyrchir ei waith yn y Papur Gwyn. Mae Teresa wedi cael cymorth gan amrywiaeth mawr o gyrff yng Nghymru sydd â buddiant uniongyrchol yn y maes hwn. Yr wyf yn falch ei bod wedi cyfrannu felly drwy

made that contribution in bringing people together at intervals, through my office, to help to develop and promote the Welsh perspective.

As a result, we have a commitment in the White Paper to a Welsh committee of the commission, which has delegated powers in devolved areas. The ground that was broken when devolution created the National Assembly is being followed up in many other dimensions of public policy, and the way in which the White Paper proposes to deal with Welsh matters in future seems to be fully consistent with the new landscape of a devolved United Kingdom.

Of course, there is still a great deal of detailed work to be undertaken. As Minister, I stay in close contact with those engaged in this work in Scotland and in Northern Ireland. I was delighted, last week, when the Committee on Equality of Opportunity decided that it wanted to invite representatives from other nations to Wales to share thinking in this area. Among the topics that I am sure that we will want to discuss are the detailed arrangements for the work of devolved committees, the appointment to, and membership of, committees, the relationship between the commission and the Scottish Parliament, the Northern Ireland Assembly and the National Assembly for Wales, and issues around the new body's budget and the ways in which its work programme is to be prioritised. The way in which the commission's human rights responsibilities are to be discharged in Wales will also need to be fleshed out, and the need for a new single equality Act, rationalising the present legislative frameworks and setting the highest standards for all, is an urgent matter for the new body and is highlighted in the motion.

This debate celebrates an important landmark in the history of equality policy. Our responsibility, at the Assembly, is to ensure that the new arrangements deliver the maximum benefits for Wales. To date, we can fairly say that, through hard work and detailed engagement, a great deal has already been achieved. A great deal more remains to be done, and I look forward to reporting to

ddod â phobl ynghyd o bryd i'w gilydd, drwy fy swyddfa, i helpu i ddatblygu a hyrwyddo'r safbwynt Cymreig.

O ganlyniad i hynny, mae gennym ymrwymiad yn y Papur Gwyn i gael pwyllgor Cymreig o dan y comisiwn, a chanddo bwerau dirprwyedig mewn meysydd a ddatganolwyd. Mae'r arloesi a gafwyd pan grëwyd y Cynulliad Cenedlaethol drwy ddatganoli yn cael ei ddilyn mewn sawl agwedd arall ar bolisi cyhoeddus, ac mae'r modd y mae'r Papur Gwyn yn cynnig ymdrin â materion Cymreig yn y dyfodol yn ymddangos yn gwbl gyson â natur y Deyrnas Unedig ddatganoledig.

Wrth gwrs, mae llawer iawn o waith manwl i'w wneud eto. Fel Gweinidog, yr wyf mewn cysylltiad agos drwy'r amser â'r rhai sy'n ymwneud â'r gwaith hwn yn yr Alban ac yng Ngogledd Iwerddon. Yr oeddwn wrth fy modd, yr wythnos diwethaf, pan benderfynodd y Pwyllgor Cyfle Cyfartal ei fod yn dymuno gwahodd cynrychiolwyr o genhedloedd eraill i Gymru i rannu syniadau ynghylch y maes hwn. Ymysg y pynciau yr wyf yn siŵr y byddwn am eu trafod y mae'r trefniadau manwl ar gyfer gwaith pwyllgorau datganoledig, penodiadau i bwyllgorau a'u haelodaeth, y berthynas rhwng y comisiwn a Senedd yr Alban, Cynulliad Gogledd Iwerddon a Chynulliad Cenedlaethol Cymru, a materion sy'n gysylltiedig â chyllideb y corff newydd a'r dull o flaenoriaethu ei raglen waith. Yn ogystal â hynny, bydd yn rhaid ymhelaethu ar y modd y cyflawnir cyfrifoldebau'r comisiwn o ran hawliau dynol yng Nghymru, ac mae'r angen am un Ddeddf cydraddoldeb newydd, a fydd yn rhesymoli'r fframweithiau deddfwriaethol presennol ac yn gosod y safonau uchaf i bawb, yn fater y bydd yn rhaid i'r corff newydd ymdrin ag ef ar fyrder a thynnir sylw ato yn y cynnig.

Mae'r ddadl hon yn dathlu cyrraedd carreg filltir bwysig yn hanes polisi cydraddoldeb. Ein cyfrifoldeb ni, yn y Cynulliad, yw sicrhau y bydd y trefniadau newydd yn dod â'r buddion mwyaf i Gymru. Hyd yma, gallwn ddweud yn deg fod llawer iawn wedi'i gyflawni eisoes, drwy waith caled a manwl. Mae llawer iawn i'w wneud eto, ac edrychaf ymlaen at adrodd ymhellach i chi wrth i'r

you further as the work progresses.

I also place on record my thanks to the Committee on Equality of Opportunity for taking matters forward with Government and making its views known. I would be grateful for its support and its ideas and suggestions as we proceed with the detailed negotiation. There is still a lot to play for in terms of what we want out of the new body. There are also many issues that we need to consider, especially the complex relationship between some equality issues and the whole issue of human rights, because along the way there is potential for conflict within that agenda.

Jenny Randerson: I propose the following amendments in the name of Kirsty Williams. Amendment 1: delete point 2 and replace with:

welcomes the commitment to create a committee for Wales responsible for all aspects of the putative commission's activities and responsibilities in Wales regardless of their devolved status;

regrets that the same approach to recognising the need for such activities to be conducted at an all-Wales level regardless of devolution boundaries has not been extended to the development of the children's commissioners.

I propose amendment 6. Add as a new point at the end of the motion:

believes that to be effective the work of the new commission needs to be based on a new equality Act and needs to be adequately resourced.

The Welsh Liberal Democrats strongly welcome the principle of a single equality body. However, like many, we have serious concerns about some of the details. Many of these detailed concerns stem from the failure to base the new body on a new single equality Act. The new body will instead have to work with a hotch-potch of inherited legislation. The existing commissions have considerable differences in their powers, and the purpose of amendment 6 is to draw

gwaith fynd rhagddo.

Yr wyf hefyd yn nodi fy niolch i'r Pwyllgor Cyfle Cyfartal am hyrwyddo materion gyda'r Llywodraeth a rhoi gwybod am ei farn. Byddwn yn ddiolchgar o gael ei gefnogaeth a'i syniadau a'i awgrymiadau wrth inni fwrw ymlaen â'r negodi manwl. Mae llawer i'w ennill o hyd o ran yr hyn y dymunwn ei gael drwy'r corff newydd. Mae llawer o faterion y mae'n rhaid inni eu hystyried hefyd, yn enwedig y cysylltiad cymhleth rhwng rhai materion sy'n ymwneud â chydraddoldeb a holl bwnc hawliau dynol, gan y gellid cael gwrthdaro o fewn yr agenda honno wrth fynd ymlaen.

Jenny Randerson: Cynigiau y gwelliannau canlynol yn enw Kirsty Williams. Gwelliant 1: dileu 2 a rhoi yn ei le:

yn croesawu'r ymrwymiad i greu pwyllgor ar gyfer Cymru a fydd yn gyfrifol am bob agwedd ar weithgareddau a chyfrifoldebau'r comisiwn arfaethedig yng Nghymru, p'un a ydynt yn faterion sydd wedi'u datganoli ai peidio;

yn gresynu na welwyd yr un gydnabyddiaeth bod angen i weithgareddau o'r fath gael eu cynnal ar lefel Cymru gyfan, waeth beth fo ffiniau datganoli, wrth ddatblygu'r comisiynwyr plant.

Cynigiau welliant 6. Ychwanegu pwynt newydd ar ddiwedd y cynnig:

yn credu bod yn rhaid i waith y comisiwn newydd fod yn seiliedig ar Ddeddf cydraddoldeb newydd, a chael ei ariannu'n ddigonol, er mwyn bod yn effeithiol.

Mae Democratiaid Rhyddfrydol Cymru yn croesawu'n fawr yr egwyddor o gael un corff cydraddoldeb. Fodd bynnag, fel llawer un arall, mae gennym bryderon ynghylch rhai o'r manylion. Mae llawer o'r pryderon manwl hyn yn deillio o'r methiant i seilio'r corff newydd ar un Ddeddf cydraddoldeb newydd. Yn hytrach, bydd yn rhaid i'r corff newydd wneud defnydd o gymysgfa o ddeddfwriaeth a etifeddir ganddo. Mae cryn wahaniaeth rhwng pwerau'r comisiynau

attention to this. The new commission will inevitably get off to a faltering start as a result of this. The Secretary of State has said that the new commission should review the legislation and consider the idea of a new single equality Act. However, that is back to front, because the horse of legislation should be leading the commission cart, and not vice versa. It is worth pointing out that my concerns are echoed by many of the equality bodies.

On our amendment 1, while we welcome a committee for Wales and a commissioner for Wales—maybe the UK Government is learning from the problems associated with the powers of the children's commissioner—once again there are problems and issues that are still to be resolved. I welcome the Minister's words on this issue, as I believe that she is thinking along similar lines.

First, on the method of appointment, there must be meaningful involvement of Welsh Assembly Government Ministers and the Assembly. In this appointment, above all, we cannot have controversy of the sort that we have seen lately over appointments. The merest whiff of a stitch-up would have a serious impact on the credibility of the new body. Secondly, the commission in Wales must have the right to set its own priorities, independent of the commission in England, bearing in mind the Assembly's unique statutory equality and human rights duties. Thirdly, the arrangements must take full account of the devolved settlement in Wales, in all its complexities, including the shared responsibilities with the UK Government.

The Welsh Liberal Democrats will not support Plaid Cymru's amendment 2. It is ridiculous to suggest that all equality issues could be devolved to Wales. Even taking into account its desire for an independent Wales, it is my understanding that Plaid Cymru wants Wales to remain within the European Union, and some equality issues are set by EU legislation. We will support the Conservatives' amendment 3, although I am a little puzzled by it, bearing in mind the recent speech by the Shadow Home Secretary, David Davis, in which he said that

presennol, a diben gwelliant 6 yw tynnu sylw at hynny. Mae'n anrffod mai cychwyniad sigledig a gaiff y comisiwn newydd o ganlyniad i hyn. Mae'r Ysgrifennydd Gwladol wedi dweud y dylai'r comisiwn newydd adolygu'r ddeddfwriaeth ac ystyried y syniad o gael un Ddeddf cydraddoldeb newydd. Fodd bynnag, rhoi'r drol o flaen y ceffyl yw hynny, gan mai deddfwriaeth a ddylai arwain y comisiwn, ac nid fel arall. Mae'n werth nodi bod fy mhryderon yn cael eu hategu gan lawer o'r cyrff cydraddoldeb.

Ynghylch gwelliant 1 o'n heiddo, er ein bod yn croesawu'r ffaith y bydd pwyllgor ar gyfer Cymru a chomisiynydd ar gyfer Cymru—efallai fod Llywodraeth y DU yn dysgu oddi wrth y problemau a oedd yn gysylltiedig â phwerau'r comisiynydd plant—unwaith eto, mae problemau a materion y mae angen eu datrys o hyd. Croesawaf eiriau'r Gweinidog ar y pwnc hwn, gan y credaf ei bod yn meddwl yn debyg.

Yn gyntaf, ynghylch y dull penodi, rhaid i Weiniogion Llywodraeth Cynulliad Cymru a'r Cynulliad gymryd rhan ystyrlon. Gyda'r penodiad hwn, yn anad yr un arall, ni allwn gael y math o anghydfod a welsom yn ddiweddar ynghylch penodiadau. Byddai'r awgrym lleiaf o dwyllo'n amharu'n ddirifol ar hygredd y corff newydd. Yn ail, rhaid i'r comisiwn yng Nghymru gael hawl i osod ei flaenoriaethau ei hun, yn annibynnol ar y comisiwn yn Lloegr, gan gofio dyletswyddau statudol unigryw'r Cynulliad o ran cydraddoldeb a hawliau dynol. Yn drydydd, rhaid i'r trefniadau dalu pob sylw i'r ardrefniant datganoledig yng Nghymru, yn ei holl gymhlethdod, gan gynnwys y cyfrifoldebau a rennir â Llywodraeth y DU.

Ni fydd Democratiaid Rhyddfrydol Cymru yn cefnogi gwelliant 2 o eiddo Plaid Cymru. Peth hurt yw awgrymu y gellid datganoli'r holl faterion sy'n ymwneud â chydraddoldeb i Gymru. Hyd yn oed o ystyried ei hawydd am Gymru annibynnol, yr wyf yn deall bod Plaid Cymru yn dymuno i Gymru aros yn yr Undeb Ewropeaidd, a phennir rhai materion sy'n ymwneud â chydraddoldeb gan ddeddfwriaeth yr UE. Cefnogwn welliant 3 y Ceidwadwyr, er fy mod yn dal i fod mewn penbleth yn ei gylch braidd, o gofio'r araith ddiweddar gan Ysgrifennydd Cartref yr

a Conservative Government, if elected, would consider repealing the Human Rights Act 1998 because it was promoting too many spurious rights. I therefore welcome the fact that his colleagues in Wales appear to feel differently on such a fundamental issue.

I will now turn to some other concerns. The new commission must be completely independent of Government. Some aspects of the White Paper suggest some erosion of the independence of the existing commissions, for instance, in the proposed removal of the right of the Equal Opportunities Commission to initiate court proceedings in its own name. It goes without saying that this must not be seen, as well, as part of a cost-cutting exercise. The six-strand approach to equality is a widening of the impact of equality legislation. The new commission will be given an important new role in promoting equality and a culture of human rights. This cannot be done without adequate resources. In Wales, the complexity of the issues that we face must be considered.

4.50 p.m.

Finally, while welcoming the new commission's obligation to promote equality, this should not be at the expense of the power and resources to take legal action where necessary to tackle discrimination. The CRE in particular is concerned about the possible erosion of its powers in that respect. I know from my constituency casework how important it is to the welfare of individuals that legal action can be taken where promotion of equality and attempts to mediate fail. That is a vital step in terms of our current powers. Sadly, legal action is sometimes necessary, and there must be no levelling down of existing protection. Therefore, we welcome the proposal but, as the Minister said, there is still a considerable way to go.

Helen Mary Jones: I propose amendment 2 in the name of Jocelyn Davies. Add as a new point at the end of the motion:

Wrthblaid, David Davis, lle y dywedodd y byddai Llywodraeth Geidwadol, os câi ei hethol, yn ystyried diddymu Deddf Hawliau Dynol 1998 gan ei bod yn hyrwyddo gormod o hawliau annilys. Gan hynny, croesawaf y ffaith bod ei gymheiriaid yng Nghymru'n teimlo'n wahanol, i bob golwg, ynghylch pwnc mor sylfaenol.

Trof yn awr at rai pryderon eraill. Rhaid i'r comisiwn newydd fod yn gwbl annibynnol ar Lywodraeth. Mae rhai agweddau ar y Papur Gwyn sy'n awgrymu bod rhywfaint o erydu ar annibyniaeth y comisiynau presennol, er enghraifft, yn y bwriad i ddileu hawl y Comisiwn Cyfle Cyfartal i gychwyn achos llys yn ei enw ei hun. Mae'n amlwg hefyd na ddylid ystyried hyn yn rhan o ymgais i dorri costau. Mae'r dull o ymdrin â chydardoldeb ar sail chwe elfen yn ehangu effaith deddfwriaeth ar gydraddoldeb. Bydd y comisiwn newydd yn cael rôl newydd bwysig wrth hyrwyddo cydraddoldeb ac arferion sy'n ymwneud â hawliau dynol. Ni ellir gwneud hynny heb gael adnoddau digonol. Yng Nghymru, rhaid ystyried y materion cymhleth a wynebwn.

Yn olaf, er ein bod yn croesawu'r ffaith bod y comisiwn newydd o dan rwymedigaeth i hyrwyddo cydraddoldeb, ni ddylai hynny fod ar draul y pŵer a'r adnoddau sydd eu hangen i gymryd camau cyfreithiol os oes angen i fynd i'r afael â chamwahaniaethu. Mae'r Comisiwn Cydraddoldeb Hiliol yn benodol yn poeni am yr erydu posibl ar ei bwerau yn hynny o beth. Gwn oherwydd fy ngwaith ar achosion yn fy etholaeth mor bwysig ydyw i les unigolion fod modd cymryd camau cyfreithiol os yw ymdrechion i hyrwyddo cydraddoldeb ac i gyfryngu yn methu. Mae hynny'n gam hollbwysig yng nghyd-destun ein pwerau presennol. Gwaetha'r modd, mae angen cymryd camau cyfreithiol weithiau, ac ni ddylid lleihau'r amddiffyniad presennol. Felly, croesawn y bwriad hwn ond, fel y dywedodd y Gweinidog, mae llawer iawn i'w wneud eto.

Helen Mary Jones: Cynigiad welliant 2 yn enw Jocelyn Davies. Ychwanegu pwynt newydd ar ddiwedd y cynnig:

calls for the devolution of responsibility for all equality matters to the National Assembly in order to facilitate its statutory and moral duty to promote equality of opportunity for all people.

I will address the amendment and then refer to wider aspects of the debate. I am sure that all Members are proud of the Assembly's unique responsibility for the promotion of equality of opportunity, and I am sure that they would wish to view that as a moral responsibility that goes well beyond the strict statutory responsibility. The Minister has demonstrated that in terms of her attitude to asylum seekers, which is in sharp contrast to the attitude of some of her colleagues in the Westminster Government.

The current arrangements, in terms of delivering equality in Wales, with relation to the law and the commissioners, were far from satisfactory. On occasion, it was hard to get existing commissions to respond to the most basic needs in Wales, for example, the need to produce bilingual literature and to provide services through the medium of Welsh. We are deeply concerned that further centralisation within one commission could lead to even less ability to respond flexibly to circumstances in Wales. That is the basis of our amendment, and I am sorry that the Minister felt the need to be so dismissive of it. We believe that this provides us with an opportunity to begin to deal with some of the anomalies and pressures by devolving equality responsibilities to the Assembly so that it can make policy with regard to devolved matters and monitor policy regarding undeveloped matters. There would then need to be an independent commission in Wales, which we believe could address some of the concerns that were excellently outlined by Jenny Randerson regarding the balance within a large UK commission and whether all strands would receive equal attention. We could address those much more effectively at a Wales level.

We realise that our amendment presents some constitutional challenges, but the situation could hardly be more of a mess than the current devolution settlement. Therefore, I am disappointed with the attitude of the

yn galw am ddatganoli'r cyfrifoldeb am bob mater sy'n ymwneud â chydraddoldeb i'r Cynulliad Cenedlaethol er mwyn hwyluso ei ddyletswydd statudol a moesol i hyrwyddo cyfle cyfartal i bawb.

Ymdriniaf â'r gwelliant a chyfeirio wedyn at agweddau mwy cyffredinol ar y ddadl. Yr wyf yn siŵr bod yr holl Aelodau'n ymfalchïo yng nghyfrifoldeb unigryw'r Cynulliad i hybu cyfle cyfartal, ac yr wyf yn siŵr y byddent yn dymuno ystyried hynny'n gyfrifoldeb moesol a aiff ymhell y tu hwnt i'r cyfrifoldeb statudol ei hun. Mae'r Gweinidog wedi dangos hynny yn ei hymagwedd at geiswyr lloches, sy'n gwbl wahanol i ymagwedd rhai o'i chymheiriaid yn Llywodraeth San Steffan.

Yr oedd y trefniadau presennol ymhell o fod yn foddhaol o ran sicrhau cydraddoldeb yng Nghymru, mewn cysylltiad â'r gyfraith a'r comisiynwyr. Ar brydiau, yr oedd yn anodd cael gan y comisiynau presennol ymateb i'r anghenion mwyaf sylfaenol yng Nghymru, er enghraifft, yr angen i gynhyrchu deunydd darllen dwyieithog a darparu gwasanaethau drwy gyfrwng y Gymraeg. Yr ydym yn dra phryderus y gallai canoli pellach mewn un comisiwn arwain at lai byth o allu i ymateb yn hyblyg i amgylchiadau yng Nghymru. Dyna'r sail i'n gwelliant, ac mae'n ddrwg gennyf fod y Gweinidog wedi teimlo bod rhaid iddi fod mor ddibrisiol ohono. Credwn fod hyn yn cynnig cyfle inni ddechrau delio â rhai o'r anghysonderau a'r pwysau drwy ddatganoli cyfrifoldebau dros gydraddoldeb i'r Cynulliad fel y gall wneud polisi mewn cysylltiad â materion a ddatganolwyd a chadw golwg ar bolisi sy'n ymwneud â materion nas datganolwyd. Wedyn byddai'n rhaid cael comisiwn annibynnol yng Nghymru, a chredwn y byddai hynny'n fodd i ymdrin â rhai o'r pryderon a ddisgrifiwyd yn rhagorol gan Jenny Randerson sy'n ymwneud â'r cydbwysedd mewn comisiwn mawr ar gyfer y DU ac a fyddai'r holl elfennau'n cael yr un sylw. Gallem ymdrin â'r rhain yn llawer mwy effeithiol ar lefel Cymru.

Sylweddolwn fod ein gwelliant yn codi rhai heriau cyfansoddiadol, ond prin y gallai'r sefyllfa fod yn fwy dryslyd na'r ardfreniant datganoli presennol. Gan hynny, yr wyf yn siomedig yn ymagwedd y Democratiaid

Liberal Democrats, who are usually fairly keen to jump at any more moves towards devolution, and that of the Minister. That said, we will support the motion as it stands, with the amendments that the Minister is supporting and some other amendments, because it recognises that there is a serious need for further work. I only have time to mention some of the concerns, and we look forward to pursuing this issue further with the Government in committee. We welcome a commitment to establishing a committee in Wales, but we have some grave concerns regarding who appoints the committee's members, to whom it is answerable and how it will be resourced. I have those concerns as I have direct personal experience of working with the Equal Opportunities Commission, where we had problems in getting our committee adequately resourced. We need to make those appointments in Wales, or jointly at the very least. I hope that the Minister will be pressing for that.

We also have major concerns regarding whether it is possible for one body to carry out work on equality and on human rights. I am glad that the Minister recognises that problem. Work on equality of opportunity has traditionally addressed the needs of previously excluded or oppressed groups. Work on human rights is about individuals. I am concerned that a great rush of work on human rights could overwhelm a new commission and leave work on equality on the backburner. There are circumstances where the human rights of individuals can directly conflict with the need to address the problems of historically excluded groups. Therefore, the Assembly must have a strong input into the new commission's balance of priorities, if it will be established in the form that the Government currently proposes.

As Jenny Randerson has said, there are issues regarding how the commission will prioritise its work. That is a real concern for existing equality bodies and more of a concern in terms of the so-called new strands of age discrimination and discrimination on the grounds of sexuality and religion. It is unclear how Wales will be able to influence the responsibility of the UK commission—

Rhyddfrydol, sydd fel arfer yn eithaf awyddus i gefnogi camau pellach tuag at ddatganoli, ac yn ymagwedd y Gweinidog. Wedi dweud hynny, cefnogwn y cynnig fel y mae, gyda'r gwelliannau y mae'r Gweinidog yn eu cefnogi a rhai gwelliannau eraill, gan ei fod yn cydnabod bod taer angen gwaith pellach. Nid oes gennyf amser ond i sôn am rai o'r pryderon, ac edrychwn ymlaen at ddilyn y mater hwn ymhellach gyda'r Llywodraeth yn y pwyllgor. Croesawn yr ymrwymiad i sefydlu pwyllgor yng Nghymru, ond mae gennym rai pryderon dybyrd ynghylch pwy a fydd yn penodi aelodau'r pwyllgor, i bwy y bydd yn atebol a sut y caiff ei gyllido. Teimlaf y pryderon hynny gan fod gennyf brofiad personol uniongyrchol o weithio gyda'r Comisiwn Cyfle Cyfartal, lle y cawsom drafferthion i sicrhau cyllid digonol i'n pwyllgor. Rhaid inni gael gwneud y penodiadau hynny yng Nghymru, neu ar y cyd o leiaf. Gobeithiaf y bydd y Gweinidog yn pwysu am hynny.

Mae gennym bryderon mawr hefyd ynghylch a yw'n bosibl i un corff gyflawni gwaith ar gydraddoldeb ac ar hawliau dynol. Yr wyf yn falch bod y Gweinidog yn cydnabod y broblem honno. Mae gwaith ar gyfle cyfartal wedi ymwneud fel arfer ag anghenion grwpiau a oedd wedi'u hallgáu neu eu gormesu o'r blaen. Mae gwaith ar hawliau dynol yn ymwneud ag unigolion. Yr wyf yn pryderu y gallai'r brys mawr i wneud gwaith ar hawliau dynol fod yn drech na'r comisiwn newydd ac y byddai gwaith ar gydraddoldeb yn cael ei fwrw o'r neilltu. Ceir amgylchiadau lle y gall hawliau dynol unigolion wrthdaro'n uniongyrchol â'r angen i ymdrin â phroblemau grwpiau sydd wedi cael eu hallgáu yn y gorffennol. Gan hynny, rhaid i'r Cynulliad gael dylanwadu'n gryf ar gydbwysedd blaenoriaethau'r comisiwn newydd, os sefydlir ef ar y ffurf y mae'r Llywodraeth yn ei chynnig ar hyn o bryd.

Fel y dywedodd Jenny Randerson, mae materion yn codi ynghylch y modd y bydd y comisiwn yn blaenoriaethau ei waith. Mae hynny'n wir bryder gan gyrff cydraddoldeb presennol ac yn fwy o destun pryder yng nghyd-destun yr elfennau newydd, fel y'u gelwir, sef gwahaniaethu ar sail oed a gwahaniaethu ar sail rhywioldeb a chrefydd. Nid yw'n glir sut y bydd Cymru'n gallu

no, it is a commission for Scotland, England and Wales, which is another *potsh* as far as the constitution is concerned. If we cannot influence central priorities, the ability to work flexibly in Wales will be impaired.

We support point 3 of the motion as it stands, particularly the call for a new Act. It is iniquitous, but, after this legislation is passed, it will arguably be lawful to discriminate against a young gay person in school, whereas it would be unlawful to discriminate against that person in the workplace. This is a nonsense that demonstrates the grudging approach of certain parts of the Westminster Government to these issues, in contrast to the more positive cross-party approach in Wales. There is a strong and desperate argument for new legislation, and these matters would be best dealt with in the Assembly. I urge Members to support amendment 2.

Mark Isherwood: I propose the following amendments in the name of Jonathan Morgan. Amendment 3: add as a new point at the end of the motion:

welcomes the new strands of age, sexuality and religion/belief within the Commission for Equality and Human Rights.

I propose amendment 4. Add as a new point at the end of the motion:

believes that the new Commission for Equality and Human Rights should be subject to proper planning, evidence and risk assessment.

I propose amendment 5. Add as a new point at the end of the motion:

expresses concern that the proposed Commission for Equality and Human Rights, as set out in the 'Fairness for All' White Paper, fails the questions:

a) is it right in principle?

b) will it work in practice?

dylanwadu ar gyfrifoldeb comisiwn y DU—nace, comisiwn ar gyfer yr Alban, Lloegr a Chymru ydyw, ac mae hynny'n creu potsh cyfansoddiadol arall. Os na allwn ddylanwadu ar flaenoriaethau canolog, amharir ar y gallu i weithio'n hyblyg yng Nghymru.

Cefnogwn bwynt 3 y cynnig fel y mae, yn enwedig yr alwad am Ddeddf newydd. Mae'n beth anghyfiawn, ond, ar ôl pasio'r ddeddfwriaeth hon, gellir dadlau y bydd yn gyfreithlon gwahaniaethu yn erbyn person hoyw ifanc yn yr ysgol, tra byddai'n anghyfreithlon gwahaniaethu yn ei erbyn yn y gweithle. Nonsens yw hyn sy'n dangos ymagwedd grintachlyd rhai rhannau o Lywodraeth San Steffan at y materion hyn, yn wahanol i'r ymagwedd drawsbleidiol fwy cadarnhaol a geir yng Nghymru. Mae'r ddadl dros gael deddfwriaeth newydd yn un daer a chryf, a gellid ymdrin â'r materion hyn orau yn y Cynulliad. Anogaf Aelodau i gefnogi gwelliant 2.

Mark Isherwood: Cynigiau y gwelliannau canlynol yn enw Jonathan Morgan. Gwelliant 3: ychwanegu pwynt newydd ar ddiwedd y cynnig:

yn croesawu'r elfennau newydd ar gyfer oedran, rhywioldeb a chrefydd/cred o fewn y Comisiwn Cydraddoldeb a Hawliau Dynol.

Cynigiau welliant 4. Ychwanegu pwynt newydd ar ddiwedd y cynnig:

yn credu y dylai'r Comisiwn Cydraddoldeb a Hawliau Dynol newydd fod yn destun prosesau priodol o ran cynllunio, casglu tystiolaeth ac asesu risg.

Cynigiau welliant 5. Ychwanegu pwynt newydd ar ddiwedd y cynnig:

yn mynegi pryder nad yw'r cynigion i sefydlu Comisiwn Cydraddoldeb a Hawliau Dynol, fel y maent wedi eu hamlinellu yn y Papur Gwyn 'Fairness for All', yn rhoi atebion boddhaol i'r cwestiynau:

a) a ydyw'n iawn mewn egwyddor?

b) a fydd yn gweithio'n ymarferol?

c) is it better than what we have now?

We will support amendments 1 and 6, but not amendment 2. As an elected regional Member who worked well in excess of 40 hours per week during the recess across north Wales and who is terrified of the implications for liberal democracy of one political party dictating to another how it should select its candidates, I move the amendments on the grounds that everyone should have the right to fulfil his or her potential regardless of gender, race, sexual orientation, disability, age, religion or belief. This is especially important in a society that is as diverse as those of Wales and Great Britain. For these reasons, I welcome the streamlining of the equality and race organisations to create a single entity. However, this organisation must not become a bureaucratic black hole that is only about political correctness and unnecessary interference. We must—

Helen Mary Jones: Could you explain what political correctness is and what it means? My mother always used to say that it was a simple matter of good manners, not calling people things that they did not wish to be called and not being rude and offensive to others. Could you define political correctness, as it is something that seems to terrify some Members of your party? I am worried about you because I do not know what this horrid thing is, and I would like to be able to protect you from it.

Mark Isherwood: I fully endorse good manners, and my mother took a similar approach to yours. In using the term 'political correctness', I mean the use of language that is not understood by the people whom we seek to represent. We increasingly talk in a language that only we understand, and I am frequently told—and I am sure that you live in the same world as I do—that people do not understand what we are talking about in their names. We must avoid the exclusion that is created by the use of fashionable, politically correct gobbledegook, by instead using concise and inclusive plain Welsh and English that ensures access through understanding to all.

c) a ydyw'n well na'r hyn sydd gennym eisoes?

Cefnogwn welliannau 1 a 6, ond nid gwelliant 2. Fel Aelod rhanbarthol etholedig a weithiodd ymhell dros 40 awr yr wythnos yn ystod y toriad ledled y Gogledd ac sydd wedi'i frawychu gan y goblygiadau i ddemocratiaeth ryddfrydol o weld un blaid wleidyddol yn dweud wrth un arall sut y dylai ddethol ei hymgeiswyr, cynigiau y gwelliannau ar y sail y dylai pawb gael hawl i gyflawni ei botensial beth bynnag fo'i ryw, ei hil, ei dueddiad rhywiol, anabled, oed, crefydd neu gredo. Mae hyn yn arbennig o bwysig mewn cymdeithas sydd mor amrywiol â'r rhai a geir yng Nghymru a Phrydain Fawr. Oherwydd hynny, croesawaf y bwriad i symleiddio'r cyrff cydraddoldeb a hil i greu un endid. Er hynny, ni ddylai'r corff hwn droi'n dwll du biwrocraidd nad yw ond yn ymwneud â chywirdeb gwleidyddol ac ymyrryd diangen. Rhaid inni—

Helen Mary Jones: A allwch egluro beth yw cywirdeb gwleidyddol a beth y mae'n ei olygu? Byddai fy mam yn dweud bob amser nad oedd ond yn fater o gwrteisi, o beidio â galw enwau ar bobl yn groes i'w dymuniad ac o beidio â bod yn ddigywilydd a pheri tramgwydd i eraill. A allwch ddiffinio cywirdeb gwleidyddol, gan ei bod yn ymddangos ei fod yn rhywbeth sy'n dychryn rhai Aelodau o'ch plaid? Yr wyf yn poeni yn eich cylch gan na wn beth yw'r peth ofnadwy hwn, a hoffwn allu'ch amddiffyn rhagddo.

Mark Isherwood: Yr wyf yn llwyr o blaid cwrteisi, ac yr oedd ymagwedd fy mam yn debyg i un eich mam chi. Wrth ddefnyddio'r term 'cywirdeb gwleidyddol', yr wyf yn golygu defnyddio iaith nas deallir gan y rhai y ceisiwn eu cynrychioli. Yr ydym yn siarad ffwyfwy mewn iaith nad oes neb ond nyni yn ei deall, a dywedir wrthyf yn aml—ac yr wyf yn siŵr eich bod yn byw yn yr un byd â mi—nad yw pobl yn deall yr hyn yr ydym yn ei drafod yn eu henw. Rhaid inni osgoi'r allgáu sy'n digwydd oherwydd siarad ffiloreg ffasiynol a gwleidyddol gywir, drwy ddefnyddio yn lle hynny Gymraeg a Saesneg clir, cryno a chynhwysol y bydd pawb yn eu deall.

We need an organisation that will provide guidance and implement the rule of law for those who are subjected to discrimination. It is the duty of every member of a civilised society to respect fellow citizens, regardless of their personal circumstances. Vaclav Havel said that democracy is hard and that it requires everyone to participate. This requires the removal of barriers to equal access for all. This, in turn, requires enabling legislation and statutory support, providing for equal access and inclusion for all. Therefore, we share the concern expressed by the Disability Rights Commission that its calls for single equality legislation have not been heard. We also share the significant concerns of the Equal Opportunities Commission about aspects of the proposals in the White Paper relating to resources, equality legislation and powers. We support the criteria identified by the EOC for a new body to be successful, noting in particular its ability to deal effectively with each of the equality strands without creating a hierarchy. We support the statement made by the Commission for Racial Equality, not by us, that

‘The government’s proposal should be treated with the utmost seriousness, and any policy that affects equality should be subjected to several tests...Is it right in principle? Will it work in practice? Is it better than what we have now?’

We note with concern that

‘On all three grounds the CRE concludes that the proposed Commission for Equality and Human Rights...as set out in the White Paper, *Fairness for All*...fails the test.’

5.00 p.m.

If, as the CRE concludes, the implementation of ‘Fairness for All’ would weaken the cause of equality overall and offer so little for the so-called new strands of age, sexuality and religion or belief, relevant groups would receive second-class protection. If, as the Commission for Racial Equality concludes,

Mae arnom angen corff a fydd yn rhoi cyfarwyddyd ac yn defnyddio'r gyfraith er mwyn y rhai y gwahaniaethir yn eu herbyn. Dyletswydd pob aelod o gymdeithas wâr yw parchu ei gyd-ddinasyddion, beth bynnag fo'u hamgylchiadau personol. Dywedodd Vaclav Havel fod democratiaeth yn beth anodd a'i bod yn ofynnol i bawb gymryd rhan. Mae hynny'n golygu bod rhaid chwalu rhwystrau rhag mynediad cyfartal i bawb. Mae hynny, yn ei dro, yn gofyn deddfwriaeth galluogi a chefnogaeth statudol, sy'n darparu ar gyfer mynediad cyfartal a chynhwysiant i bawb. Gan hynny, rhannwn y pryder a fynegwyd gan y Comisiwn Hawliau Anabledd i'r perwyl bod ei alwadau am un ddeddfwriaeth cydraddoldeb eu clywed. Yr ydym hefyd yn rhannu pryderon mawr y Comisiwn Cyfle Cyfartal ynghylch agweddau ar y cynigion yn y Papur Gwyn sy'n ymwneud ag adnoddau, deddfwriaeth cydraddoldeb a phwerau. Yr ydym o blaid y meini prawf a nododd y Comisiwn Cyfle Cyfartal i sicrhau llwyddiant y corff newydd, gan gyfeirio'n benodol at ei allu i ymdrin yn effeithiol â phob un o'r elfennau cydraddoldeb heb greu hierarchaeth. Cefnogwn y datganiad a wnaed gan y Comisiwn Cydraddoldeb Hiliol, nid gennym ni, y dylid

trin cynnig y Llywodraeth yn y modd mwyaf difrifol, ac y dylid rhoi sawl prawf ar unrhyw bolisi sy'n effeithio ar gydraddoldeb...A yw'n iawn mewn egwyddor? A fydd yn gweithio'n ymarferol? A yw'n well na'r hyn sydd gennym yn awr?

Nodwn gyda phryder fod

y Comisiwn Cydraddoldeb Hiliol, ar sail y tri phrawf hynny, yn dod i'r casgliad bod y Comisiwn Cydraddoldeb a Hawliau Dynol arfaethedig...fel y'i disgrifir yn y Papur Gwyn, *Fairness for All*...yn methu'r prawf.

Os byddai gweithredu ‘Fairness for All’ yn gwanhau'r safiad o blaid cydraddoldeb yn gyffredinol, fel y mae'r Comisiwn Cydraddoldeb Hiliol yn casglu, ac yn cynnig cyn lleied ar gyfer yr elfennau newydd, fel y'u gelwir, sef oed, rhywioldeb a chrefydd neu greddo, byddai'r grwpiau perthnasol yn

the proposals will reduce a successor body's impact on authority, its capacity to reduce conflict within organisations and its capacity to meet the challenging objectives set for it by Government, then this Assembly must urge the UK Government to review its quick-fix position. It must subject the new commission for equality and human rights to proper planning, evidence and risk assessment in order to provide equal protection to all protected groups, old and new, to deliver that protection for the vulnerable more quickly and to allow the existing equality bodies to learn to work together more effectively so that the whole of the new commission may truly become greater than the sum of its component parts. To achieve this, I commend the work on cross-cutting discrimination being undertaken by the University of Wales, Bangor, as a member of the sequel development partnership between higher education institutions in England, Scotland and Wales and commend the approach being undertaken by each sequel partner, working with local employers and community groups to understand the complexities of discrimination related to equal access.

Finally, to capitalise on this, we must act urgently on the findings of research published this month by the University of Wales Swansea, on sustainable development in Wales, which found that:

'Evaluation and evidence-based policy-making were poorly represented in the policy process'

and that

'Inter-organisation relationships were deficient in several areas, particularly between the National Assembly and local government, and the National Assembly and Assembly-sponsored public bodies.'

Gwenda Thomas: As Chair of the Committee on Equality of Opportunity, I am pleased to have the opportunity to contribute to this debate. The Committee had responded to the earlier Department of Trade and Industry consultation document 'Equality and Diversity—Making it Happen' and it is

cael amddiffyniad eilradd. Os bydd y cynigion, fel y mae'r Comisiwn Cydraddoldeb Hiliol yn casglu, yn lleihau dylanwad y corff olynol ar yr awdurdodau, ei allu i leihau gwrthdaro o fewn cyrff a'i allu i gyflawni'r amcanion ymestynnol a osodwyd iddo gan Lywodraeth, rhaid i'r Cynulliad hwn annog Llywodraeth y DU i adolygu'r ateb sydyn y mae'n ei gynnig. Rhaid iddi asesu'r comisiwn cydraddoldeb a hawliau dynol newydd yn briodol mewn cysylltiad â chynllunio, tystiolaeth a risg er mwyn cynnig yr un amddiffyniad i'r holl grwpiau sydd i'w hamddiffyn, hen a newydd, er mwyn cynnig yr amddiffyniad hwnnw i'r rhai sy'n agored i niwed yn gyflymach a chaniatáu i'r cyrff cydraddoldeb presennol ddysgu cydweithio'n fwy effeithiol fel y bydd y comisiwn newydd yn fwy na swm ei rannau cyfansoddol. I gyflawni hynny, cymeradwyaf y gwaith ar wahaniaethu trawsbynciol a wnaiff Prifysgol Cymru, Bangor, fel aelod o bartneriaeth datblygu Sequel rhwng sefydliadau addysg uwch yng Nghymru, Lloegr a'r Alban a chanmolaf ddull gweithredu pob un o bartneriaid Sequel, sy'n gweithio gyda chyflogwyr lleol a grwpiau cymunedol i ddeall cymhlethdodau'r gwahaniaethu sy'n gysylltiedig â mynediad cyfartal.

Yn olaf, er mwyn manteisio ar hyn, rhaid inni gymryd camau brys ar sail darganfyddiadau'r ymchwil a gyhoeddwyd y mis hwn gan Brifysgol Cymru Abertawe, ynghylch datblygu cynaliadwy, a ganfu fod:

Gwerthuso a pholisi sy'n seiliedig ar dystiolaeth yn brin yn y broses polisi

a bod

Diffyg yn y cysylltiadau rhwng cyrff mewn sawl maes, yn enwedig rhwng y Cynulliad Cenedlaethol a llywodraeth leol, a'r Cynulliad Cenedlaethol a chyrrff cyhoeddus a noddur gan y Cynulliad.

Gwenda Thomas: Fel Cadeirydd y Pwyllgor Cyfle Cyfartal, yr wyf yn falch o gael cyfle i gyfrannu i'r ddadl hon. Yr oedd y pwyllgor wedi ymateb i ddogfen ymgynghori gynharach yr Adran Masnach a Diwydiant 'Equality and Diversity—Making it Happen' ac mae'n bleser gweld bod llawer o'i farnau

pleasing to see that many of its views on the devolved arrangements have been included in the White Paper proposals for a new commission for equality and human rights.

The committee was particularly pleased to note the proposals for a commission for equality and human rights office in Wales, a specific Welsh member on the commission's board, a Welsh committee fully established in legislation to set priorities and oversee the work of the organisation in Wales and a requirement of the commission to lay an annual report on its activities before the Assembly for debate.

However, members of the committee, after discussing the White Paper proposals with the CEHR taskforce representative for Wales, Professor Teresa Rees, identified a number of areas where some clarification or additional work was needed. As the motion recognises, further detailed work is necessary in shaping the work of the commission. I will mention some areas that have been identified by members of the Committee on Equality of Opportunity.

The appointment of the Welsh representative is intended to be made with the agreement of Assembly Ministers. Surely, in recognition of devolution, the appointment of the Welsh member of the UK commission and members of the Welsh commission for equality and human rights committee should be made by the Welsh Assembly Government in accordance with its procedures for public appointments. Much work has been done in Wales to ensure that full regard is given to equality principles when making public appointments and I would go as far as to say that the Assembly has been leading the way among all administrations in this respect. If necessary, the appointees could be ratified by the UK Government Minister.

Similarly with the national work programme, the White Paper envisages that this should be agreed by the UK CEHR. More must be known about how that work programme could be varied to take account of Welsh needs and circumstances. The Welsh committee must have the ability to vary the priority order of items on the national list and even to set its own priorities to take account

am y trefniadau datganoledig wedi'u cynnwys yng nghynigion y Papur Gwyn ar gyfer comisiwn cydraddoldeb a hawliau dynol newydd.

Yr oedd y pwyllgor yn arbennig o falch o nodi'r cynigion ar gyfer swyddfa i'r comisiwn cydraddoldeb a hawliau dynol yng Nghymru, aelod penodol o Gymru ar fwrdd y comisiwn, pwyllgor Cymreig a sefydlir yn gadarn drwy ddeddfwriaeth i bennu blaenoriaethau a goruchwyllo gwaith y corff yng Nghymru a gofyniad i'r comisiwn osod adroddiad blynyddol am ei weithgareddau gerbron y Cynulliad ar gyfer dadl.

Fodd bynnag, mae aelodau'r pwyllgor, ar ôl trafod cynigion y Papur Gwyn gyda chynrychiolydd tasglu'r comisiwn cydraddoldeb a hawliau dynol dros Gymru, yr Athro Teresa Rees, wedi canfod sawl maes lle'r oedd angen eglurhad neu waith ychwanegol. Fel y mae'r cynnig yn ei gydnabod, mae angen gwaith manwl pellach i ddiffinio gwaith y comisiwn. Cyfeiriaf at rai meysydd a nodwyd gan aelodau'r Pwyllgor Cyfle Cyfartal.

Bwriedir penodi'r cynrychiolydd o Gymru gyda chytundeb Gweinidogion y Cynulliad. Yn sicr, er mwyn cydnabod datganoli, dylai aelod Cymreig comisiwn y DU ac aelodau pwyllgor Cymru'r comisiwn cydraddoldeb a hawliau dynol gael eu penodi gan Lywodraeth Cynulliad Cymru yn unol â'i gweithdrefnau ar gyfer penodiadau cyhoeddus. Gwnaed llawer o waith yng Nghymru i sicrhau y rhoddir pob sylw i egwyddorion cydraddoldeb wrth wneud penodiadau cyhoeddus ac awn cyn belled â dweud mai'r Cynulliad sydd wedi arwain y ffordd o blith yr holl weinyddiaethau yn hynny o beth. Os oes angen, gallai Gweinidog Llywodraeth y DU gadarnhau'r penodiadau.

Gyda'r rhaglen waith genedlaethol yn yr un modd, mae'r Papur Gwyn yn rhagweld y dylai comisiwn cydraddoldeb a hawliau dynol y DU gytuno arni. Rhaid cael gwybod mwy am y modd y gellid newid y rhaglen waith honno er mwyn ystyried anghenion ac amgylchiadau Cymru. Rhaid i'r pwyllgor Cymreig gael y gallu i newid trefn blaenoriaeth yr eitemau ar y rhestr

of Welsh policies and circumstances and to adequately meet the needs of the people of Wales.

The White Paper notes the difference between devolved and non-devolved matters. The structure and functioning of the CEHR must take full account of the hybrid nature of the devolution settlement in Wales in relation to equality matters, for example, the shared responsibility between the Youth Justice Board and the Assembly in relation to youth justice and other important borderline areas, such as asylum and policing. These areas must be brought within the ambit of the Welsh committee of the CEHR. Other areas identified for further consideration are the transitional arrangements, the relationships with the voluntary sector, advice services, mutual scrutiny and the budget. I am sure that other Members will refer to those, as some have already done.

I will restrict my remarks briefly to two further areas—the need to take into account the Assembly’s statutory equality duty and a single equality Act to underpin the new CEHR. It is vital that those responsible for developing the final, statutory basis structure, management and functioning of the new body take full account of the Assembly’s statutory equality duty, as set out in section 48 and section 120 of the Government of Wales Act 1998. The duty that exists in Wales is not shared by the UK Government or the Scottish Parliament, or by the other UK-level equality bodies. A single equality Act is vital to underpin the work of a single equality commission. It will simplify the current complex legislative position, which hampers the work of the existing equality commissions in developing policies and guidance to promote equality across the various strands. It will also help to create a level playing field across the equality strands and among the bodies that represent those strands, as well as assist in tackling cases of multiple discrimination. The CEHR taskforce and the UK Government must continue to consider these issues.

genedlaethol a hyd yn oed pennu ei flaenoriaethau ei hun er mwyn rhoi sylw i bolisiau ac amgylchiadau yng Nghymru a diwallu anghenion pobl Cymru.

Mae'r Papur Gwyn yn nodi'r gwahaniaeth rhwng materion a ddatganolwyd a rhai nas datganolwyd. Rhaid i strwythur a gweithrediad y comisiwn cydraddoldeb a hawliau dynol roi ystyriaeth lawn i natur gymysg y setliad datganoli yng Nghymru mewn cysylltiad â materion sy'n ymwneud â chydaddoldeb, er enghraifft, cydgyfrifoldeb y Bwrdd Cyfiawnder Ieuencid a'r Cynulliad mewn cysylltiad â chyfiawnder ieuencid a meysydd ffiniol pwysig eraill, fel ceisio lloches a phlisma. Rhaid cynnwys y meysydd hyn yng nghwmpas gwaith pwyllgor Cymreig y comisiwn cydraddoldeb a hawliau dynol. Meysydd eraill a nodwyd i'w hystyried ymhellach yw'r trefniadau trosiannol, y cysylltiadau â'r sector gwirfoddol, gwasanaethau cyngor, cydgraffu a'r gyllideb. Yr wyf yn sicr y bydd Aelodau eraill yn cyfeirio at y rhain, fel y gwnaeth rhai eisoes.

Cyfyngaf fy sylwadau'n fyr i ddau faes pellach—yr angen i ystyried dyletswydd statudol y Cynulliad mewn cysylltiad â chydaddoldeb ac un Ddeddf cydraddoldeb i fod yn sylfaen i'r comisiwn cydraddoldeb a hawliau dynol newydd. Mae'n hollbwysig bod y rhai sy'n gyfrifol am ddatblygu'r sail statudol derfynol i strwythur a dull rheoli a gweithredu'r corff newydd yn talu pob sylw i ddyletswydd statudol y Cynulliad o ran cydraddoldeb, fel y'i nodir yn adran 48 ac adran 120 Deddf Llywodraeth Cymru 1998. Nid yw'r ddyletswydd sy'n bod yng Nghymru yn cael ei rhannu gan Lywodraeth y DU neu Senedd yr Alban, na'r cyrff cydraddoldeb eraill ar gyfer y DU. Mae'n hollbwysig cael un Ddeddf cydraddoldeb i fod yn sylfaen i waith un comisiwn cydraddoldeb. Bydd yn symleiddio'r sefyllfa ddeddfwriaethol gymhleth a geir ar hyn o bryd, sy'n llesteirio gwaith y comisiynau cydraddoldeb presennol wrth ddatblygu polisiau a chanllawiau i hybu cydraddoldeb yn y gwahanol elfennau. Bydd hefyd yn helpu i sicrhau chwarae teg i'r holl elfennau cydraddoldeb a rhwng y cyrff sy'n cynrychioli'r elfennau hynny, ac yn helpu i ymdrin ag achosion o gamwahaniaethu

lluosog. Rhaid i dasglu'r comisiwn cydraddoldeb a hawliau dynol a Llywodraeth y DU barhau i ystyried y materion hyn.

David Melding: I welcome the Government's initiative in establishing a single equality body that will be instructed to deal with, and promote, human rights. It seems a natural development and it takes forward an important agenda. I was a member of the Committee on Equality of Opportunity during the first Assembly, and we spent some time looking at these issues, which were a little more tentative then, but which have now been fleshed out considerably. I am pleased that devolution has been thoroughly addressed, although one or two things could be added. Members have referred to the Welsh board member and office in Wales, a Welsh report which is to be submitted to the National Assembly, and a Wales committee, presumably with delegated powers. How many powers are delegated is something that we will follow attentively, but it is a good and robust structure. Will the Minister take up with her colleagues and the Government in Westminster the issue of whether a report could be provided—perhaps not every year, but once every four years or every other year—by the new body on the work of the Welsh Assembly Government, so that the Assembly can look at our Government's record in these areas? That would be a challenging procedure, but it would be a robust one. I would hope that the Government could be confident enough to make such a suggestion.

The new strands that will be incorporated into the equality body are a reflection of what a modern society knows to be important issues, and it is a matter for celebration that human rights and a much broader equality agenda are now of such concern to people. I am pleased to see the new areas of sexual orientation, religion or belief—and the wider remit is appropriate there—and age. That is to be warmly welcomed. There is an issue about how you resource the new strands. You will have to work hard to convince the old equality strands, if I can use that rather clumsy language, that they will not be diluted in a new body that has a much wider remit but does not have any increased resources to deliver that remit. That will be of concern to

David Melding: Croesawaf fenter y Llywodraeth wrth sefydlu un corff cydraddoldeb a gyfarwyddir i ddelio â hawliau dynol a'u hyrwyddo. Ymddengys yn ddatblygiad naturiol ac mae'n hyrwyddo agenda bwysig. Bûm yn aelod o'r Pwyllgor Cyfartal yn ystod y Cynulliad cyntaf, lle treuliodd cryn amser yn ystyried y materion hyn, yr oedd y cynigion yn eu cylch ychydig yn llai datblygedig ar y pryd, ac sydd bellach wedi'u helaethu'n sylweddol. Yr wyf yn falch bod datganoli wedi'i ystyried yn drwyadl, er y gellid ychwanegu un neu ddau o bethau. Mae Aelodau wedi cyfeirio at yr aelod Cymreig o'r bwrdd a'r swyddfa yng Nghymru, adroddiad Cymreig sydd i'w gyflwyno i'r Cynulliad Cenedlaethol, a phwyllgor i Gymru, y gallwn gymryd fod ganddo bwerau dirprwyedig. Byddwn yn cadw golwg manwl ar nifer y pwerau a ddirprwyir, ond mae'n strwythur da a chadarn. A wnaiff y Gweinidog godi gyda'i chyd-Weinidogion a'r Llywodraeth yn San Steffan y posibilrwydd o ddarparu adroddiad—nid bob blwyddyn o bosibl, ond unwaith bob pedair blynedd neu bob yn ail flwyddyn—gan y corff newydd ar waith Llywodraeth Cynulliad Cymru, fel y gall y Cynulliad ystyried record ein Llywodraeth yn y meysydd hyn? Byddai honno'n weithdrefn heriol, ond byddai'n un gadarn. Gobeithiaf y bydd y Llywodraeth yn ddigon hyderus i wneud awgrym o'r fath.

Mae'r elfennau newydd a ymgorfforir yn y corff cydraddoldeb yn adlewyrchu'r hyn y mae cymdeithas fodern yn gwybod eu bod yn faterion pwysig, a thestun dathlu yw bod hawliau dynol ac agenda lawer ehangach ar gydraddoldeb mor bwysig i bobl bellach. Yr wyf yn falch o weld y meysydd newydd, sef tueddiad rhywiol, crefydd neu greddo—ac mae'r cylch gwaith ehangach yn briodol yn hynny o beth—ac oed. Mae hynny i'w groesawu'n fawr. Mae mater yn codi ynghylch y modd y cyllidir yr elfennau newydd. Bydd yn rhaid ichi weithio'n galed i argyhoeddi'r hen elfennau cydraddoldeb, os caf ddefnyddio iaith garbwl o'r fath, na fyddant yn cael eu gwahau mewn corff newydd sydd â chylch gwaith ehangach o

people. I will not talk about a single equality Act, although it would be desirable. However, in the abstract, you could still see the new commission working quite robustly without it, but the legal base would be a bit ragged. That is obviously something for Parliament to consider.

5.10 p.m.

I have one final remark or qualification to make before I give my endorsement. I was interested to hear the Minister refer to what she called the Polish question. It is the proclivity of the Liberals always to mention the children's commissioner; the Polish question was a big issue in the nineteenth century, and, of course, the other big issue of the nineteenth century was the Schleswig-Holstein question. I am told that a British Prime Minister, mid century—Aberdeen or Derby, I guess—was advised that there were only two people in Europe that understood that question: one of them was dead by his own hand and the other had been driven mad. My equivalent of the Schleswig-Holstein question is what happens to our older person's commissioner. I do not raise this to be nasty or to try to wreck it; I completely accept that we will have an older person's commissioner and I want to see the office work. I have expressed my reservations before, the Assembly has decided what it will do, and we must work to ensure that it is a successful office. However, it will take quite a lot of work to ensure that it has a good fit with the new equality body.

Sandy Mewies: I am pleased to support the three recommendations before us, as so many people have done today. We have taken great strides towards equality and human rights, but we still have a long way to go. I am delighted to see this proposal, which will bring together the work of the Equal Opportunities Commission, the Disability Rights Commission and the Commission for Racial Equality; it is another great leap towards bringing this body into being. The new commission will be responsible for new

lawer ond sydd heb gael rhagor o adnoddau i gyflawni'r gwaith hwnnw. Bydd hynny'n peri pryder i bobl. Ni soniaf am un Ddeddf cydraddoldeb, er y byddai'n beth dymunol. Fodd bynnag, a siarad yn haniaethol, gellid rhagweld y gallai'r comisiwn newydd weithio'n eithaf egniol hebddi, er y byddai'r sail gyfreithiol braidd yn fylchog. Mae hynny'n amlwg yn rhywbeth i'w ystyried gan y Senedd.

Mae gennyf un sylw olaf i'w wneud neu amod i'w osod cyn rhoi fy nghymeradwyaeth. Yr oedd o ddi-ddordeb imi glywed y Gweinidog yn cyfeirio at yr hyn a alwodd yn bwnc Gwlad Pwyl. Mae'r Rhyddfrydwyr yn tueddu i sôn am y comisiynydd plant drwy'r amser; yr oedd pwnc Gwlad Pwyl yn fater pwysig yn y bedwaredd ganrif ar bymtheg, ac, wrth gwrs, mater pwysig arall y ganrif honno oedd pwnc Schleswig-Holstein. Dywedir wrthyf fod Prif Weinidog Prydeinig, ar ganol y ganrif—Aberdeen neu Derby, mae'n debyg—wedi'i hysbysu nad oedd ond dau yn Ewrop a ddeallai'r pwnc hwnnw: yr oedd un ohonynt wedi'i ladd ei hun a'r llall wedi'i yrru'n wallgof. Yr hyn sy'n cyfateb i bwnc Schleswig-Holstein yn fy achos i yw'r hyn a ddigwydd i'n comisiynydd pobl hŷn. Nid wyf yn codi hyn er mwyn bod yn gas neu geisio'i ddifetha; yr wyf yn llwyr dderbyn y cawn gomisiynydd pobl hŷn ac yr wyf am weld y swydd yn llwyddo. Yr wyf wedi mynegi amheuan o'r blaen, mae'r Cynulliad wedi penderfynu'r hyn a wnaiff, a rhaid inni ymdrechu i sicrhau llwyddiant y swydd. Er hynny, bydd angen cryn waith i sicrhau y bydd yn cydweddu â'r corff cydraddoldeb newydd.

Sandy Mewies: Yr wyf yn falch o gefnogi'r tri argymhelliad sydd ger ein bron, fel y gwnaeth cynifer heddiw. Yr ydym wedi cymryd camau mawr tuag at gydraddoldeb a hawliau dynol, ond mae gennym lawer o waith i'w wneud eto. Yr wyf wrth fy modd o weld y cynnig hwn, a fydd yn cyfuno gwaith y Comisiwn Cyfle Cyfartal, y Comisiwn Hawliau Anabledd a'r Comisiwn Cydraddoldeb Hiliol; mae'n gam mawr ymlaen tuag at ffurfio'r corff hwn. Bydd y comisiwn newydd yn gyfrifol am

legislation to extend protection against discrimination in employment because of religious beliefs or non-beliefs, sexual orientation or age. This will bring great benefits to those dealing with discrimination, centring in one body a breadth of expertise that can identify strategic solutions. There will be one body to enforce discrimination legislation and to promote good relations between communities, combining the strengths of the previous commissions. I say that advisedly, because I realise that there is still some work to be done. Most importantly, the body will provide one point of contact for people who feel that they have suffered any sort of discrimination, and will support them with advice and help.

Like others here, I am pleased at the commitment to create a committee for Wales with particular competence over Welsh matters, and with offices based in Wales to enable the new body to work more closely with the devolved administration and intermediary organisations. Perhaps north-east Wales could be considered as a suitable base for these offices. Also, I see no problem with the idea that the Welsh board should be called the CEHR Wales—it is a particularly important badging exercise. However, it must not only be a badging exercise: there must be real involvement by this administration, particularly in the appointment of the Welsh representative and in planning the national programme. It is vital that the special needs of people in Wales are strongly voiced, so we must continue to ensure that the projected appointment of one commission member with specialist knowledge of Wales is done within the right framework. It is equally important that the commission puts reports before the National Assembly to strengthen partnership working. The commission must also have effective working relationships, as has already been mentioned, with the children's commissioner, the Welsh Language Board and the proposed older people's commissioner. I, for one, look forward to seeing these links being forged at an early stage.

I acknowledge that there is yet more work to be done to shape the work of the commission, including the development of a single equality Act. There will be issues, procedures

ddeddfwriaeth newydd i estyn amddiffyniad rhag gwahaniaethu mewn cyflogaeth oherwydd credo neu ddiffyg credo grefyddol, tueddiad rhywiol neu oed. Daw hyn â buddion mawr i'r rhai sy'n delio â chamwahaniaethu, drwy grynhoi mewn un corff yr holl arbenigedd a all ganfod atebion strategol. Bydd un corff i orfodi deddfwriaeth camwahaniaethu ac i hyrwyddo cysylltiadau da rhwng cymunedau, gan gyfuno cryfderau'r comisiynau blaenorol. Dywedaf hynny'n ystyriol, gan y sylweddolaf fod rhywfaint o waith i'w wneud o hyd. Yn bwysicaf oll, bydd y corff yn cynnig un pwynt cyswllt ar gyfer rhai sy'n teimlo eu bod wedi profi unrhyw fath o gamwahaniaethu, a bydd yn eu helpu drwy gynnig cyngor a chymorth.

Fel eraill sydd yma, yr wyf yn falch o weld yr ymrwymiad i greu pwyllgor ar gyfer Cymru a chanddo awdurdod penodol dros faterion Cymreig, a swyddfa yng Nghymru fel y gall y corff newydd gydweithio'n agosach â'r weinyddiaeth ddatganoledig a chyrrff rhyngol. Efallai y dylid ystyried y Gogledd-ddwyrain fel man addas i'r swyddfa hon. Hefyd, ni allaf weld unrhyw wrthwynebiad i'r syniad o alw'r bwrdd Cymreig yn gomisiwn cydraddoldeb a hawliau dynol Cymru—mae'n arbennig o bwysig rhoi enw felly iddo. Fodd bynnag, rhaid cael mwy na hynny: rhaid i'r weinyddiaeth hon gymryd rhan yn hyn, yn enwedig wrth benodi'r cynrychiolydd o Gymru ac wrth gynllunio'r rhaglen genedlaethol. Mae'n hollbwysig codi llais yn groyw dros anghenion arbennig pobl Cymru, felly rhaid inni ddal ati i sicrhau y bydd y bwriad i benodi un comisiynydd a chanddo wybodaeth arbenigol am Gymru yn cael ei gyflawni o fewn y fframwaith priodol. Mae yr un mor bwysig i'r comisiwn gyflwyno adroddiadau i'r Cynulliad Cenedlaethol er mwyn cryfhau'r gwaith a wneir ar y cyd. Rhaid i'r comisiwn gael cysylltiadau gwaith effeithiol hefyd, fel y dywedwyd eisoes, gyda'r comisiynydd plant, Bwrdd yr Iaith Gymraeg a'r comisiynydd pobl hŷn arfaethedig. Yr wyf fi'n un sy'n edrych ymlaen at weld ffurfio'r cysylltiadau hynny'n gynnar.

Cydnabyddaf fod mwy o waith i'w wneud i ddiffinio gwaith y comisiwn, gan gynnwys datblygu un Ddeddf cydraddoldeb. Bydd materion yn codi, a thrafferthion o ran

and legislative difficulties, but we must overcome them so that we can once again move forward in promoting equality and human rights throughout the UK, and especially here in Wales.

The Minister for Social Justice and Regeneration (Edwina Hart): I thank Members for their contributions. I start with the contribution of the Chair of the committee, which successfully sums up the issues that are still up for grabs and discussion in many key areas. The detailed discussion to be undertaken by the taskforce will be essential for the development of the new commission and all the issues across Wales. I will certainly take on board the points made by the Chair, and will usefully feed them into the discussion of the taskforce.

There are issues of youth justice bodies that straggle around with regard to the police and so on and the shape of the integration, and this will be important in the future. I agree with all the comments that, in an ideal world, we would have a single equality Act. That should have been the starting point for any discussions on the equality agenda. A single equality Act would have made it easier for employers and employees to get a grip on the legislative framework and would have made life much easier for the new body.

In the context of Jenny's welcome comments, there is an extra Welsh dimension that has been raised by Members, namely the issue of the Welsh language. We on the committee have taken that to heart, which is important.

Owen John Thomas: Croesawaf y datblygiad hwn, ond beth ydych yn ei wneud am anghyfiawnderau presennol, fel yr achos ym Merthyr Tudful lle mae plant tair oed yn derbyn addysg cyfrwng Saesneg amser llawn, tra bo'r plant tair oed sy'n mynd i'r ysgol Gymraeg yn cael darpariaeth ran amser yn unig? Beth ydych yn ei wneud i setlo'r mater hwnnw?

Edwina Hart: We are debating the new equality body. It is important, in setting parameters for discussion in Wales, that the issue of service delivery should be included

gweithdrefnau a deddfwriaeth, ond rhaid inni eu datrys fel y gallwn symud ymlaen unwaith eto i hybu cydraddoldeb a hawliau dynol ledled y DU, ac yn enwedig yma yng Nghymru.

Y Gweinidog dros Gyfiawnder Cymdeithasol ac Adfywio (Edwina Hart): Diolchaf i Aelodau am eu cyfraniadau. Dechreuaf drwy gyfeirio at gyfraniad Cadeirydd y pwyllgor, sy'n crynhoi'n dda y materion sy'n dal i fod yn destun trafod mewn sawl maes allweddol. Bydd y drafodaeth fanwl gan y tasglu'n hollbwysig ar gyfer y gwaith o ddatblygu'r comisiwn newydd a'r holl faterion sy'n codi ledled Cymru. Byddaf yn sicr o ystyried y pwyntiau a wnaeth y Cadeirydd, ac yn eu defnyddio drwy eu porthi i drafodaeth y tasglu.

Mae materion yn codi mewn cysylltiad â chyrff cyfiawnder ieuenctid hwnt ac yma mewn cysylltiad â'r heddlu ac yn y blaen a'r dull o integreiddio, a bydd hyn yn bwysig yn y dyfodol. Cytunaf â'r holl sylwadau i'r perwyl mai'r peth delfrydol fyddai cael un Ddeddf cydraddoldeb. Dylai hynny fod yn fan cychwyn i unrhyw drafodaethau ar yr agenda ar gydraddoldeb. Byddai un Ddeddf cydraddoldeb wedi'i gwneud yn haws i gyflogwyr a gweithwyr ddeall y fframwaith deddfwriaethol ac wedi hwyluso gwaith y corff newydd.

Yng nghyd-destun sylwadau calonogol Jenny, mae dimensiwn Cymreig ychwanegol y mae Aelodau wedi cyfeirio ato, sef mater y Gymraeg. Yr ydym ni yn y pwyllgor wedi ystyried hynny o ddifrif, ac mae hynny'n bwysig.

Owen John Thomas: I welcome this development, but what are you doing about current injustices, such as the case in Merthyr Tydfil where three-year-olds can receive full time English-medium education, but three-year-olds who attend the Welsh-medium school only receive part-time provision? What are you doing to deal with that issue?

Edwina Hart: Yr ydym yn trafod y corff cydraddoldeb newydd. Mae'n bwysig, wrth bennu ffiniau ar gyfer trafodaeth yng Nghymru, fod mater y dull o ddarparu

within the structure of the new body, and its Welsh committee, when it is established. That is why it is important that we look at those in the future.

An important issue is that of budgets. There is a worry in the equality lobby that the existing budgets of all commissioners will be drawn together and that that will be an end to the matter. It is important to make strong representations that additional cash be made available for the additional strands. We certainly do not want a hierarchy of equalities to emerge, which is a major concern for us all. I look at the gender equality field—when you consider that we have not yet achieved equal pay, a most worrying aspect would be for us to find that women's issues are again right at the bottom of the equality hierarchy.

Helen, I did not mean to be dismissive. The problem is that I have what I have in terms of where the Government is going. I am aware that the Scots did not want an independent commission, but rather wanted to work within a national framework. I am trying now to get the best deal possible for Wales in recognition of the devolution process. We will not get everything that we want, but it is all to play for in terms of the issues that we want to pursue.

I am not sure about political correctness; I do not know what it means. I just know that you have to behave in a proper manner towards all people. If that is political correctness, well so be it.

David, we have fought hard for devolution in the discussions as some Whitehall departments do not have a natural instinct to notice it. However, we have much to play for, and your points, particularly about the resource issue, were interesting. I was interested in your point about the work of the Welsh Assembly Government being looked at by the new body. I could perhaps suggest the same in the context of the UK Government and the Scottish Executive: the new body could also mark up their work. I will try to take that forward in some areas.

gwasanaethau'n cael ei gynnwys yn strwythur y corff newydd, a'i bwyllgor yng Nghymru, pan gaiff ei sefydlu. Dyna pam ei bod yn bwysig inni ystyried hynny yn y dyfodol.

Un mater pwysig yw cyllidebau. Mae pryder yn y lobi cydraddoldeb y bydd cyllidebau presennol yr holl gomisiynwyr yn cael eu cyfuno ac mai hynny fydd diwedd y mater. Mae'n bwysig cyflwyno sylwadau cryf fel y bydd arian ychwanegol yn cael ei ddarparu ar gyfer yr elfennau ychwanegol. Yn sicr, nid ydym am weld hierarchaeth o gydraddoldebau'n datblygu, ac mae hynny'n destun pryder i bob un ohonom. Ystyriaf faes cydraddoldeb y rhywiau—o gofio nad ydym eto wedi sicrhau cyflogau cyfartal, testun pryder o'r mwyaf inni fyddai gweld bod materion sy'n ymwneud â menywod ar waelod un yr hierarchaeth o gydraddoldebau unwaith eto.

Helen, nid oeddwn yn bwriadu bod yn ddiystyriol. Y broblem yw bod rhaid imi ymdrin â'r hyn y mae'r Llywodraeth yn ei gynnig. Gwn nad yw'r Albanwyr am gael comisiwn annibynnol, a'u bod yn hytrach yn dymuno gweithio o fewn fframwaith cenedlaethol. Yr wyf yn awr yn ceisio sicrhau'r fargen orau posibl i Gymru er mwyn cydnabod proses datganoli. Ni chawn bopeth a ddymunwn, ond mae popeth ar gael i'w gipio o ran y materion y dymunwn fynd yn eu cylch.

Nid wyf yn sicr ynghylch cywirdeb gwleidyddol; ni wn beth y mae'n ei olygu. Y cwbl a wn yw bod rhaid ymddwyn yn briodol tuag at bawb. Os mai cywirdeb gwleidyddol yw hynny, boed felly.

David, gwnaethom ymladd yn galed dros ddatganoli yn y trafodaethau gan fod rhai adrannau yn Whitehall nad ydynt yn sylwi arno wrth reddf. Fodd bynnag, mae gennym lawer i'w ennill, ac yr oedd y pwyntiau a wnaethoch, yn enwedig am fater adnoddau, yn ddiddorol. Ymddiddorais yn y pwynt a wnaethoch am archwilio gwaith Llywodraeth Cynulliad Cymru gan y corff newydd. Efallai y gallwn awgrymu'r un peth yng nghydestun Llywodraeth y DU a Gweithrediaeth yr Alban: gallai'r corff newydd bwysio a mesur eu gwaith hwy hefyd. Ceisiaf

However, the issue that you and Sandy raised about co-ordinating this work with the work of the older persons' commissioner is a matter that Jane Hutt raised with me when I was considering my reply on behalf of the Assembly Government to the proposals. These are key issues, and the devil will be in the detail with regard to the arrangements of the older persons' commissioner's role in terms of taking over the rights on the new commission. We will have to sort out some of these areas; Wales is different to the rest of the UK because of how we are proceeding with the creation of an older persons' commissioner.

Sandy picked up on a good point, namely promoting good community relations, which was a key element in the Northern Ireland equality body. Representatives of that body are coming over to visit us, and I think that the committee might want to explore with them how this works and what you can do to promote good relations.

Finally, as I said at the beginning, this motion is reasonably explicit in welcoming the proposal, which indicates that there are concerns about how it will work, particularly in relation to human rights and the potential conflict with certain equality issues. There are also concerns in a range of areas. Currently, if you have no-one to represent you and do not know what to do, you can go to the commission for advice. You will not be able to do that any more. Do we have the facilities in Wales for you to obtain advice elsewhere? There are many issues around what cases the new commission will take, because we know that the individual commissions have previously taken on cases and really moved equality law forward. There are still questions to be answered. I hope that we can push through to secure the best settlement for Wales, and then press for a single equality Act.

hyrwyddo hynny mewn rhai meysydd. Fodd bynnag, mae'r mater y gwnaethoch chi a Sandy ei godi ynghylch cydlynu'r gwaith hwn a gwaith y comisiynydd pobl hŷn yn un a gododd Jane Hutt â mi pan oeddwn yn ystyried fy ymateb i'r cynigion ar ran Llywodraeth y Cynulliad. Materion allweddol yw'r rhain, a bydd y trefniadau ar gyfer rôl y comisiynydd pobl hŷn yn dibynnu'n llwyr ar y manylion sy'n gysylltiedig â'r hawliau y bydd y comisiwn newydd yn ymgymryd â hwy. Bydd yn rhaid inni ddatrys rhai o'r materion hyn; mae Cymru'n wahanol i weddill y DU gan ein bod yn bwrw ymlaen i greu comisiynydd pobl hŷn.

Gwnaeth Sandy bwynt da ynghylch hybu cysylltiadau da rhwng cymunedau, ac yr oedd hynny'n elfen bwysig yng nghorff cydraddoldeb Gogledd Iwerddon. Mae cynrychiolwyr y corff hwnnw'n dod draw i'n gweld, a chredaf y gallai'r pwyllgor dymuno eu holi am y modd i wneud hynny a'r hyn y gellir ei wneud i hybu cysylltiadau da.

Yn olaf, fel y dywedais ar y dechrau, mae'r cynnig hwn yn rhoi croeso eithaf diamwys i'r cynnig hwn, gan nodi bod pryderon ynghylch y modd y bydd yn gweithio, yn enwedig mewn cysylltiad â hawliau dynol a'r posibilrwydd o wrthdaro â rhai materion sy'n ymwneud â chydaddoldeb. Mae pryderon mewn amryw o feysydd hefyd. Ar hyn o bryd, os nad oes gennych neb i'ch cynrychioli a chithau heb wybod beth i'w wneud, gallwch fynd at y comisiwn i gael cyngor. Ni fyddwch yn gallu gwneud hynny mwyach. A oes gennym gyfleusterau digonol yng Nghymru fel y gellir cael cyngor mewn man arall? Mae llawer o ddadlau ynghylch y math o achosion y bydd y comisiwn newydd yn ymgymryd â hwy, gan y gwyddom fod comisiynau neilltuol wedi ymgymryd ag achosion o'r blaen ac wedi hyrwyddo cyfraith cydraddoldeb. Mae cwestiynau i'w hateb eto. Gobeithiaf y gallwn fwrw ymlaen i sicrhau'r setliad gorau i Gymru, ac wedyn pwysu dros gael un Ddeddf cydraddoldeb.

Gwelliant 1: O blaid 25, Ymatal 0, Yn erbyn 29.

Amendment 1: For 25, Abstain 0, Against 29.

Pleidleisiodd yr Aelodau canlynol o blaid:

Pleidleisiodd yr Aelodau canlynol yn erbyn:

The following Members voted for:

Bates, Mick
 Black, Peter
 Bourne, Nick
 Burnham, Eleanor
 Cairns, Alun
 Davies, Janet
 Davies, Jocelyn
 Francis, Lisa
 German, Michael
 Graham, William
 Isherwood, Mark
 Jones, Alun Ffred
 Jones, Helen Mary
 Jones, Laura Anne
 Lewis, Huw
 Lloyd, David
 Melding, David
 Morgan, Jonathan
 Randerson, Jenny
 Ryder, Janet
 Thomas, Owen John
 Thomas, Rhodri Glyn
 Williams, Brynle
 Williams, Kirsty
 Wood, Leanne

The following Members voted against:

Andrews, Leighton
 Barrett, Lorraine
 Butler, Rosemary
 Chapman, Christine
 Cuthbert, Jeff
 Davidson, Jane
 Davies, Andrew
 Dunwoody-Kneafsey, Tamsin
 Essex, Sue
 Gibbons, Brian
 Gregory, Janice
 Griffiths, John
 Gwyther, Christine
 Hart, Edwina
 Hutt, Jane
 Idris Jones, Denise
 James, Irene
 Jones, Ann
 Jones, Carwyn
 Law, Peter
 Lloyd, Val
 Mewies, Sandy
 Morgan, Rhodri
 Neagle, Lynne
 Pugh, Alun
 Sargeant, Carl
 Sinclair, Karen
 Thomas, Catherine
 Thomas, Gwenda

*Gwrthodwyd y gwelliant.
 Amendment defeated.*

5.20 p.m.

*Gwelliant 2: O blaid 9, Ymatal 0, Yn erbyn 45.
 Amendment 2: For 9, Abstain 0, Against 45.*

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

Davies, Janet
 Davies, Jocelyn
 Jones, Alun Ffred
 Jones, Helen Mary
 Lloyd, David
 Ryder, Janet
 Thomas, Owen John
 Thomas, Rhodri Glyn
 Wood, Leanne

Pleidleisiodd yr Aelodau canlynol yn erbyn:
 The following Members voted against:

Andrews, Leighton
 Barrett, Lorraine
 Bates, Mick
 Black, Peter
 Bourne, Nick
 Burnham, Eleanor
 Butler, Rosemary
 Cairns, Alun
 Chapman, Christine
 Cuthbert, Jeff
 Davidson, Jane
 Davies, Andrew
 Dunwoody-Kneafsey, Tamsin
 Essex, Sue
 Francis, Lisa
 German, Michael
 Gibbons, Brian
 Graham, William
 Gregory, Janice
 Griffiths, John
 Gwyther, Christine
 Hart, Edwina

Hutt, Jane
 Idris Jones, Denise
 Isherwood, Mark
 James, Irene
 Jones, Ann
 Jones, Carwyn
 Jones, Laura Anne
 Law, Peter
 Lewis, Huw
 Lloyd, Val
 Melding, David
 Mewies, Sandy
 Morgan, Jonathan
 Morgan, Rhodri
 Neagle, Lynne
 Pugh, Alun
 Randerson, Jenny
 Sargeant, Carl
 Sinclair, Karen
 Thomas, Catherine
 Thomas, Gwenda
 Williams, Brynle
 Williams, Kirsty

*Gwrthodwyd y gwelliant.
 Amendment defeated.*

*Gwelliant 3: O blaid 52, Ymatal 0, Yn erbyn 2.
 Amendment 3: For 52, Abstain 0, Against 2.*

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

Andrews, Leighton
 Barrett, Lorraine
 Bates, Mick
 Black, Peter
 Bourne, Nick
 Burnham, Eleanor
 Butler, Rosemary
 Cairns, Alun
 Chapman, Christine
 Cuthbert, Jeff
 Davidson, Jane
 Davies, Andrew
 Davies, Janet
 Davies, Jocelyn
 Dunwoody-Kneafsey, Tamsin
 Francis, Lisa
 German, Michael
 Gibbons, Brian
 Graham, William
 Gregory, Janice
 Griffiths, John
 Gwyther, Christine
 Hart, Edwina
 Idris Jones, Denise
 Isherwood, Mark
 James, Irene
 Jones, Alun Ffred
 Jones, Ann
 Jones, Carwyn
 Jones, Helen Mary
 Jones, Laura Anne
 Law, Peter
 Lewis, Huw

Pleidleisiodd yr Aelodau canlynol yn erbyn:
 The following Members voted against:

Essex, Sue
 Hutt, Jane

Lloyd, David
Lloyd, Val
Melding, David
Mewies, Sandy
Morgan, Jonathan
Morgan, Rhodri
Neagle, Lynne
Pugh, Alun
Randerson, Jenny
Ryder, Janet
Sargeant, Carl
Sinclair, Karen
Thomas, Catherine
Thomas, Gwenda
Thomas, Owen John
Thomas, Rhodri Glyn
Williams, Brynle
Williams, Kirsty
Wood, Leanne

*Derbyniwyd y gwelliant.
Amendment carried.*

*Gwelliant 4: O blaid 54, Ymatal 0, Yn erbyn 0.
Amendment 4: For 54, Abstain 0, Against 0.*

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

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

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

*Derbyniwyd y gwelliant.
 Amendment carried.*

*Gwelliant 5: O blaid 9, Ymatal 0, Yn erbyn 45.
 Amendment 5: For 9, Abstain 0, Against 45.*

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

Bourne, Nick
 Cairns, Alun
 Francis, Lisa
 Graham, William
 Isherwood, Mark
 Jones, Laura Anne
 Melding, David
 Morgan, Jonathan
 Williams, Brynle

Pleidleisiodd yr Aelodau canlynol yn erbyn:
 The following Members voted against:

Andrews, Leighton
 Barrett, Lorraine
 Bates, Mick
 Black, Peter
 Burnham, Eleanor
 Butler, Rosemary
 Chapman, Christine
 Cuthbert, Jeff
 Davidson, Jane
 Davies, Andrew
 Davies, Janet
 Davies, Jocelyn
 Dunwoody-Kneafsey, Tamsin
 Essex, Sue
 German, Michael
 Gibbons, Brian
 Gregory, Janice
 Griffiths, John
 Gwyther, Christine
 Hart, Edwina
 Hutt, Jane
 Idris Jones, Denise
 James, Irene
 Jones, Alun Ffred
 Jones, Ann
 Jones, Carwyn
 Jones, Helen Mary
 Law, Peter
 Lewis, Huw
 Lloyd, David
 Lloyd, Val
 Mewies, Sandy
 Morgan, Rhodri
 Neagle, Lynne
 Pugh, Alun
 Randerson, Jenny
 Ryder, Janet
 Sargeant, Carl
 Sinclair, Karen

Thomas, Catherine
 Thomas, Gwenda
 Thomas, Owen John
 Thomas, Rhodri Glyn
 Williams, Kirsty
 Wood, Leanne

*Gwrthodwyd y gwelliant.
 Amendment defeated.*

*Gwelliant 6: O blaid 24, Ymatal 0, Yn erbyn 30.
 Amendment 6: For 24, Abstain 0, Against 30.*

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

Bates, Mick
 Black, Peter
 Bourne, Nick
 Burnham, Eleanor
 Cairns, Alun
 Davies, Janet
 Davies, Jocelyn
 Francis, Lisa
 German, Michael
 Graham, William
 Isherwood, Mark
 Jones, Alun Ffred
 Jones, Helen Mary
 Jones, Laura Anne
 Lloyd, David
 Melding, David
 Morgan, Jonathan
 Randerson, Jenny
 Ryder, Janet
 Thomas, Owen John
 Thomas, Rhodri Glyn
 Williams, Brynle
 Williams, Kirsty
 Wood, Leanne

Pleidleisiodd yr Aelodau canlynol yn erbyn:
 The following Members voted against:

Andrews, Leighton
 Barrett, Lorraine
 Butler, Rosemary
 Chapman, Christine
 Cuthbert, Jeff
 Davidson, Jane
 Davies, Andrew
 Dunwoody-Kneafsey, Tamsin
 Essex, Sue
 Gibbons, Brian
 Gregory, Janice
 Griffiths, John
 Gwyther, Christine
 Hart, Edwina
 Hutt, Jane
 Idris Jones, Denise
 James, Irene
 Jones, Ann
 Jones, Carwyn
 Law, Peter
 Lewis, Huw
 Lloyd, Val
 Mewies, Sandy
 Morgan, Rhodri
 Neagle, Lynne
 Pugh, Alun
 Sargeant, Carl
 Sinclair, Karen
 Thomas, Catherine
 Thomas, Gwenda

*Gwrthodwyd y gwelliant.
 Amendment defeated.*

Motion NDM2097 as amended:

the National Assembly for Wales

*1. notes the proposal to create a new
 Commission for Equality and Human Rights;*

*2. welcomes the commitment to create a
 committee for Wales which will have
 competence over Welsh matters;*

3. recognises that further detailed work is

Cynnig NDM2097 wedi'i ddiwygio:

Cynulliad Cenedlaethol Cymru

*1. yn nodi'r cynnig i greu Comisiwn ar gyfer
 Cydraddoldeb a Hawliau Dynol newydd;*

*2. yn croesawu'r ymrwymiad i greu pwyllgor
 ar gyfer Cymru, a fydd yn gyfrifol am
 faterion Cymreig;*

3. yn cydnabod bod angen rhagor o waith

required in shaping the work of the commission, including the development of a new single equality Act;

4. welcomes the new strands of age, sexuality and religion/belief within the Commission for Equality and Human Rights;

5. believes that the new Commission for Equality and Human Rights should be subject to proper planning, evidence and risk assessment.

manwl i ddiffinio gwaith y comisiwn, gan gynnwys datblygu un Ddeddf cydraddoldeb newydd;

4. yn croesawu'r elfennau newydd ar gyfer oedran, rhywioldeb a chrefydd/cred o fewn y Comisiwn Cydraddoldeb a Hawliau Dynol;

5. yn credu y dylai'r Comisiwn Cydraddoldeb a Hawliau Dynol newydd fod yn destun prosesau priodol o ran cynllunio, casglu tystiolaeth ac asesu risg.

*Cynnig wedi'i ddiwygio (NDM2097): O blaid 54, Ymatal 0, Yn erbyn 0.
Amended motion (NDM2097): For 54, Abstain 0, Against 0.*

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

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

Ryder, Janet
 Sargeant, Carl
 Sinclair, Karen
 Thomas, Catherine
 Thomas, Gwenda
 Thomas, Owen John
 Thomas, Rhodri Glyn
 Williams, Brynle
 Williams, Kirsty
 Wood, Leanne

Derbyniwyd y cynnig.

Motion carried.

The Deputy Presiding Officer: That brings today's proceedings to a close. **Y Dirprwy Lywydd:** Daw hynny â chyfarfod heddiw i ben.

Daeth y cyfarfod i ben am 5.24 p.m.

The meeting ended at 5.24 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)