



Cynulliad Cenedlaethol Cymru
(Y Cofnod Swyddogol)

The National Assembly for Wales
(The Official Record)

Dydd Mercher 15 Mawrth 2000

Wednesday 15 March 2000

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

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

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

**Ethol Cadeirydd y Pwyllgor Cyfle Cyfartal
Election of the Chair of the Committee on Equality of Opportunity**

The Business Secretary (Andrew Davies): Y Trefnydd (Andrew Davies): Cynigiau fod
I propose that

*the Assembly resolves to replace with y Cynulliad yn penderfynu mynd ati ar
immediate effect Jane Hutt with Edwina Hart unwaith i benodi Edwina Hart yn Gadeirydd
as Chair of the Committee on Equality of y Pwyllgor Cyfle Cyfartal yn lle Jane Hutt.
Opportunity.*

*Cynnig: O blaid 29, Ymatal 0, Yn erbyn 0.
Motion: For 29, Abstain 0, Against 0.*

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

Bates, Mick
Black, Peter
Butler, Rosemary
Cairns, Alun
Chapman, Christine
Davies, David
Davies, Glyn
Davies, Janet
Davies, Jocelyn
Edwards, Richard
Essex, Sue
German, Michael
Graham, William
Gregory, Janice
Gwyther, Christine
Hancock, Brian
Humphreys, Christine
Jones, Carwyn
Jones, Gareth
Law, Peter
Lloyd, David
Morgan, Jonathan
Randerson, Jenny
Ryder, Janet
Thomas, Gwenda
Thomas, Owen John
Thomas, Rhodri Glyn
Wigley, Dafydd
Williams, Kirsty

Motion adopted.

Derbyniwyd y cynnig.

Cwestiynau i'r Ysgrifennydd Llywodraeth Leol a Thai Questions to the Secretary for Local Government and Housing

Cyngor Dinas a Sir Caerdydd (Cytundeb CDBC) Cardiff City and County Council (CBDC Contract)

Q1 Jocelyn Davies: How does Cardiff City and County Council offer best value in the Cardiff Bay Development Corporation contract? (OAQ4120)

The Secretary for Local Government and Housing (Peter Law): I assume that your question refers to the arrangements for managing the barrage and bay, which, frankly, have not been anything to do with me. When I first saw this question, I felt that I had lumbered with something that was not my responsibility. However—

Glyn Davies: Lumbered is the correct word.

Peter Law: We work, Llywydd, with what we have, as Assembly Secretaries. It is a moving picture. You will remember that the past—

Glyn Davies: Tell Rhodri.

Peter Law: I am proud to say that I am from Nant-y-glo. If you had read *The Western Mail* this morning, you would know that we discovered that Matt Cardey's grandmother was born there. I just wanted to introduce that light note.

The former First Secretary's statement to Plenary on 7 December 1999 made clear his conclusion, which was based on advice from all parties involved, that the council's proposal offered advantages in terms of cost and affordability, better risk control and a more comprehensive solution for Cardiff Bay. That represents best value.

Jocelyn Davies: Can you assure us that Cardiff council can deliver best value in terms of the cost and quality of its service and, particularly, the safe operation of the barrage, as well as maintaining the water quality of the lake?

C1 Jocelyn Davies: Sut mae Cyngor Dinas a Sir Caerdydd yn cynnig y gwerth gorau yng nghytundeb Corfforaeth Datblygu Bae Caerdydd? (OAQ4120)

Yr Ysgrifennydd Llywodraeth Leol a Thai (Peter Law): Tybiaf fod eich cwestiwn yn cyfeirio at y trefniadau ar gyfer rheoli'r morglawdd a'r bae, sydd, a dweud y gwir, heb fod a wnelont â mi o gwbl. Pan welais y cwestiwn hwn gyntaf, teimlais fod rhywbeth nad oedd yn gyfrifoldeb i mi wedi'i wthio arnaf. Fodd bynnag—

Glyn Davies: Gwthio yw'r gair cywir.

Peter Law: Yr ydym yn gweithio, Lywydd, gyda'r hyn sydd gennym, fel Ysgrifenyddion Cynulliad. Mae'n ddarlun symudol. Fe gofiwch fod y cyn—

Glyn Davies: Dywedwch wrth Rhodri.

Peter Law: Yr wyf yn falch o ddweud fy mod yn hanu o Nant-y-glo. Pe baech wedi darllen *The Western Mail* y bore yma, byddech yn gwybod ein bod wedi darganfod y cafodd mam-gu Matt Cardey ei geni yno. Dim ond eisiau cyflwyno'r nodyn ysgafn hwnnw yr oeddwn.

Yn natganiad y cyn-Brif Ysgrifennydd i'r Cyfarfod Llawn ar 7 Rhagfyr 1999, nodwyd yn glir ei gasgliad, ar sail cyngor gan bob parti dan sylw, fod cynnig y cyngor yn cynnig manteision yn nhermau cost a fforddiadwyedd, gwell rheolaeth risg ac ateb mwy cynhwysfawr i Fae Caerdydd. Mae hynny'n cynrychioli'r gwerth gorau.

Jocelyn Davies: A allwch ein sicrhau y gall cyngor Caerdydd gyflawni'r gwerth gorau yn nhermau cost ac ansawdd ei wasanaeth ac, yn arbennig, weithrediad diogel y morglawdd, yn ogystal â chynnal ansawdd dŵr y llyn?

Peter Law: Under Best Value, the regime that will come in from 1 April, it will be for Cardiff council to determine how to deliver the best services at the lowest cost. It may choose to undertake the work in-house, or to use private contractors. Best Value service delivery will be subject to a rolling programme of fundamental review over a five-year period. All such reviews will be subject to independent inspection, as we would all want. Cardiff council will want to comply with that, and I am sure that it intends to do a good job.

Forgive me, but I cannot comment on the environmental standard or water quality. That is a matter for my colleague, Sue Essex. Assembly Secretaries are like buses; one comes along every minute. Sue will answer questions after me and I am sure that she would be delighted to respond on that in a moment, or later, after Plenary. That is not part of my brief now.

Jenny Randerson: In Cardiff, we do not get a bus every minute. Are you aware that, in the council's annual management letter to members from the District Auditor, which was received in December, Cardiff council was criticised for its failure to make progress on developing Best Value? That letter concludes,

'Unless significant progress is made in the coming months we may have to refer the authority to the Audit Commission and/or the National Assembly for Wales for non-compliance with the regime.'

Peter, you know that I support, in principle, the idea that councils should run local schemes like this. However, will you assure us that every effort will be made in scrutinising Cardiff council's bid to assure that we get best value for the residents of Cardiff and the people of Wales?

Peter Law: Yes, Jenny, you have my assurance on that. The Best Value regime is very much in the interests of people

Peter Law: Dan Gwerth Gorau, y drefn a gyflwynir o 1 Ebrill ymlaen, mater i gyngor Caerdydd fydd penderfynu sut i ddarparu'r gwasanaethau gorau am y gost isaf. Gall ddewis gwneud y gwaith yn fewnol, neu ddefnyddio contractwyr preifat. Bydd darpariaeth gwasanaeth Gwerth Gorau yn destun rhaglen dreigl o adolygu sylfaenol dros gyfnod o bum mlynedd. Bydd pob adolygiad o'r fath yn destun archwiliad annibynnol, fel y byddem i gyd yn ei ddymino. Bydd cyngor Caerdydd eisiau cydymffurfio â hynny, ac yr wyf yn siŵr ei fod yn bwriadu gwneud gwaith da.

Maddeuwch imi, ond ni allaf roi sylw ar y safon amgylcheddol nac ansawdd y dŵr. Mater i'm cyd-Aelod, Sue Essex, yw hynny. Mae Ysgrifenyddion Cynulliad fel bysiau; daw un heibio bob munud. Bydd Sue'n ateb cwestiynau ar fy ôl i ac yr wyf yn siŵr y byddai hi'n hapus i ymateb ar hynny mewn munud, neu'n ddiweddarach, ar ôl y Cyfarfod Llawn. Nid yw hynny'n rhan o'm briff i yn awr.

Jenny Randerson: Yng Nghaerdydd, ni ddaw bws heibio bob munud. A ydych yn ymwybodol y beirniadwyd cyngor Caerdydd, yn llythyr rheoli blynyddol y cyngor at yr aelodau oddi wrth yr Archwiliwr Dosbarth, a dderbyniwyd yn Rhagfyr, am fethu â symud ymlaen gyda datblygu Gwerth Gorau? Diwedda'r llythyr hwnnw,

'Oni chymerir camau arwyddocaol ymlaen yn y misoedd a ddaw gallai fod yn rhaid inni gyfeirio'r awdurdod at y Comisiwn Archwilio a/neu Gynulliad Cenedlaethol Cymru am beidio â chydymffurfio â'r drefn.'

Peter, gwyddoch fy mod, mewn egwyddor, yn cefnogi'r syniad y dylai cynghorau redeg cynlluniau lleol fel hwn. Fodd bynnag, a wnewch chi ein sicrhau y gwneir pob ymdrech wrth archwilio cynnig cyngor Caerdydd i sicrhau y cawn y gwerth gorau i drigolion Caerdydd a phobl Cymru?

Peter Law: Gwnaf, Jenny, rhoddaf sicrwydd ichi yn hynny o beth. Mae'r drefn Gwerth Gorau yn wirioneddol er lles pobl ledled

throughout Wales. The council taxpayers want to see it and expect it, bearing in mind the council tax increases that we face again this year. It is important that our quality services are maintained to even greater standards in the future through Best Value. There will be difficulties, initially, in transitional arrangements for several authorities in Wales. I have decided to postpone the finalisation of the community plans for three months to take account of this, in discussion with the Welsh Local Government Association. However, I am sure that, working in partnership with local government, as the Assembly will, we will see a great improvement in services throughout Wales.

Alun Cairns: Why did one organisation have to follow a rigorous 18-month European procurement procedure to become the preferred bidder to run the Cardiff Bay barrage, while Cardiff council could present an alternative bid in a matter of days or weeks? It then came up with an alleged saving of £2 million. Closer investigation shows that the burden on the Welsh taxpayer will be an extra £3 million over three years. Furthermore, are you concerned that no one has yet been recruited and trained to run the barrage after 1 April? The statement that Russell Goodway—

2:09 p.m.

The Presiding Officer: Order. It would be helpful if we could have only one question.

Alun Cairns: Russell Goodway's statement to the Economic Development Committee meeting two weeks ago, where he said that he had negotiated a three-month buffer contract, is wholly untrue. In discussions, Crest Nicholson stated that it has not come to an agreement with Cardiff City and County Council.

Peter Law: I cannot answer questions on matters that are dealt with in another Subject Committee for which I am not the Assembly Secretary, and it is unfair to except me to do so. As the Llywydd pointed out, Alun, you

Cymru. Mae talwyr y dreth gyngor eisiau ei gweld ac yn ei disgwyl, o gofio'r codiadau a wynebwn yn y dreth gyngor eto eleni. Mae'n bwysig cadw ein gwasanaethau o ansawdd, a hynny i safonau uwch fyth yn y dyfodol drwy Werth Gorau. Ceir anawsterau, ar y cychwyn, gyda threfniadau dros dro ar gyfer sawl awdurdod yng Nghymru. Yr wyf wedi penderfynu gohirio cwblhau'r cynlluniau cymunedol yn derfynol am dri mis i gymryd hyn i ystyriaeth, wedi trafod gyda Chymdeithas Llywodraeth Leol Cymru. Fodd bynnag, yr wyf yn siŵr y gwelwn, drwy weithio mewn partneriaeth â llywodraeth leol, fel y bydd y Cynulliad, welliant mawr mewn gwasanaethau ledled Cymru.

Alun Cairns: Pam y bu'n rhaid i un sefydliad ddilyn trefn brynu Ewropeaidd lem dros gyfnod o 18 mis i gael bod yn gynigiwr yr edrychid yn ffafriol arno ar gyfer rhedeg morglawdd Bae Caerdydd, tra gallai cyngor Caerdydd gyflwyno cynnig amgen mewn mater o ddyddiau neu wythnosau? Wedyn, cyflwynodd arbediad honedig o £2 filiwn. O edrych yn fanylach, gwelir y bydd y baich ar drethdalwyr Cymru yn £3 miliwn ychwanegol dros dair blynedd. At hynny, a ydych yn bryderus nad oes unrhyw un eto wedi'i recriwtio a'i hyfforddi i redeg y morglawdd ar ôl 1 Ebrill? Mae'r datganiad a wnaeth Russell Goodway—

Y Llywydd: Trefn. Byddai o gymorth pe gallem gael un cwestiwn yn unig.

Alun Cairns: Mae datganiad Russell Goodway i'r Pwyllgor Datblygu Economaidd bythefnos yn ôl, lle y dywedodd ei fod wedi negodi contract clustogi tri mis, yn gwbl anwir. Mewn trafodaethau, dywedodd Crest Nicholson nad yw wedi dod i gytundeb gyda Chyngor Dinas a Sir Caerdydd.

Peter Law: Ni allaf ateb cwestiynau ar faterion a drafodir mewn Pwyllgor Pwnc arall nad wyf fi'n Ysgrifennydd Cynulliad arno, ac mae'n annheg disgwyl imi wneud hynny. Fel y nododd y Llywydd, Alun,

asked about four questions. However, figures were put forward by the council and were carefully vetted by the relevant senior CBDC staff against what they had agreed with the private contractors. The Environment Agency also satisfied itself that the proposals would be fully acceptable in delivering the statutory obligations of the Cardiff Bay Barrage Act 1993. Alun knows the history of the situation as he is a member of the Committee.

This is a matter for the Economic Development Committee, not for the Secretary for Local Government and Housing. It was decided that Cardiff council offered a better deal than private contractors for the people of Cardiff and Wales in general.

Owen John Thomas: Wedi i gyngor Caerdydd gymryd ei gyfrifoldeb fel awdurdod porthladdoedd ar 1 Ebrill, pa gamau a fyddai'r Ysgrifennydd Llywodraeth Leol a Thai yn eu cymryd pe na byddai'r cyngor yn rhoi gwerth gorau wrth gyflawni ei ddyletswydd triphlyg parthed y bae, sef gweithredu'r morglawdd, cynnal a chadw ansawdd priodol dŵr y llyn a rheoli'r adnoddau a ddefnyddir gan y cyhoedd ar y llyn?

Peter Law: On Best Value, the council will have to set out its standards in its community plan, which will be audited independently by the District Auditor and consulted upon with the people of Cardiff. The council must stand by that and will be publicly scrutinised through its scrutiny committee and public consultation. Sue Essex is responsible for environmental matters, and issues such as water quality fall to the Environment, Planning and Transport Committee. I cannot answer your question further as it relates to the duties of the Environment Agency and the Secretary for the Environment, Planning and Transport.

gofynasoch ryw bedwar cwestiwn. Fodd bynnag, rhoddwyd ffigurau ger bron gan y cyngor a chawsant eu harchwilio'n fanwl gan staff uwch perthnasol CDBC yn erbyn yr hyn yr oeddent wedi'i gytuno gyda'r contractwyr preifat. Bodlonodd Asiantaeth yr Amgylchedd ei hun hefyd y byddai'r cynigion yn gwbl dderbyniol o ran cyflawni rhwymedigaethau statudol Deddf Morglawdd Bae Caerdydd 1993. Mae Alun yn gwybod hanes y sefyllfa gan ei fod yn aelod o'r Pwyllgor.

Mater i'r Pwyllgor Datblygu Economaidd, nid i'r Ysgrifennydd Llywodraeth Leol a Thai, yw hwn. Penderfynwyd bod cyngor Caerdydd yn cynnig gwell bargaen na chontractwyr preifat i bobl Caerdydd ac i Gymru yn gyffredinol.

Owen John Thomas: After Cardiff council takes over its responsibility as harbour authority on 1 April, what steps would the Secretary for Local Government and Housing take if the council did not give best value in undertaking its three-fold duty regarding the bay, namely operating the barrage, maintaining the appropriate water quality of the lake and managing the resources that are used by the public on the lake?

Peter Law: O ran Gwerth Gorau, bydd yn rhaid i'r cyngor amlinellu ei safonau yn ei gynllun cymunedol, a gaiff ei archwilio'n annibynnol gan yr Archwiliwr Dosbarth ac a fydd yn destun ymgynghori gyda phobl Caerdydd. Rhaid i'r cyngor sefyll wrth hynny a chaiff ei arolygu'n gyhoeddus drwy ei bwyllgor arolygu a thrwy ymgynghori cyhoeddus. Sue Essex sydd yn gyfrifol am faterion amgylcheddol, a materion i Bwyllgor yr Amgylchedd, Cynllunio a Thrafnidiaeth yw rhai megis ansawdd dŵr. Ni allaf ateb eich cwestiwn ymhellach gan ei fod yn ymwneud â dyletswyddau Asiantaeth yr Amgylchedd ac Ysgrifennydd yr Amgylchedd, Cynllunio a Thrafnidiaeth.

Deddf Tai 1996 Housing Act 1996

Q2 Christine Humphreys: What discussions has Peter Law had about introducing secondary legislation to extend the categories of people regarded under Section 189 of the Housing Act 1996 as being in priority need of housing to include people sleeping rough? (OAQ4153)

Peter Law: I am aware of the recommendations made by Paul Bevan in his report to the Assembly, 'Rough Sleeping in Wales'. I look forward to receiving the recommendations of the national strategy task groups, whose remit included considering the causes of homelessness and rough sleeping. The recommendations will be considered when the Local Government and Housing Committee discusses the formal reports of all the task groups. The Assembly is keen to develop an allocation policy that meets its objectives of social inclusion, community sustainability and equal opportunity for all.

Christine Humphreys: The Assembly could change existing legislation by introducing secondary legislation. In view of the situation in many parts of north Wales, such as Bangor and Caernarfon, where recent research found 34 young people sleeping rough, can the Assembly make a decision quicker? Young, single, homeless people do not fall under the four categories of people in need of priority housing.

Peter Law: I have increased the budget for tackling rough sleeping in the coming year by £800,000. That reflects well on the Assembly and I thank you all for your support on that. It shows that we are dealing seriously with homelessness and rooflessness in Wales. That is a positive result of the Assembly. In coming to those conclusions, I visited night shelters in Bangor, Rhyl, Swansea and Cardiff. I was most recently with the Deputy Presiding Officer in Pontypridd where there is an excellent winter initiative in Gelli Wastad Road. Next week, I will visit Abergavenny where there is a temporary night shelter arrangement for the winter, and I will visit Wrexham in the future.

C2 Christine Humphreys: Pa drafodaethau y mae Peter Law wedi'u cael ynghylch cyflwyno deddfwriaeth eilaidd i ymestyn y categorïau o bobl a ystyrir o dan Adran 189 o Ddeddf Tai 1996 yn flaenoriaeth o ran yr angen am dai, i gynnwys pobl sydd yn cysgu ar y stryd? (OAQ4153)

Peter Law: Yr wyf yn ymwybodol o'r argymhellion a wnaethpwyd gan Paul Bevan yn ei adroddiad i'r Cynulliad, 'Cysgu Allan yng Nghymru'. Edrychaf ymlaen at dderbyn argymhellion y gweithgorau strategaeth cenedlaethol, yr oedd eu cylch gorchwyl yn cynnwys ystyried achosion digartrefedd a chysgu ar y stryd. Ystyrir yr argymhellion pan fydd y Pwyllgor Llywodraeth Leol a Thai yn trafod adroddiadau ffurfiol y gweithgorau i gyd. Mae'r Cynulliad yn awyddus i ddatblygu polisi dyrannu a fydd yn cyflawni ei amcanion o ran cynhwysiant cymdeithasol, cynaliadwyedd cymunedau a chyfle cyfartal i bawb.

Christine Humphreys: Gallai'r Cynulliad newid deddfwriaeth bresennol drwy gyflwyno deddfwriaeth eilaidd. Yn wyneb y sefyllfa mewn sawl rhan o ogledd Cymru, fel Bangor a Chaernarfon, lle canfu ymchwil ddiweddar 34 o bobl ifanc yn cysgu ar y stryd, a all y Cynulliad wneud penderfyniad yn gynt? Nid yw pobl ifanc, sengl, ddigartref wedi'u cynnwys yn y pedwar categori o bobl sydd angen tai fel mater o flaenoriaeth.

Peter Law: Yr wyf wedi cynyddu'r gyllideb ar gyfer ymdrin â chysgu ar y stryd yn y flwyddyn i ddod drwy ychwanegu £800,000. Mae hynny'n adlewyrchu'n dda ar y Cynulliad ac yr wyf yn diolch i chi i gyd am eich cefnogaeth yn hynny o beth. Mae'n dangos ein bod yn delio o ddifrif â digartrefedd a phroblemau pobl heb do dros eu pennau yng Nghymru. Wrth ddod i'r casgliadau hynny, ymwelais â llochesi nos ym Mangor, y Rhyl, Abertawe a Chaerdydd. Yn fwyaf diweddar bûm gyda'r Dirprwy Lywydd ym Mhontypridd, lle ceir cynllun ardderchog dros y gaeaf yn Heol Gelli Wastad. Yr wythnos nesaf, byddaf yn ymweld â'r Fenni lle ceir trefniant llochesi nos dros dro am y gaeaf, a byddaf yn ymweld â Wrecsam yn y dyfodol.

I understand your point and I want to consider this issue. However, I need to have the benefit of the input from the task groups, which will report in about a month or six weeks to the Local Government and Housing Committee. We need the groups' expertise to ensure that we make the right decisions to deal with this problem and to give homeless people the opportunity to enjoy what we take for granted.

Janet Davies: I ask this question despite the Secretary's answer to the previous question. In view of the cuts in social housing grants, how do you propose to allocate funds to provide appropriate and sustainable housing for homeless people?

Peter Law: There have been cuts, but we should not be too negative about that because there have also been increases. For instance, next year there will be a boost of £3.6 million for dealing with social exclusion. That will cover the type of people that Janet mentioned. It will be a year-long one-off scheme, which the Assembly has agreed to endorse. I am delighted that I have the authority to deal with that and that I will be able to bring interesting and innovative ideas to be considered in Committee in the future.

The way forward to spend the money is to target the most vulnerable people in society, particularly those who do not have a roof over their heads. The money will help to deal with the problems to which Janet referred. I am constantly reviewing the budget and the resources available and I am working in consultation with my officials and Shelter Cymru and Big Issue Cymru organisations for which I have much respect, to ensure that we tackle this positively. To date, the Assembly has shown a positive example in terms of dealing with these groups of people.

William Graham: If there is an increase in the number of categories to be afforded priority accommodation, will the Secretary assure us that the increased cost will be met

Yr wyf yn deall eich pwynt ac yr wyf am ystyried y mater hwn. Fodd bynnag, mae arnaf angen manteisio ar fewnbwn y gweithgorau a fydd yn cyflwyno'u hadroddiadau ymhen rhyw fis neu chwe wythnos i'r Pwyllgor Llywodraeth Leol a Thai. Mae arnom angen profiad y gweithgorau er mwyn sicrhau y gwnawn y penderfyniadau iawn i ddelio â'r broblem hon ac i roi'r cyfle i bobl ddigartref fwynhau'r hyn a gymerwn ni yn ganiataol.

Janet Davies: Gofynnaf y cwestiwn hwn er gwaethaf ateb yr Ysgrifennydd i'r cwestiwn blaenorol. Yn wyneb y toriadau mewn grantiau tai cymdeithasol, sut yr ydych yn bwriadu dyrannu arian i ddarparu cartrefi priodol a chynaliadwy i bobl ddigartref?

Peter Law: Bu toriadau, ond ni ddylem fod yn rhy negyddol ynghylch hynny oherwydd bu codiadau hefyd. Er enghraifft, y flwyddyn nesaf bydd ychwanegiad o £3.6 miliwn i ddelio ag allgáu cymdeithasol. Bydd hynny'n gofalu am y math o bobl a grybwyllodd Janet. Bydd yn gynllun unwaith-ac-am-byth dros gyfnod o flwyddyn, y mae'r Cynulliad wedi cytuno i'w gefnogi. Yr wyf wrth fy modd fod gennyf yr awdurdod i ddelio â hynny ac y byddaf yn gallu dod â syniadau diddorol a blaengar i'w hystyried yn y Pwyllgor yn y dyfodol.

Y ffordd ymlaen ar gyfer gwario'r arian yw targedu'r bobl fwyaf bregus mewn cymdeithas, yn enwedig y rhai hynny sydd heb do dros eu pennau. Bydd yr arian yn gymorth i ddelio â'r problemau y cyfeiriodd Janet atynt. Yr wyf yn adolygu'r gyllideb a'r adnoddau sydd ar gael yn barhaus ac yr wyf yn gweithio mewn ymgynghoriad â'm swyddogion a sefydliadau Shelter Cymru a Big Issue Cymru, y mae gennyf barch mawr tuag atynt, i sicrhau yr awn i'r afael â hyn mewn ffordd bositif. Hyd yma, dangosodd y Cynulliad esiampl bositif o ran delio â'r grwpiau hyn o bobl.

William Graham: Os bydd cynnydd yn y nifer o gategoriâu a gaiff eu cartrefu fel mater o flaenoriaeth, a wnaiff yr Ysgrifennydd roi sicrwydd inni mai grant gan

by an Assembly grant and not by local council taxpayers alone?

Peter Law: It is a question of balance. I cannot give you a blank cheque on these matters. I must consider the situation as it arises, consider what resources are available in the budget—you know that we work on comprehensive spending review figures—and where we can save money and redistribute it. The Finance Secretary did that to get the £3.6 million, to which I referred. I am sure that we can have a positive impact on the difficulties regarding rooflessness and I ask all Members to continue to work with me to combat this problem.

y Cynulliad fydd yn talu'r gost ychwanegol, ac nid trethdalwyr y cynghorau lleol yn unig?

Peter Law: Cwestiwn o gydbwysedd ydyw. Ni allaf roi siec wag ichi ar y materion hyn. Rhaid imi ystyried y sefyllfa wrth iddi godi, ystyried pa adnoddau sydd ar gael yn y gyllideb—gwyddoch ein bod yn gweithio ar ffigurau'r adolygiad cynhwysfawr o wariant—a ble y gallwn arbed arian a'i ailddosbarthu. Gwnaeth yr Ysgrifennydd Cyllid hynny i gael y £3.6 miliwn y soniais amdano. Yr wyf yn siŵr y gallwn gael effaith bositif ar anawsterau pobl sydd heb do dros eu pennau a gofynnaf i bob Aelod barhau i weithio gyda mi i ymladd y broblem hon.

Yr Adroddiad 'Gwobrwyo Gwasanaeth Cymunedol The 'Rewarding Community Service' Report

Q3 Jonathan Morgan: Will Peter Law make a statement on the implementation of the joint National Assembly for Wales/Welsh Local Government Association report entitled 'Rewarding Community Service'? (OAQ4148)

Peter Law: 'Rewarding Community Service' was produced by the independent members' allowance working group, set up by the former Welsh Office at the request of local authorities and the Welsh Local Government Association. The working group reported in January. It is now for local authorities to consider how they wish to implement the report's recommendations.

Jonathan Morgan: Given that two of your colleagues in the Cabinet have criticised the Lord Mayor of the city of Cardiff for receiving £58,000 a year for a three-day week, what action will you take to ensure that that indefensible pay hike is immediately reversed?

Peter Law: Local authorities should be responsible in the approach that they adopt on councillors' allowances. Overall, councillors have been underpaid for too long. They do a valued job in the community and need to have adequate recompense and be

C3 Jonathan Morgan: A wnaiff Peter Law ddatganiad ar weithredu'r adroddiad a luniwyd ar y cyd rhwng Cynulliad Cenedlaethol Cymru a Chymdeithas Llywodraeth Leol Cymru o'r enw 'Gwobrwyo Gwasanaeth Cymunedol'? (OAQ4148)

Peter Law: Lluniwyd 'Gwobrwyo Gwasanaeth Cymunedol' gan y gweithgor annibynnol ar lwfansau aelodau, a sefydlwyd gan yr hen Swyddfa Gymreig ar gais awdurdodau lleol a Chymdeithas Llywodraeth Leol Cymru. Cyflwynodd y gweithgor ei adroddiad yn Ionawr. Mater i awdurdodau lleol yn awr yw ystyried sut y dymunant weithredu argymhellion yr adroddiad.

Jonathan Morgan: O gofio bod dau o'ch cyd-aelodau yn y Cabinet wedi beirniadu Arglwydd Faer dinas Caerdydd am dderbyn £58,000 y flwyddyn am wythnos dri diwrnod, beth ydych chi am ei wneud i sicrhau y caiff y codiad cyflog digyfiawnhad hwnnw ei wrthdroi yn syth?

Peter Law: Dylai awdurdodau lleol fod yn gyfrifol yn y modd y maent yn delio â lwfansau cynghorwyr. Ar y cyfan, cafodd cynghorwyr rhy ychydig o dâl am rhy hir. Gwnânt waith gwerthfawr yn y gymuned ac mae angen iddynt gael tâl digonol am hynny

safeguarded because they lose out on job opportunities and promotional prospects because of their commitment to their communities. I respect them and thank them for that commitment. The allowances set by that commission should reflect local circumstances and the views of the local population. It would be inappropriate for the Assembly to dictate to councils how to meet local circumstances or the views of their electors unless they were faced with a situation that could be regarded by the public as out of accord and inappropriate. In such cases, I will review the situation. I will constantly look at these things because I am the Secretary with responsibility for local government. I am taking note of these points.

2:19 p.m.

Janet Ryder: Do you agree that the general profile of a councillor is male, over 60 and retired? What part does this report play in altering that profile?

Peter Law: I do not know if councillors in general are over 60 and retired. Maybe a number of them are, but they bring a great reservoir of wisdom from life. They still have to do a terrific amount of work for the community because councils meet during the day so they are away from their families and giving of their time freely. Some may have retired from a permanent position. They should be remunerated in the same way because they work during the day to look after the benefits of their communities. The amount of remuneration is a matter for each local authority to decide within the parameters of the report that I mentioned and which I endorse wholeheartedly. I recommend that each authority considers the report seriously. If there are reasons to go outside it, authorities must justify them to their communities because the costs incurred for members' expenses are paid for through council tax payments.

Peter Black: In light of the formal reasonable recommendations in this report, will you join me in condemning the Cardiff council Labour group, which suspended eight

a chael eu diogelu am eu bod yn colli allan ar gyfleoedd gwaith a rhagolygon dyrchafiad oherwydd eu hymrwymiad i'w cymunedau. Yr wyf yn eu parchu ac yn diolch iddynt am yr ymrwymiad hwnnw. Dylai'r lwfansau a bennir gan y comisiwn hwnnw adlewyrchu amgylchiadau lleol a barn y boblogaeth leol. Byddai'n amhriodol i'r Cynulliad ddeddfu i gynghorau sut y dylent ymateb i amgylchiadau lleol neu farn eu hetholwyr oni baent yn wynebu sefyllfa a allai ymddangos yn anghydnaws ac amhriodol yn llygaid y cyhoedd. Mewn achosion o'r fath, adolygaf y sefyllfa. Edrychaf ar y pethau hyn yn gyson gan mai fi yw'r Ysgrifennydd â chyfrifoldeb dros lywodraeth leol. Nodaf y pwyntiau hyn.

Janet Ryder: A gytunwch mai proffil cyffredinol cynghorydd yw gwryw, dros 60 ac wedi ymddeol? Pa ran y mae'r adroddiad hwn yn ei chwarae mewn newid y proffil hwnnw?

Peter Law: Nid wyf yn gwybod a yw cynghorwyr yn gyffredinol dros 60 ac wedi ymddeol. Efallai fod nifer ohonynt, ond deuant â chronfa helaeth o ddoethineb o fywyd. Mae'n rhaid iddynt wneud swm sylweddol o waith dros y gymuned o hyd gan fod cynghorau'n cyfarfod yn ystod y dydd ac felly maent i ffwrdd oddi wrth eu teuluoedd ac yn rhoi o'u hamser yn hael. Gall rhai fod wedi ymddeol o swydd barhaol. Dylid talu iddynt yn yr un modd gan eu bod yn gweithio yn ystod y dydd i ofalu am fuddiannau eu cymunedau. Mae maint y tâl yn fater i bob awdurdod lleol ei benderfynu o fewn terfynau'r adroddiad a grybwyllais ac a gefnogaf yn galonogol. Argymhellaf y dylai pob awdurdod ystyried yr adroddiad o ddirif. Os oes rhesymau i fynd y tu allan iddo, rhaid i awdurdodau gyfiawnhau hynny i'w cymunedau, oherwydd telir am gostau treuliau aelodau drwy daliadau'r dreth gyngor.

Peter Black: Yng ngoleuni'r argymhellion ffurfiol rhesymol yn yr adroddiad hwn, a wnewch chi ymuno â mi i gondemnio grŵp Llafur cyngor Caerdydd am atal wyth o'i

of its councillors because they supported the proposals in the Assembly report, as opposed to those that have been pushed through by their council? Will you report to a future Local Government and Housing Committee meeting on the situation of councillors' allowances across Wales and how many councils are prepared to sign up to the Assembly's proposals?

Peter Law: I will consult on the allowance system with the Welsh Local Government Association at the next Partnership Council meeting, which you will attend. I want to see how it regards it and what the general feedback is. I will welcome hearing from every local authority in Wales what action they intend to take concerning members' expenses.

This is an internal matter for the Cardiff council Labour group, no matter how unfortunate it may appear to some of us when we read about it. I will not make any further comment on that. I will not comment on any individual authority today but I am looking at all authorities in Wales, which is my remit as the Secretary for Local Government and Housing. Every one of the 22 local authorities will be examined carefully regarding future developments.

Carwyn Jones: Janet raised an interesting point, that is, that the average councillor in Wales is retired. That is largely because it is almost impossible for those working in the private sector to become councillors because councils meet in the mornings and afternoons. It is difficult for someone to be a councillor unless they are self-employed, not working or working in the public sector. In order to attract a wider spread of people to become council candidates, can anything be done to encourage councils to hold their normal meetings in the evenings rather than the mornings and afternoons?

Peter Law: That may be a helpful recommendation, but I would be the last one to dictate to local authorities when they should hold their meetings. The WLGA

gynghorwyr dros dro am iddynt gefnogi'r cynigion yn adroddiad y Cynulliad, yn hytrach na'r rheini a wthiwyd drwodd gan eu cyngor? A wnewch chi adrodd i gyfarfod o'r Pwyllgor Llywodraeth Leol a Thai yn y dyfodol ar sefyllfa lwfansau cynghorwyr ledled Cymru a faint o gynghorau sydd yn barod i gyd-fynd â chynigion y Cynulliad?

Peter Law: Ymgynghoraf ar y system lwfansau gyda Chymdeithas Llywodraeth Leol Cymru yng nghyfarfod nesaf y Cyngor Partneriaeth, lle byddwch chi'n bresennol. Yr wyf am wybod sut y mae'n ei gweld a beth yw'r ymateb cyffredinol. Byddaf yn croesawu gair gan bob awdurdod lleol yng Nghymru ar beth y maent yn bwriadu ei wneud ynglŷn â threuliau aelodau.

Mater mewnol i grŵp Llafur cyngor Caerdydd yw hwn, ni waeth pa mor anffodus y mae'n ymddangos i rai ohonom pan ddarllenwn amdano. Ni wnafr unrhyw sylw pellach ar hynny. Ni roddaf sylw ar unrhyw awdurdod unigol heddiw ond yr wyf yn edrych ar bob awdurdod yng Nghymru, sef fy nyletswydd fel Ysgrifennydd Llywodraeth Leol a Thai. Craffir ar bob un o'r 22 awdurdod lleol yn ofalus o ran datblygiadau yn y dyfodol.

Carwyn Jones: Cododd Janet bwynt diddorol, sef bod y cynghorydd nodweddiadol yng Nghymru wedi ymddeol. Mae hynny i raddau helaeth oherwydd ei bod bron yn amhosibl i bobl sydd yn gweithio yn y sector preifat fynd yn gynghorwyr oherwydd bod cynghorau'n cyfarfod yn y boreau a'r prynhawniau. Mae'n anodd i rywun fynd yn gynghorydd oni bai ei fod yn hunan-gyflogedig, yn ddi-waith neu'n gweithio yn y sector cyhoeddus. Er mwyn denu ystod ehangach o bobl i ymgeisio i fod yn gynghorwyr, a ellir gwneud unrhyw beth i annog cynghorau i gynnal eu cyfarfodydd arferol gyda'r nos yn hytrach nag yn y bore a'r prynhawn?

Peter Law: Efallai fod hynny'n argymhelliad buddiol, ond fi fyddai'r olaf i ddweud wrth awdurdodau lleol pa bryd y dylent gynnal eu cyfarfodydd. Ni fyddai

would not like me to do so. Each local authority should decide what is in the interests of its community. At times, evening meetings might be more appropriate than day meetings. It is unfortunate that local authorities' workloads have risen to such a level now that we have unitary authorities—which I welcome—that they have to hold many of their meetings during the day to keep up to speed on policy decisions. However, I want to see more young people being encouraged to stand for election. I do not want to see election unopposed stickers displayed year after year, because that does nothing for democracy: it stagnates it. We must encourage more young people to take an interest in their communities and stand for local election, which is what I hope we will do by modernising local government through the new forthcoming Act. We will then have a completely new approach to local government and a more open, accountable system in Wales.

Cymdeithas Llywodraeth Leol Cymru yn hoffi imi wneud hynny. Dylai pob awdurdod lleol benderfynu beth sydd er lles ei gymuned. Ar adegau, gallai cyfarfodydd min nos fod yn fwy priodol na chyfarfodydd dydd. Mae'n anffodus bod baich gwaith awdurdodau lleol wedi codi i'r fath raddau ers sefydlu awdurdodau unedol—a groesawaf—nes bod yn rhaid iddynt gynnal llawer o'u cyfarfodydd yn ystod y dydd er mwyn peidio â syrthio ar ei hôl hi gyda phenderfyniadau polisi. Fodd bynnag, hoffwn weld mwy o bobl ifanc yn cael eu hannog i sefyll am etholiad. Nid wyf eisiau gweld sticeri etholiad diwrthwynebiad yn cael eu dangos flwyddyn ar ôl blwyddyn, oherwydd nid yw hynny'n gwneud dim ond troi democratiaeth yn ferddwr. Rhaid inni annog mwy o bobl ifanc i gymryd diddordeb yn eu cymunedau a sefyll etholiadau lleol, a dyna y gobeithiaf y gwnawn wrth foderneiddio llywodraeth leol drwy'r Ddeddf newydd sydd ar ddod. Wedyn bydd gennym agwedd gwbl newydd at lywodraeth leol a system fwy agored, atebol yng Nghymru.

Cwestiynau i Ysgrifennydd yr Amgylchedd, Cynllunio a Thrafnidiaeth Questions to the Secretary for the Environment, Planning and Transport

Railtrack (Lein Cwm Rhymni) Railtrack (Rhymer Valley Line)

Q1 Michael German: What discussions has the Secretary for the Environment, Planning and Transport had with Railtrack concerning the expansion of Queen Street station in Cardiff to improve the quality and frequency of service provision on the Rhymer Valley line? (OAQ4114)

I welcome you, Sue, to your first performance. I hope that the questions are of suitable quality.

The Secretary for the Environment, Planning and Transport (Sue Essex): Thank you for your kind remarks, Mike. I have had no discussions with Railtrack on this issue since my appointment, but I look forward to meeting the company to discuss this and other issues. However, when I was Chair of the Local Government and Environment Committee, I accompanied

C1 Michael German: Pa drafodaethau a gafodd Ysgrifennydd yr Amgylchedd, Cynllunio a Thrafnidiaeth gyda Railtrack ynglŷn ag ehangu gorsaf Heol y Frenhines yng Nghaerdydd er mwyn gwella ansawdd ac amllder y gwasanaeth a ddarperir ar lein Cwm Rhymni? (OAQ4114)

Croeso, Sue, i'ch perfformiad cyntaf. Gobeithiaf y bydd y cwestiynau o ansawdd addas.

Ysgrifennydd yr Amgylchedd, Cynllunio a Thrafnidiaeth (Sue Essex): Diolch am eich sylwadau caredig, Mike. Ni chefais unrhyw drafodaethau â Railtrack ar y mater hwn ers fy mhenodi, ond edrychaf ymlaen at gyfarfod â'r cwmni i drafod hyn a materion eraill. Fodd bynnag, pan oeddwn yn Gadeirydd y Pwyllgor Llywodraeth Leol a'r Amgylchedd, euthum gyda Peter Law ar daith o amgylch

Peter Law on a trip around the Valley lines and had an informal discussion with people from Railtrack who mentioned the difficult issue of capacity at Queen Street station. Therefore, I was particularly pleased when Peter Law announced on 9 February that £1.2 million had been allocated for design and preparatory costs to consider capacity enhancements at Queen Street station.

The bids for transport grant support to carry out works will be considered in future budget rounds. In addition, Railtrack's key commitments in the next three years, in conjunction with South Wales Integrated Fast Transport Consortium, which are set out in Railtrack's 1999 network management statement, include track and signalling alterations between Cardiff Central and Queen Street stations. They will improve the capacity and reliability of the hub of the Valleys' railway network. Railtrack is also committed to upgrading the Rhymney Valley line to improve capacity, reliability and line speed over the next two years.

Michael German: I welcome the news of the single rail franchise for Wales and recognise the difficulty of finding sufficient resources for infrastructure improvements to the rail network. However, will you comment on whether it would be sensible and practicable to ask the successful franchisee to make a contribution to the improvements required for the rail infrastructure, so that we can make swift progress towards a much better rail network in Wales?

Sue Essex: In fairness, responsibility is split between Railtrack and the train operating companies. During the discussions that Peter and I had with Railtrack, it showed a much stronger commitment to Wales. We saw signalling improvements in Radyr, for example. I am confident that Railtrack is committed. There may also be areas in which it could use European match funding. It is important that train operating companies have sufficient capital investment to put in

rheilffyrdd y Cymoedd a chefais drafodaeth anffurfiol gyda phobl o Railtrack a soniodd am gwestiwn anodd diffyg lle yng ngorsaf Heol y Frenhines. Felly, yr oeddwn yn neilltuol o falch pan gyhoeddodd Peter Law ar 9 Chwefror fod £1.2 miliwn wedi'i ddyrannu ar gyfer costau dylunio a pharatoi i ystyried ehangu gorsaf Heol y Frenhines.

Caiff y ceisiadau am gymorth grant trafndiaeth i gwblhau gwaith eu hystyried mewn cylchoedd cyllideb yn y dyfodol. At hynny, mae ymrwymadau allweddol Railtrack yn y tair blynedd nesaf, ar y cyd â Chonsortium Cludiant Cyflym Integredig De Cymru, a amlinellir yn natganiad rheoli rhwydwaith Railtrack am 1999, yn cynnwys newidiadau i'r trac a'r signalau rhwng gorsafodd Canol Caerdydd a Heol y Frenhines. Byddant yn gwella cynhwysedd a dibynadwyedd canolbwynt rhwydwaith rheilffyrdd y Cymoedd. Mae Railtrack hefyd wedi ymrwymo i uwchraddio lein Cwm Rhymni i wella cynhwysedd, dibynadwyedd a chyflymder y lein dros y ddwy flynedd nesaf.

Michael German: Croesawaf y newyddion am fasnachfaint reilffyrdd sengl i Gymru a chydabyddaf mor anodd yw canfod adnoddau digonol ar gyfer gwelliannau i isadeiledd y rhwydwaith rheilffyrdd. Fodd bynnag, a roddwch sylw ynghylch a fyddai'n synhwyrol ac yn ymarferol gofyn i bwy bynnag sydd yn llwyddo i ennill y fasnachfaint wneud cyfraniad at y gwelliannau sydd eu hangen ar yr isadeiledd rheilffyrdd, fel y gallwn symud yn fuan tuag at rwydwaith rheilffyrdd llawer gwell yng Nghymru?

Sue Essex: I fod yn deg, mae'r cyfrifoldeb wedi'i rannu rhwng Railtrack a'r cwmnïau trenau. Yn ystod y trafodaethau a gafodd Peter a mi gyda Railtrack, dangosodd ymrwymiad llawer cryfach i Gymru. Gwelsom welliannau i'r signalau yn Radyr, er enghraifft. Yr wyf yn hyderus bod Railtrack yn ymrwymedig. Efallai fod meysydd hefyd lle gallai ddefnyddio arian cyfatebol o Ewrop. Mae'n bwysig i'r cwmnïau trenau gael digon o fuddsoddiad

place the rolling stock that is needed. I will explore that, but there is a division between Railtrack and the train operating companies. Investment in rolling stock and other associated features needs to come from whichever train operating company wins the franchise.

Christine Chapman: We in the Cynon Valley also want an increased provision of trains to and from Cardiff, particularly in the evenings. People in the Cynon Valley who do not have cars cannot spend a night out in the capital, because of the lack of public transport. Will you include that concern in any discussions that you have with Prism Rail plc and Railtrack?

Sue Essex: You are right to say that the railway network that runs into your constituency is important, during the day and evening. We all want to see improved services there. The Strategic Rail Authority has much work to do in considering the franchise bids. During the next few months, many of those service requirements will be fed through. We do not know what will come through eventually. However, I welcome your constituents' views on what they would like. We could present the Strategic Rail Authority with those views so that it could be well informed about the standard of service that we want in Wales, particularly on the Valleys network.

2:29 p.m.

Brian Hancock: Do you agree that the Valley lines are like the fingers of a hand and service the major towns and cities for work and leisure reasons? Do you agree that it is important to link Cardiff International Airport to the main south Wales line? I also stress the support that I expect you to give to the Ebbw Vale—via Islwyn—to Newport and Cardiff line.

Sue Essex: It took a few minutes for you to mention the magic words: 'Ebbw Vale railway line'. You are slipping, Brian. From past discussions, Brian knows that I want that

cyfalaf i roi'r peiriannau angenrheidiol yn eu lle. Ymchwiliad i hynny, ond mae rhaniad rhwng Railtrack a'r cwmnïau trenau. Mae angen i fuddsoddiad mewn peiriannau a nodweddion cysylltiedig eraill ddod oddi wrth ba bynnag gwmni trenau sydd yn ennill y fasnachfaint.

Christine Chapman: Mae arnom ninnau yng Nghwm Cynon eisiau mwy o drenau i Gaerdydd ac oddi yno, yn enwedig gyda'r nos. Ni all pobl ddi-gar Cwm Cynon dreulio noson allan yn y brifddinas, oherwydd diffyg trafndiaeth gyhoeddus. A gynhwyswch y pryder hwnnw mewn unrhyw drafodaethau a gewch gyda Prism Rail ccc a Railtrack?

Sue Essex: Yr ydych yn gywir pan ddywedwch fod y rhwydwaith rheilffyrdd sydd yn rhedeg i mewn i'ch etholaeth yn bwysig, yn y dydd a gyda'r nos. Hoffai pawb weld gwell gwasanaethau yno. Mae gan yr Awdurdod Rheilffyrdd Strategol lawer o waith i'w wneud yn ystyried y ceisiadau am fasnachfaint. Yn ystod yr ychydig fisoedd nesaf, caiff llawer o'r gofynion gwasanaeth hynny eu bwydo drwodd. Ni wyddom beth a ddaw drwodd yn y pen draw. Fodd bynnag, croesawaf sylwadau eich etholwyr ar yr hyn a hoffent hwy. Gallem gyflwyno'r sylwadau hynny i'r Awdurdod Rheilffyrdd Strategol er mwyn iddo gael gwybodaeth lawn am safon y gwasanaeth y mae arnom ei eisiau yng Nghymru, yn enwedig ar rwydwaith y Cymoedd.

Brian Hancock: A gytunwch fod rheilffyrdd y Cymoedd fel bysedd ar law a'u bod yn gwasanaethu'r prif drefi a dinasoedd am resymau gwaith a hamdden? A gytunwch ei bod yn bwysig cysylltu Maes Awyr Rhyngwladol Caerdydd â phrif reilffordd de Cymru? Pwysleisiaf hefyd y gefnogaeth y disgwyliaf ichi ei rhoi i lein Glyn Ebwy—drwy Islwyn—i Gasnewydd a Chaerdydd.

Sue Essex: Cymerodd ychydig o funudau ichi yngan y geiriau hud: 'rheilffordd Glyn Ebwy'. Yr ydych yn llithro, Brian. O drafodaethau'r gorffennol, mae Brian yn

railway line improved so that it provides a good connection to our international airport in Rhose. I will consider that closely.

I was looking at railway provisions in the Vale of Glamorgan this morning. That is close to Jane Hutt's heart and is high on our list of priorities. We will consider the funding difficulties; we will have to be sensible about that. However, we may be able to use match funding to develop that. On the Ebbw Vale line, from past experience I know how close it is to Brian's and Peter's heart and I will give it full consideration.

Jonathan Morgan: Will the Secretary consider using European funds in partnership with Railtrack to improve the platform capacity of Queen Street station and to achieve the necessary signalling improvements?

Sue Essex: As I understand it, Queen Street station will not qualify for structural funds because it is outside the Objective 1 area. Railtrack is considering structural funds and has earmarked money for signalling improvements at Queen Street. In my past discussions with Railtrack, it was alert to the possibilities offered by structural funds to secure improvements further up the Valleys, which is in the Objective 1 area. If I am right and Queen Street station would not be eligible for structural funds—and I will look at that again—that would free up money that would enable Railtrack to improve signalling and platform capacity at Queen Street. We all recognise that this must be tackled because Queen Street station is a bottleneck. I hope that the problem will be resolved over the next years.

gwybod fy mod eisiau i'r rheilffordd honno gael ei gwella er mwyn darparu cysylltiad da â'n maes awyr rhyngwladol yn y Rhws. Byddaf yn ystyried hynny'n ofalus.

Yr oeddwn yn edrych ar ddarpariaethau rheilffyrdd ym Mro Morgannwg y bore yma. Mae hynny'n agos at galon Jane Hutt ac yn uchel ar ein rhestr flaenoriaethau. Byddwn yn ystyried yr anawsterau ariannu; bydd yn rhaid inni fod yn gall ynglŷn â hynny. Fodd bynnag, efallai y gallwn ddefnyddio arian cyfatebol i ddatblygu hynny. O ran lein Glyn Ebwy, gwn o brofiad mor agos ydyw at galon Brian a Peter a rhoddaf ystyriaeth lawn iddi.

Jonathan Morgan: A wnaiff yr Ysgrifennydd ystyried defnyddio arian Ewropeaidd mewn partneriaeth â Railtrack i ddarparu mwy o le platfform yng ngorsaf Heol y Frenhines ac i sicrhau'r gwelliannau angenrheidiol i signalau?

Sue Essex: Yn ôl yr hyn a ddeallaf, ni fydd gorsaf Heol y Frenhines yn gymwys ar gyfer arian strwythurol am ei bod y tu allan i'r ardal Amcan 1. Mae Railtrack yn ystyried arian strwythurol ac wedi clustnodi arian ar gyfer gwelliannau i signalau Heol y Frenhines. Yn fy nhrafodaethau yn y gorffennol gyda Railtrack, yr oedd yn effro i'r posibilïadau a gynigid gan arian strwythurol i sicrhau gwelliannau ymhellach i fyny'r Cymoedd, sydd o fewn yr ardal Amcan 1. Os wyf yn iawn ac na fyddai Heol y Frenhines yn gymwys i gael arian strwythurol—ac edrychaf ar hynny eto—byddai hynny'n rhyddhau arian a fyddai'n galluogi Railtrack i wella'r signalau ac ehangu'r platfform yn Heol y Frenhines. Yr ydym i gyd yn cydnabod bod yn rhaid mynd i'r afael â hyn gan fod gorsaf Heol y Frenhines yn dagfa. Gobeithiaf y caiff y broblem ei datrys yn ystod y blynnyddoedd nesaf.

Hawl i Grwydro Right to Roam

Q2 Glyn Davies: Will Sue Essex make a statement on the effect of the right to roam legislation on Wales? (OAQ4143)

C2 Glyn Davies: A wnaiff Sue Essex ddatganiad ar effaith deddfwriaeth hawl i grwydro ar Gymru? (OAQ4143)

Sue Essex: The Government's proposals will provide walkers with a statutory right of access to open countryside and to registered common land. The new Bill will give greater certainty to walkers about where they may or may not walk in the countryside—to their benefit and to that of landowners. Greater access should also lead to other positive benefits, such as improvements in the health and general wellbeing of the population of Wales and in attracting more visitors to rural areas. I do not think that the new right will lead to a significant increase in problems for those living and working in the Welsh countryside because agricultural land, other than that used for rough grazing, will be excluded, along with parks and gardens.

The Countryside Council for Wales will prepare maps showing the land to which the right of access applies in Wales. However, landowners will have a right of appeal to the Assembly against the inclusion of land in those maps. The Bill provides for the Assembly to make regulations on making maps and on appeal procedures and it gives the Assembly powers to make other regulations affecting the way the new right will operate in Wales.

Local access forums will be established and will represent a range of interests, including those of landowners. Forums will advise on the designation of access land and on the arrangements for restrictions to and closures of access land.

Glyn Davies: Thank you and welcome to your first question time. I am sorry that I will always remember it as being associated with a despicable act of unprincipled confiscation. Can you assure me that the Assembly will fully compensate any cost to local government that arises from its responsibilities under the Act?

Sue Essex: Let us clear up one point. This is about access over open land for walkers. It is not about the confiscation of land. Christine Gwyther has stated that before. After a couple of years, I believe that those of us

Sue Essex: Bydd cynigion y Llywodraeth yn rhoi hawl statudol i gerddwyr fynd i gefn gwlad agored ac ar dir comin cofrestredig. Bydd y Mesur newydd yn rhoi mwy o sicrwydd i gerddwyr ynghylch ble y cânt neu ble na chânt gerdded yng nghefn gwlad—er budd iddynt hwy ac i berchnogion tir. Dylai mwy o fynediad arwain hefyd at fanteision cadarnhaol eraill, megis gwelliannau yn iechyd a lles cyffredinol poblogaeth Cymru ac o ran denu mwy o ymwelwyr i ardaloedd gwledig. Nid wyf yn credu y bydd yr hawl newydd yn arwain at gynnydd sylweddol mewn problemau i rai sydd yn byw ac yn gweithio yng nghefn gwlad Cymru gan y bydd tir amaethyddol, ar wahân i dir a ddefnyddir fel porfa fras, wedi'i eithrio, ynghyd â pharciau a gerddi.

Bydd Cyngor Cefn Gwlad Cymru yn paratoui mapiau yn dangos y tir lle ceir hawl mynediad yng Nghymru. Fodd bynnag, bydd gan berchnogion tir hawl i apelio i'r Cynulliad yn erbyn cynnwys tir ar y mapiau hynny. Mae'r Mesur yn darparu ar gyfer i'r Cynulliad wneud rheoliadau ar lunio mapiau ac ar drefniadau apêl ac mae'n rhoi pwerau i'r Cynulliad lunio rheoliadau eraill a fydd yn effeithio ar y ffordd y bydd yr hawl newydd yn gweithio yng Nghymru.

Sefydlir fforymau mynediad lleol a fydd yn cynrychioli ystod o ddiddordebau, gan gynnwys rhai tîrfeddianwyr. Bydd y fforymau yn cynghori ar benderfyniadau dynodi tir mynediad ac ar y trefniadau ar gyfer gosod cyfyngiadau ar diroedd mynediad a'u cau.

Glyn Davies: Diolch, a chroeso i'ch sesiwn gwestiynau gyntaf. Mae'n ddrwg gennyf y byddaf bob amser yn ei chofio fel un a oedd yn gysylltiedig â gweithred ffiadd o atafaelu diegwyddor. A allwch fy sicrhau y bydd y Cynulliad yn digolledu'n llawn unrhyw gost i lywodraeth leol a ddeillia o'i chyfrifoldebau dan y Ddeddf?

Sue Essex: Gadewch inni gael un pwynt yn glir. Cwestiwn o fynediad dros dir agored i gerddwyr yw hwn. Nid oes a wnelo hyn ag atafaelu tir. Mae Christine Gwyther wedi dweud hynny o'r blaen. Ar ôl blwyddyn neu

who supported this Bill will feel pleased. I understand the philosophical differences, Glyn, and you made your points clear. However, Christine and I intend to implement the Bill, if passed, in a sensitive and practical way, working with landowners, farmers and ramblers in the countryside, to ensure that their problems and concerns are not realised. In time, I hope people will realise the benefit of this legislation to people who live in Wales and those who visit Wales.

In response to your question on local government, the money will primarily go to the Countryside Council for Wales, but that body gives grant aid to local government. CCW has a close relationship with local government, particularly in terms of countryside management plans. We will ensure that those accommodations are made.

Jocelyn Davies: How will you influence the primary legislation to ensure that Assembly policy is respected?

Sue Essex: I have started to consider that. This goes to the heart of our relationship with Westminster—the question of how we ensure that there is a smooth and co-ordinated approach so that our views are conveyed. We deal with this mainly through the Secretary of State for Wales. However, because it is important to have a handle on how matters are developing—and they develop quickly, as you know—I have asked my officials to consider how we can secure a quick line through and quick responses back. I will include other parties in this, so that we can influence the legislation when it goes through. I am aware that amendments are sometimes tabled quickly and that they need rapid responses. However, I am determined to keep on top of this, because it is an important piece of legislation.

Richard Edwards: Are you aware that walkers on the coastal path in Pembrokeshire

ddwy, credaf y bydd y rhai ohonom a gefnogodd y Mesur hwn yn teimlo'n falch. Yr wyf yn deall y gwahaniaethau athronyddol, Glyn, a gwnaethoch eich pwyntiau'n glir. Fodd bynnag, mae Christine a mi'n bwriadu gweithredu'r Mesur, os caiff ei basio, mewn modd sensitif ac ymarferol, gan weithio gyda thirfeddianwyr, ffermwyr a cherddwyr yng nghefn gwlad, i sicrhau na ddaw eu problemau a'u pryderon i fodolaeth. Gydag amser, gobeithiaf y bydd pobl yn sylweddoli mantais y ddeddfwriaeth hon i bobl sydd yn byw yng Nghymru a rhai sydd yn ymweld â Chymru.

I ymateb i'ch cwestiwn ar lywodraeth leol, â'r arian yn bennaf i Gyngor Cefn Gwlad Cymru, ond mae'r corff hwnnw'n rhoi cymorth grant i lywodraeth leol. Mae gan Gyngor Cefn Gwlad Cymru berthynas agos gyda llywodraeth leol, yn enwedig yn nhermau cynlluniau rheoli cefn gwlad. Byddwn yn sicrhau y gwneir y trefniadau hynny.

Jocelyn Davies: Sut y byddwch yn dylanwadu ar y ddeddfwriaeth sylfaenol i sicrhau y perchir polisi'r Cynulliad?

Sue Essex: Yr wyf wedi dechrau ystyried hynny. Â hyn at galon ein perthynas â San Steffan—y cwestiwn o sut yr ydym yn sicrhau yr awn ati mewn modd didramgwydd a chydlynol fel y caiff ein sylwadau eu cyfleu. Deliwn â hyn yn bennaf drwy Ysgrifennydd Gwladol Cymru. Fodd bynnag, am ei bod yn bwysig gwybod sut mae materion yn datblygu—ac maent yn datblygu'n gyflym, fel y gwyddoch—yr wyf wedi gofyn i'm swyddogion ystyried sut y gallwn sicrhau lein gyflym drwodd ac ymatebion sydyn yn ôl. Byddaf yn cynnwys partïon eraill yn hyn, fel y gallwn ddylanwadu ar y ddeddfwriaeth pan â drwodd. Yr wyf yn ymwybodol y caiff gwelliannau eu cyflwyno'n sydyn weithiau a bod angen ymatebion sydyn iddynt. Fodd bynnag, yr wyf yn benderfynol o gadw ar ben hyn, gan ei fod yn ddarn pwysig o ddeddfwriaeth.

Richard Edwards: A ydych yn ymwybodol bod cerddwyr ar lwybr arfordirol Penfro yn

bring in over £14 million annually to the county's economy—that is £57 for every £1 spent on management and maintenance of the trail? Do you agree that the economic tourism potential of this widely supported Bill to hard-pressed rural areas is immense?

Sue Essex: Survey work and research on long distance footpaths in Wales tells a positive story, not only on the Pembrokeshire path but on the Offa's Dyke path. Ensuring access to the open air is a good economic opportunity for Wales. We have had the national parks since 1949, and this is hopefully the second stage in the enjoyment of the countryside. We could make that happen by encouraging local access forums. It is important that we get groups of people on the ground, working together and trying to implement economic packages such as bed and breakfast accommodation, or other support services needed by walkers, so that the benefits can be returned into the community. I have been working with Rhodri Morgan, wearing his economic development hat, to ensure that the benefits penetrate into the local community.

Kirsty Williams: Are you aware of the difficulties encountered by landowners in the upper Swansea Valley who took part in a pilot mapping project with CCW? Can you give an assurance that the lack of consultation, which was a key feature of that pilot project, will not happen again?

Sue Essex: There were two pilot areas, one in Snowdonia and one in the Brecon Beacons area. The Snowdonia pilot study went better than the Beacons one. However, there were problems as you rightly said. The notification period to receive many of the comments was around 36 hours, and that is not enough time for people to respond appropriately. Lessons have been learnt from that exercise. I have spoken to CCW about it and we are all of one mind that we should give a much longer lead-in so that local landowners can respond.

dod â thros £14 miliwn bob blwyddyn i mewn i economi'r sir—sef £57 am bob £1 a gaiff ei wario ar reoli a chynnal a chadw'r llwybr? A gytunwch fod potensial twristiaeth economaidd y Mesur hwn a gefnogir yn eang mewn ardaloedd gwledig tlawd yn aruthrol?

Sue Essex: Mae gwaith arolwg ac ymchwil ar lwybrau hir yng Nghymru'n adrodd stori gadarnhaol, nid yn unig ar lwybr Penfro ond ar lwybr Clawdd Offa. Mae sicrhau mynediad i'r awyr agored yn gyfle economaidd da i Gymru. Mae'r parciau cenedlaethol gennym ers 1949, a dyma, gobeithio, yr ail gam o ran mwynhau cefn gwlad. Gallem sicrhau bod hynny'n digwydd drwy annog fforymau mynediad lleol. Mae'n bwysig ein bod yn cael grwpiau o bobl ar lawr gwlad, yn cydweithio ac yn ceisio gweithredu pecynnau economaidd megis llety gwely a brecwast, neu wasanaethau ategol eraill sydd eu hangen ar gerddwyr, fel y gall y manteision ddod yn ôl i'r gymuned. Bûm yn gweithio gyda Rhodri Morgan, yn gwisgo'i het datblygu economaidd, i sicrhau bod y manteision yn treiddio i'r gymuned leol.

Kirsty Williams: A ydych yn ymwybodol o'r anawsterau a wynebier gan berchnogion tir yng Nghwm Tawe uchaf a gymerodd ran mewn prosiect mapio peilot gyda Chyngor Cefn Gwlad Cymru? A allwch roi sicrwydd na fydd y diffyg ymgynghori, a oedd yn nodwedd allweddol yn y prosiect peilot hwnnw, yn digwydd eto?

Sue Essex: Yr oedd dwy ardal beilot, un yn Eryri ac un yn ardal Bannau Brycheiniog. Yr oedd yr astudiaeth beilot yn Eryri'n fwy llwyddiannus na honno yn y Bannau. Fodd bynnag, yr oeddech yn llygad eich lle wrth ddweud bod problemau. Tua 36 awr oedd y cyfnod hysbysu i dderbyn llawer o'r sylwadau, ac nid yw hynny'n ddigon o amser i bobl ymateb yn briodol. Dysgwyd gwersi o'r ymarferiad hwnnw. Yr wyf wedi siarad â Chyngor Cefn Gwlad Cymru ynglŷn ag ef ac yr ydym i gyd o'r un farn, sef y dylem roi cyfnod arweiniol llawer hwy fel y gall perchnogion tir lleol ymateb.

2:39 p.m.

Rod Richards: I congratulate the Secretary for the Environment, Planning and Transport on her appointment. Will she tell the Assembly whether the Government's right to roam legislation will have any implications for the dual carriageway that links Cardiff Bay via Culverhouse Cross to the M4? It is in a disgraceful state due to rubbish along it. Will she encourage her colleagues, first at Cardiff council, to roam along the portion between the bay and Culverhouse Cross—

Rod Richards: Hoffwn longyfarch Ysgrifennydd yr Amgylchedd, Cynllunio a Thrafnidiaeth ar ei phenodiad. A wnaiff hi ddweud wrth y Cynulliad a fydd unrhyw oblygiadau i ddeddfwriaeth hawl i grwydro'r Llywodraeth o safbwynt y ffordd ddeuol sydd yn cysylltu Bae Caerdydd drwy Groes Cwrlwys â'r M4? Mae mewn cyflwr gwarthus oherwydd sbwriel ar ei hyd. A wnaiff hi annog ei chyd-aelodau, yng nghyngor Caerdydd yn gyntaf, i grwydro ar hyd y darn rhwng y bae a Chroes Cwrlwys—

The Presiding Officer: Order. The subject of this question does not include the link road, as far as I am aware.

Y Llywydd: Trefn. Nid yw testun y cwestiwn hwn yn cynnwys y ffordd gysylltu, hyd y gwelaf i.

Sue Essex: We are talking about access to open countryside, not the right to roam anywhere. I would not encourage anybody to roam along the peripheral distributor road because it is there for traffic purposes. I will take Rod Richards's concerns on board. The road is a major artery to our capital city and, although it is Cardiff council's responsibility, I will pass that message on, but not in a right to roam context.

Sue Essex: Yr ydym yn sôn am fynediad i gefn gwlad agored, nid yr hawl i grwydro i unrhyw fan. Ni fuaswn yn annog unrhyw un i grwydro ar hyd y ffordd ddsbarthu ymylol am ei bod yno i ddibenion traffig. Rhoddaf sylw i bryderon Rod Richards. Mae'r ffordd yn brif wythïen i'n prifddinas ac, er mai cyfrifoldeb cyngor Caerdydd ydyw, trosglwyddaf y neges honno ymlaen, ond nid yng nghyd-destun hawl i grwydro.

Fforwm Beicio i Gymru Welsh Cycling Forum

Q3 Nick Bourne: Can Sue Essex confirm what is being done to aid the establishment of a Welsh cycling forum? (OAQ4135)

C3 Nick Bourne: A all Sue Essex gadarnhau yr hyn sydd yn digwydd i gynorthwyo sefydlu fforwm beicio i Gymru? (OAQ4135)

Sue Essex: The Environment, Planning and Transport Committee has endorsed a proposal to set up a Welsh transport forum. I anticipate that the first meeting will take place in the summer. I hope that cycling interests will play an important role in this new body. As our policy seeks to bring about an integrated transport system, there are no plans to establish a forum to discuss individual modes such as cycling.

Sue Essex: Mae Pwyllgor yr Amgylchedd, Cynllunio a Thrafnidiaeth wedi cadarnhau cynnig i sefydlu fforwm trafndiaeth Cymreig. Rhagwelaf y bydd y cyfarfod cyntaf yn yr haf. Gobeithiaf y bydd beicwyr yn chwarae rhan bwysig yn y corff newydd hwn. Gan bod ein polisi'n ceisio sefydlu system drafndiaeth integredig, nid oes cynlluniau i sefydlu fforwm i drafod moddau trafndiaeth unigol fel beicio.

Nick Bourne: I welcome Sue Essex to her first question time. Given the cost of getting around by car because of your Government's stealth taxes imposed from Westminster, cycling may become more important for people who can cycle for short distances.

Nick Bourne: Croesawaf Sue Essex i'w sesiwn gwestiynau gyntaf. Yn wyneb y gost o fynd o gwmpas mewn car oherwydd trethi llechwraidd a osodwyd gan eich Llywodraeth chi yn San Steffan, gall beicio ddod yn fwy pwysig i bobl sydd yn gallu beicio dros

Can you therefore commit more than the two people in the Assembly who spend less than 20 per cent of their time on cycling projects and can you say what representations you are making to two-jag Johnny about the stealth tax increases? Can you also say something about any support that is being given to the Heart of Wales railway line in rural Wales to help people to get around?

Sue Essex: It is this Government's policy to have integrated cycling and transport and to promote cycling. I am keen on that. In the past, I have worked with organisations such as Sustrans and Peter Law has allocated a considerable amount of money to achieve a national cycling network. There is no doubt of this administration's commitment to that cause. On your point on the allocation of staff time in the Assembly's Transport Policy Division, I am concerned about it. If we are to make this transformation, we must increase the time allocated to this matter within the transport division. I will take that on board. However, this mainly comes down to local authorities' decisions. Much of this, apart from the national cycling network, can be incorporated in local authorities' transport plans in bids for transport packages. The other piece of good news is that local authorities have come together to establish regional forums. In Wales, there are four regional forums that consider cycling. As well as our Welsh transport forum, we will have regional forums. We can monitor and evaluate how they progress.

The Heart of Wales line is important. I intend to travel on it soon. It is a major route for cyclists to get access to the open countryside. We would all want to see—whoever wins the next franchise—the Heart of Wales line protected and playing an important facility role within part of the rural countryside of Wales.

Cynog Dafis: Siaradaf fel un sydd yn seiclo i'r gwaith bob dydd ac o amgylch Caerdydd yn gyson. Sylweddolaf fod diogelwch i seiclwyr yn bwysig. Mae Caerdydd ymhell o

bellterau byr. A allwch felly ymrwymo mwy na'r ddau berson yn y Cynulliad sydd yn treulio llai nag 20 y cant o'u hamser ar brosiectau beicio ac a allwch ddweud pa sylwadau yr ydych yn eu gwneud i Johnny dau-jag ynglŷn â'r codiadau mewn trethi llechwraidd? A allwch ddweud rhywbeth hefyd am unrhyw gefnogaeth a roddir i reilffordd Calon Cymru yng nghefn gwlad Cymru i helpu pobl i fynd o le i le?

Sue Essex: Polisi'r Llywodraeth hon yw cael beicio a thrafnidiaeth integredig a hybu beicio. Yr wyf i'n frwd dros hynny. Yn y gorffennol, gweithiais gyda chyrrff fel Sustrans ac mae Peter Law wedi dyrannu swm sylweddol o arian i sefydlu rhwydwaith beicio cenedlaethol. Nid oes amheuaeth ynghylch ymrwymiad y weinyddiaeth hon i'r achos hwnnw. Ar eich pwynt ar ddyraniad amser staff yn Adran Bolisi Trafnidiaeth y Cynulliad, mae yn peri pryder imi. Os ydym am gyflawni'r newid hwn, rhaid inni gynyddu'r amser a roddir i'r mater hwn o fewn yr adran dtrafnidiaeth. Rhoddaf sylw i hynny. Fodd bynnag, mater o benderfyniadau awdurdodau lleol yw hyn yn bennaf. Gall llawer o hyn, ar wahân i'r rhwydwaith beicio cenedlaethol, gael ei ymgorffori yng nghynlluniau trafndiaeth awdurdodau lleol mewn ceisiadau am becynnau trafndiaeth. Y darn arall o newydd da yw bod awdurdodau lleol wedi dod ynghyd i sefydlu fforymau rhanbarthol. Yng Nghymru, ceir pedwar fforwm rhanbarthol sydd yn ystyried beicio. Yn ogystal â'n fforwm trafndiaeth Cymreig, bydd gennym fforymau rhanbarthol. Gallwn fonitro ac arfarnu'r ffordd y maent yn dod yn eu blaenau.

Mae lein Calon Cymru'n bwysig. Bwriadaf deithio arni'n fuan. Mae'n brif ffordd i feicwyr gael mynediad i gefn gwlad agored. Hoffai pawb weld lein Calon Cymru—pwy bynnag a enilla'r fasnachfaint nesaf—yn cael ei gwarchod ac yn chwarae rhan bwysig fel cyfleuster o fewn rhan o'r Gymru wledig.

Cynog Dafis: I speak as someone who cycles to work every day and around Cardiff regularly. I realise that safety for cyclists is important. Cardiff is far from being a cyclist

fod yn ddinas gyfeillgar i seiclwyr. Sut y gallwn wneud seiclo yn fwy diogel yn ein trefi? Mae Sustrans yn gweithio yng nghefn gwlad, ond beth am ein trefi? A oes modd gwneud Caerdydd yn rhyw fath o fodel ar gyfer hyn? Gallem, efallai, ddechrau yn yr ardal o amgylch y Cynulliad sydd yn drychinebus o anaddas i seiclwyr a cherddwyr fel ei gilydd.

Sue Essex: You are right that we need to do much more to enable cyclists to travel safely. Recently, with my Cardiff North Assembly Member hat on, I held a seminar on sustainable transport in my constituency, and the whole aspect of safety was discussed. As the cyclists said, 'safety, safety, safety' is their biggest concern. There are ways that we can try to achieve that. It is primarily a responsibility for the local council, but I know that the council's cabinet member for transportation, Christine Priday, shares my concern that we need more dedicated cycling space in Cardiff. That means co-ordinated routes throughout the city. It is more difficult to do that in urban areas because there are built up structures in place and, therefore, one needs to be more careful. It might involve reducing the car space available. However, I am in close contact with Christine about what can be done.

In terms of the area around Cardiff Bay, there is a local transport group, in which the Transport Division plays an active part. Many of the members are keen walkers and cyclists, so I am sure that provision for cyclists will be at the forefront of what we try to achieve on integrated transport.

Peter Black: I welcome you, Sue, to your first question time. In the light of the importance of cycling to integrated transport, can you encourage local authorities, as part of their local transport plan submissions, to place greater emphasis on cycling and on provision for cycling? Will you also talk to the rail operating companies about the need to encourage cyclists onto their trains and to provide appropriate space for their bicycles on those trains?

friendly city. How can we make cycling safer in our towns? Sustrans is working in the rural areas, but what about our towns? Is it possible to make Cardiff a kind of model for this? We could, perhaps, begin in the area around the Assembly, which is appallingly unsuitable for cyclists and pedestrians alike.

Sue Essex: Yr ydych yn gywir bod angen inni wneud llawer mwy i alluogi beicwyr i deithio'n ddiogel. Yn ddiweddar, yn gwisgo fy het Aelod Cynulliad Gogledd Caerdydd, cynhaliais seminar ar drafndiaeth gynaliadwy yn fy etholaeth, a thrafodwyd holl gwestiwn diogelwch. Fel y dywedodd y beicwyr, 'diogelwch, diogelwch, diogelwch' yw eu prif bryder. Y mae ffyrdd y gallwn geisio cyflawni hynny. Cyfrifoldeb i'r cyngor lleol ydyw yn bennaf, ond gwn fod aelod cabinet y cyngor dros drafndiaeth, Christine Priday, yn rhannu fy mhryder bod angen mwy o le wedi'i neilltuo i feicwyr yng Nghaerdydd. Mae hynny'n golygu llwybrau cydlynol drwy'r ddinas. Mae'n anos gwneud hynny mewn ardaloedd trefol gan fod presenoldeb yr holl adeiladau'n golygu bod angen bod yn fwy gofalus. Gallai olygu lleihau'r lle sydd ar gael ar gyfer ceir. Fodd bynnag, yr wyf mewn cysylltiad agos gyda Christine ynghylch yr hyn y gellir ei wneud.

O safbwynt yr ardal o amgylch Bae Caerdydd, ceir grŵp trafndiaeth lleol, ac mae'r Is-adran Drafndiaeth yn chwarae rhan ymarferol ynddo. Mae llawer o'r aelodau'n gerddwyr a beicwyr brwd, felly yr wyf yn siŵr y bydd darpariaeth ar gyfer beicwyr yn flaenllaw yn yr hyn y byddwn yn ceisio'i gyflawni ym maes trafndiaeth integredig.

Peter Black: Croeso, Sue, i'ch sesiwn gwestiynau gyntaf. Yn wyneb pwysigrwydd beicio i drafndiaeth integredig, a allwch annog awdurdodau lleol, fel rhan o'u cyflwyniadau cynllun trafndiaeth lleol, i roi mwy o bwyslais ar feicio ac ar ddarpariaeth ar gyfer beicio? A wnewch chi siarad hefyd â'r cwmnïau trenau ynglŷn â'r angen iddynt annog beicwyr i ddefnyddio'u trenau, ac i ddarparu lle priodol i'w beiciau ar y trenau hynny?

Sue Essex: I think that we made that point when we discussed the draft guidance on local transport plans in the Local Government and Environment Committee. I am sure that, if it was not included in the guidance, it will be followed up by officials. The draft transport plans will soon be ready. We can pass on these comments to ensure that cycling provision is taken seriously in drawing up these plans. I am sure that local authorities will do that. I will be pleased to convey your message to rail operators. These new rail franchises will give us an opportunity, when we consider service levels and customer facilities, to press for the accommodation of bicycles on trains. We must ensure that and also ensure that there is secure provision for storing bicycles at stations.

Sue Essex: Credaf inni wneud y pwynt hwnnw pan drafodasom y canllawiau drafft ar gynlluniau trafndiaeth lleol yn y Pwyllgor Llywodraeth Leol a'r Amgylchedd. Os na chafodd ei gynnwys yn y canllawiau, yr wyf yn siŵr y bydd swyddogion yn mynd ar ôl y mater. Bydd y cynlluniau trafndiaeth drafft yn barod cyn hir. Gallwn basio'r sylwadau hyn ymlaen er mwyn sicrhau y rhoddir ystyriaeth o ddifrif i ddarpariaeth feicio wrth lunio'r cynlluniau hyn. Yr wyf yn siŵr y gwnaiff awdurdodau lleol hynny. Byddaf yn falch o drosglwyddo'ch neges i gwmnïau rheilffyrdd. Bydd y masnachfreintiau rheilffyrdd newydd hyn yn rhoi cyfle inni, pan ystyriwn lefelau gwasanaeth a chyfleusterau i gwsmeriaid, bwysu am le i feiciau ar drenau. Rhaid inni sicrhau hynny a sicrhau hefyd y ceir darpariaeth ddiogel ar gyfer cadw beiciau mewn gorsafoedd.

Cymeradwyo Penodi Cynghorydd Annibynnol ar Safonau Approval of the Appointment of an Independent Adviser on Standards

David Melding: I propose that

this Assembly resolves to appoint Mr Richard Penn in accordance with Standing Order No. 16.3, to provide advice and assistance to the Presiding Officer on any matter relating to the conduct of Members; and such other support to the Committee on Standards of Conduct as the Committee may specify.

Standing Order No. 16 envisages that the Assembly should appoint an independent adviser on standards of conduct, who will provide advice and assistance to the Presiding Officer on any matter relating to the conduct of Members, and who might assist the Committee on Standards of Conduct in investigating any matters referred to it. The adviser will not be a member of the Assembly's staff, thereby making clear his independence.

On 24 November, the Assembly resolved that the Presiding Officer and his Office should proceed with making the necessary arrangements for the appointment. Advertisements for the post appeared in local

David Melding: Cynigiaf fod

y Cynulliad hwn yn penderfynu penodi Mr Richard Penn yn unol â Rheol Sefydlog Rhif 16.3, i roi cyngor a chymorth i'r Llywydd ar unrhyw fater sydd yn ymwneud ag ymddygiad Aelodau; a pha gymorth bynnag arall y gall y Pwyllgor Safonau Ymddygiad ofyn amdano.

Mae Rheol Sefydlog Rhif 16 yn nodi y dylai'r Cynulliad benodi cynghorydd annibynnol ar safonau ymddygiad a fydd yn rhoi cyngor a chymorth i'r Llywydd ar unrhyw fater sydd yn ymwneud ag ymddygiad Aelodau, ac a allai gynorthwyo'r Pwyllgor Safonau Ymddygiad yn ei ymchwiliadau i unrhyw faterion a gyfeirir ato. Ni fydd y cynghorydd yn aelod o staff y Cynulliad, a bydd ei annibyniaeth yn amlwg o'r herwydd.

Ar 24 Tachwedd, penderfynodd y Cynulliad y dylai'r Llywydd a'i Swyddfa fynd ati i wneud y trefniadau angenrheidiol ar gyfer y penodiad. Ymddangosodd hysbysebion ar gyfer y swydd mewn papurau newydd lleol a

and national newspapers during December. Over 100 inquiries were made and 18 applications were received. The Presiding Officer, the Parliamentary Commissioner for Standards, Elizabeth Filkin, and I, as Chairman of the Committee on Standards of Conduct, were involved in the detail of the recruitment process, which has culminated in the recommendation to the Assembly today of the preferred candidate, Mr Richard Penn.

I am delighted to propose the nomination of Mr Penn for this post following the open competition and on behalf of the selection panel. The panel was unanimous in its decision about Mr Penn's suitability and of the relevance of his previous experience. Born and brought up in south Wales, Mr Penn is an economics graduate of Cardiff University. In his 27-year career in local government, he held senior posts with several Welsh and English local authorities before rising to chief executive in 1980. He was most latterly chief executive of Bradford City Council.

2:49 p.m.

Following early retirement in 1998, he moved back to Wales and has since developed a portfolio of public sector activity from a new base in Penarth. Mr Penn has been an equal opportunities commissioner since January 1997 and sits on the EOC Wales Committee. Last week, the Lord Chancellor appointed him as a member of the new Legal Services Commission.

The appointment may only be made by resolution of the Assembly, and the adviser may only be removed from office if the Assembly resolves to do so. I commend the appointment to you.

John Marek: Is it clear—and I suspect it will be—that the person proposed for this office will owe his loyalty to the Committee on Standards of Conduct alone and through the Committee to the Assembly in Plenary, and that there will be no loyalty in any way to any other body? That includes you, Dafydd, as the Presiding Officer, the First

chenedlaethol yn ystod mis Rhagfyr. Cafwyd dros 100 o ymholiadau a derbyniwyd 18 o geisiadau. Ymdriniwyd â manylion y broses recriwtio gan y Llywydd, y Comisiynydd Safonau Seneddol, Elizabeth Filkin, a mi, fel Cadeirydd y Pwyllgor Safonau Ymddygiad, ac yn sgîl y broses honno argymhellir yr ymgeisydd a ddewiswyd, Mr Richard Penn, i'r Cynulliad heddiw.

Pleser yw cynnig enwebiad Mr Penn ar gyfer y swydd hon yn dilyn y gystadleuaeth agored ac ar ran y panel dewis. Yr oedd y panel yn unfrydol yn ei benderfyniad am addasrwydd Mr Penn a pherthnasedd ei brofiad blaenorol. Wedi'i eni a'i fagu yn ne Cymru, enillodd Mr Penn radd mewn economeg ym Mhrifysgol Caerdydd. Yn ei yrfa 27 mlynedd mewn llywodraeth leol, daliodd swyddi uwch gyda nifer o awdurdodau lleol yng Nghymru a Lloegr cyn codi i swydd prif weithredwr yn 1980. Ei swydd ddiwethaf oedd prif weithredwr Cyngor Dinas Bradford.

Wedi ymddeol yn gynnar yn 1998, symudodd yn ôl i Gymru ac, ers hynny, mae wedi datblygu portffolio o weithgaredd sector cyhoeddus o'i gartref newydd ym Mhenarth. Mae Mr Penn yn gomisiynydd cyfle cyfartal ers Ionawr 1997 ac mae'n eistedd ar Bwyllgor Comisiwn Cyfle Cyfartal Cymru. Yr wythnos diwethaf, penododd yr Arglwydd Ganghellor ef yn aelod o'r Comisiwn Gwasanaethau Cyfreithiol newydd.

Dim ond drwy benderfyniad y Cynulliad y gellir gwneud y penodiad, a dim ond y Cynulliad all benderfynu diswyddo'r cynghorydd. Argymhellaf y penodiad i chi.

John Marek: A yw'n glir—ac yr wyf yn amau y bydd—y bydd y sawl a gynigir ar gyfer y swydd hon yn deyrngar i'r Pwyllgor Safonau Ymddygiad yn unig a thrwy'r Pwyllgor i Gyfarfod Llawn y Cynulliad, ac na fydd teyrngarwch mewn unrhyw fodd i unrhyw gorff arall? Mae hynny'n eich cynnwys chi, Dafydd, fel y Llywydd, y Prif

Secretary, or any other Secretary or Assembly Member. This person must be independent.

David Melding: The adviser will be an adviser to the Presiding Officer and can also provide assistance to the Committee. That is the chain of the operation.

John Marek: In that case, that is fine. Therefore, he owes his loyalty to the Presiding Officer, and through him to the Committee.

David Melding: He owes loyalty to the standards he is set to uphold and the investigation he makes on behalf of the Presiding Officer and the Committee.

John Marek: I am happy with that, but it needs to be clear.

Ysgrifennydd, neu unrhyw Ysgrifennydd neu Aelod Cynulliad arall. Rhaid i'r person hwn fod yn annibynnol.

David Melding: Bydd y cynghorydd yn gynghorydd i'r Llywydd a gall hefyd roi cymorth i'r Pwyllgor. Dyna gadwyn y gweithredu.

John Marek: Os felly, mae hynny'n iawn. Felly, i'r Llywydd y mae ei deyrngarwch, a thrwyddo yntau i'r Pwyllgor.

David Melding: I'r safonau y mae wedi'i benodi i'w cynnal ac i'r ymchwiliad a wna ar ran y Llywydd a'r Pwyllgor y mae ei deyrngarwch.

John Marek: Yr wyf yn fodlon â hynny, ond mae angen iddo fod yn glir.

*Cynnig: O blaid 44, Ymatal 1, Yn erbyn 0.
Motion: For 44, Abstain 1, Against 0.*

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

Barrett, Lorraine
Bates, Mick
Black, Peter
Butler, Rosemary
Chapman, Christine
Dafis, Cynog
Davies, Andrew
Davies, Geraint
Davies, Glyn
Davies, Jocelyn
Edwards, Richard
Essex, Sue
Feld, Val
German, Michael
Graham, William
Gregory, Janice
Griffiths, John
Gwyther, Christine
Hancock, Brian
Hart, Edwina
Humphreys, Christine
Hutt, Jane
Jarman, Pauline
Jones, Ann
Jones, Carwyn
Jones, Elin
Jones, Gareth
Jones, Helen Mary
Jones, Ieuan Wyn
Law, Peter
Lewis, Huw
Marek, John

Ymataliodd yr Aelodau canlynol:
The following Members abstained:

Halford, Alison

Melding, David
 Michael, Alun
 Morgan, Jonathan
 Pugh, Alun
 Randerson, Jenny
 Rogers, Peter
 Ryder, Janet
 Sinclair, Karen
 Thomas, Owen John
 Thomas, Rhodri Glyn
 Wigley, Dafydd
 Williams, Phil

Motion adopted.

Derbyniwyd y cynnig.

Adroddiad Ymchwiliad Waterhouse The Waterhouse Inquiry Report

The Presiding Officer: I have selected the following amendments: amendment 1 in the name of David Melding, amendment 2 in the name of Kirsty Williams and amendments 3 and 4 in the name of Helen Mary Jones. Amendment 5 in the name of Kirsty Williams has been withdrawn.

Y Llywydd: Yr wyf wedi dewis y gwelliannau canlynol: gwelliant 1 yn enw David Melding, gwelliant 2 yn enw Kirsty Williams a gwelliannau 3 a 4 yn enw Helen Mary Jones. Mae gwelliant 5 yn enw Kirsty Williams wedi'i dynnu'n ôl.

The Secretary for Health and Social Services (Jane Hutt): I propose that the Assembly

Yr Ysgrifennydd Iechyd a Gwasanaethau Cymdeithasol (Jane Hutt): Cynigiau fod y Cynulliad yn

notes with sorrow the tragic events recorded in the Report of North Wales Child Abuse Tribunal of Inquiry and recognises the significance of the Tribunal's Report;

nodi â thristwch y digwyddiadau erchyll a ddisgrifir yn Adroddiad Tribiwnlys Cam-drin Plant Gogledd Cymru ac yn cydnabod arwyddocâd Adroddiad y Tribiwnlys;

supports the substantial work already being carried out by the Assembly and the Government to secure improvements to the quality of services and to safeguards for children living away from home;

cefnogi'r gwaith sylweddol sydd eisoes wedi'i wneud gan y Cynulliad a'r Llywodraeth i sicrhau gwelliannau yn ansawdd y gwasanaethau ac i amddiffyn plant sydd yn byw oddi cartref;

welcomes the proposal to establish, as a first step, an independent children's commissioner for Wales under the Care Standards Bill; and

croesawu'r cynnig i sefydlu comisiynydd plant annibynnol i Gymru o dan y Mesur Safonau Gofal, fel cam cyntaf; ac yn

remits to the Secretaries for Health and Social Services and Education and Children the task of formulating detailed responses to the recommendations and to report to the Health and Social Services and Pre-16 Education Committees on emerging issues.

rhoi i'r Ysgrifennydd Iechyd a Gwasanaethau Cymdeithasol a'r Ysgrifennydd Addysg a Phlant y dasg o lunio ymatebion manwl i'r argymhellion ac adrodd yn ôl i'r Pwyllgorau Iechyd a Gwasanaethau Cymdeithasol ac Addysg Cyn-16 ynghylch materion sydd yn codi.

It is important that we debate the Waterhouse

Mae'n bwysig ein bod yn trafod adroddiad

inquiry report in the Chamber today. The tragic events recorded in the report of the North Wales Child Abuse Tribunal of Inquiry have saddened everyone who has read it. The lives of many people who were in care have been blighted, and their health and wellbeing damaged, affecting their chances and opportunities in education, work, life and relationships. It is all the more worrying that we now know that the failings identified from top to bottom in the care system were not unique to north Wales. Almost every week, there is news of similar failings elsewhere. The effects on individuals, their friends and family, and on society are incalculable.

The tribunal makes 72 recommendations, some of which reinforce recommendations made elsewhere, particularly in Sir William Utting's review of children's safeguards. We are already acting on many of those recommendations and we must consider our response in the context of the extensive programme of work in hand. We want to reinforce that programme of work and to supplement it where necessary. I will remind Assembly Members what the Government is doing and also pick up on some of the wider issues discussed in constructive meetings of the Health and Social Services Committee and the Pre-16 Education Committee.

First, I will deal with the amendments proposed to the motion for debate. I am happy to support David Melding's amendment 1 and will demonstrate how we are providing the firm leadership for which David is calling, in words and in action. I am also content to accept Kirsty Williams's amendment 2 and Helen Mary Jones's amendment 3 on an independent children's commissioner for Wales, and Helen Mary Jones's amendment 4 on the formulation and handling of responses to the recommendations. I am pleased that Helen supports the proposal that the task of formulating detailed responses should be remitted to Rosemary and myself, and agree that the work will be done in conjunction

ymchwiliad Waterhouse yn y Siambr heddiw. Mae'r digwyddiadau erchyll a ddisgrifir yn adroddiad Ymchwiliad Tribiwnlys Cam-drin Plant Gogledd Cymru wedi peri tristwch i bawb a'i darllenodd. Mae bywydau llawer o bobl a oedd mewn gofal wedi'u difetha, ac mae eu hiechyd a'u ffyniant wedi eu niweidio, gan effeithio ar eu gobeithion a'u cyfleoedd mewn addysg, gwaith, bywyd a'u perthnasau personol. Mae'n achosi mwy o bryder inni gan ein bod yn gwybod yn awr nad oedd y methiannau a nodwyd o un pen o'r system ofal i'r llall yn unigryw i ogledd Cymru. Bron bob wythnos, ceir newyddion am fethiannau tebyg mewn mannau eraill. Mae'r effeithiau ar yr unigolion, eu cyfeillion a'u teulu, ac ar gymdeithas yn aruthrol.

Mae'r tribiwnlys yn rhoi 72 o argymhellion, ac mae rhai ohonynt yn ategu'r argymhellion a wnaethpwyd mewn mannau eraill, yn enwedig yn adolygiad Syr William Utting ar gamau i ddiogelu plant. Yr ydym eisoes wedi rhoi llawer o'r argymhellion hynny ar waith a rhaid inni ystyried ein hymateb yng nghydestun y rhaglen waith helaeth sydd ar y gweill. Yr ydym eisiau atgyfnerthu'r rhaglen waith honno ac ychwanegu ati lle bynnag y bo hynny'n angenrheidiol. Byddaf yn atgoffa Aelodau'r Cynulliad o'r hyn y mae'r Llywodraeth yn ei wneud, yn ogystal â chyffwrdd â rhai o'r materion ehangach a drafodwyd mewn cyfarfodydd adeiladol o'r Pwyllgor Iechyd a Gwasanaethau Cymdeithasol a'r Pwyllgor Addysg Cyn-16.

Yn gyntaf, yr wyf am ddelio â'r gwelliannau a gynigir i'r cynnig sydd i'w drafod. Yr wyf yn fodlon cefnogi gwelliant 1 gan David Melding a byddaf yn dangos sut yr ydym yn darparu'r arweinyddiaeth gadarn y mae David yn galw amdani, drwy air a thrwy weithred. Yr wyf hefyd yn fodlon derbyn gwelliant 2 gan Kirsty Williams a gwelliant 3 gan Helen Mary Jones ar gomisiynydd plant annibynnol i Gymru, ynghyd â gwelliant 4 gan Helen Mary Jones ar lunio a delio ag ymatebion i'r argymhellion. Yr wyf yn falch bod Helen yn cefnogi'r cynnig mai Rosemary a minnau ddylai fod yn gyfrifol am lunio ymatebion manwl, a chytunaf y caiff y gwaith ei wneud ar y cyd â'r Pwyllgor Iechyd a Gwasanaethau Cymdeithasol a'r Pwyllgor

with the Health and Social Services and the Pre-16 Education Committees. We must keep the whole Assembly informed of progress and provide all Assembly Members with a copy of our written response to the recommendations to ensure that the whole Assembly takes due regard of this matter which is important for all of us.

I am grateful to Kirsty Williams for withdrawing amendment 5 on the licensing of people who work with children, on the basis that that is covered by arrangements to be introduced by the Government, which I will now explain. The Protection of Children Act received Royal Assent in July 1999 and the Department of Health is working towards the implementation of the Act later this year. The Act will place the Department of Health's Consultancy Index—the list of individuals deemed unsuitable to work with children, which applies across England and Wales—on a statutory footing. Regulated childcare providers will be required to check the names of anyone they propose to employ in posts involving regular contact with children against the Index and the Department for Education and Employment's List 99.

The Government is also establishing a new Criminal Records Bureau that will provide a one-stop shop for checks by regulated childcare providers, voluntary bodies and others on staff or volunteers who might have substantial contact with children. Prospective employees will apply to the bureau for a certificate. The employer will be required to counter-sign the application and the certificate will be issued to the employer. That removes the possibility of certificates being forged by employees and ensures that, on a change of employer, the new employer will be required to submit a fresh application to the bureau for an up-to-date certificate. The bureau will check against the DfEE List 99, the Department of Health Consultancy Index and criminal records. This will replace the current arrangements for police checks. Furthermore, as I explained in the debate on the children's strategy for Wales, the social care council for Wales, to be set up under

Addysg Cyn-16. Rhaid inni sicrhau bod y Cynulliad i gyd yn cael gwybod am y cynnydd a bod pob Aelod o'r Cynulliad yn cael copi o'n hymateb ysgrifenedig i'r argymhellion i sicrhau bod y Cynulliad cyfan yn rhoi'r ystyriaeth ddyledus i'r mater hwn sydd yn bwysig inni i gyd.

Yr wyf yn ddiolchgar i Kirsty Williams am dynnu gwelliant 5, ar drwyddedu pobl sydd yn gweithio gyda phlant, yn ôl, ar sail y ffaith y caiff hynny ei gynnwys yn y trefniadau sydd ar fin cael eu cyflwyno gan y Llywodraeth, a egluraf yn awr. Derbyniodd y Ddeddf Amddiffyn Plant Gydsyniad Brenhinol yng ngorffennaf 1999 ac mae'r Adran Iechyd yn gweithio i roi'r Ddeddf mewn grym yn ddiweddarach eleni. Bydd y Ddeddf yn rhoi sylfaen statudol i Fynegai Ymgynghorol yr Adran Iechyd, sef rhestr o unigolion a fernir yn anaddas i weithio gyda phlant ac sydd yn weithredol ledled Cymru a Lloegr. Bydd yn rhaid i ddarparwyr gofal plant rheoledig wirio enwau unrhyw rai y maent yn bwriadu eu cyflogi mewn swyddi sydd yn golygu cyswllt cyson â phlant yn erbyn y Mynegai a Rhestr 99 yr Adran Addysg a Chyflogaeth.

Mae'r Llywodraeth hefyd yn sefydlu Biwro Cofnodion Troseddol newydd a fydd yn darparu canolfan lle gall darparwyr gofal plant rheoledig, cyrff gwirfoddol ac eraill wirio enwau staff neu wirfoddolwyr a allai fod â chysylltiad sylweddol â phlant. Bydd ymgeiswyr am swyddi yn anfon cais i'r biwro am dystysgrif. Bydd yn rhaid i'r cyflogwr wrthlofnodi'r cais a chaiff y dystysgrif ei chyflwyno i'r cyflogwr. Mae hynny'n dileu'r posibilrwydd y gallai gweithwyr ffugio dystysgrifau, a phetai'r cyflogwr yn newid, byddai'n rhaid i'r cyflogwr newydd gyflwyno cais o'r newydd i'r biwro am dystysgrif wedi'i diweddarau. Bydd y biwro'n gwirio'r enw yn erbyn Rhestr 99 yr Adran Addysg a Chyflogaeth, Mynegai Ymgynghorol yr Adran Iechyd a chofnodion troseddol. Bydd hyn yn disodli trefniadau presennol gwiriadau'r heddlu. Ar ben hynny, fel yr eglurais yn y ddadl ar strategaeth blant i Gymru, bydd cyngor gofal

arrangements being introduced under the Care Standards Bill, will register the social care workforce including people without qualifications who work with children. The council will have the power to suspend or remove registration where individuals are deemed unfit to practice on grounds of misconduct, bad practice, negligence or abuse. The issue raised in Kirsty's amendment 5 has therefore already been addressed.

One of the clearest messages in the Waterhouse report is that children who were abused and staff who suspected abuse were not listened to. Failure to listen to looked-after children is indicative of our attitudes to children more widely. Failure to listen shows a disregard for the views and feelings of the individual and is at one end of a spectrum of abuse. In the same way, failure to listen to whistleblowers is indicative of unhealthy working practices and shows scant regard for the individual member of staff. Neither can be tolerated. The Assembly has shown in its commitment to setting up an independent children's commissioner that it is willing to listen to children and young people. The Assembly will establish an independent children's commissioner for Wales. An amendment to the Care Standards Bill currently going through Parliament will enable us to meet the first two recommendations of the Waterhouse report, but we fully recognise the need to establish an office with a wider remit to promote the interests of children in Wales. We are exploring that in our consultations in the Health and Social Services Committee.

2:59 p.m.

From the outset, the Assembly will be able to ask the commissioner to undertake tasks relating to any devolved function involving children, using its powers under the Government of Wales Act 1998. We shall also seek an early legislative opportunity to extend the statutory role, functions and powers of the commissioner. The Secretary of State for Wales has indicated that the

cymdeithasol Cymru, sydd i'w sefydlu dan drefniadau a gyflwynir yn y Mesur Safonau Gofal, yn cofrestru'r gweithlu gofal cymdeithasol gan gynnwys pobl heb gymwysterau sydd yn gweithio gyda phlant. Bydd gan y cyngor y grym i wahardd neu ddileu enw oddi ar y gofrestr lle bernir nad yw'r unigolyn yn addas i weithio ar sail camymddwyn, arfer gwael, esgeuluso neu gam-drin. Mae'r mater a godir yng ngwelliant 5 gan Kirsty eisoes wedi'i drafod felly.

Un o negeseuon amlycaf adroddiad Waterhouse yw nad oedd unrhyw un yn gwranddo ar blant a oedd yn cael eu cam-drin na'r staff a oedd yn amau achosion o gam-drin. Mae methu â gwranddo ar blant mewn gofal yn arwydd o'n hagweddu tuag at blant yn gyffredinol. Mae methu â gwranddo yn dangos nad ydym yn ystyried barn na theimladau'r unigolyn ac mae hynny ar un pen o'r sbectwm cam-drin. Yn yr un modd, mae methu â gwranddo ar y rheini a oedd yn tynnu sylw at y cam-drin yn arwydd o arferion gwaith gwael ac yn dangos diffyg parch tuag at aelodau unigol o staff. Ni ellir goddef y naill na'r llall. Yn ei ymrwymiad i sefydlu comisiynydd plant annibynnol mae'r Cynulliad wedi dangos ei fod yn barod i wrando ar blant a phobl ifanc. Bydd y Cynulliad yn sefydlu comisiynydd plant annibynnol i Gymru. Bydd gwelliant i'r Mesur Safonau Gofal, sydd yn mynd drwy'r Senedd ar hyn o bryd, yn ein galluogi i fodloni dau argymhelliad cyntaf adroddiad Waterhouse, ond yr ydym yn llwyr gydnabod yr angen i sefydlu swydd gyda chyfrifoldeb ehangach i hyrwyddo buddiannau plant yng Nghymru. Yr ydym yn archwilio hynny yn ein gwaith ymgynghorol yn y Pwyllgor Iechyd a Gwasanaethau Cymdeithasol.

O'r cychwyn cyntaf, bydd y Cynulliad yn gallu gofyn i'r comisiynydd ymgymryd â thasgau sydd yn berthnasol i unrhyw swyddogaeth ddatganoledig sydd yn ymwneud â phlant, drwy ddefnyddio ei bwerau dan Ddeddf Llywodraeth Cymru 1998. Byddwn hefyd yn ceisio cyfle deddfwriaethol buan i ymestyn rôl, swyddogaethau a phwerau statudol y

Government will want to consider our proposals urgently and with sympathy when they are published.

We have a major programme, Children First, to improve the quality of services for children. The importance of that programme cannot be overstated. The aim is to ensure that all those responsible for children in need and looked-after children, in social services, education and the health service, play their full part in raising standards. One relevant objective of the programme is to ensure that children are protected from emotional, physical and sexual abuse and neglect. Children First sets new social care, health and education objectives for children's services, with performance indicators related to clear outcomes for children. Targets will be set at all-Wales levels or locally against each performance indicator and we will work in partnership with local government to develop those indicators.

For local authorities, this is a corporate responsibility. Guidance has been issued, including specific guidance on the education of looked-after children. I have written to every elected member to remind them of their responsibilities.

We recognise that resources are a major issue. Some £5 million has been made available in the local authority revenue settlement from this year to support the implementation of the Children First programme. For 2000-01 the Assembly has announced a proposed increase of £51 million in expenditure on social services in Wales. At least one third of that is expected to be invested in improvements to children's services and in line with Children First targets. I will expect local authorities to report on how the additional resources have been used when they submit their Children First progress reports, which are due in March 2001. In addition to the extra resources for local authorities, I have previously announced an additional £2 million of central support for children's

comisiynydd. Mae Ysgrifennydd Gwladol Cymru wedi nodi y bydd y Llywodraeth am ystyried ein cynigion ar frys a chyda chydymdeimlad pan gânt eu cyhoeddi.

Mae gennym raglen bwysig, Plant yn Gyntaf, i wella ansawdd y gwasanaethau i blant. Ni ellir gor-bwysleisio pwysigrwydd y rhaglen honno. Y nod yw sicrhau bod pawb sydd yn gyfrifol am blant mewn angen a phlant mewn gofal, mewn gwasanaethau cymdeithasol, addysg a'r gwasanaeth iechyd, yn chwarae eu rhan lawn i godi'r safonau. Un o amcanion perthnasol y rhaglen yw sicrhau y caiff plant eu hamddiffyn rhag cam-drin emosiynol, corfforol a rhywiol a rhag cael eu hesgeuluso. Mae Plant yn Gyntaf yn gosod amcanion gofal cymdeithasol, iechyd ac addysg newydd ar gyfer gwasanaethau plant, gyda dangosyddion perfformiad mewn perthynas â chanlyniadau clir i blant. Gosodir y targedau ar lefelau Cymru-gyfan neu'n lleol yn erbyn pob dangosydd perfformiad a byddwn yn gweithio mewn partneriaeth â llywodraeth leol i ddatblygu'r dangosyddion hynny.

Mae hyn yn gyfrifoldeb corfforaethol ar awdurdodau lleol. Cyhoeddwyd canllawiau, gan gynnwys canllawiau penodol ar addysg plant mewn gofal. Yr wyf wedi ysgrifennu at bob aelod etholedig i'w hatgoffa o'u cyfrifoldebau.

Yr ydym yn cydnabod bod adnoddau'n fater pwysig. Mae tua £5 miliwn wedi ei glustnodi yn setliad refeniw'r awdurdodau lleol o eleni ymlaen i gefnogi rhoi'r rhaglen Plant yn Gyntaf ar waith. Ar gyfer 2000-01 mae'r Cynulliad wedi cyhoeddi cynnydd arfaethedig o £51 miliwn mewn gwariant ar y gwasanaethau cymdeithasol yng Nghymru. Disgwylir y caiff o leiaf un rhan o dair o hynny ei buddsoddi i wella gwasanaethau plant ac yn unol â thargedau Plant yn Gyntaf. Disgwyliaf i awdurdodau lleol adrodd ar sut y defnyddiwyd yr adnoddau ychwanegol pan fyddant yn cyflwyno'u hadroddiadau cynnydd Plant yn Gyntaf, a ddisgwylir ym Mawrth 2001. Ar ben yr adnoddau ychwanegol ar gyfer awdurdodau lleol, yr wyf eisoes wedi cyhoeddi £2 filiwn o gefnogaeth ganolog ychwanegol ar gyfer

services next year, bringing this budget to £3.5 million.

Much is being done to strengthen safeguards for children, in addition to the steps that I outlined earlier. The Care Standards Bill introduces improved arrangements for independent regulation and inspection of social and healthcare services. It establishes new arrangements for the regulation of local authority, voluntary and private sector services on an even-handed basis. There will be powers to inspect all children's homes—including those with fewer than four children—fostering agencies, voluntary adoption agencies, residential family centres and boarding schools in relation to welfare inspections. The new care council for Wales will set out enforceable codes of conduct and practice for all social care employees. It will set standards and regulate the workforce, helping to ensure that staff have the training and qualifications that they need.

We are already taking action to improve training, which is such an important part of this issue. Current national training targets should ensure that all heads of homes have a recognised qualification by 30 September 2000 and all deputies and assistant officers in charge by 30 September 2002. Additional training support programme resources have been made available for improving levels of qualifications in childcare.

New practice guidance on the investigation of allegations of abuse against a professional or carer in relation to a looked-after child has just been issued by the Assembly and, following extensive consultation, revised guidance on working together under the Children Act 1989 will be published shortly. I do not want to hold up the issue of that guidance, but we will consider whether there is a need to supplement it in light of the tribunal's recommendations.

The inquiry concentrated on residential

gwasanaethau plant y flwyddyn nesaf, gan ddod â chyfanswm y gyllideb hon i £3.5 miliwn.

Mae llawer yn cael ei wneud i gryfhau'r camau i ddiogelu plant, yn ogystal â'r camau a amlinellais yn gynharach. Mae'r Mesur Safonau Gofal yn cyflwyno gwell trefniadau ar gyfer rheoleiddio ac arolygu gwasanaethau gofal cymdeithasol ac iechyd yn annibynnol. Mae'n sefydlu trefniadau newydd ar gyfer rheoleiddio gwasanaethau'r awdurdodau lleol, y sector gwirfoddol a'r sector preifat ar sail gyfartal. Bydd pwerau i arolygu pob cartref plant—gan gynnwys y rheini gyda llai na phedwar o blant—asiantaethau maethu, asiantaethau mabwysiadu gwirfoddol, canolfannau teulu preswyl ac ysgolion preswyl mewn perthynas ag arolygiadau lles. Bydd cyngor gofal newydd Cymru'n gosod codau ymddygiad ac arfer gorfodadwy ar gyfer yr holl weithwyr ym maes gofal cymdeithasol. Bydd yn gosod safonau ac yn rheoleiddio'r gweithlu, gan helpu i sicrhau bod y staff yn meddu ar yr hyfforddiant a'r cymwysterau angenrheidiol.

Yr ydym eisoes yn cymryd camau i wella hyfforddiant, sydd yn rhan mor bwysig o'r mater hwn. Dylai'r targedau hyfforddiant cenedlaethol presennol sicrhau bod pob pennaeth cartref yn meddu ar gymhwyster cydnabyddedig erbyn 30 Medi 2000 a'r un modd i bob dirprwy a swyddog cynorthwyol â gofal erbyn 30 Medi 2002. Mae adnoddau ychwanegol ar gael ar gyfer y rhaglen cefnogi hyfforddi er mwyn gwella lefelau'r cymwysterau ym maes gofal plant.

Mae'r Cynulliad newydd gyhoeddi canllawiau arfer newydd ar ymchwilio i honiadau o gam-drin yn erbyn gweithiwr proffesiynol neu ofalwr mewn perthynas â phlentyn mewn gofal ac, yn dilyn ymgynghori helaeth, caiff canllawiau diwygiedig ar weithio gyda'n gilydd dan Ddeddf Plant 1989 eu cyhoeddi'n fuan. Nid wyf eisiau oedi cyn cyhoeddi'r canllawiau hynny, ond byddwn yn ystyried a oes angen ychwanegu atynt yng ngoleuni argymhellion y tribiwnlys.

Canolbwyntiodd yr ymchwiliad ar

establishments, but also reported some cases of abuse in foster care. Some 75 per cent of the 3,400 of looked-after children in Wales are now placed in foster care and we must ensure their safety. New UK national foster care standards and a code of practice on the recruitment and training of foster carers were introduced in England and Wales last year. The standards cover the needs and rights of children, the provision of effective and appropriate care by foster carers and the provision of high quality foster care services by local authorities to support those foster carers.

The code of practice describes good practice in relation to recruitment, assessment, approval, training, management and support of foster carers. Together, they will provide a framework for delivering the safeguards and quality of service that we expect, and we will work with local authorities, independent providers and agencies with an interest in foster care to implement them. There is a shortage of foster carers across Wales, although the picture varies between authorities. The social services inspectorate is working with local authorities to help them develop recruitment and retention strategies and has commissioned a report by Cardiff University on placement provision for looked-after children.

The Waterhouse report highlights the difficulties faced by children leaving care, an issue also highlighted in Sir William Utting's report. The Children (Leaving Care) Bill will introduce radical new arrangements to improve the life chances of young people aged 16 and over when they leave local authority care. Henceforth, there will be a duty on local authorities to assess and meet need and to keep in touch with care leavers. We support the Bill and will work with the Welsh Local Government Association and other interests to implement the new arrangements in Wales.

There is more, but I hope that I have

sefydliadau preswyl, ond yr oedd hefyd yn tynnu sylw at rai achosion o gam-drin mewn gofal maeth. Mae tua 75 y cant o'r 3,400 o blant mewn gofal yng Nghymru bellach mewn gofal maeth a rhaid inni sicrhau eu diogelwch. Cyflwynwyd safonau gofal maeth cenedlaethol newydd i'r DU a chod ymarfer ar recriwtio a hyfforddi gofalfwyr maeth yng Nghymru a Lloegr y llynedd. Mae'r safonau'n cynnwys anghenion a hawliau plant, darpariaeth gofal effeithiol a phriodol gan ofalfwyr maeth a darpariaeth gwasanaethau gofal maeth o ansawdd uchel gan awdurdodau lleol i gefnogi'r gofalfwyr maeth hynny.

Mae'r cod ymarfer yn disgrifio arfer da o ran recriwtio, asesu, cymeradwyo, hyfforddi, rheoli a chefnogi gofalfwyr maeth. Gyda'i gilydd, byddant yn llunio fframwaith ar gyfer cyflwyno'r camau diogelu a'r ansawdd gwasanaeth a ddisgwyliwn, a byddwn yn gweithio gydag awdurdodau lleol, darparwyr annibynnol ac asiantaethau sydd â diddordeb mewn gofal maeth i'w rhoi ar waith. Mae prinder gofalfwyr maeth ledled Cymru, er bod y darlun yn amrywio rhwng awdurdodau. Mae arolygiaeth y gwasanaethau cymdeithasol yn gweithio gydag awdurdodau lleol i'w cynorthwyo i ddatblygu strategaethau recriwtio a chadw ac mae wedi comisiynu adroddiad gan Brifysgol Caerdydd ar ddarparu lleoliadau ar gyfer plant mewn gofal.

Mae adroddiad Waterhouse yn tanlinellu'r anawsterau a wynebir gan blant sydd yn gadael gofal, mater a danlinellwyd yn adroddiad Syr William Utting hefyd. Bydd y Mesur Plant (Gadael Gofal) yn cyflwyno trefniadau radical newydd i wella cyfleoedd bywyd pobl ifanc 16 oed a hyn pan fyddant yn gadael gofal awdurdod lleol. O hyn ymlaen, dyletswydd yr awdurdodau lleol fydd asesu a diwallu anghenion y rhai sydd yn gadael gofal a chadw mewn cysylltiad â hwy. Yr ydym yn cefnogi'r Mesur a byddwn yn gweithio gyda Chymdeithas Llywodraeth Leol Cymru a grwpiau eraill sydd â diddordeb yn y maes i roi'r trefniadau newydd ar waith yng Nghymru.

Mae rhagor, ond gobeithiaf fy mod wedi

indicated the scope of the work underway. There is also much more to be done. The Government's response to the tribunal's recommendations will be co-ordinated by the Ministerial taskforce on children's safeguards, on which I sit. Membership includes the Department of Health, the Wales Office, the Department for Education and Employment, the Home Office, the Department of the Environment, Transport and the Regions, the Cabinet Office, HM Treasury, the Lord Chancellor's Department, the Solicitor General's Office, the National Assembly for Wales and the Scottish Executive. When the taskforce met on 22 February, we identified priority areas for further discussion. These are the appointment of a children's commissioner for Wales, the operation of complaints systems and children's rights and advocacy, the future role of children's residential care as a placement choice, and staffing and human resource issues, including pay, status, training and career development of residential childcare staff and field social workers.

The Health and Social Services Committee has considered those priorities and endorsed them. Together with the Pre-16 Education Committee it has considered the tribunal's recommendations and suggested further areas for early consideration, including advocacy. I brought these to the attention of the taskforce on Monday of this week. On advocacy, the taskforce is considering whether children who make complaints should have a statutory right to an advocate, which we need to discuss. The taskforce and the Health and Social Services Committee aim to respond to the recommendations by June or July 2000. I have also agreed—with the Health and Social Services Committee—that we will consider whether there are recommendations on which the Assembly can act before then.

In addition to the priority areas identified for action by the Ministerial taskforce, there are three broad areas in which we can make a real difference. First, for looked-after children, we must resolve to ensure that there are suitable, well-trained and properly

dangos cwmpas y gwaith sydd ar y gweill. Mae llawer mwy i'w wneud eto hefyd. Caiff ymateb y Llywodraeth i argymhellion y tribiwnlys ei gydlynu gan y tasglu Gweinidogol ar gamau diogelu plant, yr wyf fi'n aelod ohono. Mae'r aelodau'n cynnwys yr Adran Iechyd, Swyddfa Cymru, yr Adran Addysg a Chyflogaeth, y Swyddfa Gartref, Adran yr Amgylchedd, Trafnidiaeth a'r Rhanbarthau, Swyddfa'r Cabinet, Trysorlys Ei Mawrhydi, Adran yr Arglwydd Ganghellor, Swyddfa'r Cyfreithiwr Cyffredinol, Cynulliad Cenedlaethol Cymru a Gweithrediaeth yr Alban. Pan gyfarfu'r tasglu ar 22 Chwefror, nodasom y meysydd blaenoriaeth ar gyfer trafodaethau pellach. Mae'r rhain yn cynnwys penodi comisiynydd plant i Gymru, gweithredu system gwynion a hawliau ac eiriolaeth plant, swyddogaeth gofal preswyl i blant yn y dyfodol fel lleoliad o ddewis, a materion staffio ac adnoddau dynol, gan gynnwys tâl, statws, hyfforddiant a datblygiad gyrfa staff gofal plant preswyl a gweithwyr cymdeithasol maes.

Mae'r Pwyllgor Iechyd a Gwasanaethau Cymdeithasol wedi ystyried y blaenoriaethau hynny a'u cadarnhau. Ar y cyd â'r Pwyllgor Addysg Cyn-16 ystyriodd argymhellion y tribiwnlys ac awgrymodd feysydd pellach i'w hystyried yn fuan, gan gynnwys eiriolaeth. Tynnais sylw'r tasglu at y rhain ddydd Llun yr wythnos hon. O ran eiriolaeth, mae'r tasglu'n ystyried a ddylai plant sydd yn cyflwyno cwynion fod â hawl statudol i gael eiriolwr, a rhaid i ninnau drafod hynny. Mae'r tasglu a'r Pwyllgor Iechyd a Gwasanaethau Cymdeithasol yn bwriadu ymateb i'r argymhellion erbyn Mehefin neu Orffennaf 2000. Yr wyf hefyd wedi cytuno—gyda'r Pwyllgor Iechyd a Gwasanaethau Cymdeithasol—y byddwn yn ystyried a oes argymhellion y gall y Cynulliad weithredu arnynt cyn hynny.

Yn ogystal â'r meysydd blaenoriaeth a nodwyd gan y tasglu Gweinidogol i weithredu arnynt, mae tri maes eang lle y gallwn wneud gwahaniaeth gwirioneddol. Yn gyntaf, o ran plant mewn gofal, rhaid inni ymroi i sicrhau bod staff a gofalwyr addas,

supported staff and carers, and that all children who are looked after are safeguarded, nurtured and educated so that they can become healthy, well-balanced adults able to fulfil their potential. That is what Children First is about.

Secondly, we must work to prevent children having to be taken into care, by supporting families and children. The Sure Start programme signals our commitment to taking a balanced view of services for children and families. The programme aims to make a real and long-lasting difference to children up to the age of three in the most deprived areas of Wales. It aims to give them the best possible start in life by improving their health, their ability to learn and their social development. Funding of £25 million is available over three years—£3 million this year and £11 million in each of the next two years.

Thirdly, we must take a wider view of safeguarding children. Abuse can take place in many settings and can take different forms, including emotional abuse and neglect. We must be aware that we do not, in concentrating safeguards on one area, leave other doors open to abusive individuals. Children should be safeguarded in all settings—at home, in schools, in the health service and in their leisure activities. That is a tall order but we are well placed to tackle it across the board in Wales, and I am committed to doing so.

Finally, the tribunal recognised that abuse did not take place in all establishments, that many staff were trying to do a good job, and that for many children a life in care was better than the alternative. There were people willing to blow the whistle on abuse and on poor management, and there were managers and elected members who sought to make things better. It is important that we acknowledge the failings and the damage that has been caused, but it is also important that we recognise the many good and committed people who were and are doing difficult jobs in trying circumstances.

wedi eu hyfforddi'n dda ac yn derbyn cefnogaeth briodol, a bod yr holl blant y gofalir amdanynt yn cael eu diogelu, eu magu a'u haddysgu fel y gallant dyfu'n oedolion iach a chytbwys sydd yn gallu cyflawni eu potensial. Dyna yw hanfod Plant yn Gyntaf.

Yn ail, rhaid inni weithio i atal plant rhag gorfod mynd i ofal, drwy gefnogi teuluoedd a phlant. Mae'r rhaglen Cychwyn Cadarn yn dangos ein hymrwymiad i gymryd golwg gytbwys ar wasanaethau i blant a theuluoedd. Nod y rhaglen yw gwneud gwahaniaeth gwirioneddol a fydd yn para am gyfnod hir i blant hyd at dair blwydd oed yn ardaloedd mwyaf difreintiedig Cymru. Ei nod yw rhoi'r cychwyn gorau posibl iddynt mewn bywyd drwy wella eu hiechyd, eu gallu i ddysgu a'u datblygiad cymdeithasol. Mae £25 miliwn o gyllid ar gael dros dair blynedd—£3 miliwn eleni ac £11 miliwn ym mhob un o'r ddwy flynedd nesaf.

Yn drydydd, rhaid inni gymryd golwg ehangach ar ddiogelu plant. Gall cam-drin ddigwydd mewn nifer o sefyllfaoedd ac mae sawl math ohono, gan gynnwys cam-drin emosïynol ac esgeuluso. Rhaid inni fod yn ymwybodol nad ydym yn gadael drysau eraill ar agor i unigolion sydd yn cam-drin drwy ganolbwyntio ar amddiffyn un maes. Dylai plant gael eu hamddiffyn ym mhob sefyllfa—gartref, yn yr ysgol, yn y gwasanaeth iechyd ac yn eu gweithgareddau hamdden. Mae hynny'n golygu llawer ond yr ydym mewn sefyllfa dda i fynd i'r afael â hynny yn yr holl feysydd hynny yng Nghymru, ac yr wyf wedi ymrwymo i wneud hynny.

Yn olaf, cydnabu'r tribiwnlys nad oedd cam-drin yn digwydd ym mhob sefydliad, bod llawer o staff yn ceisio gwneud gwaith da, a bod bywyd mewn gofal i nifer o blant yn well na'r dewis arall a oedd ganddynt. Yr oedd pobl a oedd yn fodlon tynnu sylw at y cam-drin ac at waith rheoli gwael, ac yr oedd rheolwyr ac aelodau etholedig a geisiodd wella pethau. Mae'n bwysig ein bod yn cydnabod y methiannau a'r difrod a achoswyd, ond mae hefyd yn bwysig ein bod yn cydnabod y nifer o bobl dda ac ymroddedig a oedd, ac sydd o hyd, yn gwneud gwaith anodd mewn amgylchiadau

dyrys.

3:09 p.m.

The tribunal highlights the importance of those staffing issues, including pay, status, training and career development of residential childcare staff and field social workers. The Ministerial taskforce has identified this as a key area for further work with employers. Local authorities must ensure that their elected members and management structures provide the necessary framework to support staff in delivering quality services for children. The message must go out that those staff do important valued jobs, and that if we fail them, and thereby fail the children in their care, our society will be a poorer place for it.

The tribunal also makes recommendations on the appointment, role and duties of elected members, on the support, guidance and information that they should have from their chief officers, and, in respect of children's homes, on the need for them to be vigilant in protecting the interests of child residents as well as to be supportive of staff. I hope that they will read the report and join us in responding to the tribunal's recommendations.

I have outlined the work programme, explained the significant developments towards establishing an independent children's commissioner, and explained how we want to take forward a response to the tribunal's recommendations. I ask you to support the motion and the amendments.

David Melding: I propose amendment 1. In the second clause, after '*away from home*' insert

and acknowledges the report's finding that firm leadership from the National Assembly for Wales is required if the safety and wellbeing of children in care is to be promoted effectively.

I formally move this amendment on behalf of

Mae'r tribiwnlys yn tanlinellu pwysigrwydd y materion staffio hynny, gan gynnwys tâl, statws, hyfforddiant a datblygiad gyrfaol staff gofal plant preswyl a gweithwyr cymdeithasol maes. Mae'r tasglu Gweinidogol wedi nodi hwn fel maes allweddol ar gyfer gwaith pellach gyda chyflogwyr. Rhaid i awdurdodau lleol sicrhau bod eu haelodau etholedig a'u strwythurau rheoli'n darparu'r fframwaith angenrheidiol i gefnogi staff wrth gyflwyno gwasanaethau o ansawdd i blant. Rhaid cyfleu'r neges bod y staff hynny yn gwneud gwaith pwysig a werthfawrogir, ac os ydym yn gwneud tro gwael â hwy, a thrwy hynny'n gwneud tro gwael â'r plant yn eu gofal, bydd ein cymdeithas yn lle tlotach o'r herwydd.

Mae'r tribiwnlys hefyd yn gwneud argymhellion o ran penodi aelodau etholedig a'u swyddogaeth a'u dyletswyddau, o ran y gefnogaeth, y canllawiau a'r wybodaeth y dylent eu cael gan eu prif swyddogion, a, chyda golwg ar gartrefi plant, o ran yr angen iddynt fod yn effro i amddiffyn buddiannau'r plant sydd yn byw yno yn ogystal â chefnogi'r staff. Gobeithiaf y byddant yn darllen yr adroddiad ac yn ymuno â ni wrth ymateb i argymhellion y tribiwnlys.

Yr wyf wedi amlinellu'r rhaglen waith, wedi egluro'r datblygiadau arwyddocaol tuag at sefydlu comisiynydd plant annibynnol, ac wedi egluro sut yr ydym am ymateb i argymhellion y tribiwnlys. Gofynnaf ichi gefnogi'r cynnig a'r gwelliannau.

David Melding: Cynigiaf welliant 1. Yn yr ail gymal, ychwaneger y canlynol ar ôl y geiriau '*oddi cartref*'

ac yn cydnabod casgliad yr adroddiad bod angen arweinyddiaeth gref o du Cynulliad Cenedlaethol Cymru er mwyn hybu diogelwch a lles plant mewn gofal yn effeithiol.

Yr wyf yn cynnig y gwelliant hwn yn ffurfiol

the Welsh Conservative group. The group supports the motion and the other amendments.

It is now our task to focus on the 72 recommendations of Sir Ronald's report and ensure that they are implemented. They form a coherent agenda for action and must be viewed as such. The Health and Social Services Committee has already got on with that task, as has the Executive, and is working to a plan to ensure that the recommendations have either been implemented or are about to be speedily taken into action. Many of the reforms that Sir Ronald urges have already taken place. I will go through a few to set the context—Jane also pointed out many of these.

The Care Standards Bill will undoubtedly be a great advance in social care, and we support it. The regulation of residential homes and the social care sector is an important principle and must be seen to be effective and independent. The register of social care staff could resolve the problem that Sir Ronald returns to again and again of staff that were identified as being inappropriate for their job turning up in other parts of the country despite the fact that, had a reference been sought from their previous employer, they would have been exposed as unsuitable. It is important, therefore, that we have an effective register. We must concentrate on how this is carried forward. It is not an easy task because many people work in social care. We need to prioritise, starting with senior social work staff and staff who deal with children. That is important and should be a priority.

The better support needed for care leavers has been identified, particularly in recent years. In that context, Jane referred to the Bill currently before Parliament, with whose aims I am in broad agreement. We must focus on practical issues about the general wellbeing of children in care. We have talked a lot about abuse, which must be prevented

ar ran grŵp Ceidwadwyr Cymru. Mae'r grŵp yn cefnogi'r cynnig a'r gwelliannau eraill.

Ein tasg bellach yw canolbwyntio ar y 72 o argymhellion yn adroddiad Syr Ronald a sicrhau y'u rhoddir ar waith. Maent yn llunio agenda weithredu resymegol a rhaid edrych arnynt felly. Mae'r Pwyllgor Iechyd a Gwasanaethau Cymdeithasol eisoes wedi bwrw ymlaen gyda'r dasg honno, yn yr un modd â'r Weithrediaeth, ac mae ei waith yn dilyn cynllun i sicrhau bod yr argymhellion wedi eu rhoi ar waith neu ar fin cael eu rhoi ar waith yn gyflym. Mae nifer o'r newidiadau y mae Syr Ronald yn eu cymhell eisoes wedi eu gwneud. Trafodaf rai ohonynt i osod y cyd-destun—yr oedd Jane wedi nodi nifer o'r rhain hefyd.

Yn ddiau, bydd y Mesur Safonau Gofal yn gam sylweddol ymlaen mewn gofal cymdeithasol, ac yr ydym yn ei gefnogi. Mae rheoleiddio cartrefi preswyl a'r sector gofal cymdeithasol yn egwyddor bwysig a rhaid gweld hynny fel rhywbeth effeithiol ac annibynnol. Gallai'r gofrestr o staff gofal cymdeithasol ddatrys y broblem y mae Syr Ronald yn cyfeirio ati dro ar ôl tro, sef bod staff y nodwyd eu bod yn amhriodol ar gyfer eu gwaith yn ymddangos mewn rhannau eraill o'r wlad, er gwaethaf y ffaith y byddai eu cyflogwyr newydd wedi gweld bod yr ymgeisydd yn amhriodol pe baent wedi gofyn am eirida gan y cyflogwr blaenorol. Mae'n bwysig, felly, bod gennym gofrestr effeithiol. Mae angen inni ganolbwyntio ar sut y bydd hyn yn cael ei ddatblygu. Nid yw'n dasg hawdd oherwydd bod llawer o bobl yn gweithio mewn gofal cymdeithasol. Rhaid inni flaenoriaethu, gan ddechrau gydag staff uwch gwaith cymdeithasol a staff sydd yn delio â phlant. Mae hynny'n bwysig a dylai fod yn flaenoriaeth.

Nodwyd bod angen gwell cefnogaeth ar y rhai sydd yn gadael gofal, yn enwedig dros y blynyddoedd diwethaf. Yn y cyd-destun hwnnw, cyfeiriodd Jane at y Mesur sydd ger bron y Senedd ar hyn o bryd, yr wyf yn cytuno'n llwyr â'i amcanion. Rhaid inni ganolbwyntio ar faterion ymarferol ynghylch lles cyffredinol plant mewn gofal. Yr ydym

and rooted out. However, we do not want to only provide a safe environment for these children, although that is crucial. We want an environment in which they can prosper, get ahead, and lead happy and excellent lives. The standards that they achieve in education are an indication of that. We must raise the game in terms of the educational attainment of children in care.

The recruitment and retention of well-trained and dedicated staff must receive extensive attention. If the staff that are attracted to this challenging work are not supported and encouraged properly, and if they do not have the required confidence in their managerial structures, they can often suffer burn-out and leave the childcare service. We do not want that.

Sir Ronald spent time on the role of social services in general. There must be clear accountability in senior management for children's services. That has often not been the case in the past. We must examine the present situation and satisfy ourselves that local authorities have got this right and that a member of the senior management team is leading the way on children's services. The key role of social workers must be underlined, and Sir Ronald discusses that topic at length. There are many dedicated social workers providing excellent support. It is important that we send out positive messages. It is a challenging field and the job is often ignored despite it being well done. We must emphasise the role that social workers play in society and value it as a highly professional role. Sometimes, however, high standards are not met and best practice is not common practice. The report concentrated on the problem that some social workers were not visiting children in care frequently enough and thus were not forming the relationships needed to allow the children involved to turn to an adviser in confidence and have that person support them.

wedi siarad llawer am gam-drin, a rhaid ei atal a rhoi diwedd arno. Fodd bynnag, nid dim ond darparu amgylchedd diogel i'r plant hyn yr ydym am ei wneud, er bod hynny'n hanfodol. Yr ydym eisiau amgylchedd lle gallant ffynnu, camu ymlaen, a byw bywydau hapus a gwych. Mae'r safonau y maent yn eu cyrraedd ym myd addysg yn arwydd o hynny. Rhaid inni godi'r safon o ran cyrhaeddiad addysgol plant mewn gofal.

Rhaid rhoi llawer o sylw i recriwtio a chadw staff ymroddedig sydd wedi eu hyfforddi'n dda. Os na chaiff y staff a ddenir i'r math hwn o waith dyrys eu cefnogi a'u hannog yn briodol, ac os nad ydynt yn meddu ar yr hyder angenrheidiol yn eu strwythurau rheoli, yn aml byddant yn suddo dan bwysau'r gwaith ac yn gadael y gwasanaeth gofal plant. Nid ydym eisiau hynny.

Treuliodd Syr Ronald amser ar rôl y gwasanaethau cymdeithasol yn gyffredinol. Rhaid cael atebolrwydd clir ymysg uwch reolwyr gwasanaethau plant. Yn aml, nid oedd hynny'n digwydd yn y gorffennol. Rhaid inni archwilio'r sefyllfa bresennol a bodloni ein hunain bod yr awdurdodau lleol wedi gwneud hyn yn iawn a bod aelod o'r uwch dîm rheoli yn arwain y ffordd o ran gwasanaethau plant. Rhaid tanlinellu rôl allweddol gweithwyr cymdeithasol, ac mae Syr Ronald yn trafod y pwnc hwnnw yn fanwl. Mae nifer o weithwyr cymdeithasol ymroddedig sydd yn rhoi cefnogaeth wych. Mae'n bwysig ein bod yn anfon negeseuon cadarnhaol. Mae'n faes dyrys ac anwybyddir y gwaith yn aml er iddo gael ei wneud yn dda. Rhaid inni bwysleisio rôl gweithwyr cymdeithasol mewn cymdeithas a'i gwerthfawrogi fel rôl dra phroffesiynol. Weithiau, fodd bynnag, ni fodlonir y safonau uchel ac nid yr arfer gorau yw'r arfer cyffredin. Yr oedd yr adroddiad yn canolbwyntio ar y broblem nad oedd rhai gweithwyr cymdeithasol yn ymweld â phlant mewn gofal yn ddigon aml ac nad oeddent felly yn llunio'r perthnasau a oedd eu hangen i alluogi'r plant dan sylw i droi at gynghorydd yn gyfrinachol a bod y person hwnnw'n eu cefnogi.

Jane Hutt mentioned the role of Soniodd Jane Hutt am rôl y rheini a oedd yn

whistleblowers. I am sure that I express the opinions of all Assembly Members in saying that, when you read about the extent of the abuse, one of the most sickening things is that much of it was identified but effective action was not taken. Some of those who were brave enough to blow the whistle were subjected to disciplinary procedures and their lives were made difficult. There may well have been others who did not reach that stage. They saw what happened to staff who raised concerns and, therefore, did not take the action required. It is important that we return to legislation such as the Children Act 1989, which requires people who suspect abuse to report it. If it needs to be strengthened then it should be. Sins of omission are often serious and any managerial system that creates a climate in which they can occur must be reformed immediately. People in social care must be reminded of their duties to report suspected child abuse.

Jane's point that most looked-after children are now in foster care and not in residential homes reminds us that we must always live life looking forward. These abuses indicate what happens when a system goes wrong. They provide us with an agenda for future action and benchmarks to ensure that current services are appropriate. Everyone here would agree that we would have failed in our duty if we say now that residential care is in serious difficulty, ignore the current system that supports foster parents, and then discover in five or 10 years' time that there are systematic problems in foster care. Sir Ronald is right to remind the Assembly that this is our duty as well as that of councillors with social services responsibilities. We have a responsibility to ensure that this work is carried out and that we are satisfied that the social care system works effectively for children.

We must be concerned about the shortage of

tynnu sylw at y cam-drin. Yr wyf yn siŵr fy mod yn lleisio barn holl Aelodau'r Cynulliad pan ddywedaf, wrth ichi ddarllen am helaethder y cam-drin, mai un o'r pethau mwyaf ffiائد yw bod llawer ohono wedi cael ei nodi ond na chafwyd gweithredu effeithiol. Yr oedd rhai o'r rheini a oedd yn ddigon dewr i dynnu sylw at y cam-drin yn gorfod wynebu trefn ddisgyblaethu a gwnaethpwyd eu bywydau'n anodd. Efallai fod mwy o bobl na chyrhaeddodd cyn belled â hynny. Yr oeddent yn gweld beth a oedd yn digwydd i staff a oedd yn lleisio pryderon ac, felly, ni wnaethant gymryd y camau angenrheidiol. Mae'n bwysig ein bod yn dychwelyd at ddeddfwriaeth fel Deddf Plant 1989, sydd yn mynnu bod pobl sydd yn amau cam-drin yn rhoi gwybod amdano. Os oes angen ei chryfhau, rhaid gwneud hynny. Yn aml, mae pechod drwy esgeulustod yn ddifrifol a rhaid mynd ati'n syth i newid unrhyw system reoli sydd yn creu awyrgylch lle gall hynny ddigwydd. Rhaid atgoffa pobl mewn gofal cymdeithasol o'u dyletswyddau i dynnu sylw at amheuo'n o gam-drin.

Mae pwynt Jane bod y rhan fwyaf o blant mewn gofal bellach mewn gofal maeth yn hytrach nag mewn cartrefi preswyl yn ein hatgoffa bod yn rhaid inni fyw ein bywydau drwy edrych ymlaen bob amser. Mae'r achosion hyn o gam-drin yn dangos beth sydd yn digwydd pan â system o chwith. Maent yn rhoi agenda inni ar gyfer gweithredu a meincnodi yn y dyfodol i sicrhau bod y gwasanaethau presennol yn briodol. Byddai pawb yma'n cytuno y byddem wedi methu yn ein dyletswydd pe dywedwn yn awr bod gofal preswyl yn profi anawsterau difrifol, pe baem yn anwybyddu'r system bresennol sydd yn cefnogi rhieni maeth, ac yna darganfod ymhen pum neu 10 mlynedd bod problemau systematig mewn gofal maeth. Mae Syr Ronald yn llygad ei le i atgoffa'r Cynulliad bod hyn yn ddyletswydd arnom ninnau yn ogystal â'r cynghorwyr sydd â chyfrifoldebau gwasanaethau cymdeithasol. Mae gennym gyfrifoldeb i sicrhau y caiff y gwaith hwn ei wneud a'n bod yn fodlon bod y system gofal cymdeithasol yn gweithio'n effeithiol i blant.

Rhaid inni bryderu am brinder gofalwyr

foster carers. In any system of recruitment, retention and support for foster carers, a weakness could enter if too few foster carers come forward. We must recruit people with the highest motivation and ability to do this job. A problem could emerge if social services are under stress because they cannot recruit enough people. We must go back and identify how we recruit, reward and support foster carers. This could be an area of potential or actual weakness. The Health and Social Services Committee must consider the state of foster care services in Wales.

3:19 p.m.

On the children's commissioner, I offer the group's support to the line taken by the administration, which acted with all appropriate speed to amend the Care Standards Bill. There are times when all parties should recognise the effectiveness of Executive actions. In this case, it acted as quickly as possible. The statutory basis that this Bill will give to the children's commissioner is important. It may only cover half of the work but it covers the first priority area—vulnerable and looked-after children. We support it. We will want to consider underpinning the rest of the children's commissioner's work by placing it on a statutory basis but it is reasonable to say that that could be done a little later, perhaps in the next parliamentary session. Ideally, the United Nations' Convention on the Rights of the Child would form a central part of the children's commissioner's work.

Whenever we examine issues that go back over 25 years—the period in question started in 1974—it is easy to say: 'that was the problem then, we have taken effective action and society is better equipped and not vulnerable on these issues'. However, in signing off this afternoon, I draw to your attention a news story that appeared in this morning's *The Western Mail*, under the headline, 'Man jailed for indecently assaulting teenage rent boys.' That man admitted the assaults on two boys aged under

maeth. Mewn unrhyw system i recriwtio, cadw a chefnogi gofalwyr maeth, gall gwendid egino os nad oes digon o ofalwyr maeth yn dod ymlaen. Rhaid inni recriwtio pobl sydd â'r ysgogiad a'r gallu gorau i wneud y gwaith hwnnw. Gallai problem ddod i'r golwg os yw'r gwasanaethau cymdeithasol dan bwysau oherwydd nad ydynt yn gallu recriwtio digon o bobl. Rhaid inni fynd yn ôl a nodi sut yr ydym yn recriwtio, yn gwobrwyo ac yn cefnogi gofalwyr maeth. Gallai hwn fod yn faes o wendid posibl neu wirioneddol. Rhaid i'r Pwyllgor Iechyd a Gwasanaethau Cymdeithasol ystyried cyflwr y gwasanaethau gofal maeth yng Nghymru.

O ran y comisiynydd plant, yr wyf yn cynnig cefnogaeth y grŵp i'r agwedd a gymerwyd gan y weinyddiaeth, a weithredodd â chyflymder priodol i newid y Mesur Safonau Gofal. Mae adegau pan ddylai pob plaid gydnabod effeithiolrwydd gweithredoedd y Weithrediaeth. Yn yr achos hwn, gweithredodd cyn gynted â phosibl. Bydd y sylfaen statudol a rydd y Mesur hwn i'r comisiynydd plant yn bwysig. Efallai na fydd yn cynnwys dim ond hanner y gwaith ond mae'n cynnwys y maes blaenoriaeth cyntaf—plant bregus a phlant mewn gofal. Yr ydym yn ei gefnogi. Byddwn eisiau ystyried gosod sylfaen i weddill gwaith y comisiynydd plant drwy ei roi ar sail statudol ond mae'n rhesymol dweud y gellid gwneud hynny ychydig yn hwyrach, efallai yn y sesiwn seneddol nesaf. Yn ddelfrydol, byddai Confensiwn y Cenhedloedd Unedig ar Hawliau'r Plentyn yn llunio rhan ganolog o waith y comisiynydd plant.

Pryd bynnag y byddwn yn archwilio materion sydd yn mynd yn ôl dros 25 mlynedd—dechreuodd y cyfnod dan sylw yn 1974—mae'n hawdd dweud: 'dyna oedd y broblem bryd hynny, yr ydym wedi gweithredu'n effeithiol ac mae cymdeithas wedi ei harfogi'n well ac nid yw'n fregus o safbwynt y materion hyn'. Fodd bynnag, wrth gloi y prynhawn yma, tynnaf eich sylw at stori newyddion a ymddangosodd yn *The Western Mail* y bore yma, dan y pennawd, '*Man jailed for indecently assaulting teenage*

16. His defence counsel said in mitigation,

rent boys. Cyfaddefodd y dyn hwnnw iddo ymosod ar ddau fachgen dan 16 oed. Dywedodd cyfreithiwr y diffynnydd yn ei ddatganiad lliniarol,

‘The consensual acts took place between individuals who were already corrupted.’

‘Digwyddodd y gweithredoedd cydsyniol rhwng unigolion a oedd eisoes wedi eu hamhuro.’

We must root out that kind of attitude; it is utterly unacceptable.

Rhaid inni roi diwedd ar y math hwnnw o agwedd; mae'n gwbl annerbyniol.

Kirsty Williams: I propose amendment 2. Insert in the third clause, after ‘*Care Standards Bill*’

Kirsty Williams: Cynigïaf welliant 2. Ychwaneger yn y trydydd cymal, ar ôl ‘*fel cam cyntaf*’

and resolves to apply maximum pressure on the House of Commons to enact legislation at the earliest opportunity to expand the proposed role of the commissioner to include statutory powers across all areas affecting children. The powers of the commissioner should include:

ac yn penderfynu dwyn cymaint o bwysau ag y bo modd ar Dŷ'r Cyffredin i wneud deddfwriaeth cyn gynted â phosibl i ehangu rôl arfaethedig y comisiynydd fel ei bod yn cynnwys pwerau statudol ar draws pob maes sydd yn effeithio ar blant. Dylai pwerau'r comisiynydd gynnwys:

1. *Power to require inquiries*
2. *Powers to order disclosure of information*
3. *Powers to require action to be taken by public authorities and bodies, in accordance with their own duties.*

1. *Pwer i'w gwneud yn ofynnol i ymchwiliadau gael eu cynnal*
2. *Pwerau i orchymyn bod gwybodaeth yn cael ei datgelu*
3. *Pwerau i'w gwneud yn ofynnol i awdurdodau a chyrff cyhoeddus weithredu, yn unol â'u dyletswyddau eu hunain.*

Thank you, Presiding Officer, for the opportunity to contribute on what is probably the most disturbing and upsetting issue that the Assembly has debated. I had an opportunity, following the publication of the report, to make a considerable contribution. I will therefore keep my remarks short to allow other Members, who did not have an opportunity at that time, to contribute to an issue that faces the whole of Wales. It cannot be focused on north Wales and this case alone.

Diolch, Lywydd, am y cyfle i gyfrannu at y ddatl. Mae'n debyg mai dyma'r ddatl fwyaf annymunol a thrist y mae'r Cynulliad wedi ei chael. Yn dilyn cyhoeddi'r adroddiad, cefais gyfle i gyfrannu'n sylweddol. Byddaf felly yn cadw fy sylwadau'n fyr i alluogi Aelodau eraill, na chafodd gyfle bryd hynny, i gyfrannu at fater sydd yn wynebu Cymru gyfan. Ni ellir ei ganolbwyntio ar ogledd Cymru a'r achos hwn yn unig.

As I said at that time in the Chamber, we are indebted to those who produced the report and, more importantly, to those who made it possible by giving evidence. In the period following the publication of the Waterhouse report, it was important for all of us to take time to absorb its contents. It made shocking

Fel y dywedais bryd hynny yn y Siambr, mae ein dyled yn fawr i'r rheini a gynhyrchodd yr adroddiad ac, yn bwysicach, i'r rhai a'i gwnaeth yn bosibl drwy roi tystiolaeth. Yn y cyfnod yn dilyn cyhoeddi adroddiad Waterhouse, yr oedd yn bwysig inni i gyd gymryd amser i amgyffred ei gynnwys. Yr

reading. However, that time is over and now is the time to act on its recommendations. We must not ignore the voices of those who were abused in north Wales and still have many unanswered concerns and questions. We have had time to absorb, read and try to comprehend the awfulness of what faced those young people in north Wales. Now, we must act.

As David rightly said, this is not yesterday's problem. It is not only a social services or a children's homes issue. Since the publication of the Waterhouse report, I have been greatly disturbed by the attitude of those who see it as such. I agree with Jane that great changes have been made and great strides have been taken to improve the situation and protection for vulnerable young people. However, it is important to remember that the abuse outlined in the Waterhouse report continued into the 1990s, after the Children Act 1989 came into force and, as David pointed out, it continues.

We must not be complacent nor sit back and think that we have done enough. We must continue to strive to protect people in the most comprehensive and best possible way. As Sir Ronald Waterhouse points out in one of his 72 recommendations, his report and recommendations cannot be seen or implemented in isolation. People who provide services for children, whether in a statutory or voluntary capacity, need to read this report and act on it. It is not only about young people living in children's homes. It is about young people wherever they may be—in foster care, at home, in schools or in NHS care. Wherever children are in Wales, we must ensure that they are safe and protected.

The Liberal Democrat Party broadly supports the priorities that the Westminster taskforce has set itself. It will focus on staff, and I concur with Jane and David's comments about raising the standards of an undervalued and challenging profession. There are already

oedd yn ein synnu. Fodd bynnag, mae'r cyfnod hwnnw ar ben, ac yn awr mae'n amser i weithredu ar ei argymhellion. Ni allwn anwybyddu lleisiau'r rheini a gafodd eu cam-drin yng ngogledd Cymru ac mae nifer o bryderon a chwestiynau heb eu hateb yn dal i fodoli. Yr ydym wedi cael amser i amgyffred, darllen a cheisio deall pa mor erchyll oedd yr hyn a wynebai'r bobl ifanc hynny yng ngogledd Cymru. Yn awr, mae'n rhaid inni weithredu.

Fel y dywedodd David yn gywir, nid problem ddoe mo hon. Nid mater i'r gwasanaethau cymdeithasol na chartrefi plant yn unig mohono. Ers cyhoeddi adroddiad Waterhouse, tarfwyd arnaf yn arw gan agwedd y rheini sydd yn ei ystyried felly. Cytunaf â Jane fod newidiadau mawr wedi eu gwneud a chamau breision wedi eu cymryd i wella'r sefyllfa ac amddiffyn pobl ifanc fregus. Fodd bynnag, mae'n bwysig cofio bod y cam-drin a amlinellwyd yn adroddiad Waterhouse wedi parhau i'r 1990au, ar ôl i Ddeddf Plant 1989 ddod i rym ac, fel y dywedodd David, mae'n parhau.

Rhaid inni beidio â bod yn hunanfodlon nac eistedd yn ôl a meddwl ein bod wedi gwneud digon. Rhaid inni barhau i ymdrechu i amddiffyn pobl yn y modd mwyaf cynhwysfawr a gorau posibl. Fel y dywed Syr Ronald Waterhouse yn un o'i 72 o argymhellion, ni ellir ystyried ei adroddiad a'i argymhellion ar wahân na'u gweithredu felly. Mae angen i bobl sydd yn darparu gwasanaethau i blant, boed hynny mewn swyddogaeth statudol neu wirfoddol, ddarllen yr adroddiad hwn a gweithredu arno. Nid am bobl ifanc sydd yn byw mewn cartrefi plant yn unig y mae'n sôn. Mae'n trafod pobl ifanc lle bynnag y bôn—mewn gofal maeth, gartref, mewn ysgolion neu yng ngofal yr NHS. Lle bynnag y mae plant yng Nghymru, rhaid inni sicrhau eu bod yn ddiogel ac yn cael eu hamddiffyn.

Mae Plaid y Democratiaid Rhyddfrydol yn llwyr gefnogi'r blaenoriaethau y mae tasglu San Steffan wedi gosod iddo'i hun. Bydd yn canolbwyntio ar staff, ac yr wyf yn cytuno â sylwadau Jane a David ynghylch codi safonau proffesiwn dyrys nad yw'n cael ei

steps in place to recruit and train more and more social workers. We must value their work far more than we did in the past when they were seen as an easy target. We must also tackle head-on those who manage social workers. Those are the people who sit behind desks in county halls up and down the country making rules and regulations that often impact upon the ability of social workers to do their job. We cannot focus solely on social workers without considering their bosses in county halls and the management level of social services departments and councils. Gwenda Thomas has interesting concerns about the changing structures of local government and how it may impact on the ability to ensure that children's services are highlighted. I hope that Gwenda has the opportunity to talk about those concerns because Members should hear them.

The second priority for the Westminster group is advocacy for young people. It forms part of a broader issue of communication with young people. There are some wonderful advocacy services but, as with most voluntary sector services, they have the challenges of year-on-year bids for applications for funding. The ability to extend their services—although they would like to do so—is often curtailed by some of those challenges. However, there is excellent work being done and we must look at the projects that are working well and ensure that resources are found and that social services are encouraged to ensure that these groups are supported to allow their services to develop.

Those children and young people in north Wales often spoke out but were rarely listened to. As a society, we must look at ourselves to ensure that that changes. We must ensure mechanisms for young people to voice their concerns and, more importantly, as adults, we must learn to accept what they are telling us and act upon it. A complaints officer in every local authority and named social workers with whom young people are

werthfawrogi ddigon. Mae camau eisoes ar waith i recriwtio a hyfforddi mwy a mwy o weithwyr cymdeithasol. Rhaid inni werthfawrogi eu gwaith lawer mwy nag yr oeddem yn ei wneud yn y gorffennol pan yr oeddent i'w gweld fel targed hawdd. Rhaid inni hefyd fynd i'r afael yn uniongyrchol â'r rheini sydd yn rheoli gweithwyr cymdeithasol. Dyna'r bobl sydd yn eistedd y tu ôl i ddesgiau mewn neuaddau sir ar hyd a lled y wlad ac sydd yn llunio rheolau a rheoliadau sydd yn aml yn effeithio ar allu'r gweithwyr cymdeithasol i wneud eu gwaith. Ni allwn ganolbwyntio'n unig ar weithwyr cymdeithasol heb ystyried eu rheolwyr mewn neuaddau sir a lefel reoli adrannau gwasanaethau cymdeithasol a chynghorau. Mae gan Gwenda Thomas bryderon diddorol ynghylch y newid yn strwythurau llywodraeth leol a sut y gallai hynny effeithio ar y gallu i sicrhau y tanlinellir gwasanaethau plant. Gobeithiaf y caiff Gwenda'r cyfle i siarad am y pryderon hynny oherwydd dylai Aelodau eu clywed.

Yr ail flaenoriaeth i grŵp San Steffan yw eiriolaeth ar gyfer pobl ifanc. Mae'n llunio rhan o'r mater ehangach o gyfathrebu gyda phobl ifanc. Mae rhai gwasanaethau eiriol gwych ar gael ond, fel gyda'r rhan fwyaf o wasanaethau'r sector gwirfoddol, maent yn wynebu'r heriau o ymgeisio flwyddyn ar ôl blwyddyn i ennill cyllid. Mae'r gallu i ehangu eu gwasanaethau—er yr hoffent wneud hynny—yn aml wedi ei gwtogi gan rai o'r heriau hynny. Fodd bynnag, mae gwaith ardderchog yn cael ei wneud a rhaid inni edrych ar y prosiectau sydd yn gweithio'n dda a sicrhau y canfyddir adnoddau ac yr anogir gwasanaethau cymdeithasol i sicrhau bod y grwpiau hyn yn cael cefnogaeth i alluogi eu gwasanaethau i ddatblygu.

Yr oedd y plant a'r bobl ifanc hynny yng ngogledd Cymru yn codi eu llais yn aml, ond anaml y gwrandawyd arnynt. Fel cymdeithas, rhaid inni edrych ar ein hunain i sicrhau bod hynny'n newid. Rhaid inni sicrhau mecanweithiau ar gyfer pobl ifanc i leisio'u pryderon ac, yn bwysicach, fel oedolion, rhaid inni ddysgu derbyn yr hyn y maent yn ei ddweud wrthym a gweithredu ar hynny. Byddai cael swyddog cwynion ym mhob

able to develop a relationship will go some way to enable that communication to develop in a way that it did not develop in north Wales.

The creation of a children's commissioner is crucial to that development. We welcome the initial step towards creating a children's commissioner and the administration's acknowledgement of all the organisations that have lobbied, written and taken part in discussions on establishing a children's commissioner with statutory powers. We all realise that those statutory powers are limited and, as David rightly said, our first priority is to the children who are at risk. However, we will do other children in Wales a disservice if we are content to leave it at that. We need a children's commissioner with much broader powers. Moreover, although we do not wish to circumnavigate the work of the Health and Social Services Committee or dictate to it, we must ensure that the children's commissioner has the power of inquiry, the power to demand the disclosure of information and the power to enforce action and its recommendations. We will, no doubt, have a discussion in the Committee about how those three elements will work in reality. We must ensure that our children's commissioner has those three crucial elements. To achieve that, we must press increasingly upon Westminster for an early opportunity in the new legislative term in the autumn to have another legislative time slot. My biggest fear about the amendment to the Care Standards Bill is that Westminster will wash its hands of the issue having given Wales its time. I am sure that Jane Hutt will not allow that to happen and that we will have a voice in Westminster to ensure that time is found. I accept Jane's word that that will be the case.

3:29 p.m.

I withdraw amendment 5 on the understanding from Jane and officials that much work will be undertaken and improvements will be made in this area. I

awdurdod lleol a gweithwyr cymdeithasol penodol y gallai pobl ifanc lunio perthynas â hwy, yn gam mawr ymlaen i alluogi cyfathrebu i ddatblygu mewn modd na ddatblygodd yng ngogledd Cymru.

Mae creu comisiynydd plant yn hanfodol i'r datblygiad hwnnw. Yr ydym yn croesawu'r cam cyntaf tuag at greu comisiynydd plant a chydabyddiaeth y weinyddiaeth o'r holl fudiadau sydd wedi llobio, ysgrifennu a chymryd rhan mewn trafodaethau ar sefydlu comisiynydd plant gyda phwerau statudol. Yr ydym i gyd yn sylweddoli bod y pwerau statudol hynny wedi eu cyfyngu ac, fel y dywedodd David yn gywir, y plant sydd dan fygythiad yw ein blaenoriaeth gyntaf. Fodd bynnag, byddwn yn gwneud tro gwael â phlant eraill yng Nghymru os byddwn yn hapus i adael y sefyllfa felly. Mae angen comisiynydd plant arnom gyda phwerau ehangach o lawer. Ar ben hynny, er nad ydym yn dymuno anwybyddu gwaith y Pwyllgor Iechyd a Gwasanaethau Cymdeithasol na'i gyfarwyddo, rhaid inni sicrhau bod gan y comisiynydd plant y pŵer i ymchwilio, y pŵer i fynnu cael gafaél ar wybodaeth a'r pŵer i orfodi gweithredu ac i orfodi ei argymhellion. Yn ddiau, byddwn yn cael trafodaeth yn y Pwyllgor ynghylch sut y bydd y tair elfen hynny yn gweithio mewn gwirionedd. Rhaid inni sicrhau bod ein comisiynydd plant yn meddu ar y tair elfen hanfodol hynny. I gyflawni hynny, rhaid inni roi mwy o bwysau ar San Steffan i gael cyfle cynnar yn y tymor deddfwriaethol newydd yn yr hydref i gael amser deddfwriaethol wedi'i neilltuo eto. Fy mhryder pennaf ynghylch y gwelliant i'r Mesur Safonau Gofal yw y bydd San Steffan yn golchi ei ddwylo o'r mater ar ôl rhoi ei amser i Gymru. Yr wyf yn siŵr na fydd Jane Hutt yn caniatáu i hynny ddigwydd ac y bydd gennym lais yn San Steffan i sicrhau bod modd dod o hyd i amser. Yr wyf yn derbyn gair Jane mai dyna fydd yn digwydd.

Yr wyf yn tynnu gwelliant 5 yn ôl ar ôl deall gan Jane a swyddogion y caiff llawer o waith ei wneud ac y gwneir gwelliannau yn y maes hwn. Yr wyf yn pwysleisio'r ffaith bod

stress that we need protection for people who work on a statutory basis with children. All those involved with children's services need to know that their workers and volunteers are people that we want to have working with children.

Helen Mary Jones: I propose amendment 3. Add at the end of the third clause

calls on the First Secretary to make urgent representations to the Secretary of State for Wales to ensure that as soon as is reasonably practicable that Parliamentary time be provided to extend the statutory powers of the commissioner in line with recommendations of the Assembly.

I also propose amendment 4. In the fourth clause, after '*recommendation and*', insert

in conjunction with the Health and Social Services and Pre-16 Education Committees; and

after '*report to*', delete '*the Health and Social Services and Pre-16 Education Committees*' and insert instead '*the Assembly*'.

Nobody who reads the Waterhouse report can fail to be appalled and disturbed by its contents and be moved to be committed to ensure that such events never happen again. I start by reminding us all, as I have recently been starkly reminded, that while the Waterhouse report arises from events in the past—some over 20 years ago—the issues it addresses, as Jane Hutt and others have rightly said, have not gone away.

I will tell you about Jade, which is not her real name. Jade is a neighbour of ours. She went into local authority care in Cardiff when she was 11 years old and has been a prostitute since she was 12. One of her contemporaries said to me that if sexual abuse is going to happen, you may as well chose the time and make the abusers pay.

angen amddiffyn pobl sydd yn gweithio ar sail statudol gyda phlant. Mae angen i bawb sydd yn ymwneud â gwasanaethau plant wybod bod eu gweithwyr a'u gwirfoddolwyr yn bobl yr ydym am eu cael yn gweithio gyda phlant.

Helen Mary Jones: Cynigiau welliant 3. Ychwaneger ar ddiwedd y trydydd cymal

ac yn galw ar y Prif Ysgrifennydd i gyflwyno sylwadau ar fyrder i Ysgrifennydd Gwladol Cymru er mwyn sicrhau bod amser yn cael ei neilltuo yn y Senedd, cyn gynted ag y bo'n rhesymol ymarferol, er mwyn ymestyn pwerau statudol y comisiynydd yn unol ag argymhellion y Cynulliad.

Cynigiau hefyd welliant 4. Yn y pedwerydd cymal, ar ôl '*argymhellion ac*', ychwaneger

ar y cyd â'r Pwyllgorau Iechyd a Gwasanaethau Cymdeithasol ac Addysg Cyn-16; ac

ar ôl '*adrodd yn ôl*', dileer '*i'r Pwyllgorau Iechyd a Gwasanaethau Cymdeithasol ac Addysg Cyn-16*' ac ychwaneger yn lle hynny '*i'r Cynulliad*'.

Ni all unrhyw un sydd yn darllen adroddiad Waterhouse beidio â chael ei ddychryn a'i aflonyddu gan y cynnwys a chael ei ysgogi i ymrwymo i sicrhau nad yw digwyddiadau o'r fath byth yn digwydd eto. Dechreuaf drwy ein hatgoffa i gyd, fel yr atgoffwyd fi'n drawiadol yn ddiweddar, tra bo adroddiad Waterhouse yn deillio o ddigwyddiadau yn y gorffennol—rhai ohonynt dros 20 mlynedd yn ôl—fod Jane Hutt ac eraill yn llygad eu lle wrth ddweud nad yw'r materion y mae'n eu trafod wedi diflannu.

Dywedaf wrthyfych am Jade, er nad dyna yw ei henw iawn. Mae Jade yn un o'n cymdogaion. Aeth i ofal awdurdod lleol yng Nghaerdydd pan oedd yn 11 mlwydd oed ac mae wedi bod yn butain ers iddi fod yn 12. Dywedodd un o'i chyfoedion wrthyf os yw cam-drin rhywiol yn mynd i ddigwydd, waeth ichi ddewis yr amser a gwneud i'r un a fydd yn eich cam-drin dalu.

I met Jade when she was in her early teens. The first work project that I managed shared premises with Voices from Care, a voluntary organisation—it will be familiar to many of you—that works for children in care and for children who have left care and which, importantly, is run and managed by those children and young people. At that time, Jade was already a deeply troubled girl who was not easy to relate to or work with. She later became involved in a police investigation that eventually led to the conviction of an abuser. That is to be applauded, but the experience left her further traumatised and she did not receive adequate support for that.

Jade has just turned 18. She is addicted to heroin, mentally ill and desperate. She urgently needs expensive support, which she is not getting. You may hear more of Jade's story later. At the request of Voices from Care, the BBC has agreed to publicise her case, as I have, partly in the hope that she gets the services that she needs, but also to draw attention to the dangers of being complacent about the issues before us today.

As Jane Hutt said, much has changed since many of the crimes, that the Waterhouse report investigated, were committed. Much more is already being done through the Care Standards Bill, the Children (Leaving Care) Bill and through work that has already been initiated in the Assembly. The system is still failing Jade and dozens of young people like her. They are difficult to work with and we must pay tribute to the people who undertake that challenging work. These young people are hurt and angry. As a community, we cannot abandon them as we still too often do.

Plaid Cymru—The Party of Wales will respond in writing to the Waterhouse report. The Presiding Officer will be pleased to hear that I do not propose to go through our responses to the 72 recommendations this afternoon. We look forward to working with

Cyfarfûm â Jade pan oedd hi yn ei harddegau cynnar. Yr oedd y prosiect gwaith cyntaf a reolais yn rhannu adeilad â Voices from Care, mudiad gwirfoddol—bydd llawer ohonoch yn gyfarwydd ag ef—sydd yn gweithio dros blant mewn gofal a thros blant sydd wedi gadael gofal ac sydd, yn bwysig, yn cael ei gynnal a'i reoli gan y plant a'r bobl ifanc hynny. Ar yr adeg honno, yr oedd Jade eisoes yn ferch gyda phroblemau mawr ac nid oedd yn hawdd llunio perthynas na gweithio gyda hi. Yn ddiweddarach, yr oedd yn rhan o ymchwiliad heddlu a arweiniodd at ddedfrydu rhywun a fu'n cam-drin. Mae hynny i'w gymeradwyo, ond gadawodd y profiad graith bellach arni ac ni dderbyniodd gefnogaeth ddigonol ar gyfer hynny.

Bellach mae Jade yn 18. Mae hi'n gaeth i heroin, yn dioddef salwch meddwl ac mae hi'n ddiobaith. Mae angen cefnogaeth ddrud arni ar frys, ond nid yw hi'n ei chael. Efallai y cewch glywed rhagor am hanes Jade yn nes ymlaen. Ar gais Voices from Care, mae'r BBC wedi cytuno i gyhoeddi ei hachos, fel yr wyf finnau wedi ei wneud, yn rhannol yn y gobaith y caiff y gwasanaethau sydd eu hangen arni, ond hefyd i dynnu sylw at beryglon bod yn fodlon am y materion sydd yn ein hwynebu heddiw.

Fel y dywedodd Jane Hutt, mae llawer wedi newid ers cyflawni nifer o'r troseddau yr ymchwiliwyd iddynt gan adroddiad Waterhouse. Mae llawer mwy eisoes yn cael ei wneud drwy'r Mesur Safonau Gofal, y Mesur Plant (Gadael Gofal) a thrwy'r gwaith sydd eisoes wedi ei ddechrau gan y Cynulliad. Mae'r system yn parhau i wneud cam â Jade a dwsinau o bobl ifanc tebyg iddi. Mae'n anodd gweithio gyda hwy a rhaid inni dalu teyrnged i'r bobl sydd yn ymgymryd â'r gwaith dyrys hwnnw. Mae'r bobl ifanc hyn wedi eu brifo ac maent yn flin. Fel cymuned, ni allwn eu hanwybyddu fel yr ydym yn dal i'w wneud yn rhy aml.

Bydd Plaid Cymru—The Party of Wales yn ymateb yn ysgrifenedig i adroddiad Waterhouse. Bydd y Llywydd yn falch o glywed nad wyf yn bwriadu mynd drwy ein hymatebion i'r 72 o argymhellion y prynhawn yma. Edrychwn ymlaen at weithio

the Government of Wales and with all in the Assembly and beyond to address and implement the recommendations made.

I wish to raise some points and address our amendments briefly. Waterhouse stresses the need to ensure that staff who work with children in care are adequately trained. It is vital that that is extended to include foster carers, as David Melding mentioned. This raises substantial resource questions that we cannot ignore. Frontline staff not only need to be qualified, they need to have their skills regularly updated. Waterhouse emphasises that managers also need to be appropriately qualified and trained. Staff in residential homes must be adequately paid. It is a hard job, and even harder now that easier to place children are, generally, placed in foster care. The only way to prevent qualified staff from leaving this work is to pay them well, even over the odds. Good pay is the most effective way to give a job status.

All this will cost money—money that local authorities can ill-afford. We welcome the additional resources that have been provided, as outlined by Jane Hutt today. We would all acknowledge that, if this is to be done properly, those resources are only a start. Local authorities will be crucial in the implementation of the Waterhouse report, but we cannot expect them to fund it alone. Given the relatively low investment that has historically been made in children's services across Wales, it is unsurprising that, on average but with some honourable exceptions, we are building from a low base. That could give us good ground to seek additional resources from the Treasury outside the block grant, at least to kick-start the implementation process. If possible, I hope that the Cabinet will include that in its discussions on the comprehensive spending review, and I urge it to do so.

As an Assembly, we must strongly support local government in its role in implementing

gyda Llywodraeth Cymru a chyda phawb yn y Cynulliad a thu hwnt, i roi sylw i'r argymhellion a wnaethpwyd a'u rhoi ar waith.

Hoffwn godi rhai pwyntiau a thrafod ein gwelliannau'n fyr. Mae Waterhouse yn pwysleisio'r angen i sicrhau bod staff sydd yn gweithio gyda phlant mewn gofal wedi eu hyfforddi'n ddigonol. Mae'n hanfodol bod hynny'n cael ei ymestyn i gynnwys gofalfwr maeth, fel y soniodd David Melding. Mae hyn yn codi cwestiynau adnoddau sylweddol na allwn ni mo'u hanwybyddu. Rhaid i staff y rheng flaen fod yn gymwys ond, yn ogystal â hynny, dylai eu sgiliau gael eu diweddarau'n gyson. Mae Waterhouse yn tanlinellu bod angen i reolwyr gael cymwysterau addas a chael eu hyfforddi'n briodol hefyd. Rhaid i staff mewn cartrefi preswyl gael digon o dâl. Mae'n waith anodd, ac yn anoddach fyth yn awr gan fod plant sydd yn hawdd i'w lleoli, yn gyffredinol, yn cael eu rhoi mewn gofal maeth. Yr unig ffordd o atal staff cymwys rhag gadael y gwaith hwn yw eu talu'n dda, hyd yn oed yn fwy na'r disgwyl. Tâl da yw'r ffordd fwyaf effeithiol o roi statws i swydd.

Bydd hyn i gyd yn costio arian—arian na all awdurdodau lleol mo'i fforddio. Croesawn yr adnoddau ychwanegol a ddarparwyd, fel yr amlinellodd Jane Hutt heddiw. Byddem i gyd yn cydnabod, os yw hyn am gael ei wneud yn iawn, mai dim ond dechrau yw'r adnoddau hynny. Bydd awdurdodau lleol yn hanfodol wrth roi adroddiad Waterhouse ar waith, ond ni allwn ddisgwyl iddynt ei gyllido ar eu pen eu hunain. O ystyried y buddsoddiad cymharol isel a roddwyd yn hanesyddol i wasanaethau plant ledled Cymru, nid yw'n syndod ein bod, ar gyfartaledd ond gyda rhai eithriadau clodwiw, yn adeiladu ar sylfaen isel. Gallai hynny roi llwyfan da inni i geisio adnoddau ychwanegol gan y Trysorlys y tu allan i'r grant bloc, o leiaf i roi hwb cychwynol i'r broses weithredu. Os yn bosibl, gobeithiaf y bydd y Cabinet yn cynnwys hynny yn ei drafodaethau ar yr arolwg cynhwysfawr o wariant, ac yr wyf yn pwyso arno i wneud hynny.

Fel Cynulliad, mae'n rhaid inni gefnogi llywodraeth leol yn frwd yn ei rôl o roi

the Waterhouse report, and in all its work with vulnerable children and young people. We must also refuse to tolerate failure. Hopefully, such a measure will never be necessary. However, I urge the Secretary for Health and Social Services to be prepared to consider special measures in case any local authority, given plenty of time and warning, consistently fails to take care of its looked-after children properly. Our need to take the lead is emphasised in David Melding's amendment 1, which Plaid Cymru is happy to support.

I will turn to our amendments. Amendment 4 stresses the proactive role that we feel that members of the appropriate Committees, indeed all Assembly Members, must adopt in taking this process forward. Amendment 3 relates to statutory powers for the children's commissioner. I will echo some of what Kirsty Williams has said. It is vital that the children's commissioner's role and full remit is determined by the Assembly, following the wide consultation that is being undertaken by the Health and Social Services Committee. I am sure that we all would have preferred for the statutory remit of the commissioner to be introduced at Westminster through a single coherent Bill that provided wide-ranging statutory powers. However, we accept that the current proposal to table an amendment to the Care Standards Bill, providing statutory powers for the commissioner in relation to looked-after children and children at risk, is a token of the Westminster Government's willingness to facilitate statutory powers for the children's commissioner. We welcome it and commend the proactive and rapid action of the Government of Wales, by echoing David Melding's comments on that.

However, we would not wish to see the establishment of a commissioner for looked-after and vulnerable children, who would later have additional roles added. It is vital that this person is seen from the outset as a commissioner for all children in Wales, who will begin her, or his, work with statutory powers in relation to looked-after children. I am sure that that reflects the wishes of

adroddiad Waterhouse ar waith, ac yn ei holl waith gyda phlant a phobl ifanc fregus. Rhaid inni hefyd wrthod goddef methiant. Gobeithir na fydd byth angen mesur o'r fath. Fodd bynnag, yr wyf yn annog yr Ysgrifennydd Iechyd a Gwasanaethau Cymdeithasol i fod yn barod i ystyried mesurau arbennig rhag ofn i unrhyw awdurdod lleol, ar ôl derbyn digon o amser a rhybudd, fethu'n gyson ag edrych ar ôl y plant mewn gofal yn gywir. Caiff ein hangen i gymryd y blaen ei danlinellu yng ngwelliant 1 David Melding, y mae Plaid Cymru'n fodlon ei gefnogi.

Trof at ein gwelliannau ni. Mae gwelliant 4 yn pwysleisio'r rôl ragweithiol yr ydym o'r farn y dylai'r Pwyllgorau priodol, ac yn wir holl Aelodau'r Cynulliad, ei mabwysiadu i fynd â'r broses hon yn ei blaen. Mae gwelliant 3 yn cyfeirio at bwerau statudol ar gyfer y comisiynydd plant. Byddaf yn ailadrodd ychydig o'r hyn a ddywedodd Kirsty Williams. Mae'n hanfodol y caiff rôl a holl ddyletswyddau'r comisiynydd plant eu pennu gan y Cynulliad, yn dilyn proses ymgynghori eang y Pwyllgor Iechyd a Gwasanaethau Cymdeithasol. Yr wyf yn siŵr y byddai wedi bod yn well gennym weld ddyletswyddau statudol y comisiynydd yn cael eu cyflwyno yn San Steffan drwy Fesur sengl cydlynol a fyddai'n darparu ystod eang o bwerau statudol. Fodd bynnag, yr ydym yn derbyn mai arwydd o barodrwydd Llywodraeth San Steffan i hwyluso pwerau statudol i'r comisiynydd plant yw'r cynnig presennol i gyflwyno gwelliant i'r Mesur Safonau Gofal, gan ddarparu pwerau statudol i'r comisiynydd mewn perthynas â phlant mewn gofal a phlant sydd dan fygythiad. Yr ydym yn ei groesawu ac yn cymeradwyo gweithredu rhagweithiol a chyflym Llywodraeth Cymru, drwy ategu sylwadau David Melding ar hynny.

Fodd bynnag, ni fyddem eisiau gweld sefydlu comisiynydd i blant mewn gofal a phlant bregus, a fyddai'n cael swyddogaethau ychwanegol yn ddiweddarach. Mae'n hanfodol y caiff y person hwn ei weld o'r cychwyn cyntaf fel comisiynydd i holl blant Cymru, a fydd yn dechrau ar ei gwaith, neu ei waith, gyda phwerau statudol mewn perthynas â phlant y gofalir amdanynt. Yr

everyone in the Assembly, and I invite Jane Hutt in her conclusion to commit the Government to that approach. Much of her first presentation addressed some of our concerns, but it would help if that commitment were clear—that this is a commissioner for all the children of Wales, who will start the work with some statutory powers. That is how the issue must be considered. I am sure that no-one underestimates the difficulty of obtaining the legislative time needed to provide the commissioner with full statutory powers. However, we urge the First Secretary and his colleagues to give priority in discussions with the Secretary of State for Wales to seeking a timetable for that, if possible during the legislative programme following the next Queen's Speech. The provision of that time would demonstrate the Westminster Government's commitment to facilitating the realisation of the will of the Assembly, and to the promotion of the wider interests of children in Wales.

3:39 p.m.

The contributions to this debate and our previous discussions have demonstrated our commitment, as our future discussions will do, to ensuring that nothing similar to the hideous events recounted in the Waterhouse report can happen in our country again. However, we must go beyond that. We must learn to listen to and respect children throughout our society, not just those in care. Jocelyn Davies will say more about that later. While there is still one young person like Jade, who is desperate for the help that she is not getting, we are failing, and the Assembly cannot and will not tolerate that.

Alun Michael: Rhaid inni gofio, wrth gymryd rhan yn y ddadl hon, mai unigolion sydd yn ei chanol—y plant sydd o dan ofal awdurdodau lleol a'r rhai sydd yn gweithio gyda hwy. Wrth edrych ar yr adroddiad, rhaid inni ddeall y bydd ein penderfyniadau'n effeithio ar fywydau'r

wyf yn siŵr bod hynny'n adlewyrchu dymuniadau pawb yn y Cynulliad, ac yr wyf yn gwahodd Jane Hutt i ymrwymo'r Llywodraeth i'r agwedd honno wrth iddi gloi. Yr oedd llawer o'i chyflwyniad cyntaf yn trafod rhai o'n pryderon, ond byddai o fudd pe byddai'r ymrwymiad hwnnw'n glir—mai comisiynydd ar gyfer holl blant Cymru yw hwn, a bydd yn dechrau gyda rhywfaint o bwerau statudol. Dyna sut y dylid ystyried y mater. Yr wyf yn siŵr nad oes unrhyw un yn bychanu'r anhawster o gael gafael ar yr amser deddfwriaethol angenrheidiol i arfogi'r comisiynydd gyda phwerau statudol llawn. Fodd bynnag, yr ydym yn annog y Prif Ysgrifennydd a'i gydweithwyr i roi blaenoriaeth i geisio amserlen ar gyfer hynny, mewn trafodaethau gydag Ysgrifennydd Gwladol Cymru, os yn bosibl yn ystod y rhaglen ddeddfwriaethol yn dilyn Araith nesaf y Frenhines. Byddai darparu'r amser hwnnw yn dangos ymrwymiad Llywodraeth San Steffan i hwyluso gwireddu ewyllys y Cynulliad, ac i hyrwyddo buddiannau ehangach plant Cymru.

Mae'r cyfraniadau at y ddadl hon a'n trafodaethau blaenorol wedi dangos ein hymrwymiad, fel y bydd ein trafodaethau yn y dyfodol yn ei wneud, i sicrhau na fydd unrhyw beth tebyg i'r digwyddiadau erchyll a gofnodwyd yn adroddiad Waterhouse fyth eto'n gallu digwydd yn ein gwlad. Fodd bynnag, rhaid inni fynd gam ymhellach na hynny. Rhaid inni ddysgu gwrando ar holl blant ein cymdeithas, nid plant mewn gofal yn unig, a'u parchu. Bydd Jocelyn Davies yn dweud rhagor am hynny'n ddiweddarach. Tra bydd un person ifanc fel Jade, sydd â gwir angen cymorth nad yw'n ei dderbyn, yr ydym yn methu, ac ni all, ac ni fydd, y Cynulliad yn goddef hynny.

Alun Michael: We must remember, as we participate in this debate, that individuals are at the centre of it—the children who are in local authority care and those who work with them. When looking at the report, we must understand that our decisions will affect the lives of those individuals and their families

unigolion hynny a'u teuluoedd mewn blynyddoedd i ddod. in years to come.

Sir Ronald Waterhouse has done us a great favour. He put an incredible amount of energy into this exhaustive report. Many people waited to see the report with great anticipation. I met him late in 1998 to seek early publication of it because of that enthusiasm, which was voiced in many places, but he was determined to do the high quality job that the report has turned out to be.

It is a landmark report that highlights horrific events that, even in recent years, politicians, professionals and society as a whole, were unwilling to accept or believe to be a reality in modern society. It is important that, in criticising the events and failures that took place, we recognise that not one group of people—you could even include journalists in that—realised or understood the scale of the problems and the damage that was being done to children and young people. That must give us pause for thought in the judgments that we make on this.

There have been many previous reports—the Warner report, the report prepared by Gareth Williams QC, now Lord Williams of Mostyn, on the Tŷ Mawr inquiry, and the Utting report. However, in many ways, the Waterhouse report is the watershed. We have seen this happen with other issues: things suddenly change and people realise the nature of the problems. That happened with disability a few years ago. It was a peripheral issue until society said that we must take it seriously and it must be part of our mainstream concerns.

How race is dealt with is another such issue. As a result of the Stephen Lawrence inquiry, I saw senior police officers, who defended what had happened and believed that they were defending the integrity of a decent service, shocked when they had to recognise that there were deep flaws in the service that

Mae Syr Ronald Waterhouse wedi gwneud cymwynas fawr â ni. Rhoddodd egni anhygoel i'r adroddiad cynhwysfawr hwn. Yr oedd llawer o bobl yn disgwyl yn eiddgar am weld yr adroddiad. Cyfarfûm ag ef ddiwedd 1998 i ofyn iddo ei gyhoeddi'n gynnar oherwydd y brwdfrydedd hwnnw a leisiwyd mewn llawer o leoedd, ond yr oedd yn benderfynol o gyflawni'r gwaith safonol sydd i'w weld yn yr adroddiad.

Mae'n adroddiad o bwys sydd yn tynnu sylw at ddigwyddiadau erchyll yr oedd gwleidyddion, pobl broffesiynol a chymdeithas yn ei chyfanrwydd, hyd yn oed yn y blynyddoedd diweddar, yn gyndyn o dderbyn neu gredu eu bod yn digwydd mewn cymdeithas fodern. Mae'n bwysig, wrth feirniadu'r digwyddiadau a'r methiannau a welwyd, ein bod yn cydnabod na wnaeth unrhyw grŵp o bobl—a gallech hyd yn oed gynnwys newyddiadurwyr yn hynny o beth—sylweddoli na deall maint y problemau a'r niwed a oedd yn cael ei wneud i blant a phobl ifanc. Rhaid i hynny beri inni oedi am ennyd yn ein beirniadaeth ar hyn.

Cafwyd sawl adroddiad blaenorol—adroddiad Warner, yr adroddiad a baratowyd gan Gareth Williams QC, yr Arglwydd Williams o Fostyn bellach, am ymchwiliad Tŷ Mawr, ac adroddiad Utting. Fodd bynnag, mewn sawl ffordd, adroddiad Waterhouse yw'r trobwynt. Yr ydym wedi gweld hyn yn digwydd gyda materion eraill: mae pethau'n newid yn sydyn ac mae pobl yn sylweddoli natur y problemau. Digwyddodd hynny gydag anabledd ychydig o flynyddoedd yn ôl. Yr oedd yn fater ymylol hyd nes y dywedodd cymdeithas bod yn rhaid inni ei gymryd o ddirif a bod yn rhaid iddo fod yn un o'n pryderon canolog.

Mater cyffelyb arall yw'r modd yr ymdrinnir â hil. O ganlyniad i'r ymchwiliad i achos Stephen Lawrence, gwelais uwch swyddogion yr heddlu, a amddiffynnodd yr hyn a ddigwyddodd ac a gredai eu bod yn amddiffyn uniondeb gwasanaeth gweddus, mewn sioc pan oedd yn rhaid iddynt

they worked in and loved. That was a shock to their systems in the same way that the Waterhouse inquiry has been a shock to all of those who work with children and young people and care about the quality of service.

Jane Hutt is right to emphasise that we need to listen to children and whistleblowers, and protect those who are willing to speak out. However, there are also dangers. We must safeguard staff. Some people blow the whistle for reasons other than the best interests of children or the service of which they are a part. Some staff have been destroyed by false allegations. There are dangers of bandwagons and people playing a tune on the basis of someone else's experience, in a way that can be damaging to the service and other young people. Even social services managers, Kirsty, have had their careers destroyed, sometimes when they have been doing their sincere best to manage a service and that has not been good enough. Society has then been unforgiving in the way in which it has dealt with those people—sometimes rightly, but sometimes people who have been decent public servants have had their lives destroyed. We must apportion blame to prevent and to act on the problem. We all react by saying 'never again', but we must recognise the practicalities involved in saying that.

The loss of childhood is the most damaging and unforgivable loss that has happened to many of the young people described in this report. We must also be realistic. Vulnerable and damaged young people are often the most difficult to work with. Reference has been made to the BBC's interest in an individual in my Westminster constituency as an MP. With the local Assembly Member, Lorraine Barrett, and the local authority, I have arranged a meeting to consider the events and, most importantly, the action that can be taken now. The local authority responded positively when I was approached by Voices from Care two days ago.

gydnabod bod gwendidau mawr yn y gwasanaeth y gweithient ynddo ac yr oeddent yn ei garu. Yr oedd hynny'n sioc i'w system yn yr un modd ag y mae ymchwiliad Waterhouse wedi bod yn sioc i bawb sydd yn gweithio gyda phlant a phobl ifanc ac sydd yn poeni am ansawdd y gwasanaeth.

Mae Jane Hutt yn iawn i bwysleisio bod angen inni wrando ar blant ac ar bobl sydd yn chwythu'r chwiban, a gwarchod y rheini sydd yn fodlon siarad. Fodd bynnag, mae peryglon hefyd. Rhaid inni ddiogelu staff. Mae rhai pobl yn chwythu'r chwiban am resymau heblaw lles plant neu'r gwasanaeth y maent yn rhan ohono. Mae rhai aelodau o staff wedi cael eu dinistrio gan gyhuddiadau ffug. Mae perygl i bobl ddilyn y llif a chanu cân sydd yn seiliedig ar brofiadau pobl eraill, mewn ffordd a all fod yn niweidiol i'r gwasanaeth a phobl ifanc eraill. Mae gyrfaoedd rheolwyr gwasanaethau cymdeithasol hyd yn oed, Kirsty, wedi cael eu dinistrio, weithiau tra'u bod hwythau wedi bod yn gwneud eu gorau glas i reoli gwasanaeth ac nad yw hynny wedi bod yn ddigon da. Mae cymdeithas bryd hynny wedi bod yn ddifaddeuant yn y ffordd y mae'n trin y bobl hynny—weithiau'n deg, ond weithiau mae bywydau pobl sydd wedi bod yn weision cyhoeddus gweddus wedi cael eu dinistrio. Rhaid inni roi bai ar bobl er mwyn atal y broblem a gweithredu arni. Ein hymateb ni oll yw dweud 'byth eto', ond rhaid inni gydnabod yr elfen ymarferol sydd ynghlwm wrth ddweud hynny.

Colli plentyndod yw'r golled fwyaf niweidiol ac anfaddeuol sydd wedi digwydd i nifer o'r bobl ifanc sydd yn cael eu disgrifio yn yr adroddiad hwn. Rhaid inni hefyd fod yn realistig. Yn aml, pobl ifanc fregus wedi'u niweidio yw'r rhai anoddaf i weithio gyda hwy. Cyfeiriwyd at ddiddordeb y BBC mewn unigolyn yn fy etholaeth fel AS yn San Steffan. Ar y cyd ag Aelod lleol y Cynulliad, Lorraine Barrett, a'r awdurdod lleol, yr wyf wedi trefnu cyfarfod i ystyried y digwyddiadau ac, yn bwysicaf, y camau y gellir eu cymryd yn awr. Ymatebodd yr awdurdod lleol yn gadarnhaol pan ddaeth Voices from Care ataf ddeuddydd yn ôl.

In this case, when you consider an individual, and see what has happened to that individual, you ask yourself how it could possibly have happened. Someone who, some years ago, was not receiving an education, was taking drugs, was involved in prostitution and experiencing frequent changes in place is now an adult. What is the value of an adult's freedom of choice if the damage that has been done limits those choices to virtually nil? That individual should have freedom of action, yet was twice sectioned for mental health problems induced by drug abuse and by experiencing the violence of rape. That is a shocking example of what happens to an individual who is not helped to grow up in a healthy way.

However, there are also questions about the willingness to receive help—

Janet Ryder: I want to pick up on the point that care does not stop when a young person leaves care. We must establish structures that will care for those young people and enable them to move on into society and live a meaningful life. We must seriously consider projects such as foyer projects, which encourage young people to live independently yet give them vitally-needed support in their first few years of leaving care.

Alun Michael: I agree entirely. I was about to come to that point.

There are fluctuations in what society expects of its services. We say that we must allow youngsters to grow up without surrounding and binding them with bureaucracy, but we also say that they must be given the help that they need. Young people are sometimes unable or unwilling to accept the help available, especially when they become adults. The damage of their experiences in institutions can create that blockage. I will not oversimplify the situation. It is complex, and to pretend that 'we must provide the care' is the answer is not enough. That is tied in with balancing our actions on a variety of issues, enabling young

Yn yr achos hwn, wrth ystyried unigolyn, a gweld beth sydd wedi digwydd i'r unigolyn hwnnw, yr ydych yn gofyn i'ch hunan sut y bu'n bosibl i hyn ddigwydd. Mae rhywun a oedd, ychydig flynyddoedd yn ôl, heb fod yn derbyn addysg, yn cymryd cyffuriau, yn puteinio ac yn wynebu newid lleoliad yn gyson, bellach yn oedolyn. Beth yw gwerth rhyddid yr oedolyn i ddewis os yw'r niwed sydd wedi ei wneud yn cyfyngu'r dewisiadau hynny bron i ddim byd? Dylai'r person hwnnw gael rhyddid i weithredu, ac eto fe'i hanfonwyd ddwywaith i ysbyty meddwl oherwydd problemau iechyd meddwl a ddeilliai o gamddefnyddio cyffuriau a thrais. Mae hynny'n enghraifft arswydus o'r hyn sydd yn digwydd i unigolyn nad yw'n cael cymorth i dyfu mewn ffordd iach.

Fodd bynnag, mae cwestiynau hefyd am ba mor fodlon yw pobl i dderbyn cymorth—

Janet Ryder: Yr wyf am ymhelaethu ar y pwynt nad yw gofal yn dod i ben pan fo person ifanc yn gadael gofal. Rhaid inni sefydlu strwythurau a fydd yn gofalu am y bobl ifanc hynny a'u galluogi i symud ymlaen i gymdeithas a byw bywyd ystyrlon. Rhaid inni roi ystyriaeth ddifrifol i brosiectau fel prosiectau *foyer*, sydd yn annog pobl ifanc i fyw yn annibynnol ac eto yn rhoi iddynt y gefnogaeth sydd ei hangen arnynt yn ddybryd yn eu blynyddoedd cyntaf wedi gadael gofal.

Alun Michael: Cytunaf yn llwyr. Yr oeddwn ar fin dod at y pwynt hwnnw.

Mae'r hyn y mae cymdeithas yn ei ddisgwyl gan ei wasanaethau yn newid o hyd. Dywedwn fod yn rhaid inni ganiatáu i'n pobl ifanc dyfu heb gael eu hamgylchynu a'u clymu gan fiwrocratiaeth, ond dywedwn hefyd bod yn rhaid rhoi'r cymorth angenrheidiol iddynt. Weithiau, ni all pobl ifanc dderbyn y cymorth sydd ar gael, neu maent yn anfodlon gwneud hynny, yn enwedig pan ddônt yn oedolion. Gall niwed eu profiadau mewn sefydliadau greu'r rhwystr hwnnw. Ni wnaif orsymleiddio'r sefyllfa. Mae'n gymhleth, ac nid yw'n ddigon inni gymryd arnom mai 'rhaid inni ddarparu gofal' yw'r ateb. Mae hynny wedi'i

people to accept what is on offer and to be realistic about their life chances as well as other matters. Often, an important element in the voluntary sector is that it is not the institutional parent. It is not a social service bureaucracy and can, therefore, be more acceptable to individuals and families.

We should consider individual examples to remind ourselves that we are talking about people and not administration and institutions. Considering the issues in this case has proved to me that the situation is not simple. When an individual has a background of several attempts to help and several failed placements, who can say where the blame lies in retrospect? It could be as a result of damage by the system or because the system could not cope.

Given the fluctuations in our demands on children's services, we must be mature and sensible in developing the demands that we place on those services. The Assembly can contribute to that. The Assembly's Committees can look in the round at the needs of children's services, rather than only looking at a snapshot here or there. That can happen with an occasional Plenary debate, as with occasional discussions or questions in the House of Commons. Through its Committee structure, the Assembly can look deeper and in a more integrated way at the nature of these problems. That is an important approach to take.

Janet Ryder's comments are relevant when you consider the requirements for young people leaving care. In the past, there has been a sense of bureaucratic relief when a young person reaches the age of 17. Many social workers and those involved with childcare have continued their work beyond that relatively arbitrary limit. The ministerial committee established as a result of the Utting report, of which I was a member, stated clearly that social work must not stop at the age of 17. We must recognise that, as

blethu gyda'r angen i gydbwysu ein gweithredoedd mewn amryw o faterion, galluogi pobl ifanc i dderbyn yr hyn sydd ar gael iddynt a bod yn realistig am eu cyfleoedd mewn bywyd yn ogystal â materion eraill. Yn aml, elfen bwysig yn y sector gwirfoddol yw nad yw'n rhiant sefydliadol. Nid yw'n rhan o fiwrocratiaeth gwasanaethau cymdeithasol a gall, felly, fod yn fwy derbyniol i unigolion a theuluoedd.

Dylem ystyried enghreifftiau unigol i atgoffa ein hunain ein bod yn sôn am bobl ac nid gweinyddu a sefydliadau. Mae ystyried materion yr achos hwn wedi profi imi nad yw'r sefyllfa yn syml. Pan fo cefndir unigolyn yn dangos sawl ymdrech i helpu a sawl lleoliad a fethodd, pwy all ddweud, wrth edrych yn ôl, pwy a oedd ar fai? Gallai fod wedi digwydd o ganlyniad i niweidio gan y system neu oherwydd na allai'r system ymdopi.

Ag ystyried y newidiadau yn yr hyn a ddisgwyliwn gan wasanaethau plant, rhaid inni fod yn aeddfed ac yn synhwyrol wrth ddatblygu'r pwysau a roddwn ar y gwasanaethau hynny. Gall y Cynulliad gyfrannu at hynny. Gall Pwyllgorau'r Cynulliad edrych yn gyffredinol ar anghenion gwasanaethau plant, yn hytrach na chymryd cip sydyn yma ac acw yn unig. Gall hynny ddigwydd gyda dadleuon yn y Cyfarfodydd Llawn weithiau, fel gyda thrafodaethau neu gwestiynau yn Nhy'r Cyffredin o bryd i'w gilydd. Drwy strwythur ei Bwyllgorau, gall y Cynulliad edrych yn ddyfnach ac mewn modd mwy integredig ar natur y problemau hyn. Mae hynny'n ffordd bwysig o fynd ati i weithio.

Mae sylwadau Janet Ryder yn berthnasol wrth ystyried gofynion pobl ifanc sydd yn gadel gofal. Yn y gorffennol, cafwyd ymdeimlad cryf o ryddhad biwrocraidd pan fyddai person ifanc yn cyrraedd 17 mlwydd oed. Mae llawer o weithwyr cymdeithasol a phobl sydd yn gweithio mewn gofal plant wedi parhau â'u gwaith y tu hwnt i'r ffin cymharol fympwyol hwnnw. Dywedodd y pwyllgor gweinidogol yr oeddwn yn aelod ohono, a sefydlwyd yn sgîl adroddiad Utting, yn glir na ddylai gwaith cymdeithasol ddod i

young people grow into adults, their life choices, which may sometimes be damaging to themselves and to society must be accepted. Therefore, other questions come into the equation. However, help and support should be available. I feel strongly about the need for foyers, and during the last two years, we have worked to promote them in Wales. The model of a dispersed foyer allows more opportunity for young people to be supported, perhaps in individual accommodation instead of in an institution. When a youngster has problems, it will often be the same youngster who has problems with education, with literacy, in finding a home and a job and who needs personal support. The foyer movement with its central concept of the need to integrate delivery of services, which may be provided by several agencies, is crucial. We should put our weight behind it. The Assembly is in a strong position to require the integration of those principles and to make more of cross-cutting issues, as I am sure we will in time, and focus on these as the way forward.

3:49 p.m.

Other elements, such as the treatment of paedophiles, are crucial. A few years ago it was difficult to get past the question of protecting human rights to ensure that children are protected from being preyed on by convicted and identified paedophiles and from the danger that they may offend again. The sex offender Orders in the Criminal Justice Act 1993, the Protection of Children Act 1999 and the forthcoming criminal records agency, to which Jane Hutt has referred, will help, but they are not a magic wand to make the problems disappear. Anyone who has engaged in this work knows how complex it is to bring about change and even small improvements. We need to keep at it.

We have an opportunity to take positive actions in Wales. Several people referred to the children's commissioner. We must ensure

ben ar gyrraedd 17 mlwydd oed. Rhaid inni gydnabod, wrth i bobl ifanc dyfu'n oedolion, bod yn rhaid derbyn eu dewisiadau mewn bywyd, a all weithiau fod yn niweidiol i'w hunain ac i gymdeithas. Mae cwestiynau eraill, felly, i'w hystyried. Fodd bynnag, dylai cymorth a chefnogaeth fod ar gael. Teimlaf yn gryf ynglŷn â'r angen am *foyers*, ac yn ystod y ddwy flynedd diwethaf, yr ydym wedi gweithio i'w hybu yng Nghymru. Mae'r model o *foyer* gwasgaredig yn rhoi mwy o gyfle i bobl ifanc dderbyn cefnogaeth, efallai mewn llety unigol yn hytrach na sefydliad. Pan fod gan berson ifanc broblemau, yn aml, yr un unigolyn hwnnw sydd â phroblemau gydag addysg, llythrennedd, canfod cartref a swydd ac sydd angen cefnogaeth bersonol. Mae'r mudiad *foyer*, â'i gysyniad canolog o'r angen i integreiddio cyflwyno gwasanaethau, a all gael eu darparu gan nifer o asiantaethau, yn holl bwysig. Dylem roi ein grym y tu ôl iddo. Mae'r Cynulliad mewn sefyllfa gref i'w gwneud yn ofynnol i integreiddio'r egwyddorion hynny a gwneud mwy o faterion sydd yn croesi ffiniau, fel yr wyf yn siŵr y gwnawn ymhen amser, a chanolbwyntio arnynt fel y ffordd ymlaen.

Mae elfennau eraill, fel sut yr ymdrinnir â phedoffiliaid, yn holl bwysig. Ychydig flynyddoedd yn ôl yr oedd yn anodd gweld y tu hwnt i'r mater o amddiffyn hawliau dynol i sicrhau bod plant yn cael eu hamddiffyn rhag pedoffiliaid a gafwyd yn euog ac a oedd yn adnabyddus a rhag y perygl y gallent droseddu eto. Bydd y Gorchmynion ynglŷn â throseddwr rhyw yn Neddf Cyfiawnder Troseddol 1993, Deddf Amddiffyn Plant 1999 a'r asiantaeth cofnodion troseddol sydd i'w sefydlu, y cyfeiriodd Jane Hutt ati, o gymorth, ond ni ellir eu chwifio fel hudlath i wneud i'r problemau ddiflannu. Mae unrhyw un sydd wedi ymwneud â'r gwaith hwn yn gwybod pa mor gymhleth yw cyflawni newid a hyd yn oed gwelliannau bychain. Rhaid inni ddal ati.

Mae gennym gyfle i gymryd camau cadarnhaol yng Nghymru. Mae sawl un wedi cyfeirio at y comisiynydd plant. Rhaid inni

that the commissioner is effective. It is one thing to demand comprehensive powers, and I agree with the way in which the job should develop. However, let us recognise that the children's commissioner, however magnificent that individual may be, will not be able to do everything at once. Concentrating on the needs and protection of children in care is probably the start that we would have designed if we had set the priorities, although there are other matters that the job should move on to address. The other piece of legislation on which the UK Government has agreed that we can adopt a different approach in Wales is that on the youth support service. I am pleased that that agreement will allow us a more integrated, local approach, which combines the strength of local authorities and the voluntary sector. I hope that the Assembly will succeed in promoting that piece of policy development as a seminal one. That is the right approach for giving young people a start in life. Every young person has a right to that start and should have that opportunity.

The integrated approach is important. Although it is crucial to deal with the abuse highlighted in the Waterhouse report, we must recall that, in most of the cases with which we are dealing, we are also breaking into a cycle of deprivation and failure in relation to individual families, perhaps over several generations in some cases. There are many who have been helped successfully. I endorse the comments made by others paying tribute to those who work with young people, especially because those workers are becoming increasingly vulnerable due to the questioning nature of modern society. It is right that we question, but we must ensure that the systems and support available to staff who work with young people are endorsed, that their status and quality of training are improved, and that they receive the recognition that they deserve.

My first experience of working with children was as a young student on a placement at

sicrhau bod y comisiynydd yn effeithiol. Un peth yw mynnu pwerau cynhwysfawr, a chytunaf â'r ffordd y dylai'r swydd ddatblygu. Fodd bynnag, gadewch inni gydnabod na fydd y comisiynydd plant, waeth pa mor wych yw'r unigolyn hwnnw, yn gallu gwneud popeth ar unwaith. Mae'n debyg mai canolbwyntio ar anghenion plant mewn gofal a'u hamddiffyn fyddai'r cam cyntaf y byddem wedi ei gynllunio pe baem wedi gosod y blaenoriaethau, er bod materion eraill y dylai'r swydd fynd ati i'w trin. Y darn arall o ddeddfwriaeth y mae Llywodraeth y DU wedi cytuno y gallwn fabwysiadu agwedd wahanol tuag ato yng Nghymru yw'r ddeddfwriaeth ar y gwasanaeth cefnogi ieuenctid. Yr wyf yn falch y bydd y cytundeb hwnnw yn caniatáu ymagwedd leol, fwy integredig, sydd yn cyfuno cryfderau awdurdodau lleol a'r sector gwirfoddol. Gobeithiaf y bydd y Cynulliad yn llwyddo i hyrwyddo'r darn hwnnw o ddatblygiad polisi fel un arloesol. Dyna'r dull priodol o fynd ati i roi dechrau i bobl ifanc mewn bywyd. Mae gan bob person ifanc hawl i'r dechrau hwnnw a dylent gael y cyfle hwnnw.

Mae mynd ati mewn ffordd integredig yn bwysig. Er ei bod yn allweddol mynd i'r afael â'r gamdriniaeth a amlygwyd yn adroddiad Waterhouse, rhaid inni gofio, gyda'r rhan fwyaf o achosion yr ydym yn delio â nhw, ein bod hefyd yn torri i mewn i gylchdro o amddifadedd a methiant mewn teuluoedd unigol, o bosibl dros sawl cenhedlaeth mewn rhai achosion. Mae sawl un wedi cael eu helpu'n llwyddiannus. Yr wyf yn ategu'r sylwadau a wnaethpwyd gan eraill a dalodd deyrnged i'r rheini sydd yn gweithio gyda phobl ifanc, yn enwedig gan fod y gweithwyr hynny yn dod yn fwyfwy bregus yn sgîl natur ymholgar cymdeithas fodern. Mae'n iawn inni ofyn cwestiynau, ond rhaid inni sicrhau bod y systemau a'r gefnogaeth sydd ar gael i staff sydd yn gweithio gyda phobl ifanc yn cael eu cymeradwyo, bod eu statws ac ansawdd yr hyfforddiant yn cael eu gwella, a'u bod yn cael y gydnabyddiaeth y maent yn ei haeddu.

Fy mhrofiad cyntaf o weithio gyda phlant oedd fel myfyriwr ifanc ar leoliad yn Ysgol

Aycliffe Approved School in north-east England. I was sent to write a report on a youngster from Leeds. I wandered the streets of Leeds and returned with a report. I am glad that there are higher standards of professional competence for reports written nowadays. However, it brought home to me how difficult the nature of this work is. The most striking thing, in an intense institution, was the quality of the staff and their incredible commitment to trying to do the best for the some of the most difficult youngsters in society.

The Assembly can contribute not only by seeking people to blame or holding the Cabinet, officials or local authorities to account, although each of those are an appropriate part of the work, but by making a positive contribution to policy development. The Health and Social Services Committee's consideration of the children's commissioner's role was a good example of that. The Assembly has strengths there, which I commend. However, we must go much further, in examining the integration of different systems for the service and protection of children. I endorse strongly Jane's comments about the integration of approaches. Integration across health and social services must be important.

It is salutary to go back a few years. In 1975, as part of a project named working together for children and their families, which involved people in social services and education, a report was published. Twenty-five years later, the same arguments stand. There is the same need for integration of services, for early identification and for prevention rather than cure. There is also the same need to act early rather than closing the door after the horses have bolted. There has been progress but, at times, it has seemed to be at the rate of an iceberg on Mogadon.

Joint working is always possible at the director level in education, social services and health services. However, integration of service is required at delivery level—that of

Gymeradwy Aycliffe yng ngogledd-ddwyrain Lloegr. Cefais fy anfon i ysgrifennu adroddiad am berson ifanc o Leeds. Crwydrais strydoedd Leeds a dychwelyd gydag adroddiad. Yr wyf yn falch bod safonau uwch i hyfedredd proffesiynol adroddiadau a ysgrifennir heddiw. Fodd bynnag, gwnaeth imi sylweddoli pa mor anodd yw natur y gwaith hwn. Yr hyn a'm trawodd yn bennaf, mewn sefydliad anodd, oedd ansawdd y staff a'u hymrwymiad anhygoel i geisio gwneud eu gorau dros rai o'r bobl ifanc anoddaf mewn cymdeithas.

Gall y Cynulliad gyfrannu nid yn unig drwy chwilio am bobl i'w beio neu ddal y Cabinet, swyddogion neu awdurdodau lleol i gyfrif, er bod pob un o'r rheini yn rhan briodol o'r gwaith, ond drwy wneud cyfraniad cadarnhaol i ddatblygu polisïau. Yr oedd ystyriaeth y Pwyllgor Iechyd a Gwasanaethau Cymdeithasol o rôl y comisiynydd plant yn enghraifft dda o hynny. Mae gan y Cynulliad gryfderau yn hynny o beth, ac yr wyf yn cymeradwyo hynny. Fodd bynnag, rhaid inni fynd ymhellach o lawer, wrth ystyried integreiddio gwahanol systemau ar gyfer rhoi gwasanaeth i blant a'u gwarchod. Yr wyf yn ategu'n gryf sylwadau Jane am integreiddio ymagweddau. Rhaid i integreiddio iechyd a gwasanaethau cymdeithasol fod yn elfen o bwys.

Mae'n werth mynd yn ôl ychydig o flynyddoedd. Yn 1975, fel rhan o brosiect o'r enw gweithio ynghyd dros blant a'u teuluoedd, a oedd yn cynnwys gweithwyr gwasanaethau cymdeithasol ac addysg, cyhoeddwyd adroddiad. Bum mlynedd ar hugain yn ddiweddarach, mae'r un dadleuon yn berthnasol. Ceir yr un angen i integreiddio gwasanaethau, canfod problemau'n gynnar ac atal yn hytrach na gwella. Ceir hefyd yr un angen i weithredu'n gynnar yn hytrach na chau drws y stabl ar ôl i'r ceffylau ddianc. Yr ydym wedi gweld cynnydd ond, ar brydiau, mae wedi teimlo fel cynnydd mor gyflym â mynydd iâ ar Mogadon.

Mae cydweithio bob amser yn bosibl ar lefel cyfarwyddwyr addysg, gwasanaethau cymdeithasol a gwasanaethau iechyd. Fodd bynnag, mae'n rhaid integreiddio

the individual young person. That is probably the clearest message of the individual being highlighted by the BBC. It is also the strongest message to come out of the Waterhouse report. The protections must be there and we must never allow this to happen again, but we must also have positive and active approaches to young people's needs in every part of the public service. We must remember that there will always be failures. There can be no such thing as perfection. We must ask these questions in each case: could this have been prevented? Are the systems failing? Have people let this individual or family down? However, we must recognise that those working in this field work with some of the most difficult and intractable problems of modern society.

Rod Richards: Diolch, Lywydd, am y cyfle i gymryd rhan yn y ddadl bwysig hon. Myfi oedd Is-ysgrifennydd Seneddol Cymru yn ystod y ddwy flynedd a arweiniodd at y penderfyniad i gomisiynu ymchwiliad cyhoeddus i'r mater hwn yng ngogledd Cymru. Felly, gwn am lawer o'r gwaith a wnaethpwyd cyn comisiynu Waterhouse.

Cyfeiriaf at yr hyn a oedd yn mynd drwy feddwl y Llywodraeth cyn comisiynu'r adroddiad hwnnw, cyn symud ymlaen i drafod un neu ddau o'r argymhellion. Cyn gwneud hynny, diolchaf yn swyddogol i Ysgrifennydd Gwladol Cymru, Paul Murphy, am neilltuo amser rhai o'i swyddogion yn y Cynulliad er mwyn imi edrych ar bapurau sydd yn berthnasol i'r cyfnod a arweiniodd at gomisiynu adroddiad Waterhouse.

There was considerable political and public pressure when the Crown Prosecution Service completed prosecutions in the early to mid 1990s. The Government had to decide—and I was the Parliamentary Under-Secretary of State for Wales responsible for health and social services at the time—whether we should have a public inquiry and whether it would tell us anything that we did not already know. By 'us', I mean the

gwasanaethau ar y lefel cyflwyno—ar lefel y person ifanc unigol. Dyna mae'n debyg yw'r neges gliriaf sydd yn deillio o'r unigolyn sydd yn cael sylw gan y BBC. Dyna hefyd y neges gryfaf sydd yn deillio o adroddiad Waterhouse. Rhaid i'r warchodaeth fod yno a rhaid inni sicrhau nad yw hyn byth yn digwydd eto, ond rhaid inni hefyd feddu ar agweddau cadarnhaol a gweithredol tuag at anghenion pobl ifanc ym mhob rhan o'r gwasanaeth cyhoeddus. Rhaid inni gofio y bydd methiannau yn digwydd bob amser. Ni all perffeithrwydd fodoli. Rhaid inni ofyn y cwestiynau hyn ym mhob achos: a ellid fod wedi atal hyn? A yw'r systemau yn methu? A yw pobl wedi gadael yr unigolyn neu'r teulu hwn i lawr? Fodd bynnag, rhaid inni gydnabod bod y rheini sydd yn gweithio yn y maes hwn yn gweithio gyda rhai o broblemau anoddaf a mwyaf anhydrin cymdeithas fodern.

Rod Richards: Thank you, Presiding Officer, for the opportunity to participate in this important debate. I was the Parliamentary Under-Secretary of State for Wales during the two years that led to the decision to commission a public inquiry into this matter in north Wales. Therefore, I know about much of the work done before Waterhouse was commissioned.

I will refer to what was going through the Government's mind before that report was commissioned, before proceeding to discuss one or two of the recommendations. Before doing so, I officially thank the Secretary of State for Wales, Paul Murphy, for giving the time of some of his Assembly officials so that I could examine papers relevant to the period that led to the commissioning of the Waterhouse report.

Yr oedd cryn bwysau gwleidyddol a chyhoeddus pan gwblhaodd Gwasanaeth Erlyn y Goron yr erlyniadau o ddechrau hyd ganol y 1990au. Bu'n rhaid i'r Llywodraeth benderfynu—a fi oedd yr Is-Ysgrifennydd Gwladol dros Gymru a oedd yn gyfrifol am iechyd a gwasanaethau cymdeithasol ar y pryd—a ddylem gynnal ymchwiliad cyhoeddus ac a fyddai hwnnw'n dweud unrhyw beth wrthym ni nad oeddem eisoes

Government, the social services and the police. We also had to consider whether the young people who had suffered should be made to re-live the traumatic events. Would it be worthwhile and what would the effects be on them? In addition, we had to consider those who might be named during the inquiry who could be innocent, but would not have the opportunity of defending themselves for months or even years later.

3:59 p.m.

To help us, we commissioned Nicola Davies QC to advise the Government in May 1999 as to whether we needed a public inquiry. She reported in the summer of 1995 and recommended that, in her judgement, we did not need a public inquiry because it would not tell us anything we did not already know. However, in her report, she also described social services in north Wales, and in Gwynedd in particular—and I will not forget the words as long as I live—as chaotic. A Queen's Counsel used the word 'chaotic'. They do not use colourful language lightly. As a result of that and other comments that Nicola Davies made, we commissioned Adrienne Jones to consider the various childcare procedures and practices of social services in north Wales, and she reported in June 1996. I am pleased that the Secretary for Health and Social Services, in answer to a written question from me at the beginning of February, said that the implementation of Adrienne Jones's recommendations are ongoing and will be completed.

During this time, there were charges that the Government was covering up. Nothing could be further from the truth. The First Secretary may recall a meeting at the then Welsh Office between himself and two of his Parliamentary colleagues from north Wales, and myself, the then Secretary of State for Wales, the then Permanent Secretary and other senior officials. He may recall being

yn ei wybod. Ystyr 'ni', yn hyn o beth, yw'r Llywodraeth, y gwasanaethau cymdeithasol a'r heddlu. Yr oedd yn rhaid inni ystyried hefyd a ddylid gorfodi'r bobl ifanc a oedd wedi dioddef i ail-fyw'r digwyddiadau trawmatig. A fyddai hynny'n werthfawr mewn unrhyw ffordd a pha effeithiau a gâi hynny arnynt hwy? Yn ogystal, yr oedd yn rhaid inni ystyried y sawl a allai gael eu henwi yn ystod yr ymchwiliad, a allai fod yn ddieuog ond na fyddai cyfle iddynt amddiffyn eu hunain am fisoedd neu hyd yn oed flynyddoedd wedyn.

I'n helpu, comisiynwyd Nicola Davies QC i gynghori'r Llywodraeth ym Mai 1999 ynghylch a oedd angen ymchwiliad cyhoeddus. Cyflwynodd adroddiad yn ystod haf 1995 gan argymhell, yn ei barn hi, nad oedd angen ymchwiliad cyhoeddus arnom oherwydd na fyddai'n dweud unrhyw beth wrthym nad oeddem eisoes yn ei wybod. Fodd bynnag, yn ei hadroddiad, disgrifiodd hefyd y gwasanaethau cymdeithasol yng ngogledd Cymru, ac yng Ngwynedd yn benodol—ac nid anghofiaf y geiriau tra byddaf fyw—fel 'chaotic'. Defnyddiodd Cwnsler y Frenhines y gair 'chaotic'. Nid ydynt yn defnyddio iaith liwgar yn ysgafn. O ganlyniad i'r sylw hwnnw a sylwadau eraill gan Nicola Davies, comisiynwyd Adrienne Jones i ystyried gweithdrefnau ac arferion gofal plant amrywiol gwasanaethau cymdeithasol yng ngogledd Cymru, a chyflwynodd ei hadroddiad ym Mehefin 1996. Yr wyf yn falch bod yr Ysgrifennydd Iechyd a Gwasanaethau Cymdeithasol, wrth ateb cwestiwn ysgrifenedig gennyf ddechrau Chwefror, wedi dweud bod argymhellion Adrienne Jones yn dal i gael eu gweithredu ac y byddant yn cael eu cwblhau.

Yn ystod y cyfnod hwn, cafwyd cyhuddiadau bod y Llywodraeth yn cuddio rhywbeth. Nid oedd dim ymhellach oddi wrth y gwir. Efallai y bydd y Prif Ysgrifennydd yn cofio cyfarfod yn y Swyddfa Gymreig, fel yr oedd ar y pryd, rhyngddo ef a dau o'i gydweithwyr Seneddol o ogledd Cymru, a finau, Ysgrifennydd Gwladol Cymru ar y pryd, yr Ysgrifennydd Parhaol ar y pryd ac uwch swyddogion eraill.

satisfied at the end of the meeting that there was not a cover-up. However, while that was going on, Clwyd County Council had commissioned its own report by John Jillings. That report was not publishable, even in summary form, because of its content. I have read many reports and documents in the public sector, and it was one of the poorest presentations I have seen. He also failed to justify that a public inquiry was required.

On top of that, the fact that the report was not publishable increased public concern, anxiety and the question of a cover-up. To compound the problem, we had an appalling situation where an insurance company intervened and threatened that if Clwyd County Council published the report, it would no longer cover it. In other words, an insurance company was trying to influence the conduct of public policy. That was unacceptable, not only in Wales but throughout Whitehall. In that context, the then Secretary of State for Wales, William Hague, decided to have the Waterhouse public inquiry.

I am pleased that the Secretary for Health and Social Services mentioned emotional abuse and other forms of abuse that exist throughout the country, in addition to the sexual and physical abuses that capture the headlines. We must understand and remember that paedophiles and people who abuse children sexually and physically are insidious. Those people permeate all walks of life, including politics—

Gwenda Thomas: In view of what you said, do you think on reflection that it was ill advised of the Conservative Government, during the Major years, to have considered abolishing the regulation of play schemes lasting for less than six weeks? I am not making a political point. Do you also agree that never again in this country should consideration be given to deregulating play

Efallai y bydd yn cofio iddo fod yn fodlon ar ddiwedd y cyfarfod nad oedd unrhyw beth yn cael ei guddio. Fodd bynnag, tra bod hynny ar y gweill, yr oedd Cyngor Sir Clwyd wedi comisiynu ei adroddiad ei hun gan John Jillings. Nid oedd modd cyhoeddi'r adroddiad hwnnw, hyd yn oed ar ffurf crynodeb, oherwydd ei gynnwys. Yr wyf wedi darllen llawer o adroddiadau a dogfennau yn y sector cyhoeddus, a dyma un o'r cyflwyniadau gwaethaf a welais. Methodd yntau hefyd â chyfiawnhau bod angen ymchwiliad cyhoeddus.

Ar ben hynny, yr oedd y ffaith nad oedd modd cyhoeddi'r adroddiad yn peri mwy o bryder a phoen ymysg y cyhoedd, ac yn codi amheuan bod pethau'n cael eu cuddio. I waethygu'r broblem, cafwyd sefyllfa echrydus lle'r ymyrrodd cwmni yswiriant a bygwth, petai Cyngor Sir Clwyd yn cyhoeddi'r adroddiad, na fyddai'n darparu gwarchodaeth iddo ragor. Mewn geiriau eraill, yr oedd cwmni yswiriant yn ceisio dylanwadu ar y ffordd y gweithredid polisi cyhoeddus. Yr oedd hynny'n annerbyniol, nid yn unig yng Nghymru ond drwy Whitehall. Yn y cyd-destun hwnnw y penderfynodd Ysgrifennydd Gwladol Cymru ar y pryd, William Hague, i gynnal ymchwiliad cyhoeddus Waterhouse.

Yr wyf yn falch bod yr Ysgrifennydd Iechyd a Gwasanaethau Cymdeithasol wedi sôn am gam-drin emosiynol a cham-drin o fathau eraill sydd yn bodoli ym mhob rhan o'r wlad, yn ogystal â'r cam-drin rhywiol a chorfforol sydd yn cipio'r penawdau. Rhaid inni ddeall a chofio bod pedoffiliaid a phobl sydd yn cam-drin plant yn rhywiol ac yn gorfforol yn llechwraidd. Mae'r bobl hynny'n treiddio drwy bob rhan o fywyd, gan gynnwys gwleidyddiaeth—

Gwenda Thomas: Gyda golwg ar yr hyn a ddywedaso, a ydych yn credu, ag edrych yn ôl, ei bod yn gamgymeriad ar ran y Llywodraeth Geidwadol yn ystod blynyddoedd Major, i ystyried dileu rheoleiddio cynlluniau chwarae llai na chwech wythnos o hyd? Nid wyf yn gwneud pwynt gwleidyddol. A gytunwch hefyd na ddylem byth eto yn y wlad hon ystyried

schemes or any other schemes that have the care of children at heart?

Rod Richards: Perhaps you recall that we planned to introduce the nursery voucher scheme at the time. We were not going to abolish the monitoring or registering of schemes for children in the private or public sector.

To return to the insidiousness—

Gwenda Thomas *rose*—

Rod Richards: I will not take another intervention because a lot of people want to speak.

To consider the insidiousness of this, you must look at the situation in Belgium where paedophilia is rife in society and is seen in all walks of life. We must be on our guard against the people who live a lie. They are devious, skilled and seasoned liars. They are what you might describe as the enemy within. I told the Secretary for Health and Social Services a few weeks ago that the Mental Health Act 1983 should be amended because paedophiles and people who commit these crimes are mentally sick and should be sectioned under the Mental Health Act. I referred at the time to the former First Secretary's role as a Minister in the Home Office.

I will concentrate on one set of the recommendations in the Waterhouse report. I was concerned that Waterhouse put detection and response as the first set of recommendations. Prevention of abuse was the second set. I hope that the Government will not prioritise in that way. The primary duty of the police force in this country is prevention. When it is time for detection and response, the horse has already bolted from the stable and you are closing the door thereafter.

I am concerned that, in his twenty-third recommendation, Waterhouse refers to the

dadreoleiddio cynlluniau chwarae nac unrhyw gynlluniau eraill sydd yn ymwneud yn eu hanfod â gofalu am blant?

Rod Richards: Efallai y cofiwch inni fwriadu cyflwyno'r cynllun talebau meithrin ar y pryd. Nid oeddem yn mynd i ddileu monitro na chofrestru cynlluniau i blant yn y sector preifat nac yn y sector cyhoeddus.

I ddychwelyd at natur lechwraidd—

Gwenda Thomas *a gododd*—

Rod Richards: Nid wyf am dderbyn ymyriad gan unrhyw un arall oherwydd bod llawer o bobl am siarad.

Er mwyn ystyried natur lechwraidd hyn, rhaid ichi edrych ar y sefyllfa yng ngwlad Belg lle mae pedoffilia'n rhemp yn y gymdeithas ac i'w weld ym mhob agwedd ar fywyd. Rhaid inni fod yn wyliadwrus rhag y bobl sydd yn byw celwydd. Maent yn gelwyddgwn twyllodrus, clyfar a phrofiadol. Gellid eu disgrifio fel y gelyn oddi mewn. Dywedais wrth yr Ysgrifennydd Iechyd a Gwasanaethau Cymdeithasol ychydig wythnosau'n ôl y dylid diwygio Deddf Iechyd Meddwl 1983 oherwydd bod pedoffiliaid a phobl sydd yn cyflawni'r troseddau hyn yn sâl eu meddwl a dylid eu gwneud yn destun gorchymyn dan y Ddeddf Iechyd Meddwl. Ar y pryd, cyfeiriais at swyddogaeth y cyn Brif Ysgrifennydd fel Gweinidog yn y Swyddfa Gartref.

Canolbwyntiaf ar un set o argymhellion yn adroddiad Waterhouse. Yr oeddwn yn bryderus bod Waterhouse wedi gosod canfod ac ymateb gyntaf yn ei argymhellion. Atal cam-drin oedd yr ail set. Gobeithiaf nad yn y drefn honno y bydd y Llywodraeth yn gosod ei blaenoriaethau. Prif ddyletswydd yr heddlu yn y wlad hon yw atal. Pan ddaw'r adeg i ganfod ac ymateb, mae'r ceffyl eisoes wedi dianc drwy ddrws y stabl a chithau'n ei gau'n rhy hwyr.

Yr wyf yn bryderus bod Waterhouse, yn ei drydydd argymhelliad ar hugain, yn cyfeirio

need for social services departments to,

‘exercise vigilance in the recruitment and management of their staff in strict accordance with the detailed recommendations of the Warner committee’.

That is not good enough. I was horrified a few weeks ago when the Secretary for Health and Social Services announced, as did her colleagues in London, that the Government was searching for 28 people who are named in the Waterhouse report. Is Her Majesty’s Government, with all its state of the art information systems, searching for 28 people? The Inland Revenue would have found them tomorrow. The Inland Revenue could have found Robinson Crusoe.

The present system of vetting people who work with children in care is a system of negative vetting. You check with the police, people fill in forms, you check whether they are basically correct and whether the police have records of the people. It is negative vetting. No trace of them appears, therefore their box is ticked and they can work with children, notwithstanding the Department of Health’s Consultancy Index. Essentially, it is negative vetting.

My main point to the First Secretary and the Secretary for Health and Social Services is that, if we are serious about prevention, we must go for positive vetting of people who look after children in care, whether they are in foster or residential care. The Assembly is fortunate because each Government department is its own vetting agency. This Assembly is its own vetting agency. We can vet whoever we wish at whatever level we wish. We can choose developed positive vetting, which is thorough. I know because I have been through it to protect the Government’s secrets. Is the person trustworthy? Is the subject under investigation vulnerable to attack by a hostile intelligence agency? We are asking whether a child is vulnerable to sexual attack from the subject under investigation. If positive

at y ffaith bod angen i adrannau gwasanaethau cymdeithasol,

‘ymarfer gwyliadwriaeth wrth recriwtio a rheoli eu staff yn gwbl unol ag argymhellion manwl pwyllgor Warner’.

Nid yw hynny’n ddigon da. Cefais fy arswydo ychydig wythnosau’n ôl pan gyhoeddodd yr Ysgrifennydd Iechyd a Gwasanaethau Cymdeithasol, fel y gwnaeth ei chydweithwyr yn Llundain, fod y Llywodraeth yn chwilio am 28 o bobl a enwir yn adroddiad Waterhouse. A yw Llywodraeth Ei Mawrhydi, gyda’i holl systemau gwybodaeth modern, yn chwilio am 28 o bobl? Byddai Cyllid y Wlad wedi cael hyd iddynt yfory. Gallai Cyllid y Wlad fod wedi dod o hyd i Robinson Crusoe.

Mae’r drefn bresennol o archwilio cefndir pobl sydd yn gweithio gyda phlant mewn gofal yn drefn archwilio negyddol. Rhaid gwirio gyda’r heddlu, bydd pobl yn llenwi ffurflenni, byddwch chithau’n sicrhau a ydynt yn sylfaenol gywir ac a oes gan yr heddlu gofnod o’r bobl. Archwilio negyddol yw hyn. Os nad oes sôn amdanynt, rhoddir tic yn eu blwch a chânt weithio gyda phlant, er gwaethaf Mynegai Ymgynghori’r Adran Iechyd. Yn ei hanfod, archwilio negyddol ydyw.

Fy mhrif bwynt i’r Prif Ysgrifennydd a’r Ysgrifennydd Iechyd a Gwasanaethau Cymdeithasol yw, os ydym o ddifrif ynglŷn ag atal, rhaid inni archwilio cefndir pobl sydd yn gofalu am blant mewn gofal mewn ffordd gadarnhaol, boed y plant hynny mewn gofal maeth neu ofal preswyl. Mae’r Cynulliad yn ffodus oherwydd bod pob un o adrannau’r Llywodraeth yn asiantaeth archwilio cefndir ynddi’i hun. Y Cynulliad yw asiantaeth archwilio cefndir ei hun. Gallwn archwilio cefndir unrhyw un y dymunwn ar ba lefel bynnag y dymunwn. Gallwn ddewis trefn archwilio gadarnhaol ddatblygedig sydd yn drwyadl. Gwn hynny oherwydd imi fod drwyddi er mwyn gwarchod cyfrinachau’r Llywodraeth. A oes modd ymddiried yn yr unigolyn? A yw’r pwnc sydd yn cael ei archwilio yn agored i ymosodiad gan

vetting is good enough for state secrets, it is good enough for our children. Positive vetting is not perfect but it is pretty good. It is an order of magnitude ahead of any kind of current vetting. There is no reason why the Assembly and local authorities cannot vet people who work with children in residential homes. An official somewhere is wondering what would be the cost of vetting. The cost for developing positive vetting would be £1,300 per person. We have just spent £12 million getting a report. Do we want to spoil a ship for a ha'p'orth of tar? You could positively vet 10,000 people for that £12 million. So, let us not say that we cannot do it.

4:09 p.m.

Finally, this matter offers the Assembly another opportunity to strike out, be first and do something different and new. Let us lead the way and show that we are taking this report seriously because it is the result of what happened in Wales—but it is also happening everywhere. Let us go for it. Let us not funk the issue and allow some committee to report back on it in two years' time. Let us get on with it and set up our own agency that will perform proper vetting procedures, because that is the only way. I have listened to all the contributions today, particularly that of the former First Secretary. Prevention is the number one priority; detection means that you have already lost the game.

Gareth Jones: Diolchaf am y cyfle i gyfrannu at y ddadl hon. Pan gyhoeddwyd adroddiad hir-ddisgwyliedig Waterhouse ar 16 Chwefror, manteisiais ar y cyfle i dynnu sylw at drosolwg a gomisiynwyd gan Gyngor Sir Clwyd yn dilyn catalog o ddiwyddiadau cam-drin plant yn un o'i gartrefi preswyl i blant mewn gofal, sef Cartrefle ym

asiantaeth wybodaeth elyniaethus? Y cwestiwn i'w ofyn yw a ydyw plentyn yn agored i ymosodiad rhywiol gan y person sydd yn cael ei archwilio. Os yw archwilio cefndir cadarnhaol yn ddigon da i gyfrinachau'r wladwriaeth, mae'n ddigon da i'n plant. Nid yw archwilio cadarnhaol yn berffaith ond mae'n eithaf da. Mae'n ben ac ysgwydd uwchben unrhyw fath o archwilio cefndir presennol. Nid oes rheswm pam na all y Cynulliad a'r awdurdodau lleol archwilio cefndir pobl sydd yn gweithio gyda phlant mewn cartrefi preswyl. Bydd swyddog yn rhywle yn meddwl beth fyddai cost yr archwilio cefndir hwnnw. Cost datblygu archwilio cefndir cadarnhaol fyddai £1,300 y pen. Yr ydym newydd wario £12 miliwn yn cael adroddiad. A ydym am golli pedol o eisiau hoelen? Byddai'r £12,000 hynny'n ddigon i dalu am archwilio cefndir cadarnhaol ar 10,000 o bobl. Felly, peidied neb â dweud na allwn wneud hynny.

Yn olaf, mae'r pwnc hwn yn cynnig cyfle arall i'r Cynulliad achub y blaen, bod yn gyntaf a gwneud rhywbeth gwahanol a newydd. Gadewch inni arwain y ffordd a dangos ein bod yn ystyried yr adroddiad hwn o ddifrif oherwydd ei fod yn ganlyniad i'r hyn a ddiwyddodd yng Nghymru—ond yn rhywbeth sydd hefyd yn digwydd ym mhobman. Gadewch inni fynd â'r maen i'r wal. Gadewch inni beidio ag osgoi'r broblem a gadael i ryw bwyllgor adrodd yn ôl arni ymhen dwy flynedd. Gadewch inni fwrw ymlaen a sefydlu ein hasiantaeth ein hunain a fydd yn dilyn trefn archwilio cefndir iawn oherwydd mai dyna'r unig ffordd. Yr wyf wedi gwrandao ar bob cyfraniad heddiw, yn enwedig gyfraniad y cyn Brif Ysgrifennydd. Atal yw'r brif flaenoriaeth; mae canfod yn golygu eich bod eisoes wedi colli'r gêm.

Gareth Jones: I am grateful for the opportunity to contribute to this debate. When the long-awaited Waterhouse report was published on 16 February, I took advantage of the opportunity to draw attention to an overview commissioned by Clwyd County Council following a catalogue of child abuse incidents in one of its

Mrychdyn. Nid wyf eisiau ailadrodd yr hyn a ddywedais bryd hynny, ond atgyfnerthaf rai o'r pwyntiau a'r gwersi a ddaeth i'r amlwg o ganlyniad i'r trosolwg yr oeddwn yn rhan ohono bron 10 mlynedd yn ôl.

Gwahoddwyd y plant a gafodd eu cam-drin dros gyfnod o bum mlynedd a rhagor i gyflwyno tystiolaeth ger bron tribiwnlys Waterhouse, a chofnodir y digwyddiadau erchyll hynny yn yr adroddiad. Carcharwyd y dyn a oedd yn rhedeg y cartref am dair blynedd a hanner am ei droseddau. Daethpwyd ag achosion eraill yn ei erbyn yn ddiweddarach ac estynnwyd ei dymor yn y carchar. Yr oedd casgliadau'r trosolwg ac ymholiadau eraill cyffelyb—cyfeiriodd Rod Richards at adroddiad Jillings—yn cadarnhau'r gri i bethau newid yn sylweddol ac yn sylfaenol.

Ystyriwch sut y mae Cartrefle wedi cael ei ddisgrifio yn adroddiad Waterhouse a gofynnwch a yw'n debygol o ddigwydd heddiw.

'Tŷ gweddol fach oedd Cartrefle, a ymddangosai fel tŷ cyngor, ar brif ffordd drws nesaf i swyddfa'r heddlu, ym Mrychdyn...fe'i disgrifiwyd fel cartref ar gyfer hyd at 10 o blant hyn gan fwyaf.'

Penodwyd y swyddog â gofal, sef y pennaeth, ar 9 Gorffennaf 1984. Ni hysbyswyd y swydd ac ni chafodd gyfweiliad. Gwaharddwyd ef o'i waith yn 1990. Yn ôl pob sôn, methodd â gweinyddu'r cartref ac yr oedd bron yn anllythrennog.

Apwyntiwyd olynnydd dros dro yn 1990. Ni hysbysebwyd y swydd ac ni chafodd gyfweiliad. Ataliwyd ef o'i ddyletswyddau ar 17 Medi 1992 oherwydd ei ymddygiad tuag at y plant. Gwrandawsom ar David Melding yn sôn am yr elfen gofrestru a'r angen efallai am hynny. Dyna'r math o ddigwyddiadau a gafwyd bryd hynny.

Aeth y catalog o gamgymeriadau rhagddo nes y caewyd y cartref yn 1993. Ni wn beth a wnewch o'r darlun byr hwnnw o un cartref

residential homes for looked-after children, namely Cartrefle in Broughton. I do not wish to repeat what I said at that time, but I will reinforce some of the points and lessons that came to the fore as a result of the overview, in which I participated almost 10 years ago.

The children who were abused over a period of five years and more were invited to give evidence to the Waterhouse tribunal, and those horrific events are recorded in the report. The man who ran the home was imprisoned for three and a half years for his offences. Other cases were brought against him later and his prison term was extended. The overview's findings and those of other similar investigations—Rod Richards referred to the Jillings report—confirmed that there was a need for things to change substantially and fundamentally.

Consider how Cartrefle has been described in the Waterhouse report and ask yourselves whether this is likely to happen today.

'Cartrefle was quite a small house, of council house appearance, on a main road next door to a police station at Broughton...it was described as a home for up to 10 mainly older children.'

The officer in charge, namely the principal, was appointed on 9 July 1984. The post was not advertised and he was not interviewed. He was suspended in 1990. Allegedly, he failed to administer the home and was almost illiterate.

A temporary successor was appointed in 1990. The post was not advertised and he was not interviewed. He was suspended from his duties on 17 September 1992 because of his conduct towards the children. We listened to David Melding talking about the element of registration and the need perhaps for that. Those were the kind of events that happened at that time.

The catalogue of errors proceeded until the home was closed in 1993. I do not know what you make of that snapshot of one home

ond mae'n tanlinellu diffygion anghredadwy o sylfaenol. Yn fwy na hynny, mae'n dangos pa mor fradwrus oedd y diwylliant: yr oedd diffyg cynhaliath ac empathi tuag at y plant. Nid oedd unrhyw un o ddifrif eisiau gwybod amdanynt. Yr oeddent yn y cartref ac yr oedd hynny'n ddigon. Gadewch iddynt fynd i gartref o'r ffordd—dyna oedd y diwylliant bryd hynny.

Nid oedd y diwylliant neu'r gynhaliath hyd yn oed yn mynd ar ôl tystlythyrau, neu'n cadarnhau profiad neu gymhwysterau'r unigolion a benodwyd i'r swyddi. Mae neges amlwg yn y fan honno. Pan soniwn am gydweithio, y mae'n eironig bod y cartref hwnnw y drws nesaf i orsaf yr heddlu.

Casgliad cyffredinol Waterhouse ar Gartrefle yw—er gwaethaf y ffaith ei fod yn gartref cymuned a adeiladwyd at y pwrpas, yn gofalu am nifer fach o blant—bod ei hanes o 1984 ymlaen yn drychinebus. Wrth wraidd y broblem yr oedd staffio anaddas, ond pwysleisiwyd rhychwant o fethiannau eraill. Cyfeiriasoch at rai ohonynt yn ddeheuig y prynhawn yma. Cyfeiriasoch hefyd at yr hyn a ddylai ddigwydd i wella rheolaeth wan neu drychinebus, megis cyfleoedd i hyfforddi staff i oruchwyllo a monitro'n effeithiol. Dyna'r pethau sydd angen eu gwneud, ynghyd â sicrhau y ceir ymweliadau, arolygiadau ac ati.

Bryd hynny, nid oedd modd i blant ddianc o'r erchylltra hwnnw. Nid oedd unrhyw un yn eu cymryd o ddifrif. Yr oedd y diwylliant yn estroneiddio ac yn bradychu'r plant, ac yn eu hamddifadu o ofal a chariad. Digwyddodd hynny am flynyddoedd. A yw pethau wedi newid? A all yr un pethau ddigwydd heddiw? A ydynt yn digwydd heddiw? Maent yn gwestiynau rhyngol, efallai, ond yn rhai y dylem eu gofyn. Y gobaith mawr yw y bydd adroddiad Waterhouse, unwaith ac am byth, yn rhoi gweithdrefnau effeithiol a dibynadwy yn eu lle fel bod gan bob plentyn gyfle i achwyn neu i dynnu sylw eraill at ei sefyllfa neu ei bryderon. Dyna'r gobaith a'r bwriad.

Bydd sefydlu diwylliant o wir ofal, empathi a phryder am y plentyn yn her sylweddol.

but it underlines incredibly fundamental deficiencies. More than that, it shows how treacherous the culture was: there was lack of support and empathy towards the children. No one really wanted to know about them. They were in the home and that was enough. Let us get them out of the way into a home—that was the culture of the time.

The culture or support did not even follow up references, or confirm the experience or qualifications of the individuals appointed to the posts. There is an obvious message there. When we mention co-operation, it is ironic that that home is next door to the police station.

Waterhouse's general conclusion on Cartrefle is—notwithstanding the fact that it was a purpose-built community home, caring for a small number of children—that its history from 1984 onwards was disastrous. At the root of the problem was inappropriate staffing, but a range of other failures were emphasised. You referred ably to some of them this afternoon. You also referred to what should happen to improve poor or disastrous management, such as opportunities to train staff to supervise and monitor effectively. Those are the things that need to be done, as well as ensuring that visits, inspections and so forth are carried out.

At that time, children could not escape from those horrors. No one took them seriously. The culture was alienating and betrayed the children, and deprived them of care and love. That happened for years. Have things changed? Can similar things happen today? Are they happening today? Those are rhetorical questions, perhaps, but ones that we should ask. The great hope is that the Waterhouse report will, once and for all, put effective and dependable procedures in place so that all children have the opportunity to complain or to draw the attention of others to their situation or their concerns. That is the hope and intention.

Establishing a culture of true care, empathy and concern for the child will be a substantial

Peidied neb â meddwl bod hynny'n hawdd. Mae newid o un diwylliant i'r llall yn her aruthrol. Ni allwch wneud hynny oni bai fod pŵer statudol i symud pethau ymlaen.

challenge. No one should think that that is easy. Changing from one culture to another is a huge challenge. You cannot do that unless there are statutory powers to move things forward.

A wnaiff pethau newid o ddifrif? Yr oedd adroddiad Cleveland i fod i newid pethau. A derbyn y gwelwn ganllawiau a gweithdrefnau effeithiol—ac mae eraill wedi cyfeirio at hynny y prynhawn yma—gwnaf sylw ar un dimensiwn sydd yn deillio o'm profiad yn ymwneud â Chyngor Sir Clwyd ac â'r trosolwg hwnnw ar Gartrefle. Drwy ymateb i'r argymhelliad hwnnw yn adroddiad Waterhouse, gallem weld newid sylweddol er gwell.

Will things really change? The Cleveland report was supposed to change things. Assuming that we will see effective guidelines and procedures—and others have referred to that this afternoon—I will comment on one dimension that stems from my experience with Clwyd County Council and that overview of Cartrefle. By responding to that recommendation in the Waterhouse report, we could see a substantial change for the better.

Mae adroddiad Waterhouse yn frith o gyfeiriadau at ymholiadau i achosion blaenorol o gam-drin plant. Yr wyf yn siŵr eich bod wedi darllen yr adroddiad ac wedi gweld hynny. Nid Cartrefle yw'r unig enghraifft. Mae nifer o adroddiadau ac ymholiadau mewnol. Mae'r adroddiad hefyd yn ein hatgoffa na chyhoeddwyd ac na ddefnyddiwyd llawer o'r wybodaeth neu'r dystiolaeth a oedd ynddynt i ddwyn achosion yn erbyn unigolion a oedd dan amheuaeth o gam-drin plant.

There are a plethora of references in the Waterhouse report to inquiries to previous cases of child abuse. I am sure that you have read the report and have seen that. Cartrefle is not the only example. There are several internal reports and investigations. The report also reminds us that much of the information or evidence in them was not published or used to bring cases against individuals who were suspected of child abuse.

4:19 p.m.

Derbyniaf sylwadau Rod Richards. Mae'n bosibl bod y modd y lluniwyd yr adroddiad wedi rhwystro pethau rhag cael eu symud ymlaen. Rhoddir nifer o resymau pam y bu'n amhosibl gweithredu ar y manylion a'u cyhoeddi. Deilliai hynny yn bennaf o'r ofn y byddai achosion o iawndal yn cael eu dwyn yn erbyn yr awdurdod pe bai'r achos yn methu yn y llys. Mae'r gyfraith ddifendad yn ddyrys a rhaid bod yn ofalus, fel y dywedodd Alun Michael yn gynharach. Pan fo cwyn yn cael ei gwneud, rhaid bod ar dir cadarn oherwydd y bydd pobl ddiniwed yn dioddef. Mae'r gyfraith ddifendad yn bwysig. Ceir sawl cyfeiriad at rôl y cwmni yswiriant yn hyn. Yn ogystal, dim ond canran isel o'r achosion a gyflwynwyd i Wasanaeth Erlyn y Goron a drosglwyddwyd i'r llysoedd.

I accept Rod Richards's comments. It is possible that the way in which the report was formulated prevented things from being taken forward. Several reasons are given as to why it was impossible to act on the details and publish them. That arose mainly from the fear that compensation cases would be brought against the authority if the case failed in court. The defamation law is complex and care must be taken, as Alun Michael said earlier. When a complaint is made, we must be on firm ground because innocent people will suffer. The law of defamation is important. Many references are made to the role of the insurance company in this. In addition, only a small percentage of the cases that were presented to the Crown Prosecution Service were referred to the courts.

Dyfynnir hefyd fod y mater wedi ei drosglwyddo i'r heddlu, fel sydd yn digwydd yn aml gydag ymholiadau mewnol. Golyga hynny fod pethau yn mynd ymlaen yn ôl yr arfer. Ni feiddiwyd ymgymryd â threfn ddisgyblaethol—teimlwyd ei bod yn ddigon bod y mater yn nwylo'r heddlu. Mae hynny'n gamgymeriad ar adegau. Rhaid ichi ystyried eich staff ac ymgymryd, yn eofn efallai, â disgyblu. Ceir sawl cyfeiriad tebyg at adael pethau mewn limbo ac at ddiffyg gweithredu. Mae'r adroddiad yn condemnio'r awyrgylch o fod yn or-ofalus ac erfynia'n daer ar i Gomisiwn y Gyfraith ystyried y materion cyfreithiol sydd yn codi wrth gynnal ymholiadau o'r fath—rhai a gychwynwyd gan awdurdodau lleol neu gyrff cyhoeddus eraill—a phan gyhoeddir adroddiadau tebyg.

Mae ymholiadau'n digwydd ac mae pobl yn ofni cyhoeddi eu canlyniadau oherwydd y gall hynny achosi problemau. Oherwydd hynny, mae plant yn dioddef. Mae Syr Ronald Waterhouse yn adnabod ac yn cydnabod hynny. Mae hyn yn cyd-fynd â gwelliannau Kirsty Williams a Helen Mary Jones, sef mai'r allwedd i hyn yw pwerau'r comisiynydd plant. Cytunaf. Pe gallech newid y Ddeddf i roi grym i'r comisiynydd i gynnal ymholiadau a gorchymyn bod gwybodaeth yn cael ei datgelu, byddai'n gam sylweddol ymlaen. Cyfeirir at hynny ar dudalen 485 o'r adroddiad. Gwn eich bod wedi darllen yr adroddiad o glawr i glawr, ond erfyniaf arnoch i edrych yn ofalus ar baragraff 32.61.

'The legal and contractual issues that arise in relation to the conduct of inquiries of the kind that we have discussed and the publication of reports on them are matters of public concern that deserve further consideration at a high level.'

Sir Ronald goes on to discuss the points to which reference should be made.

It is also quoted that the matter was referred to the police, as often happens with internal investigations. That means that things go on as usual. They did not dare take disciplinary steps—it was felt that it was sufficient that the matter was in police hands. That is sometimes a mistake. You must consider your staff and undertake, boldly perhaps, disciplinary action. Many similar references are made to leaving things in limbo and failing to take action. The report condemns the atmosphere of being over-cautious and it implores the Law Commission to consider the legal matters that arise when holding such investigations—ones initiated by local authorities or other public bodies—and when similar reports are published.

Investigations take place and people are afraid of publishing their results because that can cause problems. Consequently, children suffer. Sir Ronald Waterhouse recognises and acknowledges that. This corresponds to Kirsty Williams's and Helen Mary Jones's amendments, namely that the key to this is the powers of the children's commissioner. I agree. If you could change the Act to give the commissioner power to undertake investigations and order that information is disclosed, it would be a substantial step forward. That is referred to on page 485 of the report. I know that you have read the report from cover to cover, but I implore you to look carefully at paragraph 32.61.

Mae Syr Ronald yn mynd rhagddo i drafod y pwyntiau y dylid cyfeirio atynt.

'(1) Should there not be a general statutory provision enabling local authorities to institute inquiries into matters of wide public concern and to publish the reports of such inquiries to the public at large with the protection of qualified privilege, whether or not the public has a sufficient interest in receiving the report within the terms of present legislation?'

Y Prif Ysgrifennydd (Rhodri Morgan): Yr unig bwynt a gofiai o'r adeg honno, heblaw am y cyfarfod y cyfeiriodd Rod Richards ato, yw y gofynasom i'r Llywodraeth osod copi o

The First Secretary (Rhodri Morgan): The only point that I recall from that time, apart from the meeting to which Rod Richards referred, is that we asked the Government to

adroddiad Jillings yn llyfrgell Tŷ'r Cyffredin, o bosibl gyda'r enwau wedi eu dileu. Gallai Uwch Bwyllgor Cymreig Tŷ'r Cyffredin wedyn fod wedi cynnal dadl undydd yn yr Wyddgrug ar yr adroddiad hwnnw. Dyna oedd y gwahaniaeth rhwng y Blaid Lafur, fel yr Wrthblaid, a'r Llywodraeth. Yr oedd y Ceidwadwyr yn amharod i ddefnyddio'r ddyfais honno. Derbyniaf mai dyfais ydyw. Fodd bynnag, os gellir newid y gyfraith, ni ddylai awdurdodau lleol, sydd yn cynnal ymholiadau tebyg i Jillings, orfod defnyddio'r ddyfais o ddefnyddio llyfrgell Tŷ'r Cyffredin i gael y '*qualified privilege*' y sonia Gareth Jones ac adroddiad Waterhouse amdano.

Rod Richards: Hoffwn daflu ychydig mwy o olau ar y pwynt hwn. Nid adroddiad y Llywodraeth oedd adroddiad Jillings ond adroddiad Cyngor Sir Clwyd. Nid oedd gan y Swyddfa Gymreig, felly, y pŵer i gyhoeddi'r adroddiad heb ganiatâd Cyngor Sir Clwyd.

Gareth Jones: Nid wyf i yma i ddadlau am adroddiad Jillings, ond yr wyf yn ymwybodol o'r drafferth ar yr adeg honno. Y pwynt sydd gennyf yw bod nifer o ymholiadau tebyg wedi cymryd lle, er enghraifft Cartrefle, Chevet Hey a Jillings, a chrybwyllir nifer yn adroddiad Waterhouse. Yr ail bwynt yr hoffwn ei ddyfynnu yw,

'(2) If not, should not the limits of legitimate publication of such reports be defined in order to safeguard the position of elected members and officers in discharging their public duty?'

Ni ddyfynnaf yr holl bwyntiau yr hoffwn dynnu sylw atynt. Gorrffennaf gyda dyfyniad, sydd yn dod o adroddiad Waterhouse.

'We consider that the problems underlying these issues are likely to recur quite frequently and that they are suitable for consideration by the Law Commission.'

Ailadroddaf fy hun drwy ofyn ichi ystyried a fydd hyn yn digwydd eto. Nid ydym wedi datrys unrhyw beth hyd yn hyn, ar wahân i'r dilyniant a welwyd mewn rhai achosion a ddaeth i'r amlwg. Dywed Waterhouse fod yn rhaid inni fod yn ofalus yn y dyfodol. Rhaid inni fod yn barod ar gyfer y math hwnnw o ddatblygiadau. Awgrymaf eto y dylem

place a copy of the Jillings report in the House of Commons library, possibly with the names deleted. The Welsh Grand Committee of the House of Commons could then have held a one-day debate in Mold on that report. That was the difference between the Labour Party, as the Opposition, and the Government. The Conservatives were unwilling to use that device. I accept that it is a device. However, if the law can be changed, local authorities, which hold investigations such as Jillings, should not have to use the device of using the House of Commons library to obtain the qualified privilege to which Gareth Jones and the Waterhouse report refer.

Rod Richards: I wish to shed a little more light on this point. The Jillings report was not a Government report, but a Clwyd County Council report. Therefore, the Welsh Office did not have the power to publish the report without the permission of Clwyd County Council.

Gareth Jones: I am not here to argue about the Jillings report, but I am aware of the difficulty at that time. My point is that several similar investigations have taken place, for example Cartrefle, Chevet Hey and Jillings, and many are mentioned in the Waterhouse report. The second point that I would like to quote is,

I will not quote all the points to which I would like to draw attention. I will close with a quote, which comes from the Waterhouse report.

I repeat myself by asking you to consider whether this will happen again. We have not solved anything to date, apart from the follow-up seen in some cases that came to light. Waterhouse states that we must be careful in the future. We must be prepared for that kind of development. I suggest again that we should return to that part of the

ddychwelyd at y rhan honno o'r adroddiad. Yr wyf yn sicr y cytunwch ei bod yn rhan holl bwysig, os ydym mewn gwirionedd yn mynd i newid y sefyllfa mewn perthynas â Waterhouse. Cynhelir ymholiadau eraill yn y dyfodol. Beth a ddigwydd i'r rheini? Ai eistedd ar y silff yn hel llwch y byddant, neu a ddaw newid statudol? Pe bai defnydd llawn wedi ei wneud o gasgliadau holl ymchwiliadau'r gorffennol, a phe bai camau perthnasol wedi eu cymryd mewn da bryd, mae'n bosibl na fyddai adroddiad Waterhouse wedi bod yn angenrheidiol ac y gallem fod wedi arbed y miliynau a wariwyd ar y tribiwnlys a'r ymchwiliad. Byddai hefyd wedi bod yn bosibl inni wella ansawdd bywyd a phrofiadau dwsinau o blant yn y cyfamser.

Fy neges i'r Cynulliad yw y dylai ein hymateb roi cefnogaeth i argymhelliad a chasgliad 44 yn adroddiad Waterhouse, lle y nodir y dylid cyfeirio adroddiadau a'u cyhoeddiad at Gomisiwn y Gyfraith. Os gallwn wneud hynny ac os yw Comisiwn y Gyfraith yn fodlon trosglwyddo'r pwerau hynny i'r comisiynydd plant, bydd hynny'n ateb yr un broblem.

Mae disgwyliadau oherwydd adroddiad Waterhouse ond, oni bai y ceir newid cadarn mewn deddfwriaeth, mewn 10 neu 15 mlynedd byddwn yn yr un sefyllfa ac yn ystyried adroddiad arall.

4:29 p.m.

Ann Jones: I do not intend to take up much time in this debate, because I know that other Members wish to speak. However, I add my name to those of others in thanking Sir Ronald Waterhouse for conducting such a thorough inquiry and producing a comprehensive and balanced report. I will emphasise a few points.

Sir Ronald and his colleagues have had a proper regard for the status of their inquiry. They recognised that they were not a court of law and exercised discretion in naming individuals who were not the subject of criminal proceedings or properly verifiable

report. I am sure that you will agree that it is a crucial part, if we are to truly change the situation in relation to Waterhouse. Further investigations will be held in the future. What will happen to those? Will they sit on the shelf, collecting dust, or will there be statutory change? If full use had been made of the findings of all past investigations, and if relevant steps had been taken early enough, it is possible that the Waterhouse report would have been unnecessary and that we could have saved the millions spent on the tribunal and investigation. It would also have been possible to improve the quality of life and experiences of dozens of children in the interim.

My message to the Assembly is that our response should give support to recommendation and conclusion 44 of the Waterhouse report, where it is noted that reports and their publication should be referred to the Law Commission. If we can do that and if the Law Commission is willing to transfer those powers to the children's commissioner, that will answer the same problem.

There are expectations because of the Waterhouse report but, unless there is a firm change in legislation, in 10 or 15 years' time we will be in the same situation and considering another report.

Ann Jones: Ni fwriadaf gymryd llawer o amser yn y ddadl hon, oherwydd gwn fod Aelodau eraill am siarad. Fodd bynnag, ychwanegaf fy enw at enwau pobl eraill wrth ddiolch i Syr Ronald Waterhouse am gynnal ymchwiliad mor fanwl a chynhyrchu adroddiad cynhwysfawr a chytbwys. Pwysleisiaf ambell bwynt.

Mae Syr Ronald a'i gydweithwyr wedi rhoi sylw dyledus i statws eu hymchwiliad. Yr oeddent yn cydnabod nad llys barn mohonynt ac yr oeddent yn ofalus wrth enwi unigolion nad oeddent yn destun achos troseddol neu gyhuddiadau y gellid eu dilysu'n iawn. Un

allegations. One great difficulty that they faced was the considerable length of time that elapsed between the period when the abuse began and the present day—some 25 years. That made it far more difficult than it would otherwise have been for the inquiry, North Wales Police and other bodies to conduct a proper investigation and collate sufficient reliable evidence to construct a robust case for making grave judgments on individuals. Nevertheless, the gigantic volume of evidence documented in the report makes it clear that horrendous, sustained and institutionalised child sexual abuse took place in Clwyd.

There were also widespread and unacceptable levels of physical abuse, even allowing for the challenging behaviour of the children, the inadequate staff training provided in those days, and the different standards that were widely accepted at that time.

Although Sir Ronald Waterhouse has shown considerable restraint, the same cannot be said about the media coverage of the proceedings and the report. We must take care to avoid hysteria and the hunt for scapegoats. There were various individual errors and misjudgments, but the principal reason why the problems in Clwyd and Gwynedd were not detected earlier was due to the structural failings of social services departments in oversight, inspection and procedure. That was not confined to Clwyd and Gwynedd social services departments. Their procedures were no worse than those of many other authorities. The difficulty was that in Clwyd, individuals charged with delivering care flagrantly abused the trust placed in them.

Senior management in Clwyd's social services department were at fault in not taking remedial action when their attention was drawn to problems in individual institutions. Waterhouse also concluded that councillors on Clwyd's social services

anhawster mawr yr oeddent yn ei wynebu oedd y cyfnod hir a oedd wedi mynd heibio ers y cyfnod pan y dechreuodd y cam-drin tan heddiw—tua 25 mlynedd. Yr oedd hynny'n yn ei gwneud hi'n llawer anos i'r ymchwiliad, i Heddlu Gogledd Cymru ac i gyrff eraill, nag a fyddai wedi bod fel arall, i ymchwilio'n iawn a chasglu tystiolaeth ddibynadwy ddigonol i adeiladu achos cadarn dros lunio barn ddifrifol ynglŷn ag unigolion. Fodd bynnag, mae'r swm anferth o dystiolaeth a ddogfennwyd yn yr adroddiad yn ei gwneud yn glir bod plant yng Nghlwyd wedi cael eu cam-drin yn rhywiol a hynny'n erchyll dros gyfnod hir ac mewn modd sefydliadol.

Yr oedd cam-drin corfforol yn digwydd hefyd ar lefel eang ac annerbyniol, hyd yn oed ag ystyried ymddygiad heriol y plant, annigonolrwydd yr hyfforddiant a roddwyd i'r staff yn y dyddiau hynny, a'r gwahanol safonau a oedd yn cael eu derbyn yn gyffredinol ar y pryd.

Er bod Syr Ronald Waterhouse wedi dangos cryn ymatal, ni ellir dweud yr un peth am ymdriniaeth y cyfryngau â'r digwyddiadau a'r adroddiad. Rhaid inni fod yn ofalus i osgoi hysteria a chwilio am fychau dihangol. Gwnaethpwyd camgymeriadau a phenderfyniadau gwael unigol amrywiol, ond y prif reswm pam na chafodd y problemau yng Nghlwyd ac yng Ngwynedd eu canfod yn gynt oedd oherwydd methiannau strwythurol adrannau gwasanaethau cymdeithasol o ran goruchwyllo, arolygu a gweithdrefnau. Nid dim ond yn adrannau gwasanaethau cymdeithasol Clwyd a Gwynedd y digwyddodd hynny. Nid oedd eu trefniadau hwy'n waeth na rhai nifer o awdurdodau eraill. Yr anhawster yng Nghlwyd oedd bod yr unigolion y rhoddwyd cyfrifoldeb am ddarparu gofal iddynt wedi camddefnyddio'r ymddiriedaeth a roddwyd ynddynt yn ddybryd.

Yr oedd uwch reolwyr adran gwasanaethau cymdeithasol Clwyd ar fai am beidio â chymryd camau i gywiro'r sefyllfa pan dynnwyd eu sylw at broblemau mewn sefydliadau unigol. Casglodd Waterhouse hefyd fod cynghorwyr ar bwyllgor

committee, before 1990, failed to properly discharge their responsibilities.

A difficulty arises in authorities where no party is in overall control, especially when there are large numbers of independent members. The absence of clear policy-making at the political level and straightforward lines of authority forces officers to take the lead and provide direction.

I am not making a party political point by noting that there was a major change in the management of the former Clwyd County Council following the 1989 elections when the Labour group formed a clear majority.

I single out, in particular, Councillor Malcolm King, who was chair of social services in Clwyd from 1990 until the dissolution of the authority. In the light of the major police investigations that began in 1991, it quickly became obvious that there were serious problems with childcare in Clwyd. Councillor King, along with the council leader at the time, Dennis Parry, and the new director of social services, John Jevons, concluded by 1992 that a proper investigation into the delivery of childcare throughout Clwyd was needed. It was felt that a full investigation would be best carried out by people from outside Clwyd, who had nothing to hide and no axes to grind. Sadly, at this stage, the Welsh Office was distinctly unenthusiastic about getting involved.

In this context, the social services committee in Clwyd decided to commission its own inquiry. It was felt that a clear understanding of the position across the authority was a matter of urgency. Hence the investigation by John Jillings.

It was disappointing that many people and organisations refused to have anything to do with Jillings, an attitude spearheaded, I am sorry again to note, by the then Welsh Office, which prior to 1996 made clear its hostility to such an investigation.

gwasanaethau cymdeithasol Clwyd, cyn 1990, wedi methu â chyflawni eu cyfrifoldebau'n iawn.

Mae anhawster yn codi mewn awdurdodau lle nad oes gan yr un blaid reolaeth lwyr, yn enwedig pan fo nifer fawr o aelodau annibynnol. Mae'r diffyg llunio polisiau clir ar lefel wleidyddol a diffyg llinellau awdurdod uniongyrchol yn gorfodi swyddogion i arwain a dangos y ffordd.

Nid gwneud pwynt ar ran plaid wleidyddol ydwyf drwy nodi bod newid mawr wedi bod yn nhrefn rheoli cyn Gyngor Sir Clwyd ar ôl etholiadau 1989 pan ffurfiodd y grŵp Llafur fwyaftrif clir.

Tynnaf sylw'n benodol at y Cynghorydd Malcolm King, a oedd yn gadeirydd gwasanaethau cymdeithasol Clwyd o 1990 tan i'r awdurdod ddod i ben. Yng ngoleuni'r archwiliadau mawr gan yr heddlu a ddechreuodd yn 1991, daeth yn amlwg yn fuan iawn fod problemau difrifol ym maes gofal plant yng Nghlwyd. Erbyn 1992, yr oedd y Cynghorydd King, ynghyd ag arweinydd y cyngor ar y pryd, Dennis Parry, a'r cyfarwyddwr gwasanaethau cymdeithasol newydd, John Jevons, wedi penderfynu bod angen archwiliad iawn i'r ffordd y darperid gofal plant ledled Clwyd. Teimlwyd mai pobl o'r tu allan i Glwyd fyddai'r gorau i gynnal archwiliad llawn. Nid oedd gan y rheini ddim i'w guddio na dim cyllyll i'w hogi. Yn anffodus, ar y pryd, nid oedd y Swyddfa Gymreig yn awyddus i ymwneud â'r peth o gwbl.

Yn y cyd-destun hwn, penderfynodd pwyllgor gwasanaethau cymdeithasol Clwyd gomisiynu ei ymchwiliad ei hun. Teimlwyd bod cael dealltwriaeth glir o'r sefyllfa ledled yr awdurdod yn fater o frys. Felly, cynhaliwyd yr archwiliad gan John Jillings.

Yr oedd yn siomedig bod llawer o bobl a sefydliadau wedi gwrthod cael dim i'w wneud â Jillings, agwedd a ysgogwyd, mae'n ddrwg gennyf nodi, unwaith eto, gan y Swyddfa Gymreig ar y pryd, a oedd, cyn 1996 wedi ei gwneud hi'n glir ei fod yn

elyniaethus i ymchwiliad o'r fath.

Neither I, nor I assume any other Assembly Members, with the possible exception of Rod Richards—who has left the Chamber—or Tom Middlehurst, who was leader of the now Flintshire unitary county council—took on responsibility for the liabilities of Clwyd after seeing the Jillings report. They must be the only two in this Assembly who have seen it or will ever see it. No one was in any doubt that its findings, though not as comprehensive as Sir Ronald Waterhouse's, were dynamite. Jillings's conclusions were similar to those of Waterhouse.

Despite the fact that Clwyd County Council was legally inhibited from publishing the report and took great care to restrict its circulation internally, such conclusions could never be hushed up. As the media interest and public outcry grew, the then Secretary of State for Wales reversed the Welsh Office position by acceding to demands for a public inquiry. I am convinced that the Waterhouse Inquiry would never have been commissioned and we would not be having this debate and discussing the lessons to be learnt from what happened, if it had not been for the role of Malcolm King and others in Clwyd County Council during the early 1990s in uncovering the scope of what took place at a time when many politicians and officials, not least at the Welsh Office, were frightened to touch these issues with the proverbial bargepole lengthened twice over.

One of the report's messages was the need for clear accountability in local government departments to ensure safeguards for children. Given developing changes today following the modernisation of local government structures across Wales, we must guarantee that those structures will provide clear accountability for ensuring quality safeguards. The new structures and systems must meet the challenges that the Waterhouse report presents to Government at all levels and its officials. There must be concerns that too many Members do not understand social services. The report

Nid wyf i, nac unrhyw Aelod arall o'r Cynulliad, am wn i, ac eithrio Rod Richards efallai—sydd wedi ymadael â'r Siambr—neu Tom Middlehurst, a oedd yn arweinydd yr hyn sydd bellach yn gyngor sir unedol Sir y Fflint—wedi ysgwyddo cyfrifoldebau Clwyd ar ôl gweld adroddiad Jillings. Mae'n siŵr mai hwy yw'r unig ddau yn y Cynulliad hwn sydd wedi'i weld neu a fydd byth yn ei weld. Nid oedd gan neb amheuaeth o gwbl fod ei ganlyniadau, er nad mor gynhwysfawr â rhai Syr Ronald Waterhouse, yn ffrwydrol. Yr oedd casgliadau Jillings yn debyg i rai Waterhouse.

Er bod Cyngor Sir Clwyd wedi'i wahardd yn ôl y gyfraith rhag cyhoeddi'r adroddiad a'i fod wedi bod yn ofalus iawn i gyfyngu ei gylchrediad yn fewnol, ni ellid byth dawelu casgliadau fel hyn. Wrth i'r diddordeb dyfu ymhlith y cyfryngau a'r cyhoedd, gwrthdrodd Ysgrifennydd Gwladol Cymru ar y pryd safbwynt y Swyddfa Gymreig drwy ildio i'r galw am ymchwiliad cyhoeddus. Yr wyf yn argyhoeddedig na fyddai Ymchwiliad Waterhouse erioed wedi'i gomisiynu ac na fyddem yn cynnal y ddatl hon ac yn trafod y gwersi sydd i'w dysgu o'r hyn a ddigwyddodd, oni bai am waith Malcolm King ac eraill yng Nghyngor Sir Clwyd yn nechrau'r 1990au wrth iddynt ddatgelu ehangder yr hyn a ddigwyddodd ar adeg pan oedd ofn ar lawer o wleidyddion a swyddogion, yn y Swyddfa Gymreig yn anad dim, i gyffwrdd â'r materion hyn â pholyn lein ddwywaith ei hyd.

Un o negeseuon yr adroddiad oedd bod angen sicrhau atebolrwydd clir mewn adrannau llywodraeth leol er mwyn sicrhau bod plant yn cael eu hamddiffyn. Ag ystyried y newidiadau sydd yn datblygu heddiw yn dilyn moderneiddio strwythurau llywodraeth leol ledled Cymru, rhaid inni warantu y bydd y strwythurau hynny'n darparu atebolrwydd clir ar gyfer sicrhau safon y camau diogelu. Rhaid i'r strwythurau a'r systemau newydd ateb yr her y mae adroddiad Waterhouse yn ei gosod i'r Llywodraeth ar bob lefel a'i swyddogion. Mae'n destun pryder o anghenraid fod gormod o Aelodau'n dangos

highlights a high level of ignorance among Members about children's services. How can we ensure that that is remedied for the future?

The chief inspector of social services in Wales in his recently published annual report raised concerns about structural changes. It is imperative that we are clear about where these changes are taking us. Waterhouse warns us of the dangers that result from organisational changes and we must ensure that we heed that warning. Today and over the next weeks and months, we need a mature and rational debate about how we can ensure that children in care in Wales are treated properly. This report provides the basis but we need to reach our own conclusions and agree policies that will take forward the agenda of child protection in care and elsewhere. We have all been appalled by the conduct of the few who claimed to feel a vocation for the service for vulnerable children and their families; people who worked to satisfy their perverted traits. However, not all staff were guilty of such conduct. The majority knew nothing of the sexual abuse. Some have difficulty in believing that such events took place. We should not share that denial of what took place but neither should we condemn them for not acting when they sincerely claim that they knew nothing of what was happening. The position of those who chose not to act upon receipt of complaints at that time is more difficult to defend.

The staff who work in childcare need our support and commitment to improve the status and value of their work and our investment in their training to ensure that we can recruit the best and retain them to develop centres of excellence for the most vulnerable and needy children in our society. Blaming social workers is not the answer; it is an evasion of our responsibilities.

diffyg dealltwriaeth o wasanaethau cymdeithasol. Mae'r adroddiad yn tanlinellu lefel uchel o anwybodaeth ymhlith Aelodau ynghylch gwasanaethau plant. Sut mae sicrhau y bydd hyn yn newid yn y dyfodol?

Yn ei adroddiad blynyddol a gyhoeddwyd yn ddiweddar, cododd prif arolygwr y gwasanaethau cymdeithasol yng Nghymru bryderon ynghylch newidiadau strwythurol. Mae'n holl bwysig ein bod ni'n glir ynghylch cyfeiriad y newidiadau hyn. Mae Waterhouse yn ein rhybuddio rhag y peryglon sydd yn deillio o newidiadau sefydliadol a rhaid inni sicrhau ein bod yn rhoi clust i'r rhybudd hwnnw. Heddiw, ac yn ystod yr wythnosau a'r misoedd nesaf, mae angen inni gynnal dadl aeddfed a rhesymegol ynghylch sut y gallwn sicrhau bod plant mewn gofal yng Nghymru'n cael eu trin yn iawn. Mae'r adroddiad hwn yn sylfaen ond rhaid inni lunio'n casgliadau'n hunain a chytuno ar bolisiau a fydd yn ein galluogi i fwrw ymlaen gyda'r agenda amddiffyn plant mewn gofal ac mewn mannau eraill. Mae ymddygiad yr ychydig rai a oedd yn honni eu bod wedi'u galw i ddarparu'r gwasanaeth hwn i blant bregus a'u teuluoedd wedi codi pwys arnom; pobl a oedd yn gweithio er mwyn bodloni eu tueddiadau gwyrdroedig. Fodd bynnag, nid oedd pob aelod o'r staff yn euog o ymddygiad o'r fath. Ni wyddai'r rhan fwyaf ddim byd am y cam-drin rhywiol. Mae rhai yn ei chael yn anodd credu bod digwyddiadau fel hyn wedi digwydd. Ni ddylem rannu'r ymwrthod hwnnw â'r hyn a ddigwyddodd ond ni ddylem ychwaith eu condemnio am beidio â gweithredu pan fônt yn dweud yn ddilys na wyddent ddim am yr hyn a ddigwyddai. Mae'n fwy anodd amddiffyn sefyllfa'r sawl a ddewisodd beidio â gweithredu er iddynt dderbyn cwynion ar y pryd.

Mae angen inni roi ein cefnogaeth i'r staff sydd yn gweithio ym maes gofal plant ac ymrwymo i wella statws a rhoi mwy o werth ar eu gwaith. Rhaid inni fuddsoddi i'w hyfforddi er mwyn sicrhau y gallwn recriwtio'r bobl orau a'u cadw er mwyn datblygu canolfannau rhagoriaeth i'r plant mwyaf bregus ac anghenus yn ein cymdeithas. Nid beio gweithwyr

cymdeithasol yw'r ateb; osgoi ein cyfrifoldebau yw hynny.

The Assembly's 9 per cent increase in resources allocated to local authorities for the funding of children's and old people's services was welcome, but not as welcome as a national programme with funding to ensure that services for children are given the right level of financial support, enabling local authorities, in partnership with the voluntary sector, to deliver on the development of good quality services for children that would put the children of Wales first. The inadequate funding of children's services has been a disgrace and our new Assembly must play an active part in changing the face of local government funding for services to children who are in need and looked after. That would be a fine, worthy and lasting response to the publication of this report.

4:39 p.m.

Christine Humphreys: No one could have lived in north Wales in the last 10 years without being aware of the suspicions and misgivings about what was happening in the care system in our area. In the last 10 years in particular, cases and moves that were taking place have already been highlighted. In 1991, there was a major police investigation, which was completed in 1993. Prosecutions followed that and they are continuing. In 1996, we had the non-publication of the report into the management of Clwyd Social Services which has been mentioned earlier. In the same year, there was a report by Adrienne Jones highlighting serious shortcomings in the childcare procedures and practices in Clwyd and Gwynedd. Waterhouse has eventually brought all these issues into the open. As has already been highlighted today, one of the main problems was that nobody listened to these young people.

I welcome the recommendations that a children's complaints officer should be appointed by the social services in each authority. I would like to ensure that the complaints officer has a proactive role that

Mae'r cynnydd o 9 y cant yn yr adnoddau y mae'r Cynulliad yn eu dyrannu i awdurdodau lleol i gyllido gwasanaethau plant a'r henoed i'w groesawu, ond nid i'w groesawu gymaint â rhaglen genedlaethol gyda chyllid i sicrhau bod gwasanaethau i blant yn cael y lefel gywir o gefnogaeth ariannol, gan alluogi awdurdodau lleol, ar y cyd â'r sector gwirfoddol, i sicrhau eu bod yn datblygu gwasanaethau o safon dda i blant a fyddai'n rhoi plant Cymru yn gyntaf. Mae'r cyllid annigonol a neilltuwyd ar gyfer gwasanaethau plant wedi bod yn warth a rhaid i'n Cynulliad newydd wneud cyfraniad brwd tuag at sicrhau newid sylfaenol yn nhrefn llywodraeth leol i gyllido gwasanaethau i blant sydd mewn angen ac sydd dan ofal. Byddai hynny'n ymateb da, teilwng a pharhaol i gyhoeddi'r adroddiad hwn.

Christine Humphreys: Ni allai neb fod wedi byw yng ngogledd Cymru yn ystod y 10 mlynedd diwethaf heb fod yn ymwybodol o'r amheuon a'r ofnau ynghylch beth oedd yn digwydd yn y drefn ofal yn ein hardal. Soniwyd eisoes am y 10 mlynedd diwethaf yn benodol, a'r achosion a'r symudiadau a oedd ar waith. Yn 1991, cynhaliwyd archwiliad mawr gan yr heddlu ac fe'i cwblhawyd yn 1993. Cafwyd erlyniadau ac mae'r rheini'n parhau. Yn 1996, cafwyd yr adroddiad nas cyhoeddwyd i reolaeth gwasanaethau Cymdeithasol Clwyd y soniwyd amdano'n gynt. Yn yr un flwyddyn, cafwyd adroddiad gan Adrienne Jones yn tanlinellu'r diffygion difrifol yng ngweithdrefnau ac arferion gofalu am blant yng Nghlwyd a Gwynedd. Maes o law, daeth Waterhouse â'r holl bethau hyn i'r wyneb. Fel a ddywedwyd eisoes heddiw, un o'r prif broblemau oedd nad oedd neb yn gwrando ar y bobl ifanc hyn.

Croesawaf yr argymhellion y dylai'r gwasanaethau cymdeithasol benodi swyddog cwynion plant ym mhob awdurdod. Byddwn yn hoffi sicrhau bod gan y swyddog cwynion hwn swyddogaeth ragweithiol sydd yn

ensures that children are listened to. I also welcome the recommendation of the appointment of a children's commissioner and all the other policies that are put into place. However, I would like to highlight the issues of communication and listening that must be addressed at a practical level.

Practical issues of communication have been raised with me by children's groups. A complaints officer could possibly be seen as yet another adult not to be trusted or as somebody unapproachable. Children's groups have asked me to address the issue of how children make contact with commissioners. Do we, for instance, ask for phone lines in schools? Do we ask for a link with Childline so that these children can be listened to and not left in this situation again when the only person to whom they can talk is an adult who comes to visit them regularly?

We now know that many of the young people who absconded from homes in Clwyd and Gwynedd were running away from their abusers only to be returned time and time again to horrific situations because no one asked them why they had run away. If they did protest, it is possible that a deaf ear was turned to their protests. I welcome the suggestion that, in the future, absconders should be encouraged to explain why they have absconded and social workers should be consulted before they are returned. If we are serious about listening, the Assembly can play an important role in pressurising the Home Office to issue guidelines or ensure that guidelines are written into existing police guidelines if they are not already present. Guidelines already exist for the treatment of rape victims. Perhaps these need to be extended to young people who make complaints of sexual abuse.

I orffen, hoffwn rannu profiad un o'm hetholwyr yng ngogledd Cymru. Ar ddiwrnod cyhoeddi adroddiad Waterhouse, yr oedd ef yn Israel. Ar y teledu y noson honno, adroddiad Waterhouse oedd prif bennawd y newyddion. Beth bynnag arall a

sicrhau bod rhywun yn gwrando ar blant. Hefyd, croesawaf yr argymhelliad i benodi comisiynydd plant a'r holl bolisiau eraill a sefydlir. Fodd bynnag, hoffwn danlinellu materion cyfathrebu a gwrando y bydd rhaid mynd i'r afael â hwy ar lefel ymarferol.

Mae grwpiau plant wedi codi materion ymarferol ynghylch cyfathrebu gyda mi. Efallai y gwelid swyddog cwynion fel oedolyn arall na ellir ymddiried ynndo/i neu fel rhywun nad oes modd mynd ato/i. Mae grwpiau plant wedi gofyn imi fynd i'r afael â sut y mae plant yn cysylltu gyda chomisiynwyr. Er enghraifft, a ydym ni'n gofyn am linellau ffôn mewn ysgolion? A ydym yn gofyn am gysylltiad gyda Childline fel y gall rhywun wrando ar y plant hyn heb gael eu gadael yn y sefyllfa hon eto gyda'r unig un y gallant siarad â hwy'n oedolyn sydd yn dod i ymweld â hwy'n rheolaidd?

Gwyddom erbyn hyn fod llawer o'r bobl ifanc a ddihangodd o gartrefi yng Nghlwyd ac yng Ngwynedd yn dianc rhag y bobl a oedd yn eu cam-drin dim ond i gael eu dychwelyd dro ar ôl tro i sefyllfaoedd erchyll am nad oedd neb yn gofyn iddynt pam yr oeddent wedi dianc. Os gwnaethant brotestio, mae'n bosibl bod y brotest honno wedi disgyn ar glust fyddar. Croesawaf yr awgrym y dylid annog dihangwyr yn y dyfodol i egluro pam eu bod wedi dianc ac y dylid ymgynghori â gweithwyr cymdeithasol cyn iddynt gael eu dychwelyd. Os ydym o ddifrif ynghylch gwrando, gall y Cynulliad chwarae rhan bwysig o ran rhoi pwysau ar y Swyddfa Gartref i gyhoeddi canllawiau neu sicrhau bod canllawiau'n cael eu cynnwys yng nghanllawiau presennol yr heddlu os nad ydynt yno'n barod. Mae canllawiau'n bod eisoes ar gyfer trin pobl sydd wedi cael eu treisio. Efallai fod angen ymestyn y rhain i bobl ifanc sydd yn dweud iddynt gael eu cam-drin yn rhywiol.

To conclude, I would like to share the experience of one of my constituents in north Wales. On the day when the Waterhouse report was published, he was in Israel. On the television that night, the Waterhouse report was the main headline on the news.

oedd yn digwydd yn y byd, hwn oedd y newyddion pwysicaf y diwrnod hwnnw, hyd yn oed yn Israel. Wrth wrando ar yr adroddiad newyddion, dywedodd fod ganddo gywilydd bod yn Gymro. Fodd bynnag, nid problem gogledd Cymru na Chymru yn unig yw hyn. Os rhywbeth, efallai fod gogledd Cymru erbyn hyn yn un o'r lleoedd mwyaf diogel yn y wlad, ond ni allwn fyth fod yn sicr.

Mae'n amlwg bod y cylch o bobl a oedd yn cam-drin plant yn rhywiol wedi llwyddo i wneud hynny drwy gymryd mantais o'r gwendidau yn y system a oedd yn bodoli yng ngogledd Cymru. Mae gwersi i'w dysgu am yr hyn a ddigwyddodd yng ngogledd Cymru i Gymru gyfan, i Brydain ac efallai i'r byd. Mae pedoffilia yn broblem, ac i ryw raddau, yn ddiwydiant byd-eang. Dywedodd Jane eisoes fod rhaid inni barhau i fod yn wylriadwus. Mae'n amlwg bod camdrinwyr plant yn bobl gyfrwys iawn. Bydd rhai ohonoch wedi gweld, fel minnau, yr adroddiad newyddion y bore yma ynglŷn â sut y dylai plant ysgol ddelio ag oedolion sydd yn ceisio eu cyfarfod drwy'r rhyngwryd. Gosododd yr athrawon reolau i'r plant ar sut i ymateb os oedd oedolyn yn cysylltu â hwy ac yn ceisio trefnu eu cyfarfod drwy'r rhyngwryd.

This problem will not go away overnight. In the last debate on this issue, I welcomed the presentation of an annual report by the commissioner to the Assembly. We need to take this seriously. The commissioner's report must be discussed in Committee and the Plenary every year.

Karen Sinclair: If we are to learn from the events of the past, and to ensure that all measures are taken to ensure that our responsibility for children in care is total and shared, we must understand the events of the past. I am pleased that quite a few people this afternoon have tried to contextualise the events. Our understanding of the past must take on board the understanding and expectations of the time. In order to ensure that history of this kind is never repeated, we must have the clearest guidelines. More importantly, we must share those

Whatever else was going on in the world, that was the most important news that day, even in Israel. Listening to the news report, he said that he was ashamed to be a Welshman. However, this is not north Wales's problem or Wales's problem alone. If anything, perhaps by now north Wales is one of the safest places in the country, but we can never be sure of that.

It is obvious that the ring of people who were sexually abusing children succeeded in doing so by taking advantage of failures in the system that existed in north Wales. There are lessons to be learnt from what happened in north Wales for the whole of Wales, for Britain and perhaps the world. Paedophilia is a problem, and to some extent, is a worldwide industry. Jane has already said that we must continue to be vigilant. It is obvious that child abusers are very cunning people. Some of you will have seen, as I did, the news report this morning on how schoolchildren should deal with adults who try to meet them through the internet. The teachers set down rules for the children on how to respond if adults contact them and try to arrange to meet them through the internet.

Ni fydd y broblem hon yn diflannu dros nos. Yn y ddadl ddiwethaf ar y mater hwn, croesewais gyflwyno adroddiad blynyddol gan y comisiynydd i'r Cynulliad hwn. Mae angen inni ystyried hyn o ddifrif. Rhaid trafod adroddiad y comisiynydd mewn Pwyllgor a Chyfarfod Llawn bob blwyddyn.

Karen Sinclair: Os ydym am ddysgu o ddigwyddiadau'r gorffennol, ac er mwyn sicrhau bod pob cam yn cael ei gymryd i sicrhau bod ein cyfrifoldeb dros blant mewn gofal yn gyflawn ac yn gyfrifoldeb a rennir, rhaid inni ddeall digwyddiadau'r gorffennol. Yr wyf yn falch fod nifer dda o bobl y prynhawn yma wedi ceisio rhoi'r digwyddiadau hyn yn eu cyd-destun. Rhaid seilio'n dealltwriaeth o'r gorffennol ar y ddealltwriaeth a'r disgwyliadau a oedd gan bobl ar y pryd. Er mwyn sicrhau nad yw hanes o'r math hwn yn cael ei ailadrodd byth

expectations with everybody involved. Lines of responsibility must be clearly marked. Errors of judgement must be clearly monitored and any behaviour that does not conform to the norms or expectations of the day must be responded to swiftly. We must never again find ourselves dealing retrospectively with claims of abuse and oppression. The great danger of trying to fully understand the events of the past is that we judge by the norms and expectations of today in a way that can, if we are not careful, distort our understanding.

The focal point of the north Wales inquiry is Bryn Estyn home in Wrexham. To try to understand the climate of Bryn Estyn, we must understand what it was. The press have portrayed Bryn Estyn as a children's home, which it was in so much as children were there. However, it was not a children's home in the sense that we understand a children's home to be today, which is important. As far as I understand, no young person spent more than 18 months there. Children who entered the childcare system purely because of a family breakdown did not end up there. It was a place to which courts sent young people, either on remand or after sentencing. Local authorities sent children there who were difficult to place. These were young people on whom society had all but given up. The job of looking after these children was challenging. Our attitude to these young people is different today.

Helen Mary Jones: We need to understand the nature of the institutions to which you are referring. Children did end up in them purely because their families had broken down. They were not the first port of call. I undertook a long teacher training placement in a community home with education on the premises in 1982, so I know what I am talking about. Many children only went into the care system because their families had broken down. The care system often turned them into persistent school refusers and,

eto, rhaid inni sicrhau bod gennym y canllawiau egluraf. Yn bwysicach na hynny, rhaid inni rannu'r disgwyliadau hynny gyda phawb sydd yn ymwneud â'r maes. Rhaid diffinio llinellau cyfrifoldeb yn glir. Rhaid monitro'n ofalus y camgymeriadau a wneir wrth lunio barn a rhaid ymateb yn gyflym i unrhyw ymddygiad nad yw'n cydymffurfio â normau neu ddisgwyliadau'r oes. Rhaid inni fyth eto ein cael ein hunain yn ymdrin â honiadau o gam-drin a gorthrwm a ddigwyddodd yn y gorffennol. Y perygl mawr wrth geisio deall yn llwyr ddigwyddiadau'r gorffennol yw ein bod yn eu barnu ar sail normau a disgwyliadau'r presennol, a gall hynny, os nad ydym yn ofalus, wyro'n dealltwriaeth.

Canolbwynt ymchwiliad gogledd Cymru yw cartref Bryn Estyn yn Wrecsam. Er mwyn ceisio deall hinsawdd Bryn Estyn, rhaid inni ddeall beth oedd natur y cartref hwn. Mae'r wasg wedi darlunio Bryn Estyn fel cartref i blant, ac mae hynny'n wir yn yr ystyr bod yno blant. Fodd bynnag, nid cartref plant yn yr ystyr a roddwn ni i gartref plant heddiw oedd hwn, ac mae hynny'n bwysig. Yn ôl yr hyn a ddeallaf, nid oedd yr un person ifanc yn treulio mwy na 18 mis yno. Nid plant a drosglwyddwyd i'r drefn gofal plant oherwydd bod eu teuluoedd wedi chwalu oedd y plant a oedd yno. Byddai'r llysoedd yn anfon pobl ifanc yno, naill ai ar remand neu ar ôl eu dedfrydu. Byddai awdurdodau lleol yn anfon plant a oedd yn anodd i'w lleoli yno. Yr oedd y bobl ifanc hyn yn bobl yr oedd cymdeithas fwy neu lai wedi golchi eu dwylo ohonynt. Yr oedd gofalu am y plant hyn yn gryn her. Mae ein hagwedd at y bobl ifanc hyn heddiw'n wahanol.

Helen Mary Jones: Mae angen inni ddeall natur y sefydliadau yr ydych yn sôn amdanynt. Yr oedd plant yn mynd iddynt yn y pen draw oherwydd bod eu teuluoedd wedi chwalu. Nid dyma'r lle cyntaf y byddent yn mynd. Bûm yn gweithio ar leoliad ymarfer dysgu am gyfnod hir mewn cartref cymunedol lle darperid addysg-ar-y-safle yn 1982, felly, yr wyf yn gwybod am beth yr wyf yn sôn. Yr unig reswm yr oedd llawer o blant yn mynd i mewn i'r drefn ofal oedd oherwydd bod eu teuluoedd wedi chwalu. Yn

indeed, young offenders. While I agree that we are talking about difficult and challenging young people, that does not excuse their being inappropriately restrained.

Karen Sinclair: Not at all. I would like to respond to Helen Mary and say that I understand the makeup and the needs in Bryn Estyn because I worked with the children at the time. They came regularly to the youth service provision in Wrexham. I accept that some children were there because of family breakdown, but they were very few. If I expand on this, you will accept what I am saying.

4:49 p.m.

Our attitude to these young people is different today. We contextualise their behaviours and understand their manifestations of anger, their feelings of anxiety and their non-conformity. We have adopted a multi-disciplinary approach to working through their problems and subsequent behaviour in a structured way. We have care plans in place even before a young person enters care and everyone is clear about what is expected of workers. Every action is geared towards the needs of the child, every child is considered unique and his or her needs are met. Copious records are kept of any progress made. Things have moved on a long way.

Much has been said about the silence that surrounded sexual abuse. I have no doubt that sexual abuse must have taken place and I abhor that as much as everyone else. However, we must explore the possibility or, indeed, the probability that genuine caring workers in the system did not realise what was going on.

Sexual abuse was not understood in the way that it is today. Indeed, the fact that paedophilia existed was largely unacknowledged during the early 1970s. If this was the case and doctors and child

aml iawn, byddai'r drefn ofal yn eu troi'n blant a oedd yn gwrthod mynd i'r ysgol, ac yn wir, yn droseddwr ifanc. Er y cytunaf ein bod yn sôn am bobl ifanc anodd a heriol eu hymddygiad, nid yw hynny'n esgus dros eu ffrwyno mewn ffordd amhriodol.

Karen Sinclair: Dim o gwbl. Hoffwn ymateb i Helen Mary a dweud fy mod yn deall cyfansoddiad ac anghenion Bryn Estyn oherwydd imi weithio gyda'r plant ar y pryd. Byddent yn dod i ddarpariaeth y gwasanaeth ieuenctid yn Wrecsam yn rheolaidd. Yr wyf yn derbyn bod rhai plant yno oherwydd chwalfa deuluol, ond prin iawn oedd y rheini. Os caf ehangu ar hyn, fe dderbyniwch yr hyn sydd gennyf i'w ddweud.

Mae ein hagwedd at y bobl ifanc hyn yn wahanol heddiw. Byddwn yn rhoi eu hymddygiad mewn cyd-destun ac yn deall eu dicter, eu pryderon a'u diffyg cydymffurfio. Yr ydym wedi arddel agwedd aml-ddisgyblaeth at weithio drwy eu problemau a'r ymddygiad sydd yn deillio ohonynt mewn ffordd strwythuredig. Mae gennym gynlluniau gofal wedi'u llunio hyd yn oed cyn i berson ifanc fynd i mewn i'r drefn ofal ac mae pawb yn glir ynghylch yr hyn a ddisgwylir gan weithwyr. Mae popeth sydd yn cael ei wneud wedi'i anelu at anghenion y plentyn, ac ystyrir pob plentyn yn unigryw a diwellir ei anghenion. Cedwir cofnodion lu o unrhyw gynnydd a wneir. Yr ydym wedi gwneud camau breision.

Soniwyd llawer am y tawelwch a amgylchynai cam-drin rhywiol. Nid oes gennyf unrhyw amheuaeth fod cam-drin rhywiol wedi digwydd ac yr wyf yn ei ffieiddio gymaint ag y mae pawb arall. Fodd bynnag, rhaid inni ystyried y posibilrwydd, neu, yn wir, y tebygrwydd, nad oedd gweithwyr gofal dilys yn y system yn sylweddoli beth a oedd yn digwydd.

Nid oedd pobl yn deall cam-drin rhywiol fel y mae pobl yn ei ddeall heddiw. Yn wir, prin bod neb yn cydnabod y ffaith fod pedoffilia'n bodoli yn nechrau'r 70au. Os oedd hyn yn wir a bod meddygon ac

experts were still working through how to understand the signs, what right have we to say that these workers should have known what was going on. They cannot be left feeling guilty by association about events that they could not have understood. They could not have been expected to recognise signs that at that time were hardly acknowledged.

I move on to the methods of discipline used and the retrospective allegations of abuse. I do not refer to severe physical abuse. We must understand the norms and expectations of the day. We must accept that some staff who worked there had previously worked in the penal system. We must ask whether these people were equipped to take on this new role. Were the expectations made clear to staff, who had, in all fairness, come from different disciplines? Were good models of best practice the norm or the exception?

We must be clear about the perceived expectations of the councillors, the management and the public. Sir Ronald Waterhouse in his report says that before 1989 there was no clear direction given by councillors and that county management structures were in a constant state of flux. Was the expectation of an approved school—

David Davies: I want to clarify something. I did not understand the Member's point about those who worked in the prison service. I hope that the Member was not inferring that bad practice is right. There are prisons in my constituency and I know some of the prison workers and the good work that they have done. I am sure that they have done a good job for many years.

Karen Sinclair: I am not saying that bad practice was right at any time. All that I am trying to say is that things, thank goodness, have moved on. It is important that we set down in history what has gone on. The reason I am trying to do this is to defend the innocent people who worked hard in the service and who now feel desperately

arbenigwyr plant yn dal i geisio dirnad sut i ddeall yr arwyddion, pa hawl sydd gennym ni i ddweud y dylai'r gweithwyr hyn fod wedi gwybod beth oedd yn digwydd. Ni ellir gadael iddynt deimlo'n euog drwy gyd-gysylltiad am ddigwyddiadau nad oedd modd iddynt eu deall. Ni ellid disgwyl iddynt adnabod arwyddion nad oedd prin neb yn eu cydnabod ar y pryd.

Af ymlaen i sôn am y dulliau disgyblu a ddefnyddiwyd a'r cyhuddiadau o gam-drin flynyddoedd ar ôl y digwyddiadau. Nid wyf yn cyfeirio at gam-drin corfforol difrifol. Rhaid inni ddeall normau a disgwyliadau'r oes. Rhaid inni dderbyn bod rhai aelodau o'r staff a weithiai yno wedi gweithio cyn hynny yn y drefn gosbi. Rhaid inni ofyn a oedd y bobl hyn wedi'u paratoi i gyflawni'r rôl newydd hon. A oedd y disgwyliadau wedi'u gwneud yn glir i'r staff, a oedd, yn ddigon teg, wedi dod o wahanol ddisgyblaethau? A oedd modelau o arferion da yn norm ynteu'n eithriad?

Rhaid inni fod yn glir ynghylch disgwyliadau'r cynghorwyr, y rheolwyr a'r cyhoedd. Dywed Syr Ronald Waterhouse yn ei adroddiad nad oedd cynghorwyr wedi rhoi cyfarwyddyd clir cyn 1989 a bod strwythurau rheoli'r sir yn newid yn barhaus. Ai'r hyn a ddisgwyliid gan ysgol warchod—

David Davies: Hoffwn gael eglurhad ar rywbeth. Ni ddeallais bwynt yr Aelod am y bobl a oedd yn gweithio yn y gwasanaeth carchardai. Gobeithiaf nad oedd yr Aelod yn awgrymu bod arferion gwael yn dderbyniol. Mae carchardai yn fy etholaeth i ac yr wyf yn adnabod rhai o weithwyr y carchardai hynny ac yn gwybod am y gwaith da y maent wedi'i wneud. Yr wyf yn siŵr eu bod wedi gwneud gwaith da ers blynyddoedd.

Karen Sinclair: Nid wyf yn dweud bod arferion gwael yn dderbyniol byth. Y cyfan yr wyf yn ceisio'i ddweud yw, diolch byth bod pethau wedi symud yn eu blaen. Mae'n bwysig ein bod yn rhoi'r hyn sydd wedi digwydd ar gof a chadw. Y rheswm yr wyf yn ceisio gwneud hyn yw er mwyn amddiffyn y bobl ddiniwed a oedd yn

undervalued. They feel that the work they did was dirty, even though they did an excellent job. They have all been tarred with the same brush and it is imperative that we do not do that in future.

Was care and control expected of an approved school or was it a mix of both? Were the expectations of different groups the same? That is the question I asked.

This situation, where the word of one person has to be set against another in an historical setting, must never be repeated. We are not unique in north Wales. At present, there are 37 police inquiries taking place nationally.

The leaking of a confidential list—and Jane Hutt made it clear some weeks ago that it was confidential—by the media and the media's irresponsible use of it was a problem. This is important because some people who had been cleared in court had to relive their ordeal. That should not be acceptable.

One message that emerged from the report was that there is a need for clear accountability within local authorities for ensuring safeguards for children and, equally importantly, for the staff that work with them. It is imperative that the safeguards that are put in place ensure consistency across Wales. I worry that people who could give good quality care in the future will be wary unless we make clear the guidelines, the expectations and the protection systems for the children and the workers.

This is a note of caution. I hope that Jane or Rosemary can respond to my concerns. We must acknowledge and address the devastating effect on a child of a foster family breakdown. This worries me greatly. Things can go wrong through no fault of either the child or the carer. In this scenario, the child loses the carers and a home. We must be aware that as we move towards that

gweithio'n galed yn y gwasanaeth ac sydd bellach yn teimlo mai ychydig iawn o werth a roddir ar eu gwaith. Maent yn teimlo bod y gwaith a wnaethant yn fudr, er iddynt wneud gwaith rhagorol. Mae pawb wedi'i faeddu â'r un brws ac mae'n holl bwysig nad ydym yn gwneud hynny yn y dyfodol.

A oedd pobl yn disgwyl i ysgol gymeradwyedig ddarparu gofal a rheolaeth ynteu gymysgedd o'r ddau? A oedd gwahanol grwpiau'n disgwyl gwahanol bethau? Dyna'r cwestiwn a ofynnais.

Ni ddylai'r sefyllfa hon, lle bo rhaid pwysu gair un person yn erbyn y llall mewn cefndir hanesyddol, fyth gael ei hailadrodd. Nid ydym yn unigryw yng ngogledd Cymru. Ar hyn o bryd, mae 37 o ymchwiliadau ar y gweill gan yr heddlu ledled y wlad.

Yr oedd yn broblem fod y cyfryngau wedi rhyddhau ac wedi gwneud defnydd anghyfrifol o restr gyfrinachol—gwnaeth Jane Hutt hi'n glir sawl wythnos yn ôl ei bod hi'n gyfrinachol. Mae hyn yn bwysig oherwydd bod rhai pobl yr oedd y llys wedi clirio'u henwau'n gorfod ail-fyw'r dioddefaint. Ni ddylai hynny fod yn dderbyniol.

Un neges a gododd o'r adroddiad oedd bod angen atebolrwydd clir o fewn awdurdodau lleol er mwyn sicrhau bod plant, a'r un mor bwysig, y staff sydd yn gweithio gyda hwy, yn cael eu diogelu. Mae'n holl bwysig bod y camau diogelu a sefydlir yn sicrhau cysondeb ledled Cymru. Yr wyf yn bryderus y bydd pobl a allai ddarparu gofal o safon dda yn y dyfodol yn gyndyn o wneud hynny oni bai ein bod yn nodi'n glir beth yw'r canllawiau, y disgwyliadau a'r systemau i amddiffyn plant a gweithwyr.

Gair o rybudd yw hyn. Gobeithiaf y gall Jane neu Rosemary ymateb i'm pryderon. Rhaid inni gydnabod a mynd i'r afael â'r effaith ddinistriol ar blentyn pan fydd teulu maeth yn chwalu. Mae hyn yn fy mhoeni'n fawr. Gall pethau fynd o'u lle heb fod dim bai ar na'r plentyn na'r gofalwr. Mewn sefyllfa o'r fath, bydd y plentyn yn colli'r sawl sydd yn gofalu amdano a'i gartref. Rhaid inni fod yn

sort of care, there are things that can go wrong for the child. We must look at how we can ensure that we do not cause great damage.

Peter Rogers: I will outline some brief thoughts in the wake of the Waterhouse report, 'Lost in Care', which was commissioned by the former Secretary of State for Wales, William Hague. As one of the Assembly Members for north Wales, I am particularly concerned about the abuse that occurred in my region over a 20-year period. As the only Member from north Wales who sits on the Health and Social Services Committee, I hope to take a productive role in devising new systems and practices that will prevent the re-occurrence of these tragic events.

Like so many of my colleagues, I was profoundly shocked by many of the report's findings. I found many of the accounts in the report of the traumatising and scarring experiences of children and teenagers who were exposed to abuse painful to read. This emotional reaction must strengthen our resolve to put in place proper safeguards for the future. The experiences of vulnerable children at 20 residential care centres and seven foster homes in Clwyd are stark reminders that complacency can have a huge price.

Similar reports from the nine residential establishments and eight foster homes in Gwynedd show that these were not isolated incidents and further highlight the need for change. We have heard reports of systematic abuse and of a social services department that utterly failed to heed warnings and cries for help. It should be noted that the report stated that the quality of care, the standards of education, recruitment policies and the level of staff training were all found to be wanting. The fact that these signs went unnoticed or were disregarded at almost every turn is indicative of a social service system that failed children, and it is a powerful lesson to us all.

As has been said many times today, it is imperative that we ensure that this never

ymwybodol, wrth inni symud tuag at y math hwnnw o ofal, y gall rhai pethau fynd o'u lle i'r plentyn. Rhaid inni ystyried sut mae sicrhau nad ydym yn achosi difrod mawr.

Peter Rogers: Gwnaf rai sylwadau cryno yn sgîl adroddiad Waterhouse 'Ar Goll mewn Gofal', a gomisiynwyd gan gyn Ysgrifennydd Gwladol Cymru, William Hague. Fel un o Aelodau'r Cynulliad dros ogledd Cymru, yr wyf yn arbennig o bryderus ynghylch y cam-drin a ddigwyddodd yn fy rhanbarth i dros gyfnod o 20 mlynedd. Fel yr unig Aelod o ogledd Cymru sydd yn aelod o'r Pwyllgor Iechyd a Gwasanaethau Cymdeithasol, gobeithiaf gyfrannu'n adeiladol at ddyfeisio systemau ac arferion newydd i atal digwyddiadau trasig fel hyn rhag digwydd eto.

Fel llawer o'm cyd-Aelodau, cefais fy synnu'n arw gan nifer o ganfyddiadau'r adroddiad. Yr oedd llawer o'r hanesion yn yr adroddiad am brofiadau trawmatig a chreithiol a gafodd plant a phobl ifanc a ddiodefodd y cam-drin yn boenus i'w darllen. Rhaid i'r ymateb emosiynol hwn gryfhau ein penderfyniad i sefydlu camau diogelu iawn ar gyfer y dyfodol. Mae profiadau plant bregus mewn 20 o gartrefi gofal preswyl a saith cartref maeth yng Nghlwyd yn ddigon i'n hatgoffa y gall hunanfodlonrwydd gostio'n ddrud iawn.

Dengys adroddiadau tebyg ar naw sefydliad preswyl ac wyth cartref maeth yng Ngwynedd nad digwyddiadau ynysig oedd y rhain gan danlinellu ymhellach fod angen newid. Clywsom adroddiadau am gam-drin systematig ac adran gwasanaethau cymdeithasol a fethodd yn llwyr i wrando ar rybuddion a chri am gymorth. Dylid nodi bod yr adroddiad yn dweud bod ansawdd y gofal, safonau addysg, polisiâu recriwtio a lefel hyfforddi'r staff i gyd yn brin o'r nod. Mae'r ffaith nad oedd neb wedi sylwi ar yr arwyddion hyn neu iddynt eu hanwybyddu ar bob gafael bron, yn adlewyrchu system gwasanaethau cymdeithasol a wnaeth gam â phlant, ac mae'n wers rymus inni oll.

Fel y dywedwyd sawl gwaith heddiw, mae'n holl bwysig ein bod yn sicrhau nad yw hyn

happens again. Our words mean nothing without constructive action. For the sake of looked-after children, whose future depends on safe residential and foster care, we must implement the recommendations of Waterhouse urgently. We must remain vigilant in our maintenance of these high standards so that this never happens anywhere again.

4:59 p.m.

Gwenda Thomas: Byddaf yn fyr gan fy mod eisoes wedi cael y cyfle i ymateb yn gyhoeddus i'r adroddiad yng nghyfarfod y Pwyllgor Iechyd a Gwasanaethau Cymdeithasol. Serch hynny, mae'n ofynnol imi ymhelaethu ar yr hyn a ddywedodd Kirsty.

I refer briefly to two recommendations. I would have liked to see 'emotional abuse and neglect' included in recommendation 9. I was glad to hear Jane refer to that in her introduction today. Recommendation 61—and I think this was the one that Kirsty referred to—reads in part

'The willingness of councillors to visit children's homes should be a pre-condition of appointment to the committee responsible for the homes and the importance of fulfilling the duty to visit and to report on visits conscientiously should be emphasised to them.'

The cabinet system has been introduced in many local authorities and I accept that the Waterhouse report did not refer to that. Notwithstanding the introduction of the cabinet system, local authorities might be well advised to set up children's committees, or at least committees to monitor the welfare of children in their care. As an Assembly, we also need to consider how we will co-ordinate our services for children.

Christine Chapman: This has been a stimulating and thought-provoking debate. I will discuss two important aspects arising out of the Waterhouse report: the children's commissioner for Wales and the necessity to

yn digwydd byth eto. Mae ein geiriau'n ddiystyr oni bai ein bod yn cymryd camau adeiladol. Er lles plant mewn gofal, y mae eu dyfodol yn dibynnu ar ofal preswyl a maeth diogel, rhaid inni weithredu argymhellion Waterhouse ar frys. Rhaid inni fod yn effro wrth gynnal y safonau uchel hyn fel na fydd hyn byth yn digwydd eto yn unman.

Gwenda Thomas: I will be brief because I have already had the opportunity to respond publicly to the report in a meeting of the Health and Social Services Committee. However, it is incumbent upon me to expand on what Kirsty said.

Cyfeiriai yn fras at ddau argymhelliad. Byddwn wedi hoffi gweld cynnwys 'camdrin ac esgeuluso emosiynol' yn argymhelliad 9. Yr oeddwn yn falch o glywed Jane yn cyfeirio at hynny yn ei chyflwyniad heddiw. Mae argymhelliad 61—a chredaf mai dyma'r un yr oedd Kirsty'n cyfeirio ato—yn darllen yn rhannol

'Dylai parodrwydd cynghorwyr i ymweld â chartrefi plant fod yn un o ragamodau cael eu penodi i'r pwyllgor sy'n gyfrifol am y cartrefi a dylid pwysleisio iddynt bwysigrwydd cyflawni dyletswyddau ymweld a llunio adroddiadau am ymweliadau yn gydwobodol.'

Mae'r drefn gabinet wedi'i chyflwyno mewn sawl awdurdod lleol, a derbyniasf nad oedd adroddiad Waterhouse yn cyfeirio at hwnnw. Er gwaethaf cyflwyno'r drefn gabinet, efallai y byddai'n ddoeth i awdurdodau lleol sefydlu pwyllgorau plant, neu o leiaf bwyllgorau i fonitro lles plant yn eu gofal. Fel Cynulliad, y mae angen inni hefyd ystyried sut y byddwn yn cydlynu'n gwasanaethau i blant.

Christine Chapman: Mae'r ddadl hon wedi bod yn un gynhyrfiol sydd yn ysgogi rhywun i feddwl. Trafodaf ddwy agwedd bwysig sydd yn codi o adroddiad Waterhouse: y comisiynydd plant i Gymru a'r ffaith fod

work in partnership in dealing with this issue.

First, perhaps the most important recommendation to arise out of the Waterhouse report is that an independent children's commissioner for Wales should be appointed. Like David Melding, I welcome the fact that post-Waterhouse we have moved swiftly. We must ensure that the young person is paramount in all of this. The voices of children must continue to be heard and we must not lose sight of them in this debate. The commissioner should be in a position to amplify those children's voices. We need to be aware that young people, even if they know how to approach authority—and many do not—do not always have the necessary skills, confidence or trust to engage with authority. We need to be able to meet them half way and on their terms. Young people have different priorities from adults and they often need empathy not sympathy.

Young people's lives are becoming increasingly complex. We cannot ignore the fact that some—including some of my constituents who were part of the north Wales investigation—have horrific stories to tell because of years of institutionalised neglect and abuse. We need to acknowledge that and we must ensure that young people are equal partners in decision-making about their future. This has been the best way forward in my experience of working with young people. We must persuade young people and not simply preach to them.

We acknowledge that the Waterhouse report is an appalling catalogue of abuse and our immediate reaction will be revulsion. However, we need to tackle the recommendations in a cool, calm and practical manner. As Kirsty said, the issues are raw and emotional. However, we must not be sentimental and reactionary when considering the correct way forward. We must move on because if we do not we will not be of any use.

angen gweithio mewn partneriaeth wrth ymdrin â'r mater.

Yn gyntaf, efallai mai'r argymhelliad pwysicaf i godi o adroddiad Waterhouse yw y dylid penodi comisiynydd plant annibynnol i Gymru. Fel David Melding, croesewais y ffaith ein bod wedi symud yn ein blaen yn gyflym ar ôl Waterhouse. Rhaid inni sicrhau mai'r person ifanc yw'r elfen bwysicaf yn hyn oll. Rhaid i leisiau plant gael eu clywed o hyd a rhaid inni beidio â cholli golwg arnynt yn y ddatl hon. Dylai'r comisiynydd fod mewn sefyllfa i chwyddo lleisiau'r plant hynny. Rhaid inni fod yn ymwybodol bod y bobl ifanc hyn, hyd yn oed os ydynt yn gwybod sut i fynd at yr awdurdodau—ac nid oes gan lawer ohonynt yr wybodaeth honno—nad oes ganddynt bob amser y sgiliau, yr hyder na'r ymddiriedaeth angenrheidiol i greu cysylltiad gyda'r awdurdodau. Rhaid inni allu cyfarfod â nhw hanner ffordd ac ar eu telerau hwy. Mae blaenoriaethau pobl ifanc yn wahanol i flaenoriaethau oedolion ac yn aml iawn, empathi sydd ei angen arnynt, nid cydymdeimlad.

Mae bywydau pobl ifanc yn mynd yn fwyfwy cymhleth. Ni allwn anwybyddu'r ffaith fod gan rai—gan gynnwys rhai o'm hetholwyr i a oedd yn rhan o archwiliad gogledd Cymru—straeon erchyll i'w hadrodd oherwydd blynyddoedd o esgeuluso a cham-drin sefydliadol. Rhaid inni gydnabod hynny a rhaid inni sicrhau bod pobl ifanc yn bartneriaid cyfartal wrth wneud penderfyniadau ynghylch eu dyfodol. O'm profiad o weithio gyda phobl ifanc, dyma'r ffordd orau ymlaen. Rhaid inni berswadio pobl ifanc, nid pregethu iddynt.

Cydnabyddwn fod adroddiad Waterhouse yn gatalog erchyll o gam-drin a'n hymateb cyntaf fydd ffieiddio. Fodd bynnag, rhaid inni fynd i'r afael â'r argymhellion mewn ffordd oeraidd, dawel ac ymarferol. Fel y dywedodd Kirsty, mae'r deunydd dan sylw yn amrwd ac yn emosiynol. Fodd bynnag, rhaid inni beidio â bod yn sentimental ac yn adweithiol wrth ystyried beth yw'r ffordd iawn o symud ymlaen. Rhaid inni symud ymlaen oherwydd oni wnawn, ni fyddwn yn

dda i ddim.

Local partnerships have a role in ensuring that these tragic events are never repeated. In his report, Sir Ronald Waterhouse recommends that local authorities, in collaboration with voluntary and other relevant organisations and acting together with other local authorities where appropriate, should prepare costed development plans for children's services as a prelude to the proposed nationwide review. Such close partnership working is vital. Strong partnerships, which put the young person at the centre of the deliberations at all times, will play a crucial role in the development of children's services in Wales in the future.

A close working relationship between agencies that share a common aim of protecting children at risk is essential at both the individual case level and at strategic policy level. Alun Michael has already mentioned that in these partnerships, training and competence are essential. Practitioners need to have the confidence to act when they recognise the signs of abuse, in the sure knowledge that they will be heard, in order to deal with it effectively.

As a report from the Centre for Research on the Child and the Family at the University of East Anglia points out, there appears to be a pecking order and some practitioner's views appear to be afforded less weight than others. That cannot be good for the young person. All views are relevant, and all practitioners should be listened to in their professional circle. The role of social workers and other carers is a delicate one. Some would say that due to the current climate they are in a no-win situation. Social workers are often classed in the same category as traffic wardens, journalists and politicians by the public. Waterhouse has said that we need to value rather than automatically condemn them. We need to work with them, not against them, in eradicating abuse.

Mae gan bartneriaethau lleol swyddogaeth i sicrhau nad yw'r digwyddiadau trasig hyn yn digwydd byth eto. Yn ei adroddiad, mae Syr Ronald Waterhouse yn argymhell y dylai awdurdodau lleol, ar y cyd â chyrff gwirfoddol a chyrff perthnasol eraill a chan gydweithredu gydag awdurdodau lleol eraill lle bo hynny'n briodol, baratoi cynlluniau datblygu wedi'u costio ar gyfer gwasanaethau plant fel rhagarweiniad i'r arolwg cenedlaethol arfaethedig. Mae cydweithio mewn partneriaeth glós fel hyn yn hanfodol. Bydd gan bartneriaethau cryf, sydd yn rhoi pobl ifanc yng nghanol y trafodaethau drwy'r amser, ran holl bwysig yn natblygiad gwasanaethau plant yng Nghymru yn y dyfodol.

Mae perthynas waith glos rhwng asiantaethau sydd yn rhannu'r nod cyffredin o amddiffyn plant mewn perygl yn hanfodol ar lefel achosion unigolion ac ar lefel polisi strategol. Mae Alun Michael eisoes wedi dweud bod hyfforddi a hyfedredd yn holl bwysig yn y partneriaethau hyn. Mae angen i ymarferwyr gael yr hyder i weithredu pan fyddant yn adnabod arwyddion cam-drin, gan wybod yn sicr y bydd rhywun yn gwrandao arnynt, er mwyn ymdrin â'r mater yn effeithiol.

Fel y mae adroddiad gan y Ganolfan Ymchwil ar y Plentyn a'r Teulu ym Mhrifysgol East Anglia'n nodi, ymddengys bod trefn flaenoriaeth ar waith, ac i bob golwg rhoddir llai o sylw i farn rhai ymarferwyr nag eraill. Ni all hynny fod yn beth da i'r person ifanc. Mae barn pawb yn berthnasol a dylid gwrandao ar bob ymarferwr yn ei gylch proffesiynol. Mae swyddogaeth gweithwyr cymdeithasol a chynhalwyr eraill yn swyddogaethau lle bo'n rhaid troedio'n ofalus. Byddai rhai yn dweud yn yr hinsawdd bresennol nad oes modd iddynt ennill. Yn aml iawn, bydd gweithwyr cymdeithasol yn cael eu hystyried yn yr un categori a wardeniaid traffig, newyddiadurwyr a gwleidyddion gan y cyhoedd. Mae Waterhouse wedi dweud bod angen inni roi gwerth arnynt yn hytrach na'u condemnio'n otomatig. Mae angen inni gydweithio â hwy,

nid gweithio yn eu herbyn, i ddileu cam-drin.

As I have taken pains to point out in other debates, local authorities need to be open and equal partners in this partnership. The flow of information is a crucial factor in moving forward. We need good communication between agencies working with young people. That does not always happen. The sharing of information is vital and all of us have a role to play in that. We cannot have a passive role in this. It is not good enough for us to sit back and accept it when agencies say that they have passed the information on. We need to see the whole picture rather than a fragmented one.

Fel y bûm yn ceisio'i bwysleisio mewn dadleuon eraill, rhaid i awdurdodau lleol fod yn bartneriaid agored a chyfartal yn y bartneriaeth hon. Mae llif gwybodaeth yn ffactor holl bwysig er mwyn symud ymlaen. Rhaid inni gael cyfathrebu da rhwng asiantaethau sydd yn gweithio gyda phobl ifanc. Nid yw hyn bob amser yn digwydd. Mae rhannu gwybodaeth yn holl bwysig ac mae gan bawb ohonom swyddogaeth yn hynny o beth. Ni allwn gymryd rôl oddefol yn hyn. Nid yw'n ddigon da inni eistedd yn ôl a derbyn y sefyllfa pan fydd asiantaethau'n dweud eu bod wedi trosglwyddo'r wybodaeth. Rhaid inni weld y darlun cyfan yn hytrach na darlun tameidiog.

Responsibility is not fulfilled by the mere act of passing information on. It is essential that there are agreed mechanisms in place to give and receive feedback on that shared information. Assembly Members have an important role to play as we take up cases in our constituencies and our regions. We need to monitor the effectiveness of this information flow.

Nid yw trosglwyddo gwybodaeth ynddo'i hun yn golygu bod rhywun yn cyflawni'i gyfrifoldeb. Mae'n hanfodol bod mecanweithiau cytunedig ar waith i roi a derbyn atborth am yr wybodaeth honno a rennir. Mae gan Aelodau'r Cynulliad swyddogaeth bwysig i'w chyflawni wrth inni ymateb i achosion yn ein hetholaethau a'n rhanbarthau. Mae angen inni fonitro effeithiolrwydd y llif gwybodaeth hwn.

We cannot allow children and young people to slip through the net, as I have seen happen in my many years of working with young people. What we are undertaking is right and proper and I welcome the fact that the response has been quick. We must ensure that we never have to debate this issue again. I hope, trust and pray that the steps we take today will ensure that we succeed in that.

Ni allwn ganiatáu i blant a phobl ifanc lithro drwy'r rhwyd, fel a welais yn digwydd yn ystod y blynyddoedd lawer y bûm yn gweithio gyda phobl ifanc. Mae'r hyn yr ydym yn ei wneud yn iawn ac yn briodol a chroesawaf y ffaith fod yr ymateb wedi bod yn gyflym. Rhaid inni sicrhau na fyddwn byth yn gorfod cynnal dadl ar y pwnc hwn eto. Gobeithiaf, hyderaf a gweddi'af y bydd y camau a gymerwn heddiw yn sicrhau y llwyddwn yn hynny o beth.

Jocelyn Davies: I will concentrate on the issues of whistleblowing, the situation of people with learning difficulties, and the need for specialist training. I thank the victims who have come forward and told us about their experiences. It was brave of them to do so. We must ensure that positive action results from that.

Jocelyn Davies: Canolbwyntiaf ar faterion sydd yn ymwneud â phobl yn tynnu sylw at gam-drin, sefyllfa pobl gydag anawsterau dysgu, a'r angen am hyfforddiant arbenigol. Diolchaf i'r dioddefwyr sydd wedi dod ymlaen a dweud wrthym am eu profiadau. Yr oedd gwneud hynny'n beth dewr iawn. Rhaid inni sicrhau bod camau positif yn deillio o hynny.

5:09 p.m.

It is important to accept those accounts without revulsion, otherwise, we run the risk of relegating those stories to some repulsive place where nice people do not go for fear of being upset by what they may find. I make that plea not only as an Assembly Member, but as a mother of a boy who, we recently discovered, was groomed for several years by two paedophiles while he attended an educational institution—a school for children with severe specific learning difficulties. That was not a state school, nor in Wales. It was an independent boarding school in Gloucester, which was recommended to us by the local authority and was approved by the Welsh Office and the Secretary of State for Education and Employment. There are children from about 24 other local education authorities resident there. I will not name names, as I do not want to embarrass anyone. However, I have discovered that my local authority did not visit the school before recommending it to me. Social services did not know that Lewis was in a residential placement and no one from the LEA went to see him in four years.

We must ensure that whatever happens now, there are regulations in place to prevent that from happening to anybody in a residential placement in future. I am not suggesting that Lewis's experiences were violent in nature, as were the accounts of which we have heard. However, the grooming to which he was subjected falls within the spectrum of child abuse that we must address and guard against. This must not just be a post-mortem of abuse in children's homes in north Wales, but a serious attempt to address society's attitude towards the young and vulnerable. That may be in hospitals, penal institutions, schools, therapy centres or foster homes.

The victims have come forward. There may be others who cannot do so and they deserve retribution. I am sure that they would want us to use their experiences positively to protect others by perhaps encouraging others to speak out. The idea that children should be seen and not heard is unacceptable. I know

Mae'n bwysig derbyn yr hanesion hyn heb ffieiddio neu, fel arall, y perygl yw y byddwn yn gyrru'r straeon hyn i ryw fan troedig lle nad yw pobl neis yn troedio rhag ofn i'r hyn a welant darfu arnynt. Gofynnaf hyn, nid dim ond fel Aelod o'r Cynulliad, ond fel mam i fachgen a gafodd ei feithrin am ddwy flynedd, fel y cawsom wybod yn ddiweddar, gan ddau bedoffil tra bu mewn sefydliad addysgol—ysgol i blant ag anawsterau dysgu penodol difrifol. Nid ysgol wladol oedd honno, ac nid oedd yng Nghymru ychwaith. Ysgol breswyl annibynnol yn Swydd Gaerloyw oedd hi, a argymhellwyd inni gan yr awdurdod lleol ac a gymeradwywyd gan y Swyddfa Gymreig a'r Ysgrifennydd Gwladol dros Addysg a Chyflogaeth. Mae plant o ryw 24 awdurdod addysg lleol arall yn preswyl yno. Nid wyf am enwi unrhywun, oherwydd ni ddymunaf achosi embaras iddynt. Fodd bynnag, yr wyf wedi canfod nad oedd fy awdurdod lleol wedi ymweld â'r ysgol cyn ei hargymell imi. Nid oedd y gwasanaethau cymdeithasol yn gwybod bod Lewis mewn ysgol breswyl ac ni aeth neb o'r AALL i'w weld mewn pedair blynedd.

Rhaid inni sicrhau, beth bynnag sydd yn digwydd yn awr, fod rheoliadau wedi eu sefydlu i atal hynny rhag digwydd i neb mewn lleoliad preswyl yn y dyfodol. Nid wyf yn awgrymu bod profiadau Lewis yn rhai treisiol o ran natur, fel yr oedd profiadau'r rhai a glywsom amdanynt. Fodd bynnag, mae'r meithrin a gafodd yn dod o fewn y sbectrwm o gam-drin plant y mae'n rhaid inni fynd i'r afael ag ef a gwarchod rhagddo. Rhaid i hyn beidio â bod yn bost-mortem ar gam-drin mewn cartrefi plant yng ngogledd Cymru, ond yn hytrach, rhaid iddo fod yn ymgais ddifrifol i fynd i'r afael ag agwedd cymdeithas at bobl ifanc a bregus. Efallai y bydd hynny mewn ysbytai, sefydliadau cosbi, ysgolion, canolfannau therapi neu gartrefi maeth.

Mae'r dioddefwyr wedi dod ymlaen. Efallai fod eraill na all wneud hynny ac mae ganddynt yr hawl i gael iawn. Yr wyf yn siŵr y byddent am inni ddefnyddio'u profiadau mewn ffordd bositif i warchod eraill drwy annog pobl eraill i siarad efallai. Mae'r syniad y dylai plant gael eu gweld ond nid

from my son's experiences that those who want to exploit the vulnerable do so by creating and nurturing a certain culture or ethos within the institutions that they choose to join. That is what allows the abuse to occur and perhaps go undetected or ignored. Then the abuse becomes the norm, as Karen said. In the case of care homes or schools, that could be the development of a culture of favouritism—a few favourites are allowed to watch the television, which then becomes big currency. There may be a culture of fear, bullying, secrecy, and the big one, loyalty. It is perhaps the combination of those that allows this to occur.

Installing mechanisms and systems that prevent those abusive cultures from developing will be an important issue for us. Some of the recommendations might address that and I hope that the Health and Social Services Committee will consider it in greater detail later on.

I point out that not all victims can whistleblow. There is a group of vulnerable people with learning or physical disabilities who may not be able to communicate their experiences. I have a letter from one of my constituents, who is the mother of an autistic eight-year-old. She is worried that, after her death, her son will be abused by his carers and unable to express those experiences and get help. She is begging us for assurances. One way that we can give those assurances is by insisting that, over time, all staff who work with children and vulnerable people are trained as specialists and are re-trained and qualified, rather than just by setting targets. I ask the Secretary to tell us how we can do that. I am hopeful that the status that these positions should have in society will come with that specialist training and qualifications. It is not good enough that work within these institutions is seen as low-grade work, and that staff move on to better things as soon as possible. This comes back to the general point about how society sees, values and respects our children.

cael eu clywed yn annerbyniol. Gwn o brofiadau fy mab fod y sawl sydd am fanteisio ar bobl fregus yn gwneud hynny drwy greu a meithrin diwylliant neu ethos arbennig o fewn y sefydliadau y maent yn dymuno ymuno â hwy. Dyna beth sydd yn caniatáu i'r cam-drin ddigwydd ac efallai ddigwydd heb i neb sylwi, neu i bobl ei anwybyddu. Yna, daw'r cam-drin yn norm, fel y dywedodd Karen. Yn achos cartrefi gofal neu ysgolion, gallai hynny olygu meithrin diwylliant o ffafriaeth—caniateir i ychydig o rai a ffefrir wylio'r teledu, a daw hynny'n fater o bwys mawr. Efallai fod diwylliant o ofn, bwlio, cyfrinachedd a'r un holl bwysig, ffyddlondeb. Efallai mai cyfuniad o'r rhain sydd yn caniatáu i'r pethau hyn ddigwydd.

Bydd sefydlu mecanweithiau a systemau i atal y diwylliannau camdriniol hyn rhag datblygu yn bwysig inni. Efallai y bydd rhai o'r argymhellion yn mynd i'r afael â hyn a gobeithiaf y bydd y Pwyllgor Iechyd a Gwasanaethau Cymdeithasol yn ei ystyried yn fwy manwl yn ddiweddarach.

Hoffwn dynnu eich sylw at y ffaith na all pob un sydd yn dioddef seinio rhybudd. Mae grŵp o bobl fregus gydag anabledau dysgu neu gorfforol sydd efallai'n methu â sôn am eu profiadau. Mae gennyf lythyr gan un o'm hetholwyr, sydd yn fam i blentyn awtistig wyth oed. Mae'n poeni y bydd ei mab, ar ôl iddi farw, yn cael ei gam-drin gan y rhai sydd yn gofalu amdano ac na fydd yn gallu mynegi'r profiadau hynny a chael cymorth. Mae'n ymbil arnom i roi sicrwydd iddi. Un ffordd y gallwn roi sicrwydd o'r fath yw drwy fynnu bod pob aelod o'r staff sydd yn gweithio gyda phlant a phobl fregus, dros gyfnod o amser, yn cael eu hyfforddi fel arbenigwyr ac yn cael eu hail-hyfforddi ac yn ennill cymwysterau, yn hytrach na gosod targedau'n unig. Gofynnaf i'r Ysgrifennydd ddweud wrthym sut y gallwn wneud hynny. Yr wyf yn gobeithio y bydd y statws y dylai'r swyddi hyn ei gael yn ein cymdeithas yn dod gyda'r hyfforddiant arbenigol a chymwysterau hynny. Nid yw'n ddigon da bod gwaith yn y sefydliadau hyn yn cael ei weld yn waith o radd isel, a bod y staff yn symud ymlaen i bethau gwell cyn gynted ag y

bo modd. Daw hyn â ni yn ôl i'r pwynt cyffredinol ynghylch sut mae'r gymdeithas yn gweld ein plant, yn rhoi gwerth arnynt ac yn eu parchu.

We may not be able to guarantee a safe passage into adulthood, but if we set down good structures and mechanisms, we will ensure that opportunities to abuse will be reduced to an absolute minimum.

Efallai na allwn warantu taith ddiogel i fyfodolion, ond os sefydlwn strwythurau a mecanweithiau da, byddwn yn sicrhau bod llai a llai o gyfle i bobl gam-drin eraill.

The Secretary for Education and Children (Rosemary Butler): This has been an amazing afternoon. I am impressed by the quality of contributions that were made and I will cover some of the points that have been raised. The recommendations made by the tribunal and the wider issues raised present the Assembly with a challenge but they also provide us with a major opportunity to show that we can make a difference. We must make a difference to the lives of children in Wales and especially to the lives of children in care. The tribunal's report has reinforced the message that effective multi-agency working is essential if we are to provide the best protection possible for our young and vulnerable children.

Yr Ysgrifennydd Addysg a Phlant (Rosemary Butler): Mae'r prynhawn yma wedi bod yn syfrdanol. Mae ansawdd y cyfraniadau a wnaethpwyd wedi gwneud argraff arnaf ac fe ymdriniaf â rhai o'r pwyntiau a godwyd. Mae'r argymhellion a wnaethpwyd gan y tribiwnlys a'r materion ehangach a godwyd yn gosod her i'r Cynulliad ond hefyd maent yn rhoi cyfle mawr inni ddangos ein bod yn gallu gwneud gwahaniaeth. Rhaid inni wneud gwahaniaeth i fywydau plant yng Nghymru ac yn enwedig i fywydau plant mewn gofal. Mae adroddiad y tribiwnlys wedi atgyfnerthu'r neges bod gweithio ar lefel aml-asiantaethol yn hanfodol os ydym am ddarparu'r warchodaeth orau posibl i'n plant ifanc a bregus.

The report graphically illustrates the insidious nature of child abuse and the cunning of the people who perpetrate it. As David and Kirsty mentioned, the child protection landscape has changed considerably over the last decade. However, it will need to change further if we are to safeguard the needs of our children particularly as Jocelyn Davies has just mentioned, vulnerable children who cannot speak for themselves. Jane Hutt referred to the revised guidance on the inter-agency working which is to be issued shortly. It gives advice on the role of all agencies with a responsibility for the welfare of children. The education service is a major partner and the guidance makes clear that the role of independent schools is the same as that of any other school. It emphasises the need for the independent school sector to establish clear channels of communication with local education authorities, social services departments and area child protection

Mae'r adroddiad yn dangos yn glir iawn natur lechwraidd cam-drin plant a chyfrwystra'r bobl sydd yn gyfrifol amdano. Fel y soniodd David a Kirsty, mae'r tirwedd amddiffyn plant wedi newid yn sylweddol yn ystod y degawd diwethaf. Fodd bynnag, bydd rhaid iddo newid eto os ydym am ddiogelu anghenion ein plant, yn enwedig fel y soniodd Jocelyn Davies yn awr, blant bregus na allant siarad drostynt hwy eu hunain. Cyfeiriodd Jane Hutt at y cyfarwyddyd diwygiedig ar waith rhyng-asiantaethol sydd i'w gyhoeddi cyn bo hir. Mae'n cynnig cyngor ar swyddogaeth pob asiantaeth sydd yn gyfrifol am les plant. Mae'r gwasanaeth addysg yn un o'r prif bartneriaid ac mae'r canllawiau'n ei gwneud hi'n glir bod swyddogaeth ysgolion annibynnol yr un fath â swyddogaeth unrhyw ysgol arall. Mae'n pwysleisio bod angen i sector yr ysgolion annibynnol sefydlu sianelau cyfathrebu clir gydag awdurdodau addysg lleol, adrannau gwasanaethau cymdeithasol a phwyllgor

committees. Social services departments and area child protection committees must give the same level of support and advice to independent schools that they give to the maintained sector.

All local education authorities must now develop strategic plans that include targets for improving the education of children in local authority care. When children are placed in settings such as residential schools outside their home area, a child's longer-term needs should be the main consideration. Agencies should work together on effective strategies for a child's return to his or her home area at the end of schooling. Last September, corporal punishment was abolished for all pupils including those in the independent sector. We propose to review existing guidelines on the use of reasonable force in schools and residential accommodation.

The Health and Social Services Committee and the Pre-16 Education Committee will want to consider the action agenda as it develops. That point has been made by several people. The many valuable contributions and insight provided by Members during this debate will inform that process. They will also inform the work of the Ministerial taskforce on children's safeguards. Jane's presence on that taskforce gives the Assembly a voice on it. Kirsty emphasised this point. It is important that Jane is part of that taskforce and speaks up strongly for the Assembly. The Assembly is sponsoring a conference to discuss the recommendations of the Waterhouse report. It is being organised by the University of Wales, Bangor and will be held in Llandrindod Wells on 7 April. The speakers and invitees will be drawn from a variety of disciplines across the public and voluntary sectors and all of them will have a key role to play in child protection. These practitioners' views will also help us plan the way forward. Karen Sinclair made the point that it is important to remember that the great majority of people working in this difficult area show great integrity and that their commitment in helping to build a better future for vulnerable children is taken for

amddiffyn plant yr ardal. Rhaid i adrannau gwasanaethau cymdeithasol a phwyllgorau amddiffyn plant yr ardaloedd roi'r un lefel o gefnogaeth a chyngor i ysgolion annibynnol ag y maent yn ei rhoi i'r sector a gynhelir.

Bellach, rhaid i bob awdurdod addysg lleol ddatblygu cynlluniau strategol sydd yn cynnwys targedau ar gyfer gwella addysg plant sydd dan ofal awdurdod lleol. Pan osodir plant mewn sefyllfaoedd megis ysgolion preswyl y tu allan i ardal eu cartref, anghenion y plentyn yn y tymor hir ddylai fod yn brif ystyriaeth. Dylai asiantaethau gydweithio ar strategaethau effeithiol ar gyfer dychwelyd plentyn i'w ardal gartref ar ddiwedd y cyfnod yn yr ysgol. Fis Medi diwethaf, gwaharddwyd cosbi corfforol ar gyfer pob disgybl, gan gynnwys disgyblion yn y sector annibynnol. Bwriadwn adolygu'r canllawiau presennol ar y defnydd o rym rhesymol mewn ysgolion a llety preswyl.

Bydd y Pwyllgor Iechyd a Gwasanaethau Cymdeithasol a'r Pwyllgor Addysg Cyn-16 am ystyried yr agenda gweithredu wrth iddi ddatblygu. Mae sawl person wedi gwneud y pwynt hwnnw. Bydd y nifer o gyfraniadau gwerthfawr a'r ddealltwriaeth a gafwyd gan yr Aelodau yn ystod y ddadl hon yn goleuo'r broses honno. Byddant hefyd yn goleuo gwaith y tasglu Gweinidogol ar gamau diogelu plant. Bydd presenoldeb Jane ar y dasglu honno'n rhoi llais i'r Cynulliad. Pwysleisiodd Kirsty'r pwynt hwn. Mae'n bwysig bod Jane yn rhan o'r dasglu ac yn llais cryf ar ran y Cynulliad. Mae'r Cynulliad yn noddi cynhadledd i drafod argymhellion adroddiad Waterhouse. Prifysgol Cymru, Bangor sydd yn ei threfnu ac fe'i cynhelir yn Llandrindod ar 7 Ebrill. Bydd y siaradwyr a'r gwahoddedigion yn dod o amrywiaeth o wahanol ddisgyblaethau yn y sector cyhoeddus a gwirfoddol a bydd gan bob un ohonynt swyddogaeth allweddol ym maes amddiffyn plant. Bydd barn yr ymarferwyr hyn hefyd yn gymorth inni gynllunio'r ffordd ymlaen. Dywedodd Karen Sinclair ei bod hi'n bwysig cofio bod y rhan helaeth o bobl sydd yn gweithio yn y maes anodd hwn yn hynod o ddiffuant a bod pobl yn cymryd eu hymrwymiad i helpu adeiladu gwell dyfodol i blant bregus yn ganiataol.

granted.

There were some excellent points made in the debate. David Melding as always made some telling points. The point about an effective register is important. Proper management and support for staff is essential. We also need to take on board David's point about the lack of foster carers. Kirsty's point about acting and moving on was also important. What has happened is appalling but we must move on. We must ensure that every child in Wales has the opportunity of access to advocacy. A few people mentioned that. It is important.

5:19 p.m.

Helen Mary's story about Jade is appalling. We have new regulations forthcoming on prostitution, which might be useful to read this afternoon. Over the last year, the Home Office, in consultation with the Assembly and the Department of Health, has been working on guidance on children involved in prostitution. The Assembly will distribute the guidance in Wales under Section 7 of the Local Authority Social Services Act 1970. Local authorities will be required to comply with the guidance unless local circumstances indicate exceptional reasons why they should not do so. The guidance recognises that children involved in prostitution should be treated as children in need who may be suffering or may be likely to suffer significant harm. Under the guidance, the primary law enforcement effort will be against abusers and coercers. For children, the emphasis will be on preventing them entering into prostitution. The guidance also focuses on the needs of children living in, and leaving, care. The Children (Leaving Care) Bill currently before Parliament would extend the duties of local authorities in relation to looked-after children on their sixteenth birthday. Every young person will have a pathway plan and a personal adviser responsible for supporting them. Pathway plans will cover young people from 16 years of age until they reach independence. That, normally, will be at the age of 18, but we will also look beyond that to at least 21 years of age. That is important in this new Bill.

Gwnaethpwyd rhai pwyntiau ardderchog yn y ddadl. Fel ar bob adeg, gwnaeth David Melding bwyntiau pwysig iawn. Mae'r pwynt am gofrestr effeithiol yn bwysig. Mae rheolaeth a chefnogaeth iawn i staff yn hanfodol. Hefyd, mae angen inni ystyried pwynt David am ddiffyg gofalwyr maeth. Yr oedd pwynt Kirsty ynglŷn â gweithredu a symud ymlaen hefyd yn bwysig. Mae'r hyn sydd wedi digwydd yn erchyll ond rhaid inni symud yn ein blaenau. Rhaid inni sicrhau bod gan bob plentyn yng Nghymru gyfle i gael rhywun i eiriol drosto. Soniodd nifer o bobl am hynny. Mae'n bwysig.

Mae stori Helen Mary am Jade yn erchyll. Mae rheoliadau newydd ar y gweill sydd yn ymwneud â phuteinio ac efallai y byddai'n fuddiol darllen y rhain y prynhawn yma. Yn ystod y flwyddyn ddiwethaf, mae'r Swyddfa Gartref, gan ymgynghori gyda'r Cynulliad a'r Adran Iechyd, wedi bod yn gweithio ar ganllawiau sydd yn ymwneud â phlant sydd yn puteinio. Bydd y Cynulliad yn dosbarthu'r canllawiau yng Nghymru dan Adran 7 Deddf Gwasanaethau Cymdeithasol Awdurdodau Lleol 1970. Bydd gofyn i awdurdodau lleol gydymffurfio â'r canllawiau oni bai fod amgylchiadau lleol yn dangos bod rhesymau eithriadol dros beidio â gwneud hynny. Mae'r canllawiau'n cydnabod y dylid ymdrin â phlant sydd yn ymwneud â phuteinio fel plant mewn angen sydd efallai'n dioddef neu'n debygol o ddioddef niwed sylweddol. Dan y canllawiau, yn erbyn y camdrinwyr a'r bobl sydd yn dwyn pwysau ar y plant hyn y bydd y brif ymdrech i orfodi'r gyfraith. Yng nghyswllt y plant, bydd y pwyslais ar eu rhwystro rhag mynd i mewn i faes puteinio. Mae'r canllawiau hefyd yn canolbwyntio ar anghenion plant sydd yn byw mewn gofal ac yn gadael gofal. Byddai'r Mesur Plant (Gadael Gofal) sydd ger bron y Senedd ar hyn o bryd yn ymestyn dyletswyddau awdurdodau lleol gyda golwg ar blant mewn gofal ar eu hunfed pen-blwydd ar bymtheg. Bydd gan bob person ifanc gynllun llwybr a chynghorydd personol sydd yn gyfrifol am eu cefnogi. Bydd cynlluniau llwybr ar gael i bobl ifanc o'r adeg y maent yn 16 oed tan iddynt ddod yn annibynnol. Fel arfer, 18 oed

fydd hynny ond byddwn hefyd yn edrych y tu hwnt i hynny hyd at 21 oed o leiaf. Mae hyn yn bwysig yn y Mesur newydd hwn.

Alun Michael made some telling points from his vast experience in Westminster. We must keep policy development moving and ensure that there is early intervention and support for the family as well as for the child. Janet Ryder made a telling point on continuing care. It was interesting to hear Rod Richards speak on the background to how the report was originally commissioned. He was right that intervention is the priority. We must make sure that prevention is at the top of our agenda.

Gwnaeth Alun Michael nifer o bwyntiau pwysig ar sail ei brofiad eang yn San Steffan. Rhaid inni sicrhau bod datblygu polisi'n dal i symud ymlaen a sicrhau bod camu-i-mewn a chefnogaeth ar gael yn gynnwys ar gyfer y teulu yn ogystal â'r plentyn. Gwnaeth Janet Ryder bwynt pwysig am ofal parhaus. Yr oedd yn ddi-ddorol clywed Rod Richards yn sôn am gefndir comisiynu'r adroddiad yn y lle cyntaf. Yr oedd yn iawn mai camu-i-mewn yw'r flaenoriaeth. Rhaid inni wneud yn siŵr fod atal ar ben ein hagenda.

Gareth Jones's personal experience in his overview of what happened at Cartrefle is telling. We must pursue the issue by having the power to publish any report on childcare and abuse that is written in Wales. We cannot condone a report being shelved. No matter how badly written it is, or to whom it belongs, it must be in the public domain. We must see how we can pursue that.

Mae profiad personol Gareth Jones wrth roi trosolwg o'r hyn a ddigwyddodd yng Nghartrefle'n ddadlennol. Rhaid inni fwrw ymlaen â'r mater hwn drwy gael y grym i gyhoeddi unrhyw adroddiad ar ofal plant a cham-drin sydd yn cael ei ysgrifennu yng Nghymru. Ni allwn gydsynio i roi adroddiad ar silff. Waeth pa mor wael y cafodd ei ysgrifennu na phwy biau'r adroddiad, rhaid iddo fod yn eiddo i'r cyhoedd. Rhaid inni weld sut mae bwrw ymlaen â hynny.

Ann Jones made the point about scapegoats. We must ensure that there are none. It is important that councillors are made aware of their important role in child protection and that they are parents of the children in care. When I was a councillor, it was some time before I realised that. It was not until Alun Michael sent a letter reminding councillors of their responsibilities that I became aware that I was the parent of those children. That changed my perception of those duties. A few people have said that we must look at local authority reorganisation. Now there are no longer social services committees, we must ensure that local authorities have scrutiny panels that look at the childcare services.

Gwnaeth Ann Jones y pwynt am fychod dihangol. Rhaid inni sicrhau nad oes dim. Mae'n bwysig bod cynghorwyr yn ymwybodol o'u swyddogaeth bwysig ym maes amddiffyn plant ac mai hwy yw rhieni'r plant mewn gofal. Pan oeddwn yn gynghorydd, aeth peth amser heibio cyn imi sylweddoli hynny. Nid tan i Alun Michael anfon llythyr i atgoffa cynghorwyr am eu cyfrifoldebau y sylweddolais mai fi oedd rhiant y plant hynny. Effaith hynny oedd newid y ffordd yr oeddwn yn gweld y dyletswyddau hynny. Dywedodd rhai bod angen inni edrych ar ad-drefnu llywodraeth leol. Nid oes pwyllgorau gwasanaethau cymdeithasol bellach, felly rhaid inni sicrhau bod gan awdurdodau lleol banelau archwilio sydd yn edrych ar wasanaethau gofal plant.

Christine Humphreys and others made the point that listening to children is important. We must also hear what they say. You can listen and not get to the crux of what the child is trying to tell you. Peter Rogers made

Gwnaeth Christine Humphreys ac eraill y pwynt ei bod yn bwysig gwrando ar blant. Rhaid inni hefyd glywed beth sydd ganddynt i'w ddweud. Mae'n bosibl gwrando heb fynd at wraidd yr hyn y mae'r plentyn yn ceisio'i

the point about being a representative from north Wales. He is making it as his responsibility to ensure that we achieve some change. I wish him well in that role. It must be difficult for the Assembly Members from north Wales at this time. Gwenda Thomas always makes telling contributions. We could talk to local government about their having children's committees. Christine Chapman raised the point that children do not always have the skills to communicate, which is important and was reiterated by Jocelyn. Jocelyn's speech was the right point at which to finish this debate. It was moving. It is important to listen to whistleblowers, though some people do not have the talent or skill to whistleblow. Children with special educational needs are away from their families and need even more protection than a child who is nearer to home. Her contribution was very telling and I thank her for sharing that with us.

The training and professional development of social workers and ensuring that they have access to professional training, is important. This has been an informed debate, which has been helpful to the Health and Social Services Committee who will be discussing this again in the near future. I am delighted that there is a consensus on the need for a children's commissioner. The point has been made that this is the first step on the ladder. We need to take every opportunity to ensure we get primary legislation that will give our commissioner statutory rights. This is the first step and in my role as overseer of children's activities throughout Wales, I want to ensure that the role of the commissioner is as wide as possible; others have said this. It must be as wide as possible and must cover all children in Wales. Much work needs to be done quickly. There are specific recommendations to tackle—

Helen Mary Jones: I welcome what the Secretary said about the children's commissioner. Does she agree that it is important we emphasise that it will be

ddweud wrthyh. Gwnaeth Peter Rogers y pwynt am fod yn gynrychiolydd o ogledd Cymru. Mae'n ystyried mai ei gyfrifoldeb yw sicrhau ein bod yn cyflawni newid. Dymunaf yn dda iddo yn y swyddogaeth honno. Mae'n siŵr ei bod yn anodd i Aelodau'r Cynulliad o ogledd Cymru ar hyn o bryd. Mae Gwenda Thomas bob amser yn gwneud cyfraniadau o bwys. Gallem drafod gyda llywodraeth leol y posibilrwydd o gael pwyllgorau plant. Cododd Christine Chapman y pwynt nad oes gan blant bob tro'r sgiliau i gyfathrebu, sydd yn bwynt pwysig ac fe'i hailadroddwyd gan Jocelyn. Araith Jocelyn oedd y pwynt cywir inni ddod â'r ddadl hon i ben. Yr oedd yn ysgytwol. Mae'n bwysig gwranddo ar bobl sydd yn seinio rhybudd, er bod rhai nad oes ganddynt na'r talent na'r sgiliau i wneud hynny. Mae plant gydag anghenion addysgol arbennig wedi'u gwahanu oddi wrth eu teuluoedd ac mae angen hyd yn oed mwy o warchodaeth arnynt na phlentyn sydd yn nes adref. Yr oedd ei chyfraniad yn un pwysig a diolch iddi am rannu hynny gyda ni.

Mae hyfforddi gweithwyr cymdeithasol, sicrhau eu datblygiad proffesiynol a'u bod yn gallu cael gafael ar hyfforddiant proffesiynol, yn bwysig. Mae'r ddadl hon wedi bod yn un oleuedig ac yn gymorth i'r Pwyllgor Iechyd a Gwasanaethau Cymdeithasol a fydd yn trafod hyn eto yn y dyfodol agos. Yr wyf wrth fy modd fod consensws ynghylch y ffaith fod angen comisiynydd plant. Mae'r pwynt wedi'i wneud mai dyma'r cam cyntaf ar yr ysgol. Rhaid inni fanteisio ar bob cyfle i sicrhau ein bod yn cael deddfwriaeth sylfaenol a fydd yn rhoi hawliau statudol i'n comisiynydd. Dyma'r cam cyntaf ac yn fy swyddogaeth fel goruchwylydd gweithgareddau plant ledled Cymru, dymunaf sicrhau bod swyddogaeth y comisiynydd mor eang ag y bo modd; ac mae eraill wedi dweud hyn. Rhaid iddi fod mor eang ag y bo modd a rhaid iddi gwmpasu pob plentyn yng Nghymru. Mae angen gwneud llawer o waith ar frys. Mae argymhellion penodol inni fynd i'r afael â hwy—

Helen Mary Jones: Croesawaf yr hyn a ddywedodd yr Ysgrifennydd am y comisiynydd plant. A yw hi'n cytuno ei bod hi'n bwysig inni bwysleisio mai comisiynydd

Wales's children's commissioner who will get some of his or her statutory powers from the amendment to the Care Standards Bill, and that it will not be for the Bill to set up a commissioner to whom we will give additional powers later on? There is a perception that that may be a risk. I do not think it is a risk, but this is an opportunity to clarify that the commissioner will be ours and we will get some statutory powers for that commissioner in the Care Standards Bill.

Rosemary Butler: It is important that we get whatever we can as quickly as we can to ensure that the children's commissioner is effective as soon as he or she is in post. You could wait five years for a Bill. Jane Hutt has taken the opportunity and has said that we want the Care Standards Bill amended. She should be given credit for ensuring that we will get an amendment to this Bill. This was a manifesto commitment, and I am delighted that we are doing this in our first year in the Assembly. However, we are not talking about one person. We are talking about the commissioner's role, and we have to ensure that we get the right person for the job because he or she will be there for a number of years. After both Committees have made their recommendations it will be interesting to return to Plenary and see how we can develop the role. However, it is vital we get a commissioner who will look at the whole role. We all have varying views, but we must take whatever legislation Jane can grab. She is grabbing it and we should have it in the autumn, hopefully.

There are a number of issues we need to tackle early and they have been raised already. They are the quality of service for children who are looked after, preventive and support services for children and families in need, safeguards for children in all settings and corporate parenting and listening to children. Gareth Jones asked if things will change. They must change. The Assembly must grasp this opportunity because there

plant Cymru a fydd yn cael rhai o'i bwerau neu ei phwerau statudol drwy ddiwygio'r Mesur Safonau Gofal ac nid mater i'r mesur sefydlu comisiynydd y byddwn ni'n rhoi pwerau ychwanegol iddo/iddi yn nes ymlaen fydd hi? Mae rhai pobl o'r farn y gallai hynny fod yn beryglus. Nid wyf yn meddwl bod perygl yn hynny, ond mae hwn yn gyfle i egluro mai ni fydd biau'r comisiynydd ac y cawn ryw faint o bwerau statudol ar gyfer y comisiynydd hwnnw yn y Mesur Safonau Gofal.

Rosemary Butler: Mae'n bwysig ein bod yn cael beth bynnag y gallwn ei gael yn gyflym er mwyn sicrhau bod y comisiynydd plant yn effeithiol cyn gynted ag y bydd ef neu hi yn ei swydd. Gallech orfod disgwyl pum mlynedd am Fesur. Mae Jane Hutt wedi manteisio ar y cyfle ac wedi dweud ein bod am ddiwygio'r Mesur Safonau Gofal. Dylid ei channol am sicrhau y byddwn yn cael diwygiad i'r Mesur hwn. Yr oedd hyn yn ymrwymiad yn y manifestio ac yr wyf wrth fy modd ein bod yn gwneud hyn yn ein blwyddyn gyntaf yn y Cynulliad. Fodd bynnag, nid sôn am un person yr ydym. Yr ydym yn sôn am swyddogaeth y comisiynydd, a rhaid inni sicrhau ein bod yn cael y person iawn ar gyfer y swydd oherwydd bydd ef neu hi yno am nifer o flynyddoedd. Ar ôl i'r ddau Bwyllgor wneud eu hargymhellion, bydd yn ddiddorol dod yn ôl i'r Cyfarfod Llawn a gweld sut y gallwn ddatblygu'r swyddogaeth. Fodd bynnag, mae'n holl bwysig ein bod yn cael comisiynydd a fydd yn edrych ar y swyddogaeth gyfan. Mae gan bawb wahanol farn, ond rhaid inni dderbyn unrhyw ddeddfwriaeth y gall Jane ei bachu. Mae hi yn ei bachu a gobeithiaf y bydd gennym ni yn yr Hydref.

Mae sawl mater y mae angen inni fynd i'r afael â nhw'n fuan ac fe'u codwyd eisoes. Y materion hyn yw ansawdd y gwasanaeth i blant sydd dan ofal, gwasanaethau ataliol a chefnogol i blant a theuluoedd mewn angen, camau diogelu i blant ym mhob sefyllfa, rhianta corfforaethol a gwrando ar blant. Gofynnodd Gareth Jones a fydd pethau'n newid. Rhaid iddynt newid. Rhaid i'r Cynulliad fachu'r cyfle hwn oherwydd ni

will never be another opportunity for us to change the face of child protection in Wales. We cannot fail.

fydd cyfle arall byth inni newid golwg amddiffyn plant yng Nghymru. Ni allwn fethu.

I therefore ask Members to support the motion and amendment 1, tabled by David Melding, acknowledging that firm leadership from the Assembly is required if the safety and wellbeing of children in care is to be effectively promoted. Kirsty Williams's amendment 2 and Helen Mary Jones's amendment 3 should be supported in respect of the role of the children's commissioner, and amendment 4 by Helen Mary Jones on the Assembly's responses to the recommendations. Kirsty Williams has kindly withdrawn amendment 5. I hope the Assembly supports the motion and the amendments wholeheartedly.

Felly, gofynnaf i'r Aelodau gefnogi'r cynnig a gwelliant 1, a gyflwynwyd gan David Melding, gan gydnabod bod angen arweiniad cadarn gan y Cynulliad os yw diogelwch a lles plant mewn gofal am gael ei hyrwyddo'n effeithiol. Dylid cefnogi gwelliant 2 Kirsty Williams a gwelliant 3 Helen Mary Jones gyda golwg ar swyddogaeth y comisiynydd plant a gwelliant 4 gan Helen Mary Jones ar ymateb y Cynulliad i'r argymhellion. Mae Kirsty Williams wedi bod yn ddigon caredig i dynnu gwelliant 5 yn ôl. Gobeithiaf y bydd y Cynulliad yn rhoi ei gefnogaeth lwyr i'r cynnig a'r gwelliannau.

*Gwelliant 1: O blaid 54, Ymatal 0, Yn erbyn 0.
Amendment 1: For 54, Abstain 0, Against 0.*

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

Barrett, Lorraine
Bates, Mick
Black, Peter
Bourne, Nick
Butler, Rosemary
Chapman, Christine
Dafis, Cynog
Davies, Andrew
Davies, David
Davies, Geraint
Davies, Janet
Davies, Jocelyn
Edwards, Richard
Essex, Sue
Feld, Val
German, Michael
Gibbons, Brian
Graham, William
Gregory, Janice
Griffiths, John
Gwyther, Christine
Halford, Alison
Hancock, Brian
Hart, Edwina
Humphreys, Christine
Hutt, Jane
Jarman, Pauline
Jones, Ann
Jones, Carwyn
Jones, Elin
Jones, Gareth
Jones, Helen Mary
Jones, Ieuan Wyn
Law, Peter

Lewis, Huw
Lloyd, David
Marek, John
Melding, David
Michael, Alun
Morgan, Jonathan
Morgan, Rhodri
Neagle, Lynne
Pugh, Alun
Randerson, Jenny
Richards, Rod
Rogers, Peter
Ryder, Janet
Sinclair, Karen
Thomas, Gwenda
Thomas, Owen John
Thomas, Rhodri Glyn
Wigley, Dafydd
Williams, Kirsty
Williams, Phil

Amendment adopted.

Derbyniwyd y gwelliant.

5:29 p.m.

*Gwelliant 2: O blaid 54, Ymatal 0, Yn erbyn 0.
Amendment 2: For 54, Abstain 0, Against 0.*

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

Barrett, Lorraine
Bates, Mick
Black, Peter
Bourne, Nick
Butler, Rosemary
Chapman, Christine
Dafis, Cynog
Davies, Andrew
Davies, David
Davies, Geraint
Davies, Janet
Davies, Jocelyn
Edwards, Richard
Essex, Sue
Feld, Val
German, Michael
Gibbons, Brian
Graham, William
Gregory, Janice
Griffiths, John
Gwyther, Christine
Halford, Alison
Hancock, Brian
Hart, Edwina
Humphreys, Christine
Hutt, Jane
Jarman, Pauline
Jones, Ann
Jones, Carwyn
Jones, Elin
Jones, Gareth
Jones, Helen Mary
Jones, Ieuan Wyn

Law, Peter
Lewis, Huw
Lloyd, David
Marek, John
Melding, David
Michael, Alun
Morgan, Jonathan
Morgan, Rhodri
Neagle, Lynne
Pugh, Alun
Randerson, Jenny
Richards, Rod
Rogers, Peter
Ryder, Janet
Sinclair, Karen
Thomas, Gwenda
Thomas, Owen John
Thomas, Rhodri Glyn
Wigley, Dafydd
Williams, Kirsty
Williams, Phil

Amendment adopted.

Derbyniwyd y gwelliant.

Gwelliant 3: O blaid 54, Ymatal 0, Yn erbyn 0.

Amendment 3: For 54, Abstain 0, Against 0.

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

Barrett, Lorraine
Bates, Mick
Black, Peter
Bourne, Nick
Butler, Rosemary
Chapman, Christine
Dafis, Cynog
Davies, Andrew
Davies, David
Davies, Geraint
Davies, Janet
Davies, Jocelyn
Edwards, Richard
Essex, Sue
Feld, Val
German, Michael
Gibbons, Brian
Graham, William
Gregory, Janice
Griffiths, John
Gwyther, Christine
Halford, Alison
Hancock, Brian
Hart, Edwina
Humphreys, Christine
Hutt, Jane
Jarman, Pauline
Jones, Ann
Jones, Carwyn
Jones, Elin
Jones, Gareth
Jones, Helen Mary
Jones, Ieuan Wyn
Law, Peter

Lewis, Huw
Lloyd, David
Marek, John
Melding, David
Michael, Alun
Morgan, Jonathan
Morgan, Rhodri
Neagle, Lynne
Pugh, Alun
Randerson, Jenny
Richards, Rod
Rogers, Peter
Ryder, Janet
Sinclair, Karen
Thomas, Gwenda
Thomas, Owen John
Thomas, Rhodri Glyn
Wigley, Dafydd
Williams, Kirsty
Williams, Phil

Amendment adopted.

Derbyniwyd y gwelliant.

*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:

Barrett, Lorraine
Bates, Mick
Black, Peter
Bourne, Nick
Butler, Rosemary
Chapman, Christine
Dafis, Cynog
Davies, Andrew
Davies, David
Davies, Geraint
Davies, Janet
Davies, Jocelyn
Edwards, Richard
Essex, Sue
Feld, Val
German, Michael
Gibbons, Brian
Graham, William
Gregory, Janice
Griffiths, John
Gwyther, Christine
Halford, Alison
Hancock, Brian
Hart, Edwina
Humphreys, Christine
Hutt, Jane
Jarman, Pauline
Jones, Ann
Jones, Carwyn
Jones, Elin
Jones, Gareth
Jones, Helen Mary
Jones, Ieuan Wyn
Law, Peter
Lewis, Huw

Lloyd, David
 Marek, John
 Melding, David
 Michael, Alun
 Morgan, Jonathan
 Morgan, Rhodri
 Neagle, Lynne
 Pugh, Alun
 Randerson, Jenny
 Richards, Rod
 Rogers, Peter
 Ryder, Janet
 Sinclair, Karen
 Thomas, Gwenda
 Thomas, Owen John
 Thomas, Rhodri Glyn
 Wigley, Dafydd
 Williams, Kirsty
 Williams, Phil

Amendment adopted.

Derbyniwyd y gwelliant.

Amended motion:

Cynnig wedi'i ddiwygio:

that the Assembly

bod y Cynulliad yn

notes with sorrow the tragic events recorded in the Report of North Wales Child Abuse Tribunal of Inquiry and recognises the significance of the Tribunal's Report;

nodi â thristwch y digwyddiadau erchyll a ddisgrifir yn Adroddiad Tribiwnlys Cam-drin Plant Gogledd Cymru ac yn cydnabod arwyddocâd Adroddiad y Tribiwnlys;

supports the substantial work already being carried out by the Assembly and the Government to secure improvements to the quality of services and to safeguards for children living away from home, and acknowledges the Report's finding that firm leadership from the National Assembly for Wales is required if the safety and well being of children in care is to be promoted effectively;

cefnogi'r gwaith sylweddol sydd eisoes wedi'i wneud gan y Cynulliad a'r Llywodraeth i sicrhau gwelliannau yn ansawdd y gwasanaethau ac i amddiffyn plant sydd yn byw oddi cartref, ac yn cydnabod casgliad yr Adroddiad bod angen arweinyddiaeth gref o du Cynulliad Cenedlaethol Cymru er mwyn hybu diogelwch a lles plant mewn gofal yn effeithiol;

welcomes the proposal to establish, as a first step, an independent children's commissioner for Wales under the Care Standards Bill, and resolves to apply maximum pressure on the House of Commons to enact legislation at the earliest opportunity to expand the proposed role of the commissioner to include statutory powers across all areas affecting children. The powers of the commissioner should include:

croesawu'r cynigion i sefydlu comisiynydd plant annibynnol i Gymru o dan y Mesur Safonau Gofal, fel cam cyntaf, ac yn penderfynu dwyn cymaint o bwysau ag y bo modd ar Dŷ'r Cyffredin i wneud deddfwriaeth cyn gynted â phosibl i ehangu rôl arfaethedig y comisiynydd fel ei bod yn cynnwys pwerau statudol ar draws pob maes sydd yn effeithio ar blant. Dylai pwerau'r comisiynydd gynnwys:

1. power to require inquiries;
 2. powers to order disclosure of information;
 3. powers to require action to be taken by public authorities and bodies, in accordance with their own duties

1. pwerau i'w gwneud yn ofynnol i ymchwiliadau gael eu cynnal
 2. pwerau i orchymyn bod gwybodaeth yn cael ei datgelu
 3. pwerau i'w gwneud yn ofynnol i awdurdodau a chyrff cyhoeddus weithredu, yn unol â'u dyletswyddau eu hunain

calls on the First Secretary to make urgent representations to the Secretary of State for Wales to ensure that as soon as is reasonably practicable that Parliamentary time be provided to extend the statutory powers of the commissioner in line with recommendations of the Assembly; and

ac yn galw ar y Prif Ysgrifennydd i gyflwyno sylwadau ar fyrder i Ysgrifennydd Gwladol Cymru er mwyn sicrhau bod amser yn cael ei neilltuo yn y Senedd, cyn gynted ag y bo'n rhesymol ymarferol, er mwyn ymestyn pwerau statudol y comisiynydd yn unol ag argymhellion y Cynulliad; a

remits to the Secretaries for Health and Social Services and Education and Children the task of formulating detailed responses to the recommendations and, in conjunction with the Health and Social Services and Pre-16 Education Committees, to report to the Assembly on emerging issues.

rhoi i'r Ysgrifennydd Iechyd a Gwasanaethau Cymdeithasol a'r Ysgrifennydd Addysg a Phlant y dasg o lunio ymatebion manwl i'r argymhellion ac, ar y cyd â'r Pwyllgorau Iechyd a Gwasanaethau Cymdeithasol ac Addysg Cyn-16, adrodd yn ôl i'r Cynulliad ynghylch materion sydd yn codi.

*Cynnig wedi'i ddiwygio: O blaid 54, Ymatal 0, Yn erbyn 0.
 Amended motion: For 54, Abstain 0, Against 0.*

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

Barrett, Lorraine
 Bates, Mick
 Black, Peter
 Bourne, Nick
 Butler, Rosemary
 Chapman, Christine
 Dafis, Cynog
 Davies, Andrew
 Davies, David
 Davies, Geraint
 Davies, Janet
 Davies, Jocelyn
 Edwards, Richard
 Essex, Sue
 Feld, Val
 German, Michael
 Gibbons, Brian
 Graham, William
 Gregory, Janice
 Griffiths, John
 Gwyther, Christine
 Halford, Alison
 Hancock, Brian
 Hart, Edwina
 Humphreys, Christine
 Hutt, Jane
 Jarman, Pauline
 Jones, Ann

Jones, Carwyn
Jones, Elin
Jones, Gareth
Jones, Helen Mary
Jones, Ieuan Wyn
Law, Peter
Lewis, Huw
Lloyd, David
Marek, John
Melding, David
Michael, Alun
Morgan, Jonathan
Morgan, Rhodri
Neagle, Lynne
Pugh, Alun
Randerson, Jenny
Richards, Rod
Rogers, Peter
Ryder, Janet
Sinclair, Karen
Thomas, Gwenda
Thomas, Owen John
Thomas, Rhodri Glyn
Wigley, Dafydd
Williams, Kirsty
Williams, Phil

Amended motion adopted.

Derbyniwyd y cynnig wedi'i ddiwygio.

Y Llywydd: Diolch yn fawr i'r Aelodau.
Dyna ddiwedd cyfarfod heddiw.

The Presiding Officer: Thank you to the
Members. That is the end of today's session.

Daeth y cyfarfod i ben am 5.33 p.m.
The session ended at 5.33 p.m.