



**Cynulliad Cenedlaethol Cymru
Pwyllgor Iechyd a Gwasanaethau Cymdeithasol,
Pwyllgor Addysg a Dysgu Gydol Oes, Pwyllgor
Cyfiawnder Cymdeithasol ac Adfywio**

**The National Assembly for Wales
The Health and Social Services Committee, the
Education and Lifelong Learning Committee, the
Social Justice and Regeneration Committee, the
Committee on Equality of Opportunity**

**Adroddiad Comisynydd Plant Cymru
Report of the Children's Commissioner for Wales**

**Cwestiynau 1-77
Questions 1-77**

**Dydd Iau, 27 Ionawr 2005
Thursday, 27 January 2005**

Aelodau o'r Cynulliad yn bresennol: David Melding (Cadeirydd), Peter Black, Christine Chapman, Jeff Cuthbert, Jane Davidson (y Gweinidog dros Addysg a Dysgu Gydol Oes), Jocelyn Davies, Brian Gibbons (y Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol), William Graham, Janice Gregory, John Griffiths, Mark Isherwood, Laura Anne Jones, Huw Lewis, Jenny Randerson, Janet Ryder, Karen Sinclair, Rhodri Glyn Thomas, Kirsty Williams.

Swyddogion yn bresennol: Ann Lloyd, Pennaeth yr Adran Iechyd a Gofal Cymdeithasol, Cynulliad Cenedlaethol Cymru.

Tystion: Peter Clarke, Comisiynydd Plant Cymru; Maria Battle, Comisiynydd Cynorthwyol; Sara Reid, Comisiynydd Cynorthwyol.

Assembly Members present: David Melding (Chair), Peter Black, Christine Chapman, Jeff Cuthbert, Jane Davidson (the Minister for Education and Lifelong Learning), Jocelyn Davies, Brian Gibbons (the Minister for Health and Social Services), William Graham, Janice Gregory, John Griffiths, Mark Isherwood, Laura Anne Jones, Huw Lewis, Jenny Randerson, Janet Ryder, Karen Sinclair, Rhodri Glyn Thomas, Kirsty Williams.

Officials present: Ann Lloyd, Head of Health and Social Care Department, National Assembly for Wales.

Witnesses: Peter Clarke, Children's Commissioner for Wales; Maria Battle, Assistant Commissioner; Sara Reid, Assistant Commissioner.

Dechreuodd y cyfarfod am 1.32 p.m.

The meeting began at 1.32 p.m.

Cyflwyniad, Ymddiheuriadau a Datgan Buddiannau Introduction, Apologies and Declarations of Interest

[1] **David Melding:** Good afternoon. This is a unique event as it is the first joint meeting of the Health and Social Services Committee, the Education and Lifelong Learning Committee, the Social Justice and Regeneration Committee and the Committee on Equality of Opportunity. This is probably the first meeting of its kind. There is an important reason for holding this joint meeting, which is to receive Peter Clarke's report and to subject it to some scrutiny, as well as to engage with various issues that Peter and his team have brought to the Assembly and the Government.

We have received apologies from the following Assembly Members: Val Lloyd, Helen Mary Jones, Lorraine Barrett, Sandy Mewies, Lynne Neagle, Gwenda Thomas, Catherine Thomas, and Jonathan Morgan.

Jocelyn Davies is substituting for Leanne

[1] **David Melding:** Prynawn da. Mae hwn yn ddiwyddiad unigryw gan mai dyma gyd-gyfarfod cyntaf y Pwyllgor Iechyd a Gwasanaethau Cymdeithasol, y Pwyllgor Addysg a Dysgu Gydol Oes, y Pwyllgor Cyfiawnder Cymdeithasol ac Adfywio a'r Pwyllgor Cyfle Cyfartal. Dyma'r cyfarfod cyntaf o'i fath yn ôl pob tebyg. Mae rheswm pwysig dros gynnal y cyd-gyfarfod hwn, sef derbyn adroddiad Peter Clarke a chraffu arno, yn ogystal â thrafod yr amrywiol faterion y mae Peter a'i dîm wedi eu cyflwyno gerbron y Cynulliad a'r Llywodraeth.

Derbyniasom ymddiheuriadau gan yr Aelodau Cynulliad canlynol: Val Lloyd, Helen Mary Jones, Lorraine Barrett, Sandy Mewies, Lynne Neagle, Gwenda Thomas, Catherine Thomas a Jonathan Morgan.

Mae Jocelyn Davies yn cymryd lle Leanne

Wood on social justice, and Janet Ryder is substituting for Leanne Wood on equal opportunities. I know that this sounds odd and Byzantine, but it is permitted.

Before moving on, I remind everyone that these proceedings will be conducted in English and Welsh. When Welsh is spoken, a simultaneous translation can be heard using the headset. If anyone has difficulty in operating the headset, please indicate to the usher, who will assist you. Please switch off any electronic equipment such as mobile telephones or pagers. Please switch them off rather than placing them in the silent mode, as this disturbs the recording equipment and can interrupt our proceedings.

In the unlikely event of an emergency, please exit by either of the two doors. On turning left, you will reach the milling area, where you will be assisted by staff to leave the building safely.

By our calculations, the Health and Social Services Committee, the Social Justice and Regeneration Committee, and the Committee on Equality of Opportunity are all quorate. However, the Education and Lifelong Learning Committee—

[2] **Janet Ryder:** I was sent here to represent the Education and Lifelong Learning Committee. I was not aware that I was substituting Leanne Wood in terms of the Committee on Equality of Opportunity.

[3] **Peter Black:** Can Janet not represent both committees?

[4] **David Melding:** I think that that should be possible.

[5] **Janet Ryder:** That would mean that there are three Members from the Education and Lifelong Learning Committee.

[6] **Peter Black:** No, that would be four Members from the Education and Lifelong Learning Committee.

David Melding: Therefore, all four committees are quorate. I know that this sounds rather pedantic, but it determines how

Wood ar gyfiawnder cymdeithasol, ac mae Janet Ryder yn cymryd lle Leanne Wood ar gyfle cyfartal. Gwn fod hyn yn swnio'n rhyfedd ac yn Fysantaidd, ond fe'i caniateir.

Cyn symud ymlaen, hoffwn atgoffa pawb y caiff y trafodion hyn eu cynnal yn Gymraeg ac yn Saesneg. Pan siaredir yn Gymraeg, gellir clywed cyfieithiad ar y pryd drwy ddefnyddio'r clustffonau. Os caiff unrhyw un anhawster i weithio'r clustffonau, rhowch wybod i'r porthor, a wnaiff eich cynorthwyo. Dylech ddiffodd unrhyw offer electronig megis ffonau symudol neu alwyr. Dylech eu diffodd yn hytrach na'u troi i'r modd tawel, gan fod hynny'n amharu ar yr offer recordio a gall dorri ar draws ein trafodion.

Mewn argyfwng, sy'n dra annhebygol, dylech adael drwy ddefnyddio'r naill ddrws neu'r llall. Ar ôl troi i'r chwith, fe gyrrhaeddwch y neuadd, lle y cewch gymorth gan aelodau o'r staff i adael yr adeilad yn ddiogel.

Yn ôl ein cyfrifiadau, mae gan y Pwyllgor Iechyd a Gwasanaethau Cymdeithasol, y Pwyllgor Cyfiawnder Cymdeithasol ac Adfywio a'r Pwyllgor Cyfle Cyfartal oll gworwm. Fodd bynnag, mae'r Pwyllgor Addysg a Dysgu Gydol Oes—

[2] **Janet Ryder:** Fe'm hanfonwyd yma i gynrychioli'r Pwyllgor Addysg a Dysgu Gydol Oes. Nid oeddwn yn ymwybodol fy mod yn cymryd lle Leanne Wood o ran y Pwyllgor Cyfle Cyfartal.

[3] **Peter Black:** Oni all Janet gynrychioli'r ddau bwyllgor?

[4] **David Melding:** Credaf y dylai hynny fod yn bosibl.

[5] **Janet Ryder:** Byddai hynny'n golygu bod tri Aelod o'r Pwyllgor Addysg a Dysgu Gydol Oes yma.

[6] **Peter Black:** Na fyddai, byddai hynny'n bedwar Aelod o'r Pwyllgor Addysg a Dysgu Gydol Oes.

David Melding: Felly, mae gan y pedwar pwyllgor gworwm. Gwn fod hyn yn swnio braidd yn bedantaidd, ond mae'n pennu sut y

the various committees can refer to their individual meetings, which is important in terms of the evidence taken this afternoon.

gall yr amrywiol bwyllgorau gyfeirio at eu cyfarfodydd unigol, sy'n bwysig o ran y dystiolaeth a gymerir y prynhawn yma.

Adroddiad Blynyddol Comisiynydd Plant Cymru Annual Report of the Children's Commissioner for Wales

[7] **David Melding:** I now introduce Peter Clarke and his team, namely Maria Battle and Sara Reid, the assistant commissioners. This is the third annual report. You will know that the Assembly has been looking at how to appropriately receive the report and enter into a discussion with the Children's Commissioner for Wales. In the past, the commissioner has gone from one committee to another to discuss the report, which is a heavy burden. Therefore, we have suggested a joint meeting to see how it works. There are other possible ways of operating in future, which the Business Committee is considering.

[7] **David Melding:** Cyflwynaf yn awr Peter Clarke a'i dîm, sef Maria Battle a Sara Reid, y comisiynwyr cynorthwyol. Dyma'r trydydd adroddiad blynyddol. Fe wyddoch fod y Cynulliad wedi bod yn edrych ar ffordd briodol o dderbyn yr adroddiad a dechrau cynnal trafodaeth gyda Chomisiynydd Plant Cymru. Yn y gorffennol, aeth y comisiynydd o'r naill bwyllgor i'r llall i drafod yr adroddiad, sy'n broses feichus. Felly, awgrymwyd gennym y dylid cynnal cydgyfarfod i weld sut y byddai hynny'n gweithio. Mae ffyrdd eraill posibl o weithredu yn y dyfodol ac mae'r Pwyllgor Busnes wrthi'n eu hystyried.

The fact that we are all quorate reflects the interest in this work and the value placed upon it. I invite Peter Clarke to speak for 10 to 15 minutes. I will then try to work through the report as systematically as possible, covering the issues that you raise, particularly in relation to the Assembly and the agencies responsible to us. Perhaps we can look at past work and at any progress made, and consider the future work programme. Members may ask questions about the budget and other matters, as this is an important element of public scrutiny.

Mae'r ffaith bod gennym oll gworwm yn adlewyrchu'r diddordeb yn y gwaith hwn a'r gwerth a roddir arno. Gwahoddaf Peter Clarke i siarad am 10 i 15 munud. Wedyn ceisiaf weithio drwy'r adroddiad mewn modd mor systematig â phosibl, gan gwmpasu'r materion a godir gennych, yn arbennig o ran y Cynulliad a'r asiantaethau sy'n atebol i ni. Efallai y gallwn edrych ar waith yn y gorffennol ac ar unrhyw gynnydd a wnaed, gan ystyried y rhaglen waith ar gyfer y dyfodol. Gall Aelodau ofyn cwestiynau ynghylch y gyllideb a materion eraill, gan fod hyn yn elfen bwysig o graffu cyhoeddus.

Mr Clarke: I do not intend to dwell at great length on the content of the report, because all Members have had sight of the report for some time. I am pleased to present my report to the joint meeting today. I requested some such mechanism because it is so important for me to engage directly with committees, in addition to the Plenary debate which I witness, and in addition to the formal response of the Welsh Assembly Government, which I look forward to receiving next month. We often talk about joined-up services, and we now have a joined-up committee, therefore we are making some kind of a start today.

Mr Clarke: Ni fwriadaf dreulio llawer o amser ar gynnwys yr adroddiad, gan fod pob Aelod wedi cael golwg ar yr adroddiad ers peth amser. Mae'n bleser gennyf gyflwyno fy adroddiad i'r cyd-gyfarfod heddiw. Gofynnais am drefniant o'r fath gan ei bod mor bwysig imi gynnal trafodaeth uniongyrchol â'r pwyllgorau, yn ogystal â'r ddadl yn y Cyfarfod Llawn yr wyf yn dyst iddi, ac yn ogystal ag ymateb ffurfiol Llywodraeth Cynulliad Cymru, yr edrychaf ymlaen at ei dderbyn y mis nesaf. Yr ydym yn sôn yn aml am wasanaethau cydgysylltiedig, ac yn awr mae gennym bwyllgor cydgysylltiedig, felly yr ydym yn rhoi cychwyn o ryw fath arni heddiw.

You will know that a major consideration in all my reports is to see how well children are doing and how well they are being served in the light of their rights as set out in the United Nations Convention on the Rights of the Child. My Scottish counterpart has likened the United Nations convention to a set of promises that every country that signs it makes to the children of that country. I am delighted that the Assembly has adopted the UNCRC in the way in which it guides its work.

You—and I will use the National Assembly for Wales collectively, if I can so address you—were much braver than that. You created my office so that there would be someone completely independent of the Assembly to keep an eye on how well you are doing in keeping your promises under the UN convention; and someone, more generally, to promote the rights and welfare of children. I present my report to you, therefore, in a different capacity to the Assembly sponsored public bodies that the various committees are probably more used to working with. This meeting is unique in that respect also. We are feeling our way, jointly, to find the best mechanisms by which I can present my reports to you.

You will be aware that the report is physically smaller than last year's report. This is the consequence of discussions with children and young people about what would make the report more attractive, from their point of view. However, it contains at least the same number of words, because the National Audit Office allowed us to be briefer in our summary of accounts and so forth. Therefore, it is excellent value for money in that respect.

Early in the document, we lay out what we call our toolkit analogy, for which I am indebted to the Northern Ireland commissioner. The two Acts of Parliament which established my post gave me a huge remit in terms of the breadth of areas that I am responsible for considering and the

Fe wyddoch mai un o brif ystyriaethau fy holl adroddiadau yw gweld pa mor dda y mae plant yn gwneud a pha mor dda y cânt eu gwasanaethu o ystyried eu hawliau fel y'u nodir yng Nghonfensiwn y Cenhedloedd Unedig ar Hawliau'r Plentyn. Mae'r person yn yr Alban sydd â rôl sydd yn cyfateb i'm rôl i wedi cymharu confensiwn y Cenhedloedd Unedig â chyfres o addewidion a wneir gan bob gwlad sy'n ymrwymo iddo i blant y wlad honno. Yr wyf wrth fy modd bod y Cynulliad wedi mabwysiadu'r confensiwn o ran y ffordd y mae'n arwain ei waith.

Yr oeddech chi—a defnyddiaf Gynulliad Cenedlaethol Cymru fel enw torfol, os caf gyfeirio atoch felly—yn llawer dewrach na hynny. Bu ichi greu fy swydd er mwyn sicrhau bod rhywun a oedd yn gwbl annibynnol ar y Cynulliad yn cadw golwg ar eich cynnydd o ran cadw eich addewidion o dan gonfensiwn y CU; a rhywun, yn fwy cyffredinol, i hyrwyddo hawliau a lles plant. Cyflwynaf fy adroddiad ichi, felly, yn rhinwedd swyddogaeth wahanol i'r cyrff cyhoeddus a noddir gan y Cynulliad y mae'r amrywiol bwyllgorau yn ôl pob tebyg yn fwy cyfarwydd â gweithio gyda hwy. Mae'r cyfarfod hwn yn unigryw am y rheswm hwnnw hefyd. Yr ydym yn troedio llwybr newydd, ar y cyd, er mwyn dod o hyd i'r mecanweithiau gorau imi gyflwyno fy adroddiadau ichi.

Byddwch yn ymwybodol bod yr adroddiad yn llai o faint nag adroddiad y llynedd. Mae hyn yn deillio o drafodaethau a gynhaliwyd gyda phlant a phobl ifanc i ganfod beth fyddai'n gwneud yr adroddiad yn fwy deniadol, o'u safbwynt hwy. Fodd bynnag, mae'n cynnwys o leiaf yr un nifer o eiriau, gan i'r Swyddfa Archwilio Genedlaethol ganiatáu inni ddarparu fersiwn mwy cryno o'r crynodeb o'r cyfrifon ac yn y blaen. Felly, mae'n darparu gwerth ardderchog am arian yn hynny o beth.

Yn gynnar yn y ddogfen, nodir yr hyn a elwir gennym yn gyfatebiaeth blwch offer, ac mae fy nyled yn fawr i gomisiynydd Gogledd Iwerddon am hynny. Rhoddodd y ddwy Ddeddf Seneddol a sefydlodd fy swydd gylch gwaith enfawr imi o ran amrediad y meysydd yr wyf yn gyfrifol am eu hystyried a nifer y

number of things that I can do. We liken that to a toolkit, and we find this helpful because we do not always feel that we have to use every tool at once. A spanner is better for some jobs, and a screwdriver is better for others. One of the challenges for my office, given the breadth of the remit and the number of things that we can and are empowered to do, is to pick the issues that we believe will be most effective in ensuring that children's rights and welfare are furthered.

This report covers the year in which we came to the conclusion of the Clywch inquiry, and I was present when the inquiry was debated in the Assembly. This was a major piece of work, and its recommendations are still being taken forward in various ways. We also followed through on the recommendations that we made in 'Telling Concerns', which was our first systematic review of complaints, whistleblowing and advocacy. There is a list in the report—I think on page 17—of a whole range of other issues affecting children and young people on which we have intervened in various ways. We also published two shorter reports—'Lifting the Lid on the Nation's School Toilets', on a theme that you know I warm to regularly, and 'As Long as I Get There Safe', which addresses the serious matter of school transport and which we are still attending to closely.

Before I go on to briefly outline the major issues that I have highlighted this year, as opposed to those that I have followed up on from previous years, I wish to give Sara and Maria a chance to outline briefly the main areas of work that they would like to draw to your attention. Do you wish to start, Sara?

Ms Reid: Certainly.

Yn nhîm y comisiynydd, fi sy'n gyfrifol am arwain y gwaith cyfathrebu a'r gwaith sy'n ymwneud â chyfranogiad plant a phobl ifanc. Mae hwn yn waith eang iawn ac mae'n cwmpasu gweithio gyda'r cyfryngau, a chodi proffil y comisiynydd ynghyd â materion eraill yr ydym yn gweithio arnynt. Yr ydym hefyd yn ceisio cynyddu'r cyfleoedd i blant a phobl ifanc gyfranogi yn eu cymunedau, eu cymdogaethau a'u hysgolion, ac i gymryd

pethau y gallaf eu gwneud. Cymharwn hynny â chist offer, sy'n ddefnyddiol inni am nad ydym bob amser yn teimlo bod yn rhaid inni ddefnyddio pob offeryn ar yr un pryd. Mae sbaner yn well ar gyfer rhai tasgau, ac mae tyrnsgriw yn well ar gyfer tasgau eraill. Un o'r heriau sy'n wynebu fy swyddfa, o gofio amrediad y cylch gwaith a nifer y pethau y gallwn eu gwneud ac y mae gennym yr awdurdod i'w gwneud, yw dewis y materion a fydd fwyaf effeithiol wrth sicrhau y caiff hawliau a lles plant eu hyrwyddo.

Mae'r adroddiad hwn yn cwmpasu'r flwyddyn pan ddaethom ag ymchwiliad Clywch i ben, ac yr oeddwn yn bresennol pan drafodwyd yr ymchwiliad yn y Cynulliad. Yr oedd yn waith pwysig iawn, ac mae ei argymhellion yn cael eu rhoi ar waith o hyd mewn amrywiaeth o ffyrdd. Bu inni hefyd roi ein hargymhellion yn 'Datgan Pryderon', sef ein hadolygiad systematig cyntaf o gwynion, chwythu'r chwiban ac eiriolaeth, ar waith. Mae'r adroddiad yn cynnwys rhestr—ar dudalen 17, fe gredaf—o'r holl amrywiaeth o faterion eraill sy'n effeithio ar blant a phobl ifanc yr ydym wedi ymdrin â hwy mewn amrywiol ffyrdd. Cyhoeddwyd dau adroddiad byrrach gennym hefyd—'Codi'r Clawr ar Doiledau Ysgol y Genedl', ar thema y gwyddoch ei bod yn agos at fy nghalon, ac 'Ond Mod i'n Cyrraedd yn Sâff', sy'n ymdrin â mater difrifol trafniadaeth ysgol, mater yr ydym yn rhoi ystyriaeth ofalus iddo o hyd.

Cyn imi fwrw ati i amlinellu'n gryno y prif faterion yr wyf wedi tynnu sylw atynt eleni, yn hytrach na'r rhai yr wyf wedi eu dilyn o flynyddoedd blaenorol, hoffwn roi cyfle i Sara a Maria amlinellu'n gryno y prif feysydd gwaith yr hoffent dynnu eich sylw atynt. A hoffech ddechrau, Sara?

Ms Reid: Iawn.

Within the commissioner's team, I am responsible leading communications work and work that covers the participation of children and young people. These are wide-ranging responsibilities that encompass working with the media, and raising the commissioner's profile and other issues that we are working on. We are also trying to increase the opportunities for children and young people to participate within their

rhan mewn prosiectau ac yn y gwasanaethau y maent yn eu derbyn. Yn ystod y flwyddyn ddiwethaf, buom yn edrych hefyd ar sut y gallwn sicrhau bod plant a phobl ifanc yn cael mwy o ddylanwad, mewn ffordd dryloyw a chynhwysfawr, ar ein blaenoriaethau ni wrth inni gynllunio ein gwaith yn y blynyddoedd i ddod. Cânt gyfle, wrth gwrs, i leisio eu barn yn ein hadroddiadau ar archwiliadau ffurfiol, megis 'Datgan Pryderon', ac ar faterion sydd efallai yn ymddangos yn llai ffurfiol ond sydd yr un mor bwysig a lle y gwnawn fwy o ymchwil uniongyrchol gyda phlant a phobl ifanc, fel y gwnaethom gyda 'Codi'r Clawr ar Doiledau Ysgol y Genedl', a chyda 'Ond Mod i'n Cyrraedd yn Sâff', sy'n trafod diogelwch ar fysiau ysgol. Felly, byddwn yn hapus iawn i drafod ymhellach gydag aelodau'r pwyllgor unrhyw agwedd ar y gwaith hwnnw.

Ms Battle: My team deals with the legal side and investigations. One of the services that we provide is the advice and assistance service. To date, we have dealt with 1,000 cases. If I may explain how we deal with cases, it is important to note that this is a solution-focused service. We do not want to get into another level of bureaucracy and use all the tools that we have. We want results for children, many of which will come from making one telephone call. As some Members will know, there are only a few cases that we have been entrenched in for a couple of years. We get quick results with many of them because time is important in children's lives. Our approach to the service is to try to meet children and to speak and listen to them, rather than taking instructions or information solely from the adults. Every member of the commissioner's team is included in the advice and assistance service rota, which means that whether they work on policy, in communications or in administration, everyone has a feel of what is important to children in Wales on a regular basis. I have been lucky this year to recruit an advice and assistance manager, who has made many changes to the service. An in-house counselling scheme will be introduced this week, because, as you can imagine, some of the cases can be disturbing for those who work with the children. Staff will have access, 24/7, to online counselling and six face-to-face sessions. This means that they

communities, their neighbourhoods and their schools, and to take part in projects and in the services that they receive. During the past year, we have also considered how we can ensure that children and young people have greater influence, in a transparent and inclusive way, on our priorities when we set out our work for future years. They have an opportunity, of course, to express their views in our reports on formal investigations, such as 'Telling Concerns', and on issues that perhaps appear less formal but are of equal importance and where we would conduct more direct research with children and young people, as we did with 'Lifting the Lid on the Nation's School Toilets', and 'As long as I get there safe', which discusses safety on school buses. Therefore, I would be happy to discuss further with committee members any aspect of that work.

Ms Battle: Mae fy nhîm i yn ymdrin â'r ochr gyfreithiol ac ymchwiliadau. Un o'r gwasanaethau a ddarparwn yw'r gwasanaeth cyngor a chymorth. Hyd yma, bu inni ymdrin â 1,000 o achosion. Os caf egluro sut yr ymdriniwn ag achosion, mae'n bwysig nodi mai gwasanaeth sy'n canolbwyntio ar atebion ydyw. Nid ydym am gyflwyno lefel arall o fiwrocratiaeth a defnyddio'r holl offer sydd gennym. Yr ydym am weld canlyniadau i blant, y bydd llawer ohonynt yn deillio o un alwad ffôn. Fel y gwyr rhai Aelodau, prin yw'r achosion yr ydym yn ymwneud â hwyers rhai blynyddoedd. Yr ydym yn cael canlyniadau cyflym gyda llawer ohonynt gan fod amser yn bwysig ym mywydau plant. Ein hymagwedd tuag at y gwasanaeth yw ceisio cwrdd â phlant a siarad â hwy a gwrando arnynt, yn hytrach na chymryd cyfarwyddiadau neu wybodaeth gan yr oedolion yn unig. Caiff pob aelod o dîm y comisiynydd ei gynnwys yn rota'r gwasanaeth cyngor a chymorth, sy'n golygu pa un a ydynt yn gweithio ym maes polisi, cyfathrebu neu weinyddiaeth, y caiff pawb syniad o'r hyn sy'n bwysig i blant yng Nghymru yn rheolaidd. Bûm yn ffodus eleni i recriwtio rheolwr cyngor a chymorth, a wnaeth lawer o newidiadau i'r gwasanaeth. Cyflwynir cynllun cynghori mewnol yr wythnos hon, oherwydd, fel y gallwch ddyfalu, gall rhai o'r achosion fod yn annifyr iawn i'r rhai sy'n gweithio gyda'r plant. Bydd y staff yn gallu manteisio ar wasanaeth

can get support outside the work environment to deal with some of the things that they have to help children with.

We are also hoping to change the database. As I said, we have dealt with 1,000 cases—1,004 by today. I inherited quite a basic database, and I would like to redesign it so that we can reproduce more meaningful statistics. The money is there to do that; we just have to change all the systems, and then I can instruct someone to do it. My team also undertakes reviews. Again, the philosophy is to try to get other agencies to do them. We have the Social Services Inspectorate for Wales, the Care Standards Inspectorate for Wales, the health service inspectorate and the ombudsman. I speak to these organisations, and, if a case comes in that another organisation can review, it is for that organisation to review it, because part of our job is to see that those services are working. Some things are more complex than that, and it is for all of us to do different bits, or to do it jointly. We have been speaking with the ombudsman about joint reviews.

On the other bits of work that we have been doing, I have been dealing a lot with non-devolved matters. We have a juvenile prison in Wales, where 28 young people between the ages of 14 and 18 are locked up. We have been in there, and encountered some wonderfully innovative methods that are being used with those children. We are looking at helping to improve their situation and helping them with a smooth transition when they come out of prison. We have been working closely with the police and the prison service.

The Clywch inquiry has been another part of my work during the last year. Part of my team's job is to monitor the implementation of the recommendations and to put together good practice guides. A lot of the responses from the media have been very positive, and many said something along the lines of, 'Please, help us; we want to do it and we know that we need to do it, but we are just

cynghori ar-lein, 24/7, a chwe sesiwn wyneb-wyneb. Golyga hyn y gallant gael cymorth y tu allan i'r amgylchedd gwaith i ymdrin â rhai o'r pethau y mae'n rhaid iddynt helpu plant â hwy.

Yr ydym hefyd yn gobeithio newid y gronfa ddata. Fel y dywedais, yr ydym wedi ymdrin â 1,000 o achosion—1,004 erbyn heddiw. Etifeddais gronfa ddata eithaf elfennol, a hoffwn ei hailgynllunio er mwyn inni allu cynhyrchu ystadegau mwy ystyrllon. Mae'r arian ar gael i wneud hynny; ond mae angen inni newid yr holl systemau, ac wedyn gallaf roi cyfarwyddyd i rywun wneud hynny. Mae fy nhîm hefyd yn cynnal adolygiadau. Eto, yr athroniaeth yw ceisio darbwyllo asiantaethau eraill i'w cynnal. Mae gennym Arolygiaeth Gwasanaethau Cymdeithasol Cymru, Arolygiaeth Safonau Gofal Cymru, arolygiaeth y gwasanaeth iechyd a'r ombwdsmon. Byddaf yn siarad â'r sefydliadau hyn, ac, os daw achos ger ein bron y gall sefydliad arall ei adolygu, yna cyfrifoldeb y sefydliad hwnnw fydd gwneud hynny, gan fod sicrhau bod y gwasanaethau hynny yn gweithio yn rhan o'n gwaith ni. Mae rhai pethau yn fwy cymhleth na hynny, a rhaid i bob un ohonom wneud gwahanol elfennau, neu gydweithio. Buom yn trafod cydadolygiadau gyda'r ombwdsmon.

O ran y gwaith arall y buom yn ei wneud, yr wyf wedi bod yn ymwneud llawer â materion nad ydynt wedi'u datganoli. Mae gennym garchar ieuenctid yng Nghymru, lle y caiff 28 o bobl ifanc rhwng 14 a 18 oed eu cadw. Yr ydym wedi ymweld â'r carchar, a daethom ar draws dulliau hynod o arloesol a ddefnyddir gyda'r plant hynny. Yr ydym yn awyddus i helpu i wella eu sefyllfa a'u helpu i wynebu'n ddiraffferth y newid byd wedi iddynt gael eu rhyddhau o'r carchar. Buom yn cydweithio'n agos â'r heddlu a'r gwasanaeth carchardai.

Bu ymchwiliad Clywch yn rhan arall o'm gwaith yn ystod y flwyddyn ddiwethaf. Rhan o waith fy nhîm yw monitro'r ffordd y caiff yr argymhellion eu gweithredu a llunio canllawiau arferion da. Bu llawer o'r ymatebion gan y cyfryngau yn gadarnhaol iawn, gyda sawl un yn nodi sylwadau tebyg i 'Helpwch ni, os gwelwch yn dda; yr ydym am weithredu ac yn gwybod bod angen inni

not sure how to do it'. We have meetings lined up and, hopefully, we will put together a best practice pack for them, so that child protection systems can be put in place within the media.

Mr Clarke: We are coming to an end. The issues that I have picked up as the main ones this year, as opposed to those that I have just revisited from previous reports, are bullying and children's social services. Bullying is a topic that comes up in almost every conversation with individuals or groups of children, in all sorts of different environments and age groups, right across our country. We therefore see this as a major piece of work that we want to do. We have a programme that will probably last until about 13 months from now, and it is then that we will publish a full report. We also want to involve children and young people directly in the design of the piece of work that we are going to do. This will be a major focus of our activity in the coming year.

On children's social services, I think that I just added my voice to the many others, including that of the Association of Directors of Social Services and, I believe, the Assembly itself, about the real concern that, as we sit here, there are still unallocated cases on the child abuse register. This is one of the things, as I have said before, that genuinely gives me sleepless nights. It is something that all of us have to address. These are not all little issues. It may be tempting for local authorities to find individual solutions so that they can attract social workers, but that tends to last only a short time, until the neighbouring authority puts in extra goodies to pull the social workers back again. The broader issue of social work with children as a profession also needs to be addressed. Therefore, I think that it is right that I should have highlighted it.

We also pick out some slightly lesser issues such as our concerns about the children of asylum seekers—we cite one or two cases in our report. This is a particularly vulnerable group of young people living in Wales.

weithredu, ond nid ydym yn siŵr sut i fynd ati'. Yr ydym wedi trefnu cyfarfodydd a'r gobaith yw y gallwn lunio pecyn arferion gorau iddynt, er mwyn i systemau amddiffyn plant gael eu rhoi ar waith yn y cyfryngau.

Mr Clarke: Yr ydym yn dod at y terfyn. Y materion a nodais fel y prif faterion a gododd eleni, yn hytrach na'r rhai a ailystyriais yn dilyn adroddiadau blaenorol, yw bwlio a gwasanaethau cymdeithasol i blant. Mae bwlio yn destun sy'n dod i'r amlwg ym mhob sgwrs bron gydag unigolion neu grwpiau o blant, mewn pob math o amgylchedd gwahanol a grwpiau oedran gwahanol, ymhob cwr o'n gwlad. Felly yr ydym yn awyddus i ymdrin â'r gwaith pwysig hwn. Mae gennym raglen a fydd yn ôl pob tebyg yn para am tua 13 mis, ac wedi hynny byddwn yn cyhoeddi adroddiad llawn. Yr ydym hefyd yn awyddus i gynnwys plant a phobl ifanc yn uniongyrchol wrth gynllunio'r gwaith sydd yn yr arfaeth gennym. Bydd yn ffocws pwysig i'n gweithgaredd yn ystod y flwyddyn nesaf.

O ran gwasanaethau cymdeithasol i blant, credaf imi ychwanegu fy llais at y llu o leisiau eraill, gan gynnwys Cymdeithas Cyfarwyddwyr Gwasanaethau Cymdeithasol a'r Cynulliad ei hun, fe gredaf, yn datgan pryder gwirioneddol, wrth inni eistedd yma, fod achosion yn parhau heb eu dyrannu ar y gofrestr cam-drin plant. Mae hynny'n un o'r pethau, fel y dywedais o'r blaen, sy'n achosi nosweithiau di-gwsg go iawn imi. Mae'n rhywbeth y mae'n rhaid i bob un ohonom roi sylw iddo. Nid materion bach yw pob un ohonynt. Gallai awdurdodau lleol gael eu temtio i ddod o hyd i atebion unigol er mwyn iddynt allu denu gweithwyr cymdeithasol, ond dim ond am gyfnod byr y bydd hynny'n para fel arfer, hyd nes y bydd yr awdurdod cyfagos yn cynnig buddion ychwanegol i ddenu'r gweithwyr cymdeithasol yn ôl atynt. Mae angen ymdrin â chwestiwn ehangach gwaith cymdeithasol gyda phlant fel proffesiwn hefyd. Felly, credaf ei bod yn briodol fy mod wedi tynnu sylw ato.

Yr ydym hefyd yn nodi rhai materion llai megis ein pryderon ynghylch plant ceiswyr lloches—caiff un neu ddau o achosion eu dyfynnu yn ein hadroddiad. Mae hwn yn grŵp o bobl ifanc arbennig o ddiarneddffyn

Although the issues concerning them are non-devolved, in the sense that they are dealt with by central Government departments, these children need the help of my office every bit as much as every other child.

We also talk about support for families. A lot of our caseload comes from parents—I think that it is still over 50 per cent and makes up the majority of our work. We still feel that there is a dearth of active support for parents. Parents ring us on behalf of their children time and again, and I think that they could do with an office like mine, in a sense. I know that there is the National Family and Parenting Institute, but it does not offer that sort of service, in the way that we would like. The strong support that my office gives to the abolishment of reasonable chastisement as a defence for smacking children is best placed in a context where we can offer a great deal of help and support in a proactive way, so that parents have other options as regards how to keep good order in the home. I will stop there because I do not want to repeat what is in the report. I welcome any questions in the spirit of our relationship as ‘critical friends’—that is how it has been described—and I look forward to its continuation.

[8] **David Melding:** A couple of Members have indicated that they wish to contribute, but I ask them to re-indicate when I have explained how we will structure the questions.

Thank you, Mr Clarke, for that succinct introduction, which has allowed us to start the conversation and questioning, which is what we now want to do. This is such a unique occasion that I forgot to invite declarations of interest. I suspect that there are no declarations to be made, but there may be—I cannot see anyone wishing to declare anything, so we will proceed.

It seems to me that we need to take the report in sections so that we do not repeat ourselves too much. The first part of the report, ‘The year in question 2003-2004’, deals with issues such as the Clywch inquiry, reviewing procedures, the totality of the UN convention, and your relations with Government and

sy’n byw yng Nghymru. Er nad yw’r materion sy’n gysylltiedig â hwy wedi’u datganoli, yn yr ystyr mai adrannau’r Llywodraeth ganolog sy’n ymdrin â hwy, mae angen cymorth fy swyddfa ar y plant hyn llawn cymaint â phob plentyn arall.

Yr ydym hefyd yn sôn am gymorth i deuluoedd. Daw cyfran sylweddol o’n llwyth achosion gan rieni—credaf ei fod dros 50 y cant o hyd a dyna yw’r rhan fwyaf o’n gwaith. Yr ydym yn dal i deimlo bod diffyg cymorth gweithredol i rieni. Mae rhieni yn ein ffonio ar ran eu plant dro ar ôl tro, a chredaf fod angen swyddfa debyg i’m swyddfa i arnynt, i ryw raddau. Gwn fod y Sefydliad Teuluoedd a Rhianta Cenedlaethol ar gael iddynt, ond nid yw’n cynnig y math hwnnw o wasanaeth, yn y ffordd y byddem yn ei hoffi. Dylid gosod y gefnogaeth gref a rydd fy swyddfa i’r broses o ddiddymu cosb resymol fel amddiffyniad ar gyfer taro plant o fewn cyd-destun lle y gallwn gynnig llawer o help a chymorth mewn modd rhagweithiol, er mwyn rhoi opsiynau eraill i rieni o ran sut i gadw trefn yn y cartref. Rhoddaf y gorau iddi yn awr am nad wyf am ailadrodd cynnwys yr adroddiad. Croesawaf unrhyw gwestiynau yn ysbryd ein cydberthynas fel ‘cyfeillion beirniadol’—dyna sut y’i disgrifiwyd—ac edrychaf ymlaen at ei gweld yn parhau.

[8] **David Melding:** Mae rhai Aelodau wedi datgan eu bod am gyfrannu, ond gofynnaf iddynt ailddatgan wedi imi egluro sut y byddwn yn strwythuro’r cwestiynau.

Diolch, Mr Clarke, am y cyflwyniad cryno hwnnw, sydd wedi rhoi cyfle inni ddechrau’r sgwrs a’r cwestiynau, sef yr hyn yr ydym am ei wneud yn awr. Mae’r achlysur hwn mor unigryw nes imi anghofio gwahodd datganiadau o fuddiant. Yr wyf yn amau a oes unrhyw ddatganiadau i’w gwneud, ond gallai fod—ni allaf weld neb sydd am ddatgan dim, felly bwriwn ati.

Ymddengys i mi fod angen inni ystyried yr adroddiad fesul adran er mwyn sicrhau na fyddwn yn ailadrodd ein hunain yn ormodol. Mae rhan gyntaf yr adroddiad, ‘Y flwyddyn dan sylw 2003-2004’, yn ymdrin â materion fel ymchwiliad Clywch, adolygu gweithdrefnau, confensiwn y CU yn ei

those sorts of matters. I am happy to take that first. Next is 'Advice and assistance', which is very much on the nature of the inquiries and those inquiring. These are the two sections dealt with first in the report, but I suspect that we would not want to spend the bulk of our time on them. The key issues identified, which are covered from page 27 on, will interest us most. So, we can either start with those or we could briskly get through the first two sections, as long as Members do not mind my hurrying them along, because I do not want to end up discussing the key issues for 15 minutes right at the end of the meeting. I want to allow 10 minutes at the end for any comments on the future work programme or the financial issues. Time is tight, as we have just over an hour and a half to get through this, so we will have to be fairly vigorous. We shall therefore start with the 'The year in question', which is more procedural in nature, and I will try to conclude that within fifteen minutes.

[9] **Janet Ryder:** The introduction refers to reviewing reviews that you have done and how recommendations have been implemented. In 'Telling Concerns', you make it very clear that fewer than half of local authorities have developed the post of children's complaints officer. What needs to be done about this? In the light of the fact that you go on to say that complaints about bullying should be registered as official complaints, do you think that there is scope for a greater link-up between the two? How will you ensure that the policies that all schools have now written are actually working? Policies that do not work can be the downfall of many places.

[10] **David Melding:** Does anyone else want to add to this general point about the number of children's complaints officers, which is identified as an issue in the Waterhouse report? You will see in the report that only 10 of the 22 authorities have these officers. I will not allow further discussion on this once Peter has answered, otherwise we will not get through the questions briskly. Janet's

gyfanrwydd, a'ch cysylltiadau â'r Llywodraeth a'r mathau hynny o faterion. Yr wyf yn fwy na pharod i drafod hynny yn gyntaf. Yn nesaf ceir 'Cyngor a chymorth', sy'n ymwneud i raddau helaeth â natur yr ymchwiliadau a'r rhai sy'n eu cynnal. Dyma'r ddwy adran yr ymdrinnir â hwy yn gyntaf yn yr adroddiad, ond yr wyf yn amau na fyddem am dreulio llawer o'n hamser yn eu trafod. Y materion allweddol a nodwyd, a gynhwysir o dudalen 27 ymlaen, fydd o ddiddordeb inni yn bennaf. Felly, naill ai gallwn ddechrau gyda'r materion hynny neu gallwn drafod y ddwy adran gyntaf yn gyflym, os nad oes ots gan Aelodau ruther drwyddynt, oherwydd nid wyf am wynebu sefyllfa lle na fyddwn ond yn trafod y materion allweddol am 15 munud ar ddiwedd y cyfarfod. Yr wyf am ganiatáu 10 munud ar y diwedd i dderbyn unrhyw sylwadau ar y rhaglen waith ar gyfer y dyfodol neu'r materion ariannol. Mae amser yn brin, gan mai ychydig dros awr a hanner sydd gennym i drafod y materion hyn, felly bydd yn rhaid inni fod yn gymharol gyflym. Felly, dechreuwn gyda 'Y flwyddyn dan sylw', sy'n fwy gweithdrefnol ei natur, a cheisiaf ddod â'r adran honno i ben o fewn chwarter awr.

[9] **Janet Ryder:** Mae'r cyflwyniad yn cyfeirio at adolygu'r adolygiadau a gynhaliwyd gennych a sut y rhoddwyd argymhellion ar waith. Yn 'Datgan Pryderon', nodwch yn glir fod llai na hanner yr awdurdodau lleol wedi datblygu swydd swyddog cwynion plant. Beth sydd angen ei wneud ynghylch hyn? O ystyried y ffaith eich bod yn mynd ymlaen i ddweud y dylid cofrestru cwynion am fwlio fel cwynion swyddogol, a gredwch fod cyfle i gael mwy o gysylltiad rhwng y ddau? Sut y sicrhewch fod y polisiau y mae pob ysgol bellach wedi'u hysgrifennu yn gweithio'n ymarferol? Gall polisiau nad ydynt yn gweithio arwain at fethiant mewn llawer o leoedd.

[10] **David Melding:** A oes unrhyw un arall yn awyddus i ychwanegu at y pwynt cyffredinol hwn ynghylch nifer y swyddogion cwynion plant, a nodir fel problem yn adroddiad Waterhouse? Fe welwch yn yr adroddiad mai dim ond 10 o'r 22 o awdurdodau sydd wedi penodi'r swyddogion hyn. Ni chaniatâf drafodaeth bellach ar y mater wedi i Peter ateb, neu ni

question was a good one, and it more or less covered this important issue, so you may want to reply now, Peter.

Mr Clarke: Briefly, on numbers—unfortunately, Rhian Davies could not be here today—but I know that more authorities now have children’s complaints officers than was the case when this was reviewed. I know that some of the directors and chief executives of social services believe that the arrangements that they have in hand are better. I do not agree with them, but, nonetheless, I think that it is only fair to state their view.

‘Telling Concerns’ reviewed social services. In Clywch, we made very clear recommendations with regard to children’s complaints in schools, and we are about to publish a report on local education authorities. We want the systems by which children can make complaints directly to be as consistent and simple as possible. The phrase ‘one-stop shop’ is often used and, ultimately, this is what we would like to see in place, so that a child does not have to worry about using one or other complaints procedure within his or her school, or in social services, or even in the youth service. There should be one point of contact, and it would then be the adults’ responsibility to ensure that the system works.

On the point about bullying, it is my view that we need to find, again, a non-bureaucratic way in which issues related to bullying raised by children that cannot be sorted out there and then are recorded, because, if we are going to get a grip on this, we need to know the scale of the problem. I think that if a child goes so far as to complain about bullying, certain things need to happen, and to be seen to be happening. I do not want a bureaucratic system, but I think that a system for recording a complaint of bullying is needed, and that it then needs to be treated as a complaint. Until we have published our review of LEA systems, it would probably be a little previous of me to say much more than that.

lwyddwn i fynd drwy’r cwestiynau yn gyflym. Yr oedd cwestiwn Janet yn un da, gan lwyddo fwy neu lai i gwmpasu pob agwedd ar y mater pwysig hwn, felly efallai yr hoffech ymateb yn awr, Peter.

Mr Clarke: Yn gryno, o ran niferoedd—yn anffodus, ni allai Rhian Davies fod yn bresennol heddiw—ond gwn erbyn hyn fod gan fwy o awdurdodau swyddogion cwynion plant na’r nifer pan adolygwyd y mater. Gwn fod rhai o gyfarwyddwyr a phrif weithredwyr gwasanaethau cymdeithasol o’r farn bod y trefniadau sydd ar waith ganddynt yn well. Nid wyf yn cyd-fynd â hwy, ond, serch hynny, credaf ei bod yn deg datgan eu barn.

Bu i ‘Datgan Pryderon’ adolygu’r gwasanaethau cymdeithasol. Yn Clywch, gwnaethom argymhellion clir iawn o ran cwynion plant mewn ysgolion, ac yr ydym ar fin cyhoeddi adroddiad ar awdurdodau addysg lleol. Yr ydym am i’r systemau y gall plant eu defnyddio i gyflwyno cwynion yn uniongyrchol fod mor gyson a syml â phosibl. Defnyddir yr ymadrodd ‘siop un-stop’ yn aml ac, yn y pen draw, dyma’r hyn yr hoffem weld ei sefydlu, fel na fydd yn rhaid i blentyn bryderu am ddefnyddio’r naill weithdrefn gwyno neu’r llall yn ei ysgol neu ei hysgol, neu yn y gwasanaethau cymdeithasol, neu hyd yn oed yn y gwasanaeth ieuenctid. Dylid sefydlu un pwynt cyswllt, ac wedyn cyfrifoldeb yr oedolion fyddai sicrhau bod y system yn gweithio.

O ran bwlio, yr wyf o’r farn bod angen, unwaith eto, inni ddod o hyd i ddull anfiwrocraidd o gofnodi materion sy’n ymwneud â bwlio a godir gan blant na ellir eu datrys yn y fan a’r lle, oherwydd, er mwyn inni allu ymateb, mae angen inni wybod maint y broblem. Credaf os bydd plentyn yn mynd mor bell â chwyno am fwlio, fod angen i gamau penodol gael eu cymryd, a’i bod yn amlwg bod y rheini’n cael eu cymryd. Nid wyf am sefydlu system fiwrocraidd, ond credaf fod angen system ar gyfer cofnodi cwyn am fwlio, a bod angen wedyn iddi gael ei thrin fel cwyn. Hyd nes y byddwn wedi cyhoeddi ein hadolygiad o systemau AALL, mae’n debyg y byddai’n rhy gynnar imi ddweud llawer mwy na hynny.

[11] **John Griffiths:** I have a general question about the Clywch inquiry. This was a major and important piece of work for yourself and the office, and, presumably, it would have been very intensive for the office in general in terms of resources and time. Accordingly, I imagine that it would have an impact on the other work that you were able to do at that time. As we know, the inquiry has ended, although you are still engaged, as you said, with the monitoring and spreading of best practice and so on. However, what lessons have you learnt from that? Since the inquiry ended and the report has been published, have you noticed a big difference in terms of other wider activities that you are able to undertake? Reflecting on that, have you learnt any lessons from that inquiry?

[12] **David Melding:** Are there any other questions relating to the Clywch inquiry?

[13] **Mark Isherwood:** I have two brief questions, one of which I have touched upon before. Did you feel, as some have alleged, that there was conflict between your role as children's advocate and your role as an impartial judge? If so, how should this be dealt with in the future? With regard to whistleblowing policies, do your concerns extend to former victims who are now adults and the protection that they should receive if they whistleblow in adulthood?

[14] **Karen Sinclair:** Following on from your comments on the Clywch inquiry and the Waterhouse report, you talk about the great difficulty that the social work profession has in recruiting staff to work with children. This must be an admission that people fear working in children's services, and those who undertake the work need clear information about their level of protection in what can be felt to be a vulnerable position. What are you doing proactively to get past this fear? I worked with at-risk children in the youth service many years ago, including some who were unfortunately involved in the Waterhouse inquiry and so on. People will now tend to look carefully at how they will

[11] **John Griffiths:** Mae gennyf gwestiwn cyffredinol am ymchwiliad Clywch. Yr oedd yn waith mawr a phwysig i chi a'r swyddfa, ac yr wyf yn cymryd y byddai wedi defnyddio llawer o adnoddau ac amser y swyddfa yn gyffredinol. Gan hynny, tybiaf y byddai wedi cael effaith ar y gwaith arall y llwyddasoch i'w wneud yn ystod y cyfnod hwnnw. Fel y gwyddom, mae'r ymchwiliad wedi dod i ben, er eich bod yn dal i gymryd rhan, fel y dywedasoch, yn y gwaith monitro a'r gwaith o ledaenu arferion gorau ac yn y blaen. Fodd bynnag, pa wersi a ddysgwyd gennych o hynny? Ers i'r ymchwiliad ddod i ben ac i'r adroddiad gael ei gyhoeddi, a ydych wedi sylwi ar wahaniaeth mawr o ran y gweithgareddau ehangach eraill yr ydych yn gallu ymgymryd â hwy? Gan ystyried hynny, a ddysgasoch unrhyw wersi o'r ymchwiliad hwnnw?

[12] **David Melding:** A oes unrhyw gwestiynau eraill sy'n ymwneud ag ymchwiliad Clywch?

[13] **Mark Isherwood:** Mae gennyf ddau gwestiwn byr, yr wyf wedi sôn am un ohonynt eisoes. A oeddech yn teimlo, fel yr honnwyd gan rai, fod gwrthdaro rhwng eich rôl fel eiriolwr plant a'ch rôl fel barnwr diduedd? Os felly, sut y dylid ymdrin â hyn yn y dyfodol? O ran polisiau chwythu'r chwiban, a yw eich pryderon yn cynnwys cyn ddiodefwr sydd bellach yn oedolion a'r amddiffyniad y dylent ei dderbyn os byddant yn chwythu'r chwiban a hwythau'n oedolion?

[14] **Karen Sinclair:** Yn sgîl eich sylwadau ar ymchwiliad Clywch ac adroddiad Waterhouse, yr ydych yn sôn am yr anhawster mawr sy'n wynebu'r proffesiwn gwaith cymdeithasol wrth recriwtio staff i weithio gyda phlant. Rhaid ei ystyried yn gyfaddefiad bod ar bobl ofn gweithio ym maes gwasanaethau plant, ac mae angen rhoi gwybodaeth glir i'r rhai sy'n ymgymryd â'r gwaith ynghylch lefel yr amddiffyniad a ddarperir iddynt mewn sefyllfa a all deimlo fel sefyllfa ddiamddiffyn. Pa gamau sydd ar waith gennych i oresgyn yr ofn hwn? Bûm yn gweithio gyda phlant mewn perygl yn y gwasanaeth ieuencid sawl blwyddyn yn ôl, gan gynnwys rhai a fu'n anffodus yn rhan o

be protected if they decide to work in that field. This is impacting on recruitment, therefore what are your views on this?

[15] **David Melding:** Okay, Peter, if you could deal with those questions as briefly as possible. An important range of issues has been raised.

Mr Clarke: I will try—they are big issues.

[16] **David Melding:** You may turn to your colleagues at any time to answer on the commissioner's behalf as it were. You are here in a corporate sense.

Mr Clarke: I will deal with the last question first. Implicit in what you said is that the Clywch inquiry once again put the spotlight on failures within the system. Journalists have asked me, 'does this not just add to the problem that we have in recruiting people to work with children?'. I do not believe that it does. Several things lead to good services for children and to making their provision an attractive career, not least being clear laws and guidance, strong and effective leadership, and an understanding of the high rewards that come from this kind of work. It will not help the reputation of social work if things such as those we uncovered in Clywch are left to fester. So, I take that point on board. I talk to social work graduates from various universities and institutions across Wales and try to convince them to work with children, because this is so important for all the reasons that we know. I am a small player in one sense in that regard, so I do not know what else to say. Yes, I know that it is a big problem, and I know that people are put off from going in for this work, and many of them do not stay once they have started. However, we must look to the management and the adequacy of the resources, and be prepared to look at some of the fundamental methods. A number of things about the social work task have changed since I was a social worker, and the work seems to be based much more on forms. Several social workers have explained to me that they spend their time talking to forms and phones and not to

ymchwiliad Waterhouse ac yn y blaen. Y duedd yn awr yw i bobl edrych yn ofalus ar sut y cânt eu hamddiffyn os byddant yn penderfynu gweithio yn y maes hwnnw. Mae hyn yn effeithio ar recriwtio, felly beth yw eich barn am hyn?

[15] **David Melding:** Iawn, Peter, os gallwch ymdrin â'r cwestiynau hynny mor gryno â phosibl. Codwyd amrywiaeth pwysig o faterion.

Mr Clarke: Fe geisiaf—maent yn faterion pwysig.

[16] **David Melding:** Cewch droi at eich cydweithwyr unrhyw bryd i ateb ar ran y comisiynydd fel petai. Yr ydych yn bresennol yn yr ystyr corfforaethol.

Mr Clarke: Ymdriniaf â'r cwestiwn olaf yn gyntaf. Ymhlyg yn yr hyn a ddywedwyd gennych y mae'r awgrym i ymchwiliad Clywch unwaith eto ddwyn sylw at fethiannau'r system. Mae newyddiadurwyr wedi gofyn imi, 'onid ychwanegu at ein problem wrth recriwtio pobl i weithio gyda phlant a wnawn?'. Ni chredaf fod hynny'n wir. Mae sawl peth yn arwain at wasanaethau da i blant ac at sicrhau bod eu darparu yn yrfa ddeniadol, yn enwedig cyfreithiau a chanllawiau clir, arweiniad cryf ac effeithiol, a dealltwriaeth o'r gwobrau sylweddol sy'n deillio o'r math hwn o waith. Ni fydd o gymorth i enw da gwaith cymdeithasol os gadewir materion fel y rhai a ddeilliodd o Clywch heb eu datrys. Felly, derbynïaf y pwynt hwnnw. Byddaf yn siarad â graddedigion gwaith cymdeithasol o amrywiol brifysgolion a sefydliadau ledled Cymru gan geisio eu darbwylllo i weithio gyda phlant, gan fod hyn mor bwysig am yr holl resymau sy'n hysbys inni. Ar ryw ystyr mae'r rhan a chwaraeaf yn fach yn hynny o beth, felly ni wn beth arall i'w ddweud. Gwn ei bod yn broblem fawr, a gwn fod pobl yn cael eu dadrithio nes eu hatal rhag ymgymryd â'r gwaith hwn, ac na fydd llawer ohonynt yn aros yn y maes ar ôl dechrau. Fodd bynnag, rhaid inni ystyried y dulliau rheoli ac a yw'r adnoddau'n ddigonol, a bod yn barod i ystyried rhai o'r dulliau sylfaenol. Mae nifer o bethau ym maes gwaith cymdeithasol wedi newid ers imi fod yn weithiwr cymdeithasol, ac ymddengys fod y gwaith yn dibynnu

people, and they do not find this a very rewarding activity. Obviously, they are there to help to safeguard children, and there are those issues to pick up.

On the conflict issue, I know that when this post and all the other children's commissioners in the UK with their similar remits, except England—and do not get me started on that—were established, the potential conflict was reported in Hansard. There is potentially a conflict between being a general advocate for children and young people and sitting as a judge in the way that you suggest. We want to do two things now that Clywch is just about finished. We are still haggling with a few lawyers about final bills and we are defending public money as vigorously as we can, but we want to have conversations with senior people in the Assembly about getting regulations brought before the Assembly to help govern how public inquiries that I undertake—such as Clywch—are run, which will help with that.

I am also giving serious consideration to whether or not I should personally chair any such inquiry in future, because I understand that it might be possible to have a judge leant free of charge from the Department for Constitutional Affairs, and I can see the benefits of that. It is important that I stress that insofar as I experienced any feelings of potential conflict, I erred on the side of being the impartial judge because it was vital that I did so. So, any inhibition that I felt was perhaps not feeling able to speak as forthrightly as I would have done on educational issues during some parts of that inquiry. Do you want to add anything to that, Maria?

Ms Battle: No, that is fine. There was also a question about the workload. Obviously, the inquiry was a very intense piece of work, but it was done by just a few people. The rest of the workload on policy and communications continued. We came across practical

llawer mwy ar ffurflenni. Mae amryw o weithwyr cymdeithasol wedi egluro imi eu bod yn treulio eu hamser yn siarad â ffurflenni a ffonau yn hytrach na phobl, ac nid ydynt o'r farn bod y gweithgaredd hwn yn rhoi boddhad iddynt. Yn amlwg, maent yno i helpu i ddiogelu plant, ac mae angen ymdrin â'r materion hynny.

O ran y gwrthdaro, gwn pan sefydlwyd y swydd hon a'r holl gomisiynwyr plant eraill yn y DU gyda'u cylch gwaith tebyg, ac eithrio Lloegr—ac nid wyf am sôn am hynny—i'r gwrthdaro posibl gael ei gofnodi yn Hansard. Ceir gwrthdaro posibl rhwng bod yn eiriolwr cyffredinol i blant a phobl ifanc ac eistedd fel barnwr yn y modd a awgrymwyd gennych. Yr ydym am wneud dau beth gan fod Clywch bellach fwy neu lai wedi dod i ben. Yr ydym yn dal i ddadlau gyda rhai cyfreithwyr ynghylch biliau terfynol ac yr ydym yn amddiffyn arian cyhoeddus mor egniol ag y gallwn, ond yr ydym am gynnal sgysiau gydag uwch swyddogion yn y Cynulliad ynghylch cyflwyno rheoliadau gerbron y Cynulliad i helpu i lywodraethu'r modd y caiff ymchwiliadau cyhoeddus a gynhelir gennyf—megis Clywch—eu cynnal, a fydd o gymorth yn hynny o beth.

Yr wyf hefyd yn ystyried o ddifrif pa un a ddylwn i'n bersonol gadeirio unrhyw ymchwiliad o'r fath yn y dyfodol, gan fy mod wedi cael ar ddeall y gallwn gael benthg barnwr am ddim gan yr Adran Materion Cyfansoddiadol, a gallaf weld manteision hynny. Mae'n bwysig pwysleisio o ran fy mhrofiad personol o unrhyw deimladau o wrthdaro posibl, imi weithredu fel barnwr diduedd gan ei bod yn hanfodol imi wneud hynny. Felly, yr unig rwystr posibl a deimlais oedd y ffaith na allwn leisio fy marn mor gryf ag y byddwn wedi gwneud ar faterion addysgol yn ystod ambell ran o'r ymchwiliad hwnnw. A hoffech ychwanegu unrhyw beth at hynny, Maria?

Ms Battle: Na, mae'n iawn. Yr oedd cwestiwn ynghylch y llwyth gwaith hefyd. Yn amlwg, yr oedd yr ymchwiliad yn waith dwys iawn, ond dim ond nifer fach o bobl a fu'n ymwneud ag ef. Yr oedd gweddill y llwyth gwaith o ran polisi a chyfathrebu yn

problems that had not been anticipated by the legislation, such as anonymity being in conflict with article 10 of the Human Rights Act 1998. The BBC submitted that it could give out people's names although the legislation stated that people's names should be kept anonymous, except where it was in the public interest not to do so. The names were published anyway, because it had such a strong article 10 argument.

On the cost of the lawyers, we would like to get the Bar Council and the Law Society to agree a ceiling; we have imposed a ceiling. We would like a lot of these practical issues to be resolved. We also have the option to use somebody else, if necessary, and to have a secretariat. The amount of documentation was a huge strain on administration, and we did not have a lot of spare staff to tackle this.

Mr Clarke: Finally, on the basis that many staff will probably resign if I do not say this, we will definitely use an outside secretariat service in the future. The question of whether or not we try to borrow a judge is still open to debate and discussion. This is an issue that the new English commissioner will face because they have a similar power—similar only—to conduct an investigation of this sort. The issue about a potential conflict of interest and the workload involved is a very serious one, and this is why we will look to buy in the secretariat service in the future. I had a degree of naivety about what it takes to run a public inquiry.

[17] **David Melding:** Mark Isherwood asked whether you support adults who are whistleblowing and complaining about experiences that they had as children—abuse cases being obvious examples.

Mr Clarke: We would not have to think of just whistleblowing. If they suffered abuse as children, we would see them as complainants in a sense because we normally reserve whistleblowing for people who are employees. The legislation allows us to do

mynd yn ei flaen. Daethom ar draws problemau ymarferol nas rhagwelwyd gan y ddeddfwriaeth, megis yr hawl i barhau'n ddiennw yn y gwrthdaro gydag erthygl 10 Deddf Hawliau Dynol 1998. Haerodd y BBC y gallai gyhoeddi enwau pobl er bod y ddeddfwriaeth yn datgan y dylai pobl barhau'n ddiennw, ac eithrio mewn achosion lle y byddai datgelu'r enwau o fudd i'r cyhoedd. Cyhoeddwyd yr enwau beth bynnag, am fod ganddo ddadl erthygl 10 mor gryf.

O ran cost y cyfreithwyr, hoffem i Gyngor y Bar a Chymdeithas y Cyfreithwyr gytuno ar uchafswm; yr ydym wedi pennu uchafswm. Hoffem i lawer o'r materion ymarferol hyn gael eu datrys. Mae'r opsiwn gennym hefyd i ddefnyddio rhywun arall, os bydd angen, ac i gael ysgrifenyddiaeth. Yr oedd swm y ddogfennau yn straen weinyddol enfawr, ac nid oedd gennym lawer o staff a oedd yn rhydd i fynd i'r afael â hyn.

Mr Clarke: Yn olaf, gan ei bod yn debygol y bydd sawl aelod o'r staff yn ymddiswyddo oni ddywedaf hyn, byddwn yn bendant yn defnyddio gwasanaeth ysgrifenyddiaeth allanol yn y dyfodol. Mae pa un a fyddwn yn ceisio benthyg barnwr yn fater i'w drafod o hyd. Bydd y comisiynydd newydd yn Lloegr yn wynebu'r un broblem gan fod ganddynt bŵer tebyg—dim ond tebyg—i gynnal ymchwiliad o'r fath. Mae'r broblem o ran gwrthdaro buddiannau posibl a'r llwyth gwaith y mae'n ei olygu yn un ddifrifol iawn, a dyna pam y byddwn yn ceisio prynu gwasanaeth ysgrifenyddiaeth yn y dyfodol. Yr oeddwn braidd yn naïf o ran yr adnoddau y byddai eu hangen i gynnal ymchwiliad cyhoeddus.

[17] **David Melding:** Gofynnodd Mark Isherwood a ydych yn cefnogi oedolion sy'n chwythu'r chwiban ac yn cwyno am brofiadau a gawsant pan oeddent yn blant—gydag achosion o gam-drin ymhlith yr enghreifftiau amlwg.

Mr Clarke: Nid dim ond chwythu'r chwiban y byddai'n rhaid inni ei ystyried. Pe baent wedi cael eu cam-drin yn blant, byddem yn eu hystyried fel achwynyddion i raddau gan ein bod yn cysylltu achosion o chwythu'r chwiban gyda phobl sy'n gyflogeion fel arfer.

this retrospectively in any case, so it does not stop just because someone reports something that happened a decade ago.

[18] **Kirsty Williams:** Peter, page 8 of your report clearly states that you have a role in looking at issues that are not the responsibility of the National Assembly for Wales. In her introduction, Maria gave an example of the work that is being done with regard to young people in prison. What preliminary work have you done to prepare yourself for the appointment of an English commissioner, for the complications that will arise due to the fact that Westminster did not see fit to devolve further powers to you, and for the complications that may exist between an English commissioner and yourself? How is your office preparing to cope with that difficulty?

[19] **David Melding:** Are there any other questions relating to non-devolved matters and the remit of the commissioner in England, once the post is established? Kirsty has probably summed up the main issue of contention.

Mr Clarke: It is well known that my views were very strong on this matter, and I continue to have the same reservations, having seen what has come out in the Act. There is a limit to what I feel I can do in anticipation of the appointment of the individual who takes up the post. It is often the case with these posts—and it will be true in England—that a lot will depend on who is appointed and how they intend to conduct themselves. I see myself having a very early meeting with this person, and, hopefully, establishing a memorandum of understanding of some kind. It will be my intention to try to ensure that the majority of non-devolved matters still come through my office, and that I act in some way as a conduit through their reporting lines, if that is what is needed. I will retain the powers that I have to make representations on non-devolved matters either to the Assembly or through the Wales Office.

The extent to which I have some

Mae'r ddeddfwriaeth yn caniatáu inni wneud hyn yn ôl-weithredol beth bynnag, felly ni fydd y broses yn cael ei hatal am fod rhywun yn ein hysbysu am ddiwyddiad ddegawd yn ôl.

[18] **Kirsty Williams:** Peter, mae tudalen 8 eich adroddiad yn datgan yn glir fod gennyh ran i'w chwarae wrth ystyried materion nad ydynt yn gyfrifoldeb i Gynulliad Cenedlaethol Cymru. Yn ei chyflwyniad, rhoddodd Maria enghraifft o'r gwaith sy'n mynd rhagddo o ran pobl ifanc sydd yn y carchar. Pa waith rhagarweiniol a wnaethoch i baratoi eich hun ar gyfer penodi comisiynydd Lloegr, ar gyfer y cymhlethdodau a fydd yn deillio o'r ffaith nad oedd San Steffan o'r farn y dylid datganoli pwerau pellach ichi, ac ar gyfer y cymhlethdodau a allai fodoli rhyngoch chi a chomisiynydd Lloegr? Sut y mae eich swyddfa yn paratoi i ymdopi â'r anhawster hwnnw?

[19] **David Melding:** A oes unrhyw gwestiynau eraill ynglŷn â materion nad ydynt wedi'u datganoli a chylch gwaith comisiynydd Lloegr, wedi i'r swydd gael ei sefydlu? Mae'n debyg bod Kirsty wedi llwyddo i grynhoi prif asgwrn y gynnen.

Mr Clarke: Mae'n hysbys yn gyffredinol fod gennyf farn bendant iawn ar y mater hwn, ac mae'r un amheuan yn parhau, ar ôl gweld cynnwys y Ddeddf. Mae pen draw o ran yr hyn y teimlaf y gallaf ei wneud cyn i'r unigolyn penodol gael ei benodi i'r swydd. Yn aml gyda'r swyddi hyn—a bydd yn wir yn Lloegr—bydd llawer yn dibynnu ar yr unigolyn a benodir a sut y bwriadant gyflawni eu rôl. Bwriadaf gyfarfod yn gynnar iawn â'r sawl a benodir, gyda'r bwriad, gobeithio, o sefydlu memorandwm o gyd-ddealltwriaeth o ryw fath. Fy mwriad fydd ceisio sicrhau bod y rhan fwyaf o'r materion nad ydynt wedi'u datganoli yn parhau i ddod drwy fy swyddfa, ac y byddaf yn gweithredu mewn rhyw fodd fel cyswllt yn eu llinellau hysbysu, os mai hynny sydd ei angen. Byddaf yn cadw'r pwerau sydd gennyf i gyflwyno sylwadau ar faterion nad ydynt wedi'u datganoli naill ai i'r Cynulliad neu drwy Swyddfa Cymru.

Yr wyf wedi cael rhywfaint o sicrwydd—er

reassurances—and it is a pretty sorry one really—is that the English commissioner will have the equivalent of 20p per child in his or her budget. I have roughly £2 per child in my budget. The commissioner for England will not have an office or a physical presence in Wales, and therefore there is no way that the commissioner will be able to discharge responsibilities in a way that will actively and regularly interfere with what we are doing, nor interfere with the many relationships we have already built, to which Maria alluded. Our partners see that relationship as being with me, and they look forward to my evolving some mechanism with the English commissioner so that they do not have to build a whole new set of partnerships.

I will mention two other elements. The first is that I will meet my fellow commissioners from Scotland and Northern Ireland next month to discuss this issue. We have already conjoined as the UK commissioners group, and we look forward to the entry of the English commissioner into that group. We will be looking to have an agreement across the board. Although it affects Wales most, there are implications for Scotland and Northern Ireland. The group will probably be a sub-committee of the European Network of Ombudsmen for Children. This is all I have been able to do to date, but, the moment the name is announced—this should happen soon, as I believe that the final interview will be held in early February—I will be one of the first people on the telephone to congratulate the person appointed and to invite him or her to a meeting. I do not think that I can do much more than that.

[20] **Jocelyn Davies:** Speaking out on behalf of children and young people, I seek your views on society's attitude towards children and young people, which must be of great concern to you. Legislation and the media often portrays young people as a group to be terribly afraid of. This is not healthy for them nor for society, and it can become a bit of a self-fulfilling prophecy. There is a perception that everything young people do must either be stopped or controlled. As a champion for young people, have they expressed their

mai sicrwydd eithaf anffodus ydyw a dweud y gwir—y bydd gan gomisiynydd Lloegr swm a fydd yn cyfateb ag 20c fesul plentyn yn ei gyllideb neu ei chyllideb. Mae gennyf fi tua £2 fesul plentyn yn fy nghyllideb. Ni fydd gan gomisiynydd Lloegr swyddfa na phresenoldeb ffisegol yng Nghymru, ac felly ni fydd modd i'r comisiynydd allu cyflawni cyfrifoldebau mewn dull a fydd yn ymyrryd yn weithredol ac yn rheolaidd yn yr hyn a wneir gennym, nac ymyrryd â'r cydberthnasau niferus yr ydym eisoes wedi'u llunio, y cyfeiriodd Maria atynt. Mae einartneriaid yn ystyried mai gyda mi y mae'r gydberthynas honno, ac yn edrych ymlaen at fy ngweld yn datblygu rhyw fecanwaith gyda chomisiynydd Lloegr fel na fydd yn rhaid iddynt lunio cyfres newydd sbon o bartneriaethau.

Soniaf am ddwy elfen arall. Yn gyntaf, byddaf yn cyfarfod â'm cyd-gomisiynwyr o'r Alban a Gogledd Iwerddon y mis nesaf i drafod y mater hwn. Yr ydym eisoes wedi ymuno i ffurfio grŵp comisiynwyr y DU, ac edrychwn ymlaen at groesawu comisiynydd Lloegr i'r grŵp hwnnw. Byddwn yn ceisio sicrhau cytundeb cyffredinol. Er mai ar Gymru y bydd yr effaith fwyaf, ceir goblygiadau i'r Alban a Gogledd Iwerddon. Mae'n debyg mai un o is-bwyllgorau Rhwydwaith Ombwdsymyn Plant Ewrop fydd y grŵp. Dyna'r cyfan yr wyf wedi gallu ei wneud hyd yma, ond, cyn gynted ag y caiff yr enw ei gyhoeddi—dylai hyn ddigwydd yn fuan, gan fy mod wedi cael ar ddeall y bydd y cyfweliad terfynol yn cael ei gynnal ddechrau mis Chwefror—fi fydd un o'r bobl gyntaf a fydd yn ffonio i longyfarch y sawl a benodir ac i'w wahodd ef neu ei gwahodd hi i gyfarfod. Ni chredaf y gallaf wneud llawer mwy na hynny.

[20] **Jocelyn Davies:** A siarad ar ran plant a phobl ifanc, gofynnaf beth yw eich barn ynghylch agwedd cymdeithas tuag at blant a phobl ifanc, sydd yn peri pryder mawr ichi, mae'n rhaid. Mae deddfwriaeth a'r cyfryngau yn aml yn portreadu pobl ifanc fel grŵp y dylid eu hofni'n fawr. Nid yw hyn yn iach iddynt hwy nac i gymdeithas, a gall yr hyn a broffwydir weithiau droi ei hun yn wirionedd. Ceir syniad cyffredinol bod yn rhaid atal neu reoli popeth a wna pobl ifanc. Fel amddiffynnydd dros bobl ifanc, a ydynt

concerns to you about being seen as a group to be afraid of?

[21] **David Melding:** Are there any other comments on this very important area? As Assembly Members, we see many young people on school visits to the Assembly and so on, and what we see is not what is often portrayed in the tabloid press.

Mr Clarke: On average, I give two or three public speeches per week and, despite what the subject is meant to be, I always highlight the issue that children and young people raise with me about feeling that the adult community does not respect them. One of the things that young people of all ages and from different language communities and parts of Wales point out to me is how muddled adults seem to be about children.

We have this sort of bipolar condition, whereby we see them either as little angels who need our protection or as demons who will ruin the fabric of civilisation if we do not stop them. Generally, the demonised image wins, and, whenever there is a debate about young people, we seem to be obsessed with our control of them. This is still the case. I consider it to be one part of my office's role to be willing to go out and take on what are sometimes hostile audiences and gently, but firmly, challenge this perception, and to highlight all of the positive contributions that children make and how we must learn to give them the chance to make even more positive contributions. This is another reason why I am so strongly in favour of the participation agenda when it is done seriously.

So, yes, this is still a huge issue. I mentioned that bullying is the subject of every conversation, and so is this. One way or another, children feel disrespected: they see notices in shop windows that say 'only two children at a time', and they are not welcome in most restaurants and cafes unless they are places designed to exploit them commercially. I could go on and on. Children pick up these messages; they are not daft.

wedi mynegi eu pryderon ichi o ran cael eu hystyried yn grŵp y dylid ei ofni?

[21] **David Melding:** A oes unrhyw sylwadau eraill ar y maes pwysig iawn hwn? Fel Aelodau'r Cynulliad, gwelwn lawer o bobl ifanc ar ymweliadau ysgol â'r Cynulliad ac yn y blaen, ac nid yw'r hyn a welwn yn cyfateb â'r hyn a gaiff ei bortreadu'n aml yn y wasg dabloid.

Mr Clarke: Ar gyfartaledd, byddaf yn cyflwyno dwy neu dair arraith gyhoeddus bob wythnos ac, ni waeth beth fo'r pwnc dan sylw, byddaf bob amser yn tynnu sylw at y ffaith bod plant a phobl ifanc yn datgan wrthyf eu bod yn teimlo nad yw oedolion yn eu parchu. Un o'r pethau a gaiff eu nodi gan bobl ifanc o bob oed ac o gymunedau ieithyddol gwahanol a rhannau gwahanol o Gymru yw eu bod yn teimlo bod oedolion wedi drysu mewn perthynas â phlant.

Mae gennym ryw fath o gyflwr deubegynaid lle yr ydym yn eu gweld naill ai fel angylion bach y mae angen inni eu hamddiffyn neu fel diawliaid a fydd yn difetha hanfod cymdeithas waraidd oni chânt eu hatal. Yn gyffredinol, delwedd y diafol sy'n ennill y blaen, a, pha bryd bynnag y cynhelir dadl am bobl ifanc, ymddengys fod gennym obsesiwn ynghylch ein rheolaeth arnynt. Dyma yw'r sefyllfa sydd ohoni o hyd. Ystyriaf ei bod yn rhan o rôl fy swyddfa inni fod yn barod i fynd allan a wynebu cynulleidfaoedd sydd weithiau'n elyniaethus gan herio'r canfyddiad hwn mewn modd caredig ond cadarn, ac i bwysleisio'r holl gyfraniadau cadarnhaol a wneir gan blant a sut y mae'n rhaid inni ddysgu i roi cyfle iddynt wneud cyfraniadau mwy cadarnhaol fyth. Dyna reswm arall pam yr wyf mor gadarn o blaid yr agenda gyfranogi pan gaiff ei chymryd o ddifrif.

Felly, ydyw, mae'r mater hwn yn un pwysig o hyd. Soniais fod bwlio yn destun pob sgwrs, felly hefyd y mater hwn. Rywsut neu'i gilydd, mae plant yn teimlo nad ydynt yn cael eu parchu: gwelant hysbysiadau yn ffenestri siopau sy'n nodi 'dau blentyn yn unig ar y tro', ac ni chânt groeso yn y rhan fwyaf o fwytai a chaffis oni bai eu bod wedi'u cynllunio i fanteisio'n fasnachol arnynt. Gallwn fynd ymlaen ac ymlaen. Mae plant yn

Many of them also feel that all the good that they do gets very little mention. It may appear in the local press, where there are photos of young people receiving certificates and so on, but, if you look at the national press, particularly the tabloids, and particularly as we approach a general election, we see more and more extreme characterisations of our young people and more playing on what I believe to be unreasonable fears about them.

I think that the UK Government needs to look at itself in this regard. Some aspects of its language when talking about children in the context of the Children Act 2004 are very positive. However, its anti-social behaviour messages display the bipolarity that I mentioned earlier. We all have to look at ourselves in that regard.

[22] **David Melding:** Before I move on to the next section, I have a question about the nature and quality of your contact and relationship with the Welsh Assembly Government. It is important for the committee to get some view of the quality of that relationship. You will know that Rhodri Morgan has redistributed responsibilities in terms of children and that your office will not be interfacing with the Minister with responsibility for children, Jane Hutt, but with one of her colleagues who, in fairness, has responsibility for universal services—I think that that was how the press release put it—and that person is Jane Davidson. What do you think about this structure? Perhaps you could start with the general point about the quality of the relationship so far.

Mr Clarke: I think that, at a general level, the quality of the relationship between my office and the Assembly is very good. This does not mean that it is perfect, and we often have concerns and complaints about particular areas or bits of work. I think that one of the key concerns when I took up this post was how brave the Assembly would be in reality in terms of allowing me my independence. It has been exemplary in this regard, and I say this internationally as well

synhwyro'r negeseuon hyn; nid ffyliaid mohonynt. Mae llawer ohonynt hefyd yn teimlo mai prin iawn yw'r sôn am yr holl bethau da a gyflawnir ganddynt. Efallai y sonnir amdano yn y wasg leol, lle y ceir lluniau o bobl ifanc yn derbyn tystysgrifau ac yn y blaen, ond, os edrychwch yn y wasg genedlaethol, yn arbennig y papurau tabloid, ac yn arbennig wrth inni ddynesu at etholiad cyffredinol, gwelwn achosion cynyddol o bortreadu ein pobl ifanc mewn modd eithafol a mwy o sylw yn cael ei roi i'r hyn sydd, yn fy marn i, yn ofnau afresymol amdanynt.

Credaf fod angen i Lywodraeth y DU archwilio ei hagweddau yn hyn o beth. Mae rhai agweddau ar ei hiaith wrth sôn am blant yng nghyd-destun Deddf Plant 2004 yn gadarnhaol iawn. Fodd bynnag, mae ei negeseuon am ymddygiad gwrthgymdeithasol yn arwydd o'r deubegynedd y soniais amdano yn gynharach. Mae angen i bob un ohonom archwilio ein hagweddau yn hynny o beth.

[22] **David Melding:** Cyn imi symud ymlaen at yr adran nesaf, mae gennyf gwestiwn ynghylch natur ac ansawdd eich cyswllt a'ch cydberthynas â Llywodraeth Cynulliad Cymru. Mae'n bwysig i'r pwyllgor gael rhyw syniad o ansawdd y gydberthynas honno. Byddwch yn ymwybodol bod Rhodri Morgan wedi ailddosbarthu cyfrifoldebau o ran plant ac na fydd eich swyddfa yn rhyngwynebu â'r Gweinidog sy'n gyfrifol am blant, sef Jane Hutt, ond gydag un o'i chyd-Aelodau sydd, a bod yn deg, yn gyfrifol am wasanaethau cyffredinol—credaf mai dyna'r disgrifiad a roddwyd yn y datganiad i'r wasg—sef Jane Davidson. Beth yw eich barn am y strwythur hwn? Efallai y gallech ddechrau gyda'r pwynt cyffredinol am ansawdd y gydberthynas hyd yma.

Mr Clarke: Credaf, ar lefel gyffredinol, fod ansawdd y gydberthynas rhwng fy swyddfa a'r Cynulliad yn dda iawn. Nid yw hynny'n golygu ei bod yn berffaith, ac yn aml mae gennym bryderon a chwynion am feysydd penodol neu waith penodol. Credaf mai un o'r prif bryderon pan dderbyniais y swydd hon oedd pa mor ddewr y byddai'r Cynulliad mewn gwirionedd o ran caniatáu annibyniaeth imi. Bu'n rhagorol yn hyn o beth, a dywedaf hyn yn rhyngwladol yn

as nationally.

On the reorganisation, I am only just coming to terms with it, as I have been out on the road a lot this week. My initial response would be that it seems rather confusing. We often talk about how we should make our services simple and get them to reflect the fact that children do not experience life in neat departments. At first sight, it seems a little odd that I will not be relating directly to the Minister with responsibility for children. I am not making any comment about personalities; this is purely structural. It may just be my ignorance, because I have not got up to speed yet, but I suspect, having had some off-the-record conversations with some people, that I may not be alone in that. So, I am concerned at this point, but not overly worried.

[23] **David Melding:** That is a fair description.

We will move on to advice and assistance, and look at the caseload and how it is divided in terms of ethnicity, gender and so on. I hope that we will get through this in about a quarter of an hour. We will then move on to the key issues, on which we will want to spend most of our time. Therefore, we will turn to pages 21 to 26 on advice and assistance. Does anyone want to catch my eye? If not, and while people are thinking, I will ask a question. Does the fact that 50 per cent of your work relates to boys and young men, and 30 per cent of it to girls, and then the remainder is mixed cases containing both, tell you anything about how you are reaching out and publicising your services, or is there another explanation?

Mr Clarke: The honest answer is that I do not know. We have discussed this previously in one of the committees that we talked to. I am very aware that I am a man, and that that might have an effect. I am not sure that that is the right explanation, however, and it is a lesser proportion this year than it was last year.

Generally, on advice and assistance—while

ogystal ag yn genedlaethol.

O ran yr ad-drefnu, dim ond megis dechrau ymgyfarwyddo â'r sefyllfa yr wyf, gan imi fod yn teithio cryn dipyn yr wythnos hon. Fy ymateb cyntaf fyddai ei fod yn ymddangos braidd yn ddryslyd. Yr ydym yn sôn yn aml am sut y dylem symleiddio ein gwasanaethau gan sicrhau eu bod yn adlewyrchu'r ffaith nad yw plant yn profi bywyd o fewn adrannau taclus. Ar yr olwg gyntaf, ymddengys braidd yn rhyfedd na fyddaf yn cysylltu'n uniongyrchol â'r Gweinidog sy'n gyfrifol am blant. Nid wyf yn sôn am bersonoliaethau; mater strwythurol hollol ydyw. Efallai mai fy anwybodaeth i sy'n gyfrifol, gan nad wyf wedi llawn ymgyfarwyddo eto, ond amheuaf, wedi cael sgwrs answyddogol gydag ambell un, nad fy marn i yn unig yw hynny. Felly, yr wyf yn pryderu ar hyn o bryd, ond nid wyf yn gofidio'n ormodol.

[23] **David Melding:** Mae hynny'n ddisgrifiad teg.

Symudwn ymlaen at gyngor a chymorth, ac edrych ar y llwyth achosion a sut y caiff ei rannu o ran ethnigrwydd, rhyw ac yn y blaen. Gobeithiaf allu trafod hyn mewn tua chwarter awr. Wedyn, symudwn ymlaen at y materion allweddol, y byddwn yn awyddus i dreulio'r rhan fwyaf o'n hamser yn eu trafod. Felly, trown at dudalennau 21 i 26 ar gyngor a chymorth. A oes unrhyw un am ddal fy sylw? Os nad oes, ac wrth i bobl feddwl, gofynnaf gwestiwn. A yw'r ffaith bod 50 y cant o'ch gwaith yn ymwneud â bechgyn a dynion ifanc, a bod 30 y cant ohono yn ymwneud â merched, a bod y gweddill yn achosion cymysg sy'n cynnwys y ddau, yn dweud unrhyw beth wrthyf am sut yr ydych yn estyn allan ac yn rhoi cyhoeddusrwydd i'ch gwasanaethau, neu a oes esboniad arall?

Mr Clarke: Yr ateb gonest yw nad wyf yn gwybod. Bu inni drafod hyn o'r blaen yn un o'r pwyllgorau y buom yn siarad ag ef. Yr wyf yn ymwybodol iawn mai dyn ydyf, ac y gallai hynny gael effaith. Nid wyf yn siŵr ai hynny yw'r esboniad cywir, serch hynny, ac mae'r gyfran yn is eleni nag a oedd y llynedd.

Yn gyffredinol, o ran cyngor a chymorth—

people are thinking up the questions that they want to ask—this is one area that, as with so many, we have looked at in the office, and that is what led to us having the strategy for advice and assistance work, and to appointing a manager of the service. Since we have appointed that manager, as you might expect, things have become much more clear, efficient and effective. It is our intention to now move to the second phase of that strategy—the first was tidying up the work that we had been doing in the first few years—which will be to have a dedicated freephone for children. We want to target the service much more directly at children. It goes alongside those brief remarks that I made about parents. If parents are coming to us on behalf of children, we will not turn them away, obviously, because we need to be there for the children. However, when we have a dedicated advice line, which is advertised only to children, and is primarily for children, then I expect to see those statistics change in terms of parents and children, and, hopefully, it might change in terms of gender as well. It is very difficult. In the first year we did a lot of special educational needs calls and cases, and those issues are disproportionately along gender lines. So it is very hard for me to know the answer, really, but we are very aware of it. I do not know whether you want to add to that, Sara?

Ms Reid: I will answer that, although it is mainly Maria's area of work now. Having looked at the analysis that we could get from our database—and Maria has already talked about how we want to change that in terms of monitoring statistics, which we need for the maintenance, improvement and evaluation of the service, as well as for the purpose of reporting—what we can get at the moment is not sufficient. However, it seems that it is the fact that it is disproportionately boys who have SEN issues that has had an impact. Having said that, with the number of cases and the sort of data that we have, we were not confident enough in the statistical analysis to feel that we could report further on it in this annual report. However, after the new database is published, the results would then come through in the report after next; we would hope that we would be able to do that.

wrth i bobl feddwl pa gwestiynau y maent am eu gofyn—mae hwn yn un maes, fel cymaint o rai eraill, yr ydym wedi ei ystyried yn y swyddfa, a hynny a'n hysgogodd i lunio'r strategaeth ar gyfer gwaith cyngor a chymorth, ac i benodi rheolwr y gwasanaeth. Ers inni benodi'r rheolwr hwnnw, fel y gellid disgwyl, daeth pethau yn llawer cliriach ac yn llawer mwy effeithlon ac effeithiol. Ein bwriad yn awr yw symud i ail gam y strategaeth honno—y cyntaf oedd tacluso'r gwaith yr oeddem wedi bod yn ei wneud yn ystod y blynyddoedd cyntaf—sef sefydlu gwasanaeth rhadffôn penodol i blant. Yr ydym am dargedu'r gwasanaeth yn llawer mwy uniongyrchol tuag at blant. Mae'n cydfynd â'r sylwadau cryno a wneuthum am rieni. Os bydd rhieni yn cysylltu â ni ar ran plant, ni fyddwn yn eu troi ymaith, wrth reswm, gan fod angen inni fod yma ar gyfer y plant. Fodd bynnag, pan fydd gennym linell gyngor benodol, a gaiff ei hysbysebu i blant yn unig, ac a gaiff ei rhedeg yn bennaf ar gyfer plant, yna disgwyliaf weld newid yn yr ystadegau hynny o ran rhieni a phlant, a, gobeithio, newid posibl o ran rhyw hefyd. Mae'n anodd iawn. Yn ystod y flwyddyn gyntaf, bu inni ymdrin â llawer o alwadau ac achosion anghenion addysgol arbennig, ac mae'r materion hynny yn dangos rhaniad anghymesur o ran rhyw. Felly mae'n anodd iawn imi wybod yr ateb, mewn gwirionedd, ond yr ydym yn ymwybodol iawn ohono. Ni wn a ydych am ychwanegu at hynny, Sara?

Ms Reid: Atebaf hynny, er mai maes gwaith Maria ydyw'n bennaf erbyn hyn. Ar ôl edrych ar y dadansoddiad y gallem ei gael o'n cronfa ddata—ac mae Maria wedi sôn yn barod am sut yr ydym am ei newid o ran monitro ystadegau, y mae eu hangen arnom er mwyn cynnal, gwella a gwerthuso'r gwasanaeth, yn ogystal ag er mwyn cyflwyno adroddiadau—nid yw'r hyn y gallwn ei gael ar hyn o bryd yn ddigonol. Fodd bynnag, ymddengys mai'r ffaith mai cyfran anghymesur o fechgyn sy'n dioddef o broblemau AAA sydd wedi cael effaith. Ar ôl dweud hynny, gyda nifer yr achosion a'r math o ddata sydd gennym, nid oeddem yn ddigon hyderus yn y dadansoddiad ystadegol i deimlo y gallem gyflwyno adroddiad pellach arno yn yr adroddiad blynyddol hwn. Fodd bynnag, ar ôl i'r gronfa ddata newydd gael ei chyhoeddi, byddai'r canlyniadau

On the graph and the tables, the trend is quite striking.

[24] **Karen Sinclair:** I welcome your dedicated phone line. That was one thing that I was going to ask you about directly. I have a few other points. You talk about hard-to-reach children as a focus for the future. Can you elaborate on how you will do this? Will you comment on how you will work with particularly hard-to-reach children, for example mentally ill children and children with learning disabilities? Secondly, on geographical spread, you say that there is a concentration in the south and the west. Therefore, what is being done to extend and promote the service in north Wales, and how important do you see the geographical spread being to the development of your role?

[25] **David Melding:** Does anyone want to mention anything else on the spread of work or the geographical issues?

[26] **Christine Chapman:** On the advice and assistance part, I remember that when we talked about the children's commissioner being set up several years ago, there was a perception that maybe you would get involved, or could potentially get involved, in very trivial cases. Obviously, for every child that comes to you, on his or her terms, it is not a trivial case. However, I wondered what sort of feel you were getting for this—and it is quite a time commitment—and whether you are coping with any trivial cases from children, although they are obviously a big problem for them.

Mr Clarke: I will pick up the last point first and then come back to the rest. I think that our advice and assistance service has been misunderstood, not least by Government Ministers in England. The way that the advice and assistance service works is that, if issues come to us from children that we think would be better resolved through a local authority complaints procedure or any other such means, then that is where they are routed to. We never abandon them to that, and we tell them to keep in touch. However,

wedyn yn cael eu cyflwyno yn yr adroddiad ar ôl y nesaf; byddem yn gobeithio gallu gwneud hynny. Mae'r duedd yn eithaf amlwg ar y graff a'r tablau.

[24] **Karen Sinclair:** Croesawaf eich llinell ffôn benodol. Yr oedd hwnnw'n un mater yr oeddwn yn bwriadu eich holi'n uniongyrchol yn ei gylch. Mae gennyf rai pwyntiau eraill. Yr ydych yn sôn am blant anodd eu cyrraedd fel ffocws ar gyfer y dyfodol. A allwch ymhelaethu ar y modd y byddwch yn gwneud hyn? A rowch chi sylwadau am y modd y byddwch yn gweithio gyda phlant sy'n arbennig o anodd eu cyrraedd, er enghraifft, plant â salwch meddwl a phlant ag anableddau dysgu? Yn ail, o ran dosbarthiad daearyddol, dywedwch fod nifer fawr ohonynt yn y De a'r Gorllewin. Felly, pa gamau sydd ar waith i ehangu a hyrwyddo'r gwasanaeth yn y Gogledd, a pha mor bwysig fydd y dosbarthiad daearyddol, yn eich barn chi, i ddatblygiad eich rôl chi?

[25] **David Melding:** A oes unrhyw un am grybwyll unrhyw fater arall o ran dosbarthiad y gwaith neu'r materion daearyddol?

[26] **Christine Chapman:** Ynglŷn â'r rhan cyngor a chymorth, cofiaf wrth inni sôn am sefydlu'r comisiynydd plant lawer blwyddyn yn ôl fod yna ganfyddiad y byddech efallai'n cael eich cynnwys, neu y gallech gael eich cynnwys, mewn achosion dibwys iawn. Yn amlwg, i bobl plentyn sy'n cysylltu â chi, o'i safbwynt ef neu hi, nid achos dibwys mohono. Fodd bynnag, tybed beth yw eich barn chi am y mater—ac mae'n gryn ymrwymiad o ran amser—ac a ydych yn ymdopi ag unrhyw achosion dibwys gan blant, er eu bod yn amlwg yn broblem fawr iddynt hwy.

Mr Clarke: Ymatebaf i'r pwynt olaf yn gyntaf gan ddychwelyd wedyn at y gweddill. Credaf fod pobl wedi camdeall ein gwasanaeth cyngor a chymorth, yn arbennig Gweinidogion y Llywodraeth yn Lloegr. Dyma'r ffordd y mae'r gwasanaeth cyngor a chymorth yn gweithio: os bydd plant yn dod â materion atom y credwn y byddent yn cael eu datrys yn well drwy weithdrefn gwyno awdurdod lleol neu unrhyw drefn arall o'r fath, yna cânt eu cyfeirio atynt. Nid fyddwn byth yn eu gadael yn llwyr i systemau o'r

increasing numbers are being put over to those arenas and, obviously, as we get better complaints procedures, we can do that more confidently, so our review matches our other aspirations there. However, Maria manages that service, so I will ask her to pick that up.

Ms Battle: On the question of trivial cases and whether we are inundated, I would say that the answer is ‘no’ to both questions. As I said at the beginning, we want solutions to cases and to get results as quickly as possible. We also offer the service with a very high degree of confidentiality, so that people out there do not know what the results are, but the individual children do. We would only disclose that information with the child’s permission.

We do not get trivial matters—we might get matters that we can resolve quickly, but they are also quite serious matters. Because we have the rota system, and because we are so focused on solutions and try to turn matters around quickly, we are not inundated either. We have put in for more staff for this service, which we will need, and we propose that, at the same time, a dedicated child line is launched. The line will be publicised throughout Wales, and there will be a planned launch as well. We are a bit concerned about too much publicity about it at the moment because I do not know whether we could cope with the response, but we intend to recruit volunteers in the next year. So the front line will be volunteers, and then the actual employees will deal with the much more complex cases that need a professional input. That means that we will have more capacity to receive calls, and, at the same time, we would have a big launch and a communications strategy throughout Wales, and that will be for that single, freephone line for the children. That is what we intend to do, hopefully, by April 2006.

Mr Clarke: Part of that launch will be to ensure that children understand that we are not another Childline, but that we are there

fath, a byddwn yn dweud wrthynt am gadw mewn cysylltiad. Fodd bynnag, mae niferoedd cynyddol yn cael eu trosglwyddo i’r meysydd hynny ac, yn amlwg, wrth inni gael gwell gweithdrefnau cwyno, gallwn wneud hynny’n fwy hyderus. Felly mae ein hadolygiad yn cyfateb i’n dyheadau eraill yn hynny o beth. Fodd bynnag, Maria sy’n rheoli’r gwasanaeth hwnnw, felly, gofynnaf iddi ymhelaethu.

Ms Battle: O ran achosion dibwys a’r cwestiwn a ydym yn cael ein llethu ganddynt, byddwn yn ateb ‘na’ i’r ddau gwestiwn. Fel y dywedais ar y dechrau, yr ydym am gael atebion i achosion a sicrhau canlyniadau mor fuan â phosibl. Yr ydym hefyd yn cynnig y gwasanaeth ar lefel gyfrinachol iawn, fel na fydd pobl eraill yn ymwybodol o’r canlyniadau, ond bod y plant unigol ync ael gwybod. Dim ond gyda chaniatâd y plentyn y byddem yn datgelu’r wybodaeth honno.

Nid ydym yn cael materion dibwys—efallai y cawn faterion y gallwn eu datrys yn gyflym, ond maent hefyd yn faterion digon difrifol. Oherwydd bod system rota ar waith, ac oherwydd ein bod yn canolbwyntio cymaint ar atebion a cheisio datrys materion yn gyflym, ni chawn ein llethu ychwaith. Yr ydym wedi gwneud cais am fwy o staff i’r gwasanaeth hwn, a bydd eu hangen arnom, a chynigiwn y dylai llinell benodol i blant gael ei lansio yr un pryd. Caiff y llinell gyhoeddusrwydd ledled Cymru, a bwriedir cynnal achlysur lansio hefyd. Yr ydym yn pryderu rywfaint ynglŷn â gormod o gyhoeddusrwydd iddi ar hyn o bryd, gan nad wyf yn sicr a allem ymdopi â’r ymateb, ond bwriadwn recriwtio gwirfoddolwyr yn ystod y flwyddyn nesaf. Felly, gwirfoddolwyr fydd y rheng flaen, ac yna bydd y rhai a gyflogir mewn gwirionedd yn ymdrin â’r achosion llawer mwy cymhleth lle mae angen cyfraniad proffesiynol. O ganlyniad, byddwn yn fwy galluog i dderbyn galwadau. Ac ar yr un pryd byddem yn cynnal achlysur lansio mawr ac yn cyflwyno strategaeth gyfathrebu ledled Cymru, a hynny ar gyfer y llinell radffon benodol honno i’r plant. Dyna ein bwriad, gobeithio, erbyn mis Ebrill 2006.

Mr Clarke: Rhan o’r achlysur lansio hwnnw fydd sicrhau bod plant yn deall nad Childline arall mohonom, ond ein bod yn ceisio

for a particular set of purposes, which is another reason for our wanting to be careful about how we launch it, rather than just throwing open the doors, in a way. Returning to the hard-to-reach groups—on which Sara will add something in a minute—it is not that we do not have any mechanisms at the moment. We do, and I do, meet groups of young people regularly, usually through the auspices of other voluntary agencies involved in the field. So, I very regularly meet children and young people in the care system, including young carers, black and ethnic minority children, and all those whom you would want me to meet. However, we are trying to make that more systematic now, to ensure that the cycle of those meetings is regular.

Ms Reid: The reasons why it has mainly been in south and west Wales is mostly to do with organisational issues. When we have a full complement of staff working on the involvement of children and young people and reaching-out activities, it is four people. Because of vacant posts in north Wales and the need, often, to ensure that you have two people in order to move forward, it has been the case that we have been able to move forward first of all in the South. However, we did look at ways of trying to go about that in the beginning, and there are various issues emerging where, for example, children move in and out of groups, and we were not always the best equipped to be able to make them feel at ease and for them to communicate with us. So, we have now looked at it in a more strategic way, and mapped where we have been, where the communications officers have been, and map where Peter, Maria and Rhiannon and other representatives have been and the groups that we have links with and then to be systematic about making links with organisations. For example, even though, in terms of children who are looked after, we have made links via advocacy projects that are based in south or west Wales, it has had a spin off in terms of relationships with the north Wales-based organisations. Therefore, it is something that we will roll out in Wales. However, it was staffing issues that held back that systematic

cyflawni cyfres benodol o ddibenion. Ac mae hynny'n rheswm arall pam yr ydym am fod yn ofalus sut y caiff ei lansio, yn hytrach nag agor y llifddorau, fel petai. Gan ddychwelyd at y grwpiau sy'n anodd eu cyrraedd—y bydd Sara yn cyfrannu at hynny maes o law—nid mater yw hwn nad oes gennym unrhyw fecanweithiau ar hyn o bryd. Yr ydym ni, ac yr wyf fi, yn cwrdd â grwpiau o bobl ifanc yn rheolaidd, fel arfer o dan awenau asiantaethau gwirfoddol eraill sy'n ymwneud â'r maes. Felly, byddaf yn rheolaidd iawn yn cyfarfod â phlant a phobl ifanc sy'n rhan o'r system ofal, gan gynnwys gofalwyr ifanc, plant du a phlant o leiafrifoedd ethnig, a'r holl grwpiau hynny y byddech am i mi gyfarfod â hwy. Fodd bynnag, yr ydym yn ceisio gwneud y broses yn fwy systemataidd yn awr, er mwyn sicrhau bod cylch rheolaidd o'r cyfarfodydd hynny.

Ms Reid: Materion trefniadaeth yw'r rheswm pennaf pam mai yn y De a'r Gorllewin y bu ein gweithgarwch pennaf. Pan fydd pob aelod perthnasol o'r staff yn gweithio ar gyfranogiad plant a phobl ifanc a gweithgareddau estyn allan, mae golygu pedwar person. Oherwydd swyddi gwag yn y Gogledd a'r angen, yn aml, i sicrhau bod dau berson yn gweithio er mwyn symud ymlaen, mae wedi bod yn bosibl i ni wneud cynnydd yn gyntaf yn y De. Fodd bynnag, buom yn edrych ar ffyrdd i geisio datrys hynny ar y dechrau, ac mae amrywiol faterion yn dod i'r amlwg, er enghraifft, lle bydd plant yn symud i mewn ac allan o grwpiau, ac nid ni bob amser oedd yn y sefyllfa orau i allu gwneud iddynt deimlo'n gartrefol a gallu cyfathrebu â ni. Felly, yr ydym bellach wedi edrych ar y sefyllfa mewn ffordd fwy strategol, gan fapio lle yr ydym wedi bod, lle mae'r swyddogion cyfathrebu wedi bod, a mapio lle mae Peter, Maria a Rhiannon a chynrychiolwyr eraill a'r grwpiau y mae gennym gysylltiadau â hwy wedi bod, ac wedyn bod yn systemataidd o ran llunio cysylltiadau â sefydliadau. Er enghraifft, er ein bod, yn achos plant sy'n cael gofal, wedi llunio cysylltiadau drwy brosiectau eiriolaeth yn y De neu'r Gorllewin, cafodd hynny effeithiau dilynol ar ein perthynas â'r sefydliadau yn y Gogledd. Felly, mae'n rhywbeth y byddwn yn ei gyflwyno yng Nghymru. Fodd bynnag, materion staffio sydd wedi achosi oedi yn y

programme. In north Wales, it was a matter of responding to the invitations from groups rather than being able to undertake the systematic, proactive programme.

Mr Clarke: I will be spending February living in north Wales. If it works reasonably, I will do that each year. I was born in Llandudno and I will, apparently, be staying 100 yards from where my family come from. I shall look forward to that. It is a sign that we have a commitment. We have been unfortunate with staffing issues and, with such a small team, we only need one person to go on long-term sick and we are in serious difficulties. This is particularly hard, as Sara says, when we are trying to be proactive, rather than just responsive. We take the issue of whether or not we are getting to all the people as much as we are able to get to any, very seriously.

[27] **David Melding:** Thank you, Peter. We appreciate the honesty.

[28] **Janice Gregory:** I have a few questions on the issue of how you become known to the public. The most obvious place for that, as I think that we would all assume, would be schools. Sara talked about your staffing issues and I think that we can all identify with that. However, do you have a system whereby you have, perhaps, a dedicated teacher in each school, who will raise the issue of the children's commissioner? As an Assembly Member, like others here, if an issue is presented to me I have leaflets in my constituency office that my staff will hand out. Wherever possible, we make people aware of your existence, the existence of the office and all that is related to it. It is surprising, even in my patch in south Wales, that the majority of people have no idea of the issues that can be taken up. I was just wondering whether there is a dedicated teacher within a school, in the personal and social education department or whatever, who can keep the children's commissioner on the agenda and mention it occasionally.

Also, you have cited a good case example on page 23 of a grandfather who had been caring for grandchildren placed with him by social services. I have also come across this on

rhaglen systemataidd honno. Yn y Gogledd, yr oedd yn fater o ymateb i'r gwahoddiadau gan grwpiau yn hytrach na gallu ymgymryd â'r rhaglen ragweithiol, systemataidd.

Mr Clarke: Byddaf yn byw yn y Gogledd yn ystod mis Chwefror. Os bydd hynny'n gweithio'n rhesymol, byddaf yn gwneud hynny bob blwyddyn. Fe'm ganed yn Llandudno, ac yn ôl pob tebyg byddaf yn lletya 100 llath o'r lle y daw fy nheulu. Edrychaf ymlaen at hynny. Mae'n arwydd o'n hymrwymiad. Buom yn anffodus o ran materion staffio, a chyda tîm mor fach, dim ond i un person fod yn sâl am amser maith, mae anawsterau difrifol yn ein hwynebu. Mae hyn yn arbennig o anodd, fel y dywed Sara, gan ein bod yn ceisio bod yn rhagweithiol, yn hytrach nag ymateb yn unig. Yr ydym yn rhoi ystyriaeth ddifrifol iawn i'r cwestiwn a ydym yn cyrraedd yr holl bobl gymaint ag y gallwn gyrraedd unrhyw bobl.

[27] **David Melding:** Diolch, Peter. Yr ydym yn gwerthfawrogi eich gonestrwydd.

[28] **Janice Gregory:** Mae gennyf ychydig o gwestiynau o ran y modd y daw'r cyhoedd i wybod ohonoch. Y lle mwyaf amlwg ar gyfer hynny, fel y byddem oll yn ei dybio, am wn i, fyddai ysgolion. Soniodd Sara am eich problemau staffio, a chredaf y gallwn oll uniaethu â hynny. Fodd bynnag, a oes gennych system lle mae gennych, efallai, athro penodol ym mhob ysgol, a fydd yn codi mater y comisiynydd plant? Fel Aelod o'r Cynulliad, fel eraill sy'n bresennol, os caiff mater ei gyflwyno i mi, mae gennyf daflenni yn fy swyddfa etholaethol y bydd aelodau o'm staff yn eu dosbarthu. Ble bynnag y bydd yn bosibl, yr ydym yn dweud wrth bobl amdanoch, am y swyddfa a phopeth sy'n gysylltiedig â hi. Mae'n syndod, hyd yn oed yn fy ardal i yn y De, nad oes gan y mwyafrif unrhyw syniad am y materion y gellir eu cyflwyno. Tybed a oes athro penodol mewn ysgol, yn yr adran addysg bersonol a chymdeithasol neu beth bynnag, a all gadw'r comisiynydd plant ar yr agenda a sôn amdano o bryd i'w gilydd?

Yr oeddech hefyd yn dyfynnu enghraifft dda o achos ar dudalen 23 am dad-cu a oedd wedi bod yn gofalu am wyrion a osodwyd dan ei ofal gan y gwasanaethau cymdeithasol. Yr

several occasions in my area. Again, it is surprising how little information is given to these grandparents, who are sometimes in their late sixties. They may be coping with a family tragedy such as bereavement, and they take on the children. You say that you contact the local authority, but are you able to act on the person's behalf? Often, there are so many other issues happening in people's lives that they might not want to appear before the director of social services. Are you able to accompany the client and present the case on their behalf, or do so without them being there?

Mr Clarke: Going through your collection of issues, I shall ask Sara to add to this in a moment, as she is in charge of our strategy on communicating. However, we have not gone for teachers directly, insofar as we are rolling out our ambassadors in schools, who are children. We believe that children will listen to other children and they have a degree of credibility. We are just piloting this, and Sara can say a little more about that.

We also piggyback on other people. Therefore, if there is a healthy schools initiative and we are involved with their workers, we ensure that all our leaflets and information are there and so forth, going through various professional groups.

With regard to grandparents, it is difficult for us. We can do that, but we are there to represent the children and it is so important that we keep that focus, which is why I am trying to highlight the fact that we need other systems to support parents and grandparents. Otherwise, as has been shown, they constitute the majority of our cases. I suppose that it does give lie to the fears that everyone had that, somehow, the children's commissioner would be anti-parent. We are seen as a big ally of parents.

On the bigger point about people not knowing about us, I know that this is our biggest challenge, and I said this at the beginning. I am sure that it will still be true when I leave. We are in the process of getting

wyf hefyd wedi dod ar draws y sefyllfa hon droeon yn fy ardal i. Unwaith eto, mae'n rhyfeddol cyn lleied o wybodaeth a roddir i'r teidiau a'r neiniau hyn, sydd weithiau yn eu chwedegau hwyr. Efallai eu bod yn ymdopi â thrasiedi teuluol megis profedigaeth, ac yn dod yn gyfrifol am y plant. Dywedwch eich bod yn cysylltu â'r awdurdod lleol, ond a allwch weithredu ar ran y person? Yn aml, mae cynifer o bethau eraill yn digwydd ym mywydau pobl fel na fyddant hwyrach yn awyddus i ymddangos gerbron y cyfarwyddwr gwasanaethau cymdeithasol. A allwch fynd gyda'r cleient a chyflwyno'r achos ar ei ran, neu wneud hynny heb iddo fod yn bresennol?

Mr Clarke: I fynd drwy eich casgliad o faterion, gofynnaf i Sara ychwanegu at hyn maes o law, gan mai hi sy'n gyfrifol am ein strategaeth ar gyfathrebu. Fodd bynnag, nid ydym wedi targedu athrawon yn uniongyrchol, i'r graddau yr ydym yn cyflwyno ein llysgenhadon mewn ysgolion, sef plant. Credwn y bydd plant yn gwrandao ar blant eraill, ac mae ganddynt ryw faint o hygredd. Dim ond cynllun peilot ydyw ar hyn o bryd, a gall Sara ddweud ychydig yn rhagor am hynny.

Yr ydym hefyd yn manteisio ar bobl eraill. Felly, os bydd menter ysgolion iach ar waith a ninnau'n gyfarwydd â'i gweithwyr, byddwn yn sicrhau bod ein holl daflenni a'n gwybodaeth ar gael ac yn y blaen, gan weithio drwy amrywiol grwpiau proffesiynol.

O ran teidiau a neiniau, mae'n anodd inni. Gallwn wneud hynny, ond ein nod yw cynrychioli'r plant, ac mae mor bwysig inni gadw'r ffocws hwnnw. Dyna pam yr wyf yn ceisio tynnu sylw at y ffaith fod arnom angen systemau eraill i gynorthwyo rhieni a theidiau a neiniau. Fel arall, fel y dangoswyd, dyna yw mwyafrif ein hachosion. Hwyrach fod hyn yn tawelu'r ofnau a oedd gan bawb, ryw ffordd, y byddai'r comisiynydd plant yn gweithredu yn erbyn rhieni. Fe'n hystyrir yn gyfaill mawr i rieni.

O ran y pwynt mwy nad yw pobl yn ymwybodol ohonom, gwn mai dyna yw ein her fwyaf, a dywedais hynny ar y cychwyn. Yr wyf yn sicr y bydd yn dal yn wir pan adawaf. Yr ydym wrthi'n rhoi prosiect

this research project up and running where we will find out a lot more about our reach, particularly among children. That will be the basis on which we monitor the success or otherwise of our communications strategy. There are three or four committees whose members are also our salespersons. Even where we use pupils as ambassadors in schools, we must get teachers involved to make it work. Do you want to add to that, Sara?

Ms Reid: I think that we all feel that we are really indebted to teachers who have been keen. Many teachers have contacted us for information having heard Peter speak, or having met us at various events or conferences. That has been valuable. Again, there are issues around resources. I think that the Assembly has also faced issues in terms of the media; we do get a lot of coverage in the *Western Mail* and on BBC Wales and Radio Cymru, but that coverage may not reach many children and young people. Therefore, there will be many opportunities, whatever our concerns about practicalities, with having commissioners in each of the four countries of the UK. I have already begun talks with my counterparts in the other countries to consider how we can work together when issues regarding children's rights or the commissioners come up on programmes such as *Short Change* and *Newsround* and in magazines. We are all engaged in participation and communication, although we do not have a press department. That was something that we had in our corporate plan, but the news on our budget for the next financial year is unlikely to allow us to move ahead with that. The mass media would have been a big help.

The pilot for the ambassadors scheme is now up and running, and 10 February is the first get-together for the ambassadors elected throughout Wales. That is effective and the children are the links there. We obviously need link teachers, and schools will identify teachers who take a special interest in the issue to support the young people who are chosen as ambassadors by their fellow pupils. We are hopeful that the outcomes of that are

ymchwil ar waith a fydd yn rhoi llawer mwy o wybodaeth inni am ein cyrhaeddiad, yn arbennig ymhlith plant. Dyna fydd y sylfaen inni fonitro llwyddiant neu fethiant ein strategaeth gyfathrebu. Mae gennym dri neu bedwar pwyllgor sydd â'u haelodau hefyd yn gweithredu fel gwerthwyr ar ein rhan. Hyd yn oed lle byddwn yn defnyddio disgyblion fel llysgenhadon mewn ysgolion, rhaid inni gynnwys athrawon er mwyn iddo lwyddo. A hoffech ychwanegu at hynny, Sara?

Ms Reid: Credaf ein bod oll o'r farn fod ein dyled yn fawr i athrawon sydd wedi bod yn frwd. Cysylltodd nifer o athrawon â ni i gael gwybodaeth ar ôl clywed Peter yn siarad, neu ar ôl cwrdd â ni mewn amrywiol ddigwyddiadau neu gynadleddau. Bu hynny'n werthfawr. Unwaith eto, mae problem o ran adnoddau. Credaf fod y Cynulliad hefyd wedi wynebu problemau gyda'r cyfryngau; yr ydym yn cael llawer o sylw yn y *Western Mail* ac ar BBC Cymru a Radio Cymru, ond efallai nad yw'r sylw hwnnw yn cyrraedd llawer o blant a phobl ifanc. Felly, bydd nifer o gyfleoedd, waeth beth fo'n pryderon o ran materion ymarferol, yn deillio o'r ffaith fod comisiynydd ym mhob un o bedair gwlad y DU. Yr wyf eisoes wedi dechrau trafodaethau gyda'r comisiynwyr yn y gwledydd eraill er mwyn ystyried sut y gallwn gydweithio pan gaiff materion sy'n ymwneud â hawliau plant neu'r comisiynwyr eu darlledu ar raglenni fel *Short Change* a *Newsround* ac mewn cylchgronau. Yr ydym oll yn ymwneud â chyfranogi a chyfathrebu, er nad oes gennym adran i'r wasg. Yr oedd hynny'n un o'r materion yn ein cynllun corfforaethol, ond nid yw'r newyddion ar ein cyllideb ar gyfer y flwyddyn ariannol nesaf yn debygol o roi cyfle inni symud ymlaen gyda hynny. Byddai'r cyfryngau torfol wedi bod o gymorth mawr.

Mae'r cynllun peilot ar gyfer y cynllun llysgenhadon bellach ar waith, ac ar 10 Chwefror cynhelir cyfarfod cyntaf y llysgenhadon sydd wedi eu hethol ledled Cymru. Mae hynny ar waith, a'r plant yw'r cysylltiadau yno. Mae'n amlwg fod angen athrawon cyswllt arnom, a bydd ysgolion yn nodi athrawon sy'n cymryd diddordeb arbennig yn y mater i gynorthwyo'r bobl ifanc a gaiff eu dewis i fod yn llysgenhadon

good. We are running the pilot on a carefully costed basis, and looking at the time commitment, the funding commitment and so on. We are committed to rolling out some version of this programme eventually to every school in Wales. We are doing this pilot thoroughly so that we can be clear about what is achievable.

Ms Battle: I would like to add that one of the Clywch recommendations was for information about the commissioner, Childline and so on to be disseminated throughout schools. Regarding the question on grandparents that you asked, Janice, we attend meetings, advocate and represent children in the absence of others. We generally go to the children to find out what they feel. If they are not receiving the allowances that they should be receiving, that impacts upon the children. Therefore, that is our way in. We attend these meetings and try to get results and to sort out issues.

[29] **David Melding:** Peter?

[30] **Peter Black:** I just wanted to get back to this freephone idea and access to that. I know from the experience of Childline that most people will ring such helplines using a mobile telephone, and it is not free to ring a freephone number from such telephones. I think that Childline has largely overcome that now by working with the mobile telephone companies. Are you looking at a similar solution with those companies on that issue? I am also confused about the relationship between your freephone line and Childline. I am not entirely clear what the difference is. If I am not clear, I do not know how you will explain it to children. Therefore, there will be an element of confusion there and I am interested to know whether you are liaising with Childline on how you roll this freephone out.

Mr Clarke: Yes, we are. I was previously director of Childline Wales. We will certainly try to do the same sort of deal with the

gan eu cyd-ddisgyblion. Yr ydym yn obeithiol y bydd canlyniadau hynny'n gadarnhaol. Yr ydym yn cynnal y cynllun peilot ar sail cynllun wedi'i gostio'n ofalus, ac yn ystyried yr ymrwymiad amser, yr ymrwymiad ariannol, ac yn y blaen. Yr ydym wedi ymrwymo i gyflwyno rhyw fersiwn o'r rhaglen hon yn y pen draw ym mhob ysgol yng Nghymru. Yr ydym yn cynnal y cynllun peilot hwn yn fanwl er mwyn inni allu bod yn glir am yr hyn y gellir ei gyflawni.

Ms Battle: Hoffwn ychwanegu mai un o argymhellion Clywch oedd y dylai gwybodaeth am y comisiynydd, Childline ac ati gael ei dosbarthu i bob ysgol. O ran y cwestiwn am deidiau a neiniau a ofynnwyd gennych, Janice, byddwn yn mynychu cyfarfodydd, yn cynrychioli plant ac yn dadlau ar eu rhan lle nad oes cynrychiolwyr eraill ar gael. Yn gyffredinol, byddwn yn holi'r plant am eu teimladau. Os nad ydynt yn cael y lwfansau y dylent eu cael, caiff hynny effaith ar y plant. Felly, dyna sut y dechreuwn y broses. Byddwn yn mynychu'r cyfarfodydd hyn gan geisio sicrhau canlyniadau a datrys materion.

[29] **David Melding:** Peter?

[30] **Peter Black:** Yr oeddwn am ddychwelyd at y syniad hwn o linell radffon a mynediad iddi. Gwn o gael profiad o Childline y bydd y rhan fwyaf o bobl yn ffonio llinellau cymorth o'r fath gan ddefnyddio ffôn symudol, ac nid yw galwadau i rifau rhadffon yn rhai am ddim o ffonau o'r fath. Credaf fod Childline wedi llwyddo i oresgyn y broblem i raddau helaeth yn awr drwy weithio gyda cwmnïau ffonau symudol. A ydych yn ceisio cael ateb tebyg gyda'r cwmnïau hynny i'r broblem honno? Nid wyf yn hollol eglur ychwaith am y berthynas rhwng eich llinell radffon chi a Childline. Nid wyf yn hollol glir am y gwahaniaeth rhyngddynt. Os nad wyf fi'n glir, ni wn sut y bwriadwch egluro'r gwahaniaeth wrth blant. Felly, bydd elfen o ddryswch yno ac fe hoffwn wybod a ydych yn trafod gyda Childline sut i gyflwyno'r llinell radffon hon.

Mr Clarke: Ydym, yr ydym yn gwneud hynny. Arferwn fod yn gyfarwyddwr Childline Cymru. Yn sicr, byddwn yn ceisio

mobile telephone companies. We are also piloting our text messaging service. Therefore, there are many technology issues that we must consider. The simplest way that I understand the difference between what we will be doing and what Childline does is that Childline is primarily a counselling service, to listen to children, and to allow them to express their feelings. Specifically, it does not give advice. We will be there to deal with practical problems that potentially have practical solutions. Obviously, we will deal with children's feelings along the way, but there is a clear line. The phone line will deal with sorting problems out and, in our literature, when we advertise the line, we will be clear, using examples of the sort of issues they should get in touch with us about. We will talk to Childline about that because it can help us. We can help with mutual referrals and other such things. Having run Childline, I know that it draws a clear boundary. We will be there with our business, which means acting in the way that the law lets us act. Do you, Maria, want to add to that? It is not clear, yet, because we have not articulated it clearly. We are not launching it today. We will do a lot more work on making the difference clear, and we will talk to children about what they think will help to make it clear to them.

Ms Battle: They were very helpful comments. The strategy was adopted about two weeks ago, and now we have to go out and make it happen. They were helpful comments, so thank you.

[31] **Laura Anne Jones:** On the same point—being reachable and your dedicated freephone line—if children or young people wanted to be on their own to talk to you, and did not have a mobile, or their parents looked at their mobile bills, they might want to use a phone box. As you will be aware, there will be far fewer phone boxes available soon, especially in rural areas. Do you think that that will have a big impact on children's ability to reach you and talk to you on their own, if they do not want to go through their parents or talk in front of their parents? Who

sicrhau'r un fath o fargen gyda'r cwmnïau ffonau symudol. Yr ydym hefyd yn cynnal cynllun peilot gyda'n gwasanaeth negeseuon testun. Felly, mae yna nifer o faterion technolegol y mae'n rhaid inni eu hystyried. Y ffordd symlaf imi ddeall y gwahaniaeth rhwng yr hyn y byddwn ni'n ei wneud a'r hyn a wna Childline yw mai gwasanaeth cyngori yn bennaf yw Childline, sy'n gwrando ar blant ac sy'n rhoi cyfle iddynt fynegi eu teimladau. Yn benodol, nid yw'n rhoi cyngor. Byddwn ni yno i ymdrin â phroblemau ymarferol y gallai fod atebion ymarferol iddynt. Yn amlwg, byddwn yn ymdrin â theimladau plant ar yr un pryd, ond mae yna linell amlwg. Bydd y llinell ffôn yn ceisio datrys problemau, ac yn ein llenyddiaeth, pan fyddwn yn hysbysebu'r llinell, byddwn yn rhoi gwybodaeth glir, gan ddefnyddio enghreifftiau o'r math o faterion y dylent gysylltu â ni yn eu cylch. Byddwn yn trafod hynny gyda Childline oherwydd gall fod o gymorth inni. Gallwn helpu drwy gyfeirio achosion at ein gilydd, ac ati. Gan i mi fod yn gyfrifol am redeg Childline, gwn ei bod yn tynnu ffin amlwg. Byddwn yn cyflawni ein swyddogaeth, sy'n golygu y byddwn yn gweithredu yn unol â'r gyfraith. A hoffech chi ymhelaethu, Maria? Nid yw'n glir, eto, gan nad ydym wedi ei mynegi'n glir. Nid ydym yn ei lansio heddiw. Byddwn yn gwneud llawer mwy o waith o ran egluro'r gwahaniaeth, a byddwn yn siarad â phlant am yr hyn a fydd, yn eu barn hwy, o gymorth i'w egluro.

Ms Battle: Yr oedd eich sylwadau yn ddefnyddiol iawn. Mabwysiadwyd y strategaeth tua phythefnos yn ôl, ac yn awr rhaid inni ei rhoi ar waith. Yr oedd y sylwadau'n ddefnyddiol iawn, felly, diolch.

[31] **Laura Anne Jones:** Ar yr un pwynt—sef bod yn gyraeddadwy a'ch llinell radffon benodol—pe bai plant neu bobl ifanc am fod ar eu pen eu hunain i siarad â chi, a heb fod ganddynt ffôn symudol, neu pe bai eu rhieni yn edrych ar eu biliau ffôn symudol, hwyrach y byddent am ddefnyddio blwch ffôn. Fel y gwyddoch, bydd nifer llawer llai o flychau ffôn ar gael cyn bo hir, yn arbennig mewn ardaloedd gwledig. A ydych yn credu y caiff hynny effaith fawr ar allu plant i'ch cyrraedd ac i siarad â chi ar eu pen eu hunain, os nad ydynt am ofyn i'w rhieni eich ffonio neu

would be on the other end of the phone? That is a vital question. Would they be specially trained in speaking to children? You should also take into account that children might want to speak in their first language, be it Welsh or English.

Mr Clarke: I will pick up the last two first, because they are the simplest to deal with. The volunteers will certainly be trained—again, I am drawing on my Childline experience—in listening to children and they will always be supervised by a paid member of staff, so there will never be a volunteer there on his or her own. It will be based in our office, so they will be under our supervision at all times. Of course it will be a bilingual service—we would not consider running it were it not so.

On the issue of phone boxes, rural locations and so on, Maria pointed out to me that we physically go to meet children, if we need to. We will actually go to the house. We have done so at least three or four times in the last few weeks. However, that first contact will still be more difficult. It is likely to be disproportionately difficult for poorer children because they cannot afford the mobile phone bills and so on. I cannot solve that problem, but I can certainly highlight it. I would think that the Assembly might want to consider that issue. We will help to raise the issue, but we cannot solve it.

Ms Reid: The freephone service will be a channel that children and young people can use for a number of issues concerning participation, as well as for advice and assistance. In a similar way, when we work with vulnerable groups of children and young people—it is not solely about children's rights and participation. The communications officers are part of the advice and assistance team and we already have cases where, perhaps, the child or young person would not have approached us were it not for that contact, face to face, with a member of the wider office team, through a different element of our work.

[32] **David Melding:** We now move on to the next section, which deserves the bulk of

siarad yng ngŵydd eu rhieni? Pwy fyddai ar ben arall y llinell? Mae hynny'n gwestiwn hanfodol. A fyddent wedi'u hyfforddi'n arbennig i siarad â phlant? Dylech ystyried hefyd y gall plant fod yn awyddus i siarad yn eu mamiaith, boed yn Gymraeg neu Saesneg.

Mr Clarke: Ymatebaf i'r ddau bwynt olaf yn gyntaf, gan mai dyna'r pwyntiau symlaf i ymdrin â hwy. Yn sicr, caiff y gwirfoddolwyr eu hyfforddi—unwaith eto, yr wyf yn tynnu ar fy mhrofiad o Childline—i wrando ar blant, a byddant bob amser yn cael eu goruchwylio gan aelod cyflogedig o'r staff. Felly, ni fydd gwirfoddolwr byth yn gweithio ar ei ben ei hun. Bydd y gwasanaeth wedi'i leoli yn ein swyddfa, felly, byddwn yn eu goruchwylio'n gyson. Bydd yn wasanaeth dwyieithog, wrth gwrs—ni fyddem yn ystyried ei redeg fel arall.

O ran blychau ffôn, lleoliadau gwledig ac ati, dywedodd Maria wrthyf ein bod yn gorfforol yn mynd allan i gwrdd â phlant, os bydd angen gwneud hynny. Fe awn i'w cartref. Yr ydym wedi gwneud hynny o leiaf dair neu bedair gwaith yn ystod yr ychydig wythnosau diwethaf. Fodd bynnag, bydd y cyswllt cyntaf hwnnw yn dal yn fwy anodd. Mae'n debygol o fod yn fwy anodd byth i blant tlotaich gan na allant fforddio'r biliau ffonau symudol, ac ati. Ni allaf ddatrys y broblem honno, ond yn sicr, gallaf dynnu sylw ati. Byddwn yn meddwl y byddai'r Cynulliad efallai am ystyried y mater hwnnw. Byddwn yn helpu codi'r mater, ond ni allwn ei ddatrys.

Ms Reid: Bydd y gwasanaeth rhadffon yn darparu sianel y gall plant a phobl ifanc ei defnyddio ar gyfer nifer o faterion sy'n ymwneud â chyfranogiad, yn ogystal ag i gael cyngor a chymorth. Yn yr un modd, pan yr ydym yn gweithio gyda grwpiau o blant a phobl ifanc ddiameddiffyn—nid â hawliau plant a chyfranogiad yn unig y mae'n ymwneud. Mae'r swyddogion cyfathrebu yn rhan o'r tîm cyngor a chymorth, ac mae gennym achosion eisoes lle na fyddai'r plentyn neu'r person ifanc, o bosibl, wedi cysylltu â ni oni bai am y cyswllt wyneb yn wyneb hwnnw ag aelod o dîm ehangach y swyddfa, drwy elfen wahanol o'n gwaith.

[32] **David Melding:** Symudwn ymlaen yn awr at yr adran nesaf, sy'n haeddu'r rhan

our time, that is the section on 'Key Issues 2003-04', that starts on page 27 and goes through the rest of the report until you reach the accounts.

[33] **Christine Chapman:** I was interested in the section on parenting and family support, particularly your references to working with teenagers: there is not an awful lot said about work with teenagers. Has any work been done on issues concerning teenagers? Have you looked at any extensive reports, for example, on those issues?

Mr Clarke: By way of background reading—

[34] **David Melding:** I am sorry; we have a little bit longer for this section. On the issue of parental support, does any other member want to amplify that or make an additional point? I see that they do not, so you may want to answer that, Peter.

Mr Clarke: On parental support, we have background reading, but it is not our core task, in a way, to support parents. It is obviously a very close secondary task, just as we would want to support teachers and everyone else who has such a huge influence on children's lives. Often, to support the child, we have to support the parent, de facto. I believe that there ought to be other people who are clearly there for the parents. I also put this in the context of other debates about reasonable chastisement. That is an area that all parts of Government need to address. Given what we have already said about the limitations of our resources, particularly our staff resource, we must be really careful not to get too drawn into that as there are so many children who directly need our help now. That does not mean that we are unsympathetic to it; we can see that the interests of the parent and the child in that respect are often very similar.

Ms Reid: Just to add to that, children and young people have identified issues around support for their parents, through various

fwyaf o'n hamser, sef yr adran ar 'Faterion Allweddol 2003-04'. Mae'n dechrau ar dudalen 27 ac yn parhau am weddill yr adroddiad nes ichi gyrraedd y cyfrifon.

[33] **Christine Chapman:** Yr oedd gennyf ddiddordeb yn yr adran ar fagu plant a chefnogaeth deuluol, yn arbennig eich cyfeiriadau at weithio gyda phobl ifanc yn eu harddegau: nid oes llawer o sôn am waith gyda phobl ifanc yn eu harddegau. A oes unrhyw waith wedi ei wneud ar faterion sy'n ymwneud â phobl ifanc yn eu harddegau? A ydych wedi edrych ar unrhyw adroddiadau helaeth, er enghraifft, ar y materion hynny?

Mr Clarke: O ran defnydd darllen cefndir—

[34] **David Melding:** Mae'n ddrwg gennyf; mae gennym ychydig mwy o amser i drafod yr adran hon. Ar fater cefnogaeth i rieni, a oes unrhyw aelod arall yn awyddus i ymhelaethu neu gyflwyno pwynt ychwanegol? Gwelaf nad oes, felly, efallai yr hoffech ateb, Peter.

Mr Clarke: O ran cefnogaeth i rieni, mae gennym ddefnydd darllen cefndir, ond nid cefnogi rhieni, mewn ffordd, yw ein tasg graidd. Yn amlwg, mae'n dasg eilaidd bwysig iawn, yn yr un ffordd ag y byddem am gefnogi athrawon a phawb arall sydd â dylanwad mor aruthrol ar fywydau plant. Yn aml, er mwyn cefnogi'r plentyn, rhaid inni gefnogi'r rhiant, de facto. Credaf y dylai pobl eraill fod ar gael i ddarparu cefnogaeth amlwg i'r rhieni. Hoffwn hefyd osod y mater hwn yng nghyd-destun dadleuon eraill ynghylch cosb resymol. Mae hwnnw'n faes y mae angen i bob rhan o'r Llywodraeth ymdrin ag ef. O ystyried yr hyn a ddywedwyd gennym eisoes am gyfyngiadau ar ein hadnoddau, yn arbennig ein staff, rhaid inni ochel rhag ymwneud yn ormodol â hynny, gan fod cynifer o blant sydd ag angen ein help yn uniongyrchol arnynt yn awr. Nid yw hynny'n golygu nad ydym yn rhoi unrhyw ystyriaeth iddo; gallwn weld bod buddiannau'r rhiant a'r plentyn yn hynny o beth yn aml yn debyg iawn.

Ms Reid: i ychwanegu at hynny, mae plant a phobl ifanc wedi nodi materion sy'n ymwneud â chefnogaeth i'w rhieni, drwy

elements of our work and also through our involvement and links with other agencies and our contact with networks such as the fforwm magu plant and our involvement in the working group on the parenting action plan. It is clear that these are priority areas where this is often forgotten. A flying start is important, but, often, the more difficult challenges come as your child gets older, when you do not have your health visitor calling in to give you support and you are unclear as to where to turn.

[35] **David Melding:** Karen, did you want to make a point on supporting parents?

[36] **Karen Sinclair:** Yes. There was a recent ombudsman report on Pembrokeshire County Council. There was a case there about the inappropriate treatment of a mother and her four children. Your office became involved in this and took part in a television programme about it. Could you explain how your input will continue for a family like that? Also, on the wider implications of the case, you commented on poor leadership and poor management, which can lead to mistakes of this sort. I know that this is quite a sensitive point, but it seemed to follow on from what Christine asked.

[37] **David Melding:** Could you give a very brief description of the case? I am not sure whether everyone is familiar with it.

Mr Clarke: I will ask Maria, who has been handling the case, to do that, but before that, I will comment briefly on making television appearances with regard to cases in general. In a case where there is any likelihood of the child being identified, we will not do the programme unless the child has said that he or she wants us to do it.

[38] **Karen Sinclair:** I was commenting, not condoning or otherwise.

Mr Clarke: I did not take it as a criticism; I just thought that this was a good opportunity to state that. Obviously there are confidentiality issues, even so, but I will ask Maria to answer the question.

amrywiol elfennau o'n gwaith a hefyd drwy ein cyfranogiad a'n cysylltiadau ag asiantaethau eraill, a'n cyswllt â rhwydweithiau megis y fforwm magu plant a'n hymwneud â'r gweithgor ar y cynllun gweithredu magu plant. Mae'n amlwg fod y meysydd hyn yn feysydd blaenoriaeth lle anghofir hyn yn aml. Mae dechrau da yn bwysig, ond yn aml, wrth i'ch plentyn fynd yn hŷn y byddwch yn wynebu heriau anos, pan na fydd eich ymwelydd iechyd yn galw i roi cefnogaeth ichi, a phan nad ydych yn sicr ble i droi.

[35] **David Melding:** Karen, a oeddech am wneud pwynt ynghylch cefnogi rhieni?

[36] **Karen Sinclair:** Oeddwn. Cyhoeddwyd adroddiad yn ddiweddar gan yr ombudsmon ar Gyngor Sir Penfro. Yr oedd achos yn yr adroddiad hwnnw am fam a'i phedwar plentyn yn cael eu trin yn annheg. Daeth eich swyddfa yn rhan o'r achos hwn, a chymerodd ran mewn rhaglen deledu amdano. A allech egluro sut y bydd eich mewnbwn yn parhau i deulu o'r fath? Hefyd, o ran goblygiadau ehangach yr achos, yr oeddech yn sôn am arweinyddiaeth wael a rheolaeth wael, a all arwain at gamgymeriadau fel hyn. Gwn fod hwn yn bwynt eithaf sensitif, ond yr oedd yn ymddangos yn berthnasol i'r hyn a ofynnodd Christine.

[37] **David Melding:** A allech roi disgrifiad cryno iawn o'r achos? Nid wyf yn sicr a yw pawb yn gyfarwydd ag ef.

Mr Clarke: Gofynnaf i Maria, a fu'n ymdrin â'r achos, wneud hynny. Ond cyn hynny, soniaf yn gryno am ymddangos ar y teledu mewn perthynas ag achosion yn gyffredinol. Mewn achos lle mae unrhyw debygolrwydd enwi'r plentyn, ni fyddwn yn cymryd rhan yn y rhaglen oni fydd y plentyn wedi dweud ei fod am i ni wneud hynny.

[38] **Karen Sinclair:** Gwneud sylw yr oeddwn, nid cymeradwyo nac fel arall.

Mr Clarke: Ni chymerais hynny fel beirniadaeth; achubais ar y cyfle i ddatgan hynny. Yn amlwg, mae materion o ran cyfrinachedd, serch hynny, ond gofynnaf i Maria ateb y cwestiwn.

Ms Battle: Briefly, there was a child protection investigation in respect of four children, which was very badly handled. It resulted in the children being placed on the child protection register when they should not have been. That decision was not based on sound evidence or facts. When the mum tried to complain and so on, she was treated very badly. The complaints procedure was also a mess, and, at the same time, because, I believe, she was stigmatised, other services that the children should have been receiving in health and education were also not given to them.

The mother came to us about a year and a half ago. The ombudsman was already involved in looking at the forensic side—what happened in the past—so I have been dealing with the current issues, which is trying to get the children into school and getting supported home tuition. There are also horrendous medical problems, which had not been looked at. We are still involved, Karen, and we are continuing our involvement. What was happening, as often happens in terms of the reports that we see, was that information had not been shared, so this family was going through several complaints procedures. Outcomes in one complaints procedure were not shared with the other, so they did not have the full evidence. I have asked for everything and have sent everything that I have to the chief executive of the health trust so that when he is considering the health issues, he understands what the ombudsman's conclusions were in a well-researched and evidenced report, and also what the conclusions were of the report of the independent expert in Pembrokeshire. We are continually liaising over education, and I am pleased to say that there has been much improvement there. We have managed to get the children access to their own independent advocate, because, as in many of these cases, when you get the adults involved, the children's voice gets lost. My job has been to attend as many meetings as possible, to try to get things to happen and to put the children's views across, ensuring that those views do not get lost.

Ms Battle: Yn gryno, cynhaliwyd ymchwiliad amddiffyn plant yn ymwneud â phedwar plentyn, a chafodd yr ymchwiliad hwnnw ei drin mewn ffordd wael iawn. O ganlyniad, rhoddwyd y plant ar y gofrestr amddiffyn plant pan na ddylent fod wedi'u rhoi arni. Nid oedd y penderfyniad hwnnw yn seiliedig ar dystiolaeth na ffeithiau cadarn. Pan geisiodd y fam gwyno, ac yn y blaen, cafodd ei thrin yn wael iawn. Yr oedd y weithdrefn gwyno hefyd yn llanastr, ac ar yr un pryd, oherwydd, credaf, iddi gael ei difenwi, ni chafodd y plant wasanaethau eraill y dylent fod wedi'u cael o ran iechyd ac addysg ychwaith.

Daeth y fam atom tua blwyddyn a hanner yn ôl. Yr oedd yr ombwdsmon eisoes wrthi'n edrych ar yr ochr fforensig—beth a oedd digwydd yn y gorffennol—felly, yr wyf wedi bod yn ymdrin â'r materion cyfredol, sef ceisio cael y plant i'r ysgol a chael gwersi gyda chymorth iddynt yn y cartref. Mae ganddynt broblemau meddygol difrifol hefyd, nad oeddent wedi eu hystyried. Yr ydym yn ymwneud â'r achos o hyd, Karen, ac mae ein cyfranogiad yn parhau. Yr hyn a ddigwyddodd, fel sy'n digwydd yn aml o ran yr adroddiadau a welwn, oedd na rannwyd gwybodaeth. Felly, yr oedd y teulu hwn yn mynd drwy nifer o weithdrefnau cwyno. Ni rannwyd canlyniadau un weithdrefn gwyno gyda chanlyniadau un llall, ac felly, nid oedd ganddynt y dystiolaeth lawn. Yr wyf wedi gofyn am gael gweld popeth, ac yr wyf wedi anfon popeth sydd gennyf at brif weithredwr yr ymddiriedolaeth iechyd er mwyn iddo ddeall casgliadau'r ombwdsmon mewn adroddiad a oedd ag ymchwil a thystiolaeth gadarn yn sail iddo, a hefyd gasgliadau adroddiad yr arbenigwr annibynnol yn Sir Benfro, wrth iddo ystyried y materion iechyd. Byddwn yn cael trafodaethau parhaus am addysg, ac mae'n bleser gennyf ddweud bod cryn welliant wedi digwydd yn hynny o beth. Yr ydym wedi llwyddo i ddarparu gwasanaethau eiriolydd annibynnol i'r plant, oherwydd, fel sy'n digwydd mewn nifer o'r achosion hyn, pan gaiff yr oedolion eu cynnwys, ni chlywir llais y plentyn. Fy swyddogaeth i fu mynychu cynifer o gyfarfodydd â phosibl, ceisio ysgogi pethau i ddigwydd a chyflwyno safbwyntiau'r plant, gan sicrhau na chaiff y safbwyntiau hynny eu colli.

I think that this particular case will go on for quite some time. We will be officially referring the strategic things, looking at the endemic management and so on, to the Social Services Inspectorate for Wales and Audit Commission joint review, because they have a system of reviews. We will then ask them to put this particular council towards the top of their review list, and I have informed the county council that that is what we intend to do. I have also said that we do not intend to do a review ourselves. The ombudsman is monitoring the independent review as part of his recommendations, but I have reserved our position—should we feel that things are not happening, we will either step in, or we will ask somebody else to step in. So that basically summarises that case.

[39] **David Melding:** Thank you. That was a very succinct description of what was a complicated piece of casework. I will call William Graham next. The only other person on my list at the moment is Huw Lewis, so I ask Members please to indicate if they wish to raise one of the issues contained after page 27.

[40] **William Graham:** Peter, you rightly highlighted social services yet again on page 28, and we have already touched upon the critical shortage of social workers. More particularly, you identify a particular case. People with even the slightest involvement in this matter will know that early intervention is very important. How will you speak out more on that? I will link that, Chair, if I may, to mental health cases. In my period as an elected Member, prejudice is probably as strong as it was 25 years ago, and sympathy is slightly less, when it comes to dealing with benefit cases, because the rules are tighter. Do you have experience of that, and how would you speak out on it? My final question is about the children of asylum-seeking families. Again, I am proud that Newport as an authority has a dedicated unit for their education. Would you advocate that, where you have identified proper need?

Credaf y bydd yr achos penodol hwn yn parhau am gryn amser. Byddwn yn cyfeirio'r pethau strategol, sef edrych ar y rheolaeth endemig ac ati, yn swyddogol i adran cydadolygiadau Arolygiaeth Gwasanaethau Cymdeithasol Cymru a'r Comisiwn Archwilio, gan fod ganddynt system o adolygiadau. Wedyn byddwn yn gofyn iddynt roi'r cyngor penodol hwn tuag at frig eu rhestr adolygu, ac yr wyf wedi dweud wrth y cyngor sir mai dyna yw ein bwriad. Yr wyf wedi dweud hefyd nad ydym yn bwriadu gwneud adolygiad ein hunain. Mae'r ombwdsmon wrthi'n monitro'r adolygiad annibynnol fel rhan o'i argymhellion. Ond yr wyf wedi sicrhau ein bod yn parhau wrth gefn—os teimlwn nad yw pethau'n digwydd, byddwn naill ai'n camu i mewn neu'n gofyn i rywun arall gamu i mewn. Felly, dyna grynoded sylfaenol o'r achos hwnnw.

[39] **David Melding:** Diolch. Yr oedd hwnnw'n ddisgrifiad cryno iawn o'r hyn a oedd yn ddarn cymhleth o waith achos. Galwaf ar William Graham nesaf. Yr unig un arall ar fy rhestr ar hyn o bryd yw Huw Lewis, felly, gofynnaf i Aelodau ddangos a ydynt am godi un o'r materion a gynhwysir ar ôl tudalen 27.

[40] **William Graham:** Peter, yr oeddech yn llygad eich lle yn tynnu sylw at y gwasanaethau cymdeithasol eto ar dudalen 28, ac yr ydym eisoes wedi sôn yn fras am y prinder difrifol o weithwyr cymdeithasol. Yn fwy penodol, yr ydych yn nodi achos penodol. Bydd pobl sy'n ymwneud dim ond i'r graddau lleiaf â'r mater hwn yn gwybod bod ymyrryd yn gynnar yn bwysig iawn. Sut y byddwch yn lleisio'ch barn yn fwy am hynny? Cysylltaf hynny, Gadeirydd, os caf, ag achosion iechyd meddwl. Yn ystod fy nghyfnod fel Aelod etholedig, mae'n debyg fod rhagfarn mor amlwg ag yr oedd 25 mlynedd yn ôl, a chydymdeimlad ychydig yn llai, wrth ymdrin ag achosion yn ymwneud â budd-daliadau, am fod y rheolau'n fwy caeth. A oes gennych brofiad o hynny, a sut y bydddech yn lleisio'ch barn ar y mater? Mae a wnelo fy nghwestiwn olaf â phlant teuluoedd sy'n ceisio lloches. Unwaith eto, yr wyf yn ymfalchïo yn y ffaith fod gan Gasnewydd, fel awdurdod, uned benodol i ymdrin â'u haddysg. A fydddech yn annog hynny, lle

byddwch wedi nodi angen priodol?

Mr Clarke: The issue of comment is a general one for us as an office. We have already alluded to the fact that the media come to us quite often—in fact, all the time—about particular issues. We tend to have to be both proactive—sometimes looking for opportunities to speak say on behalf of the early years—and, in a sense, opportunistic, in that we have a number of key messages that we know we want to deliver. When the right story comes along, and we are able to deliver it, we will continue to do that. With regard to mental health in general, I have made no secret of the fact, and it is also in this report, that I am remain very disappointed at the progress, or lack of it, in child and adolescent mental health services in Wales. That does not deal completely with the stigma issue, but it goes a long way towards it, because if people are properly supported, they are more likely to be able to fit into the communities in which they live.

With regard to children of asylum seekers, the Newport model, from what I know of it, is a good one. I have been disappointed that another major council, at one point, withdrew dedicated services to these children. That is something on which we will continue to speak up. Again, I have been told that this area is outside my remit, but, broadly, it is not. My general predisposition remains the same—I shall keep speaking out on some of these issues until someone physically stops me.

[41] **David Melding:** I know that at least one Member on my list will want to return to mental health issues, so I will leave it there as it is a very important area. I will go down the list as I have it, as Members have indicated to me previously.

[42] **Huw Lewis:** I will return to child poverty, which is on page 33. I was pleased, as you may remember Peter, that in your first annual report you did much good by flagging up this issue and giving it political legs at the time. However, as a critical friend, I express

Mr Clarke: Mae'r mater o gyflwyno sylwadau yn fater cyffredinol inni fel swyddfa. Yr ydym eisoes wedi sôn bod y cyfryngau yn cysylltu â ni yn gymharol aml—drwy'r amser, a dweud y gwir—ynghylch materion penodol. Yr ydym yn tueddu i orfod bod yn rhagweithiol—gan chwilio weithiau am gyfleoedd i lefaru ar ran y blynyddoedd cynnar—ac, i ryw raddau, i achub ar gyfleoedd, gan fod gennym nifer o negeseuon allweddol y gwyddom ein bod am eu cyfleu. Pan ddaw'r stori gywir i'w amlwg, a ninnau'n gallu ei chyflwyno, byddwn yn parhau i wneud hynny. O ran iechyd meddwl yn gyffredinol, nid wyf wedi celu'r ffaith, ac fe'i nodir hefyd yn yr adroddiad hwn, fy mod yn dal yn siomedig iawn â'r cynnydd, neu'r diffyg cynnydd, ym maes gwasanaethau iechyd meddwl i blant a phobl ifanc yng Nghymru. Nid yw hynny'n ymdrin yn llwyr â'r broblem o stigma, ond mae'n cyfrannu at hynny i raddau helaeth, oherwydd os caiff pobl y gefnogaeth briodol, maent yn fwy tebygol o allu dod yn rhan o'r cymunedau lle maent yn byw.

O ran plant ceiswyr lloches, mae model Casnewydd, o'r hyn a wn amdano, yn un da. Yr oeddwn yn siomedig o weld bod un cyngor mawr arall, ar un adeg, wedi rhoi'r gorau i ddarparu gwasanaethau penodol i'r plant hyn. Mae hynny'n rhywbeth y byddwn yn parhau i leisio barn yn ei gylch. Unwaith eto, dywedwyd wrthyf nad yw'r maes hwn yn rhan o'm cylch gwaith, ond, yn fras, nid yw hynny'n wir. Erys fy nhuedd cyffredinol yn ddigymffwrdd—byddaf yn parhau i leisio barn am rai o'r materion hyn nes i rywun fy atal yn gorfforol.

[41] **David Melding:** Gwn y bydd o leiaf un Aelod ar fy rhestr yn awyddus i ddychwelyd at faterion sy'n ymwneud ag iechyd meddwl. Felly, fe'i gadawaf yn awr gan ei fod yn faes pwysig iawn. Af i lawr ar hyd y rhestr fel y mae, fel y nododd Aelodau imi yn flaenorol.

[42] **Huw Lewis:** Dychwelaf at dlodi plant, sydd ar dudalen 33. Yr oeddwn yn falch, fel y cofiwch, Peter, hwyrach, ichi wneud cymaint o ddaioni yn eich adroddiad blynyddol cyntaf drwy amlygu'r mater hwn a rhoi sail wleidyddol iddo ar y pryd. Fodd bynnag, fel

my disappointment with your endorsement of the recommendations of the child poverty task group. My own response to the task group's paper was that it was an extraordinarily weak document. I could list my criticisms of it at length all afternoon; it made me quite annoyed. However, I will just concentrate on one issue, namely the whole basis of the document being structured and built upon the United Nation's Convention on the Rights of the Child. That is fine on the face of it, but there is an enormous distinction between a rights-based approach, which is what is being advocated in that document, and the actual enjoyment of rights—the actual ability to use those rights to change people's lives. The document fixated itself on stating rights and how rights could be best stated without considering any measurable way in which the implementation of the enjoyment of those rights—the actual use of those rights—would contribute towards the elimination of child poverty. In fact, I do not think that the document even once mentioned the elimination of child poverty.

What I have suggested in my submission is that we do not only talk about the UN convention, but also talk about the Nice European Council agreement from 2000 on poverty, which we are technically signed up to as an Assembly through a UK signature on the document; it is actually binding on us. It sets out a social agenda as well as a rights-based agenda, which states that, within your society, you will have these targets—you will measure your progress towards the elimination of child poverty and there will be a reality behind the rights. So, I flag up my disappointment because I thought that that task group paper was very disappointing.

[43] **David Melding:** Are there any other comments? Huw has covered a very central issue in relation to child poverty and the need for rigour, outcomes and objectives. Does any other member want to make an allied point? Peter, I think that this is quite a controversial area, but a very important one.

Mr Clarke: I think that our comments on child poverty—indeed, our whole approach

cyfaill beirniadol, mynegaf fy siom o weld eich bod wedi cymeradwyo argymhellion y grŵp gorchwyl tlodi plant. Fy ymateb i fy hun i bapur y grŵp gorchwyl oedd ei bod yn ddogfen ryfeddol o wan. Gallwn draethu drwy'r prynhawn gan nodi fy meirniadaethau; cododd fy ngwrychyn yn llwyr. Fodd bynnag, canolbwytiaf ar ddim ond un mater, sef y ffaith bod holl sail y ddogfen wedi'i strwythuro a'i adeiladu ar Gonfensiwn y Cenhedloedd Unedig ar Hawliau'r Plentyn. Mae hynny'n iawn ar yr wyneb, ond mae gwahaniaeth aruthrol rhwng ymagwedd yn seiliedig ar hawliau, sef yr ymagwedd a anogir yn y ddogfen honno, a'r gallu gwirioneddol i fwynhau hawliau—y gallu gwirioneddol i ddefnyddio'r hawliau hynny i newid bywydau pobl. Canolbwytiaf'r ddogfen ei hun ar ddatgan hawliau a'r ffordd orau i ddatgan hawliau heb ystyried unrhyw ffordd fesuradwy y byddai'r broses o weithredu'r gallu i fwynhau'r hawliau hynny—defnyddio'r hawliau hynny mewn gwirionedd—yn cyfrannu at y nod o ddiddymu tlodi plant. Yn wir, ni chredaf i'r ddogfen sôn unwaith hyd yn oed am ddiddymu tlodi plant.

Yr hyn a awgrymais yn fy nghyflwyniad oedd na ddylem fod yn sôn am gonfensiwn y CU yn unig, ond y dylem sôn hefyd am gytundeb y Cyngor Ewropeaidd yn Nice yn 2000 ar dlodi. Yr ydym i gyd yn dechnegol wedi ymrwymo i hwnnw fel Cynulliad am fod llofnod y DU ar y ddogfen; mae hynny'n ein rhwymo ni. Mae'n gosod allan agenda gymdeithasol yn ogystal ag agenda'n seiliedig ar hawliau, sy'n datgan, o fewn eich cymdeithas, y bydd gennych y targedau hyn—byddwch yn mesur eich cynnydd tuag at ddiddymu tlodi plant, a bydd realiti yn sail i'r hawliau. Felly, nodaf fy siom gan fy mod o'r farn fod y papur grŵp gorchwyl hwnnw yn siomedig iawn.

[43] **David Melding:** A oes unrhyw sylwadau eraill? Mae Huw wedi cynnwys mater canolog iawn o ran tlodi plant a'r angen am fanylder, canlyniadau ac amcanion. A hoffai unrhyw aelod arall wneud pwynt cysylltiedig? Peter, credaf ei fod yn faes eithaf dadleuol, ond yn un pwysig iawn.

Mr Clarke: Credaf fod ein sylwadau ar dlodi plant—yn wir, ein holl ymagwedd o ran y

with regards to the National Assembly—have been very much informed by the fact that we still see the main levers for combating child poverty in the UK as being in the hands of the UK Government, particularly the Chancellor of the Exchequer. The UK Government has, irrespective of one's political standing, put targets in there that we can monitor, upon which we can and will continue to comment. We do not want to have a long and arcane debate on this, and you are probably better informed than I am on some of these areas, but I am not so sure that I agree that there is necessarily a conflict between a rights-based approach and an approach that is targeted. Particularly on the UN convention, when you look at the rights of the child, a lot of those are in fact social rights, so we could also have a fruitful debate about that.

[44] **David Melding:** I think Huw's point was that stating rights does not fulfil them.

Mr Clarke: I can hardly argue with that and I agree with him. Maybe I should reconsider. It is important for strategic documents to have clear targets, on which people can be held accountable. Sara is my observer on that group; do you want to add anything to that, Sara?

Ms Reid: It is important to remember that that was a task group; it was not an Assembly report. We are really looking forward to seeing the targets and indicators flagged up in the strategy, which is due for publication very soon. A number of very important points were made in the task group report. Again, we have the commitment to a rights-based approach in our work, and we were pleased with that. There is also the issue on the need for targeted services, ensuring that universal services have some involvement in delivering programmes and initiatives to eradicate child poverty.

Mr Clarke: Some of this will be a case of 'watch this space', I suspect. This is a first in a series of conversations, hopefully. As a strategy emerges, we will all want to comment again on that.

Cynulliad Cenedlaethol—wedi eu llywio gan ein barn fod y prif systemau ar gyfer trechu tlodi plant yn y DU yn dal yn nwylo Llywodraeth y DU, yn arbennig yn nwylo Canghellor y Trysorlys. Mae Llywodraeth y DU, waeth beth fo'ch safbwynt gwleidyddol, wedi pennu targedau y gallwn eu monitro, y gallwn gyflwyno sylwadau amdanynt ac y byddwn yn parhau i gyflwyno sylwadau amdanynt. Nid ydym am gynnal dadl hir a chyfrin ar y mater, ac mae'n sicr eich bod yn fwy hyddysg na mi am rai o'r meysydd hyn. Ond nid wyf mor sicr fy mod yn cytuno bod gwrthdaro o reidrwydd rhwng ymagwedd yn seiliedig ar hawliau ac ymagwedd wedi'i thargedu. O ran confensiwn y CU yn enwedig, os edrychwch ar hawliau'r plentyn, hawliau cymdeithasol yw nifer ohonynt mewn gwirionedd, felly, gallem gael dadl gynhyrchiol ar hynny hefyd.

[44] **David Melding:** Credaf mai pwynt Huw oedd nad yw datgan hawliau yn golygu eu cyflawni.

Mr Clarke: Prin y gallaf ddadlau â hynny, a chytunaf ag ef. Efallai y dylwn ailystyried. Mae'n bwysig i ddogfennau strategol gynnwys targedau clir y gellir gwneud pobl yn atebol iddynt. Sara yw fy arsyllwr ar y grŵp hwnnw; a hoffech ychwanegu unrhyw beth at hynny, Sara?

Ms Reid: Mae'n bwysig cofio mai grŵp gorchwyl oedd hwnnw; nid adroddiad gan y Cynulliad ydoedd. Yr ydym yn edrych ymlaen yn fawr at weld y targedau a'r dangosyddion yn cael eu hyrwyddo yn y strategaeth, sydd i gael ei chyhoeddi'n fuan iawn. Gwnaed nifer o bwyntiau pwysig iawn yn adroddiad y grŵp gorchwyl. Unwaith eto, mae gennym ymrwymiad i ymagwedd yn seiliedig ar hawliau yn ein gwaith, ac yr oeddem yn falch o weld hynny. Nodir hefyd yr angen am wasanaethau wedi'u targedu, gan sicrhau bod i wasanaethau cyffredinol ryw ran yn y gwaith o gyflwyno rhaglenni a mentrau i ddileu tlodi plant.

Mr Clarke: Mater o aros i weld fydd rhywfaint o hyn, am a wn i. Dyma'r un gyntaf mewn cyfres o sgysiau, gobeithio. Wrth i strategaeth ymddangos, bydd pob un ohonom yn awyddus i gyflwyno sylwadau pellach am hynny.

[45] **Mark Isherwood:** On a separate point relating to child poverty on page 33, and in the context of your statement of the need to involve universal services in tackling child poverty, why did you feel the need to mention that many children and young people living in poverty live outside Communities First areas? Do you feel that there is an issue there? With reference to child and adolescents mental health services on page 34, like many other Members, I receive an increasing number of letters from parents of children on the autism spectrum—particularly of those with Asperger’s syndrome. A fairly standard response from CAMHS is that it cannot provide the service required because it is concentrating on life-threatening mental health disorders, suicidal ideation and serious self-harm. Could you comment on the general observation that people with Asperger’s syndrome have a high suicide rate, and a high propensity to self-harm, and the way in which we should be tackling this issue within the CAMHS agenda?

[46] **David Melding:** Those are two excellent questions but will you answer the question on universal services to tackle child poverty first, Peter? I intend to call Rhodri Glyn Thomas next, and he has indicated that he will lead on the mental health issue, which is a very substantial area. Perhaps we need to spend 10 or 15 minutes on that issue separately. I am sorry about that, Mark; I will ensure that your questions are addressed.

Mr Clarke: I will ask Sara to pick up on the universal services and Communities First issue.

[47] **David Melding:** I am sorry, Sara. Jeff has an allied point on the universal services issue.

[48] **Jeff Cuthbert:** My point is on the Communities First issue. My apologies if you were about to discuss it. What kind of links do you have with Communities First partnerships? As you state here, they represent the most deprived wards, or sub-wards, in Wales. There are 13 such wards in

[45] **Mark Isherwood:** Ar bwynt gwahanol sy’n ymwneud â thlodi plant ar dudalen 33, ac yng nghyd-destun eich datganiad fod angen cynnwys gwasanaethau cyffredinol wrth fynd i’r afael â thlodi plant, pam yr oeddech yn teimlo’r angen i sôn fod nifer o blant a phobl ifanc sy’n byw mewn tlodi yn byw y tu allan i ardaloedd Cymunedau yn Gyntaf? A ydych yn teimlo bod hynny’n fater i’w drafod? Gan gyfeirio at wasanaethau iechyd meddwl i blant a phobl ifanc ar dudalen 34, fel llawer Aelod arall caf nifer gynyddol o lythyrau gan rieni plant sy’n dioddef o awtistiaeth—yn arbennig y rheini sy’n dioddef o syndrom Asperger. Ymateb cymharol safonol gan CAMHS yw na all ddarparu’r gwasanaeth angenrheidiol am ei fod yn canolbwyntio ar anhwylderau iechyd meddwl sy’n bygwth bywyd, syniadaeth o hunan-ladd a hunan-niwed difrifol. A allech ymateb i’r sylw cyffredinol cyfradd uchel o hunan-ladd ymysg pobl sy’n dioddef gan syndrom Asperger, a thuedd uchel i achosi hunan-niwed, a nodi sut y dylem fod yn mynd i’r afael â’r mater hwn o fewn agenda CAMHS?

[46] **David Melding:** Mae’r ddau gwestiwn yn rhai ardderchog, ond a fydddechystal ag ateb y cwestiwn ar wasanaethau cyffredinol i fynd i’r afael â thlodi plant yn gyntaf, Peter? Bwriadaf alw Rhodri Glyn Thomas nesaf, ac mae wedi nodi y bydd yn arwain ar fater iechyd meddwl, sy’n faes sylweddol iawn. Efallai fod angen inni dreulio 10 neu 15 munud ar wahân ar y mater hwnnw. Mae’n ddrwg gennyf am hynny, Mark; sicrhaf y cewch ymateb i’ch cwestiynau.

Mr Clarke: Gofynnaf i Sara ymateb i’r mater ynghylch gwasanaethau cyffredinol a Chymunedau yn Gyntaf.

[47] **David Melding:** Mae’n ddrwg gennyf, Sara. Mae gan Jeff bwynt cysylltiedig o ran gwasanaethau cyffredinol.

[48] **Jeff Cuthbert:** Mae a wnelo fy mhwynt i â Chymunedau yn Gyntaf. Ymddiheuraf os oeddech ar fin ei drafod. Pa fath o gysylltiadau sydd gennych â phartneriaethau Cymunedau yn Gyntaf? Fel y dywedwch yma, maent yn cynrychioli’r wardiau, neu’r is-wardiau, mwyaf difreintiedig yng

my constituency, so I know about this issue. Many partnerships are very concerned with child welfare issues and the provision of services for young people. Good ideas come from these local leaders. Do you meet and receive information from local leaders, and what use do you make of this information?

Ms Reid: I will start with that point. A lot of contact has been made via invitations and involvement with other partnerships and networks with Communities First. As the report makes clear, it is regarded as being a commendable initiative. Our concern is about children, young people and their families who are perhaps unable to access services which would support their families, and which would help improve their life chances, because of where they live or their lack of familiarity with accessing those kinds of services. It is about addressing inequalities. Some issues were flagged up in the task group's report from participation activities with children and young people, and issues have also been highlighted in other research work conducted by Save the Children, for example. They highlight the stigma of poverty, the issues of relative poverty and the stigma which is often connected with accessing certain services.

Wherever children live, by having a link with education through schools, and to health through health visitors, and by having a firm commitment to developing anti-poverty work through those universal services, it would be possible for larger numbers of families in dire need to access services, and to receive help and support. In many ways, Communities First has made it much easier in those communities for the families concerned to access the services.

Mr Clarke: There is no criticism implied of Communities First. It arises from an understanding that there are pockets of poverty in areas which are not Communities First areas, where the needs are the same. We are drawing attention to that.

Nghymru. Mae 13 o wardiau felly yn fy etholaeth i, felly yr wyf yn ymwybodol o'r mater hwn. Mae gan nifer o bartneriaethau ddi-ddordeb mawr ym materion lles plant a darparu gwasanaethau i bobl ifanc. Mae gan yr arweinwyr lleol hyn syniadau da. A fyddwch yn cyfarfod ag arweinwyr lleol ac yn cael gwybodaeth ganddynt, a pha ddefnydd a wnewch o'r wybodaeth hon?

Ms Reid: Dechreuaf gyda'r pwynt hwnnw. Cafwyd llawer o gysylltu drwy wahoddiadau ac ymwneud â phartneriaethau a rhwydweithiau eraill gyda Chymunedau yn Gyntaf. Fel yr eglura'r adroddiad, ystyrir ei bod yn fenter glodwiw. Ein pryder ni yw am blant, pobl ifanc a'u teuluoedd na allant efallai fanteisio ar wasanaethau a fyddai'n cefnogi eu teuluoedd, ac a fyddai'n helpu gwella eu cyfleoedd mewn bywyd, oherwydd lle maent yn byw neu'r ffaith nad ydynt yn gyfarwydd â manteisio ar y mathau hynny o wasanaethau. Mater o ymdrin ag anghydraddoldebau ydyw. Nodwyd rhai materion yn adroddiad y grŵp gorchwyl o ran gweithgareddau cyfranogiad gyda phlant a phobl ifanc, a thynnwyd sylw hefyd at faterion mewn gwaith ymchwil arall a wnaed gan Achub y Plant, er enghraifft. Maent yn tynnu sylw at stigma tlodi, materion sy'n ymwneud â thlodi cymharol a'r stigma sydd yn aml yn gysylltiedig â manteisio ar rai gwasanaethau penodol.

Ble bynnag y bydd plant yn byw, drwy ddod i gysylltiad ag addysg drwy ysgolion, ac iechyd drwy ymwelwyr iechyd, a thrwy sicrhau ymrwymiad cadarn i ddatblygu gwaith i atal tlodi drwy'r gwasanaethau cyffredinol hynny, byddai'n bosibl i niferoedd mawr o deuluoedd sydd mewn angen mawr fanteisio ar wasanaethau, a chael help a chymorth. Mewn llawer ffordd, mae Cymunedau yn Gyntaf yn y cymunedau hynny wedi ei gwneud lawer yn haws i'r teuluoedd dan sylw fanteisio allu defnyddio'r gwasanaethau.

Mr Clarke: Nid oedd unrhyw fwriad i feirniadu Cymunedau yn Gyntaf. Mae'n deillio o ddealltwriaeth fod pocedi o dlodi mewn ardaloedd nad ydynt yn ardaloedd Cymunedau yn Gyntaf, lle mae'r anghenion yr un fath. Yr ydym yn tynnu sylw at hynny.

[49] **Rhodri Glyn Thomas:** Mae gennyf hefyd gwestiwn ar wasanaethau cymdeithasol.

[49] **Rhodri Glyn Thomas:** I also have a question on social services.

[50] **David Melding:** I hope you are going to ask a question on mental health.

[50] **David Melding:** Gobeithio fod a wnelo'ch cwestiwn ag iechyd meddwl.

[51] **Rhodri Glyn Thomas:** Byddaf yn gofyn cwestiwn am iechyd meddwl; cadwaf y cwestiwn arall tan yn ddiweddarach. Ynghylch gwasanaethau iechyd meddwl, yr ydych yn feirniadol iawn eto eleni o'r adnoddau sydd ar gael ar gyfer gweithredu strategaeth iechyd meddwl. Os nad yw'r adnoddau yn cael eu rhoi yn eu lle, dywedwch y dylai'r Llywodraeth gydnabod yn gyhoeddus ei bod yn cefnu ar y strategaeth yn gyfan gwbl. Mae'n ymddangos imi eich bod yn cytuno â llawer o'r dystiolaeth y mae'r Pwyllgor Iechyd a Gwasanaethau Cymdeithasol wedi'i derbyn. Dengys y dystiolaeth fod strwythur a fframwaith gwasanaethau yng Nghymru yn wan iawn. A ydych wedi ystyried goblygiadau'r Mesur Iechyd Meddwl drafft i bobl ifanc a phlant sydd â phroblemau iechyd meddwl? Yr wyf yn cyfeirio'n benodol at y diffiniad o 'anhwylder meddwl', oherwydd mae pryderon y bydd y diffiniad eang hwn yn cynnwys rhai o'r plant a phobl ifanc â phroblemau iechyd meddwl y cyfeiriodd Mark Isherwood atynt. Mae pryder y gallent gael eu gorfodi i fynd i sefydliadau penodol. A ydych yn derbyn barn Cymdeithas y Gyfraith y gallai hyn danseilio iawnderau dynol sylfaenol y plant a phobl ifanc hyn?

[51] **Rhodri Glyn Thomas:** I will ask a question on mental health; I will keep the other question for later. On mental health services, you are again highly critical this year of the resources that are available to implement the mental health strategy. If the resources are not put in place, you say that the Government should publicly acknowledge that it is turning its back on the strategy completely. It seems to me that you agree with much of the evidence heard by the Health and Social Services Committee. This evidence shows that the structure and framework of services in Wales are extremely weak. Have you considered the implications of the draft Mental Health Bill for children and young people with mental health problems? I refer specifically to the definition of 'mental disorder', because there are concerns that this broad definition will apply to those children and young people with mental health problems to which Mark Isherwood referred. There is concern that they could be forced to attend specific centres. Do you accept the Law Society's view that this could undermine the basic human rights of these children and young people?

[52] **David Melding:** Kirsty also has a point on mental health issues, and you will bear in mind the need to respond to Mark Isherwood's question about the vulnerability of young people to suicide, particularly those with conditions such as Asperger's syndrome.

[52] **David Melding:** Mae gan Kirsty hefyd bwynt am faterion sy'n ymwneud ag iechyd meddwl, a chofiwch fod angen ymateb i gwestiwn Mark Isherwood am bobl ifanc sy'n agored i gyflawni hunan-laddiad, yn arbennig y rheini sy'n dioddef gan gyflyrau fel syndrom Asperger.

[53] **Kirsty Williams:** Page 34 of the report highlights the lack of the right resources for young people. For the benefit of those who are not Members of the Health and Social Services Committee, perhaps you could elaborate on what kind of resources are lacking and the consequences for the young people whom you have dealt with. Are you confident that requirements placed on local health boards in terms of service and

[53] **Kirsty Williams:** Mae tudalen 34 yn yr adroddiad yn tynnu sylw at y diffyg adnoddau priodol i bobl ifanc. Er mwyn y rheini nad ydynt yn Aelodau o'r Pwyllgor Iechyd a Gwasanaethau Cymdeithasol, efallai y gallech ymhelaethu ar y math o adnoddau sy'n brin, a chanlyniadau hynny i'r bobl ifanc yr ydych wedi ymdrin â hwy. A ydych yn hyderus y bydd gofynion a osodir ar fyrdau iechyd lleol o ran targedau fframwaith

financial framework targets will go any way towards addressing the concerns in both your previous reports, or can we look forward to reading in your fourth annual report further criticism of child and adolescent mental health services in Wales?

[54] **David Melding:** Does anyone else have a question on mental health issues? Peter, I would appreciate it if you could comment on a case that I was dispirited to learn about during a visit to an adult in-patient mental health unit. As I always do when visiting such facilities, I asked whether the unit had any child or adolescent patients. I was told that there were two adolescent girl in-patients. I am told that the profile of girls is particularly vulnerable because, on average, they can develop psychosis—if they are vulnerable to it—earlier than boys. It does not usually present in boys until the age of 18 or 19. I consider it important that you respond on record to the issue of adult in-patient mental health units having to receive children.

Mr Clarke: That was quite a set of issues. There is lack of resources across the board, from tier 0—as I think it is called in the CAMHS strategy—which includes counselling, befriending and the schemes that are popular with children, right through to dedicated in-patient facilities for eating disorders, self-harm and many other things that we know are particular problems for children and young people. While there are little flagships here and there, the general body of CAHMS resources is lacking in my view. This is not just my view, but that of the Royal College of Psychiatrists and a whole range of people involved with children and young people and who have their mental health concerns at heart.

I am aware of the Bill going through Parliament. It is unfortunate that Rhian is not with us today, because she monitors proposed legislation, and she would be able to speak far more knowledgeably than me about this. She is doing that work for us in relation to the Bill. You can bet your life that we will keep a

gwasanaeth a chyllid yn llwyddo mewn unrhyw ffordd i ymdrin â'r pryderon yn eich adroddiadau blaenorol? Neu a allwn edrych ymlaen at ddarllen beirniadaeth bellach yn eich pedwerydd adroddiad blynyddol o wasanaethau iechyd meddwl i blant a phobl ifanc yng Nghymru?

[54] **David Melding:** A oes gan unrhyw un arall gwestiwn ar faterion iechyd meddwl? Peter, byddem yn ddiolchgar pe baech yn gallu ymateb i achos yr oeddwn yn siomedig o glywed amdano yn ystod ymweliad ag uned iechyd meddwl i gleifion mewnol sy'n oedolion. Fel y gwnaf bob amser wrth ymweld â chyfleusterau o'r fath, gofynnais a oedd unrhyw blant neu bobl ifanc yn gleifion yn yr uned. Dywedwyd wrthyf fod dwy ferch yn eu harddegau yn gleifion mewnol. Yr wyf ar ddeall fod proffil merched yn arbennig o ddiameddiffyn oherwydd eu bod, ar gyfartaledd, yn gallu ddatblygu seicosis—os ydynt yn debygol o wneud hynny—yn gynharach na bechgyn. Fel arfer, ni fydd bechgyn yn dioddef ganddo nes iddynt gyrraedd 18 neu 19 oed. Credaf ei bod yn bwysig ichi ymateb ar gofnod i'r ffaith fod unedau iechyd meddwl i gleifion mewnol sy'n oedolion yn gorfod derbyn plant.

Mr Clarke: Mae hynny'n gryn nifer o faterion. Mae diffyg adnoddau yn gyffredinol, o haen 0—fel y'i gelwir yn y strategaeth CAMHS, mi gredaf—sy'n cynnwys cynghori, cyfeillio a'r cynlluniau sy'n boblogaidd gyda phlant, hyd at gyfleusterau penodol i gleifion mewnol ar gyfer anhwylderau bwyta, hunan-niwed a nifer o bethau eraill y gwyddom eu bod yn peri problemau penodol i blant a phobl ifanc. Er bod yna fân brosiectau blaenllaw yma ac acw, yn gyffredinol nid oes digon o adnoddau gan CAHMS, yn fy marn i. Nid fy marn i yn unig yw hynny, ond barn Coleg Brenhinol y Seiciatryddion ac amrywiaeth helaeth o bobl sy'n ymwneud â phlant a phobl ifanc ac sy'n ceisio ymdrin â'u pryderon iechyd meddwl.

Yr wyf yn ymwybodol o'r Mesur sy'n cael ei ystyried gan y Senedd. Mae'n anffodus nad yw Rhian yn bresennol heddiw, gan mai hi sy'n monitro deddfwriaeth arfaethedig, a byddai'n gallu sôn lawer yn fwy hyddysg na mi am hyn. Mae'n gwneud y gwaith hwnnw ar ein rhan mewn perthynas â'r Mesur.

close eye on it, and, if we feel that it is appropriate to comment, we will do so. Many things come up through our advice and assistance work that are similar to the cases that you raised, Chair. Maria could say some more about this. We are involved in some pretty heavy cases.

Ms Battle: As Peter said, and you just mentioned children in adult units, we have one very severe case of that with hardly any input towards this child from a welfare point of view or from an education point of view. It is a totally inappropriate place for him to be, and it is exacerbating his condition. It is very difficult for us to make things happen, bar to keep raising the same issues, attending the meetings, and so on. We have cases where children have drug problems and treatment is not available for them. There are cases of eating disorders, and there are many cases where children have suffered severe sexual abuse—post-criminal trial; the rape of young children, and so on—and trying to access therapy for them is difficult. Accessing therapy is the first problem, and secondly there is the problem of accessing therapy that is not time limited. The major thing is the waiting lists—it is a postcode lottery, and in many places it is not available. Witness support for children who are waiting to give evidence is not there. I think that the only project that we have been able to mobilise has been in the south, and we have children up in the north as well, and in mid Wales, who need assistance. So it is a patchwork, and it is very difficult to access services. There are many different issues. We get many parents, particularly, who are at the end of their tether and are terribly worried and stressed, and it is very difficult for us to make it happen if the service is not there. We write to GPs, we go to the health service, and so on, but if the service is not available, we cannot conjure it out of thin air.

Mr Clarke: We also meet with various self-help and pressure groups, such as that for people with Asperger's syndrome, and groups of parents of children that should be able to access these services. The strong anecdotal evidence is of people being overwhelmed by their children's support

Gallwch fod yn hollol sicr y byddwn yn cadw barcud arno, ac os teimlwn ei bod yn briodol inni rhoi sylwadau, gwnawn hynny. Bydd nifer o faterion yn dod i'r amlwg drwy ein gwaith cyngor a chymorth sy'n debyg i'r achosion a godwyd gennych, Gadeirydd. Gallai Maria ymhelaethu ar hyn. Yr ydym yn ymwneud â rhai achosion difrifol iawn.

Ms Battle: Fel y dywedodd Peter, a chithau wrth newydd sôn am blant mewn unedau i oedolion, mae gennym un achos difrifol iawn o hynny lle nad oes prin unrhyw gyfraniad at y plentyn hwn o safbwynt lles nac o safbwynt addysg. Mae'r lle yn gwbl amhriodol iddo, ac mae ei gyflwr yn gwaethygu oherwydd hynny. Mae'n anodd iawn inni sicrhau bod pethau'n digwydd, heblaw am godi'r un materion, mynychu'r cyfarfodydd, ac ati. Mae gennym achosion lle mae gan blant broblemau gyda chyffuriau ac nid oes triniaeth ar gael iddynt. Mae yna achosion o anhwylderau bwyta, a nifer o achosion lle mae plant wedi dioddef cam-drin rhywiol difrifol—treial ôl-droseddol; treisio plant ifanc, ac ati—ac mae ceisio sicrhau therapi iddynt yn anodd. Sicrhau therapi yw'r broblem gyntaf, ac yn ail mae problem sicrhau therapi nad yw'n gyfyngedig i amser. Y brif broblem yw'r rhestrau aros—loteri cod post ydyw, ac mewn llawer man nid yw ar gael. Nid oes cymorth tystion i blant sy'n aros i roi tystiolaeth. Credaf mai yn y De y mae'r unig brosiect yr ydym wedi llwyddo i'w roi ar waith, ac mae gennym blant yn y Gogledd hefyd, ac yn y Canolbarth sydd ag angen cymorth arnynt. Felly mae'n frithwaith, ac mae'n anodd iawn cael gafael ar wasanaethau. Mae sawl mater gwahanol. Daw llawer o rieni atom, yn arbennig, sydd wedi cyrraedd pen eu tennyn ac yn pryderu ac o dan bwysau ofnadwy, ac mae'n anodd iawn inni weithredu os nad yw'r gwasanaeth ar gael. Ysgrifennwn at feddygon teulu, cysylltwm â'r gwasanaeth iechyd, ac ati, ond os nad yw'r gwasanaeth ar gael, ni allwn ei greu o ddim.

Mr Clarke: Yr ydym hefyd yn cyfarfod gydag amrywiol grwpiau hunangymorth a grwpiau dwyn pwysau, megis y grw^p ar gyfer pobl sy'n dioddef o syndrom Asperger, a grwpiau o rieni plant a ddylai allu manteisio ar y gwasanaethau hyn. Dengys tystiolaeth anecdotaidd gref fod pobl yn cael eu llethu

needs, and not being able to get anything like timely help, and waiting lists of 18 months to get through to just basic psychology services, and so on. That is really where the heat of my comment about child and adolescent mental health services comes from. Also, it undermines our credibility and our capacity to move forward on many other agendas if we are not providing these services to children.

It is part of the broad issue, in that the one thing that we do share, I think, as an office in the Assembly, is this movement that we are going to respect children. However, we are not doing it here, because we are not respecting them enough to give them the services that they really require. We are putting them in adult wards when they should not, by law, or by anything really, be in there. There are no services in Wales for some conditions that affect large numbers of Welsh children, and it does undermine the credibility of our whole endeavour with regard to our young people. That is why I have a mixture of anger and sadness about it, particularly when—I think that now that the strategy might need revisiting, because although I am moaning about it not having been implemented, it was brought forward many years ago. Maybe we need to revisit it, and we certainly need to reenergise it.

I do not know whether we have addressed the major issues.

[55] **David Melding:** You have certainly given us a flavour, certainly, and within the constraints of time that is as much as we can do.

[56] **Peter Black:** I want to come back to talk about bullying. I have a very simple question. On page 28 of the report, you say that your office will undertake a comprehensive study of the issue of bullying, focusing in particular on children's and young people's experiences. That should be very welcome. What will the timescale for that study be, and how comprehensive will it be?

Mr Clarke: It is definitely over to Sara now, because her team has been given the happy

gan anghenion cymorth eu plant, ac yn methu â chael unrhyw fath o gymorth amserol, a rhestrau aros o 18 mis cyn gallu manteisio ar wasanaethau seicoleg sylfaenol ac ati hyd yn oed. Dyna yw asgwrn fy nghynnen o ran gwasanaethau iechyd meddwl i blant a phobl ifanc. Hefyd, mae'n tansellio ein hygredded a'n capasiti i symud ymlaen ar lawer o agendâu eraill os nad ydym yn darparu'r gwasanaethau hyn i blant.

Mae'n rhan o'r mater ehangach, gan mai'r unig beth a rannwn, credaf, fel swyddfa yn y Cynulliad, yw'r cynnig hwn y byddwn yn parchu plant. Fodd bynnag, nid ydym yn gwneud hynny yn yr enghraifft hon, gan nad ydym yn eu parchu ddigon i roi'r gwasanaethau sydd eu gwirioneddol angen arnynt iddynt. Yr ydym yn eu rhoi mewn wardiau i oedolion pan na ddylent, yn ôl y gyfraith, nac yn ôl unrhyw beth arall mewn gwirionedd, fod yno. Nid oes unrhyw wasanaethau yng Nghymru ar gyfer rhai cyflyrau sy'n effeithio ar niferoedd mawr o blant yng Nghymru, ac mae'n tansellio hygredded ein hymdrech gyfan mewn perthynas â'n pobl ifanc. Dyna pam fy mod yn teimlo cymysgedd o ddieter a thristwch yn ei gylch, yn arbennig pan—credaf yn awr y gallai fod angen ailystyried y strategaeth, oherwydd er fy mod yn cwyno am y ffaith na chafodd ei rhoi ar waith, mae sawl blwyddyn ers ei chyflwyno. Efallai fod angen inni ei hailystyried, ac yn sicr ei hatgyfnerthu.

Ni wn pa un a ydym wedi ymdrin â'r prif faterion.

[55] **David Melding:** Yn sicr, rhoesoch flas inni ar bethau, ac o fewn y cyfyngiadau amser, dyna'r cyfan y gallwn ei wneud.

[56] **Peter Black:** Yr wyf am sôn am fwlio eto. Mae gennyf gwestiwn syml iawn. Ar dudalen 28 yr adroddiad, dywedwch y bydd eich swyddfa yn cynnal astudiaeth gynhwysfawr o fwlio, gan ganolbwyntio yn arbennig ar brofiadau plant a phobl ifanc. Dylid croesawu hynny yn fawr. Beth fydd terfynau amser yr astudiaeth honno, a pha mor gynhwysfawr fydd ei chwmpas?

Mr Clarke: Yn bendant, Sara ddylai ymateb yn awr gan mai i'w thîm hi y rhoddwyd y

task of delivering this—although it will be a whole office thing, and that is one of the unique things about it. It is going to be quite different from other pieces of work that we have done.

Ms Reid: You will note from the previous page that it is listed as part of the work that is commencing from April 2005. However, to be honest, because it has been a perennial issue, things have come up regularly, either through the advice and assistance service, or through meetings and workshops with youth groups and in schools, it is something that we have been gradually building resources on. So the timescale for it is going to be realistic, because it is going to be comprehensive, and we do want to involve children and young people in developing the methodology. We are now at the stage of gathering resources. There is a clear desk research phase to it that will look at the services and the sources of support that are accessible to children and young people, and also identify children and young people who are experts on bullying, either through personal experience of being bullied or of bullying, or through being active in peer support schemes and other initiatives in schools and in communities. They will, therefore, be involved right through the stage. A survey-type study will be conducted over the summer followed by more intensive action research, provided that the children and young people are agreeable, in the autumn and in the spring of next year. At the same time, we will be looking at the policy context through in-service evaluation; members of staff will gather information and data that we have through advice and assistance and through mechanisms like Backchat, the text-messaging service, and from general attendance at events. We will also give organisations with expertise, or that have been campaigning on that issue for some time, the opportunity to make written submissions about what they feel would be priority areas, as well as giving children an opportunity to identify those.

[57] **Janet Ryder:** Peter, when I asked you at the beginning about bullying, you said that you were reluctant to make any firm

cyfrifoldeb pleserus o gynnal yr astudiaeth hon—er y bydd yn cynnwys y swyddfa gyfan, a dyna un o'r pethau unigryw yn ei chylch. Bydd yn dra gwahanol i ddarnau eraill o waith a wnaed gennym.

Ms Reid: Fe nodwch o'r dudalen flaenorol i'r astudiaeth gael ei rhestru fel rhan o'r gwaith sy'n dechrau o fis Ebrill 2005. Fodd bynnag, a bod yn onest, gan ei fod yn fater parhaus, daeth materion i'r amlwg yn rheolaidd, naill ai drwy'r gwasanaeth cyngor a chymorth, neu drwy gyfarfodydd a gweithdai gyda grwpiau ieuencid ac mewn ysgolion, mae'n rhywbeth y buom yn cronni adnoddau yn raddol ar ei gyfer. Felly bydd yr amserlen ar gyfer yr astudiaeth yn realistig, gan y bydd yn gynhwysfawr, a chan ein bod am gynnwys plant a phobl ifanc wrth ddatblygu'r fethodoleg. Yr ydym wrthi yn awr yn casglu adnoddau ynghyd. Mae'r astudiaeth yn cynnwys cam clir o waith ymchwil desg a fydd yn edrych ar y gwasanaethau a'r ffynonellau cymorth sy'n hygyrch i blant a phobl ifanc, gan nodi hefyd blant a phobl ifanc sy'n arbenigwyr ym maes bwlio, naill ai drwy brofiad personol o gael eu bwlio neu o fwlio, neu drwy gymryd rhan mewn cynlluniau cymorth i gyfoedion a mentrau eraill mewn ysgolion ac mewn cymunedau. Felly, cânt eu cynnwys drwy gydol y cam. Cynhelir astudiaeth debyg i arolwg yn ystod yr haf wedi'i dilyn gan waith ymchwil gweithredu mwy dwys, ar yr amod bod y plant a'r bobl ifanc yn cytuno i hynny, yn ystod yr hydref ac yn ystod gwanwyn y flwyddyn nesaf. Ar yr un pryd, byddwn yn edrych ar y cyd-destun polisi drwy werthusiadau mewn swydd; bydd aelodau o staff yn casglu gwybodaeth a data sydd gennym drwy'r gwasanaeth cyngor a chymorth a thrwy systemau fel Atebnôl, y gwasanaeth negeseuon testun, ac o bresenoldeb cyffredinol mewn digwyddiadau. Byddwn hefyd yn rhoi cyfle i sefydliadau sy'n meddu ar arbenigedd, neu a fu'n ymgyrchu ar y mater hwnnw ers peth amser, i wneud cyflwyniadau ysgrifenedig am yr hyn a fyddai, yn eu barn hwy, yn feysydd blaenoriaeth, yn ogystal â rhoi cyfle i blant eu nodi.

[57] **Janet Ryder:** Peter, pan ofynnais ichi ar y dechrau am fwlio, dywedasoed nad oeddech yn awyddus i wneud unrhyw

recommendations for a one-stop shop or one kind of adviser per county until this report came through. However, you make quite firm recommendations in your report, not only about registering complaints as formal complaints, but also about making independent advocates available to young people once those complaints are made. Would you still like to see those recommendations put forward before your next review is completed, or do you want to wait until your next review on bullying is completed?

Mr Clarke: I may have spoken in a confusing way. Some things will not come up until the review is published, but the ones that you just mentioned are not among them. I believe in a one-stop-shop approach: children tell us that that is so much easier for them. We should find ways of integrating children's complaints of bullying into the complaints procedure, which is being issued for children in schools. From our point of view, these things form a very coherent package, from telling concerns across to the Clywch recommendations and what will come out from the LEA review. There should be simple systems of complaint, and we believe that allegations of bullying should be taken seriously as complaints. I reiterate, however, that we do not want the system to be over-bureaucratic, as that is not in teachers' interests and it is certainly not in pupils' interests—they will not use it if it too bureaucratic. The reason I do not go further still in my recommendations until we are some way into this is that we want to look at what methods work in terms of being fast but still systematic, and still allow us to have the data and for the schools to know how many cases of bullying have been reported and for the children to know that it will be dealt with as a complaint. We need to draw on what happens as that goes forward, and we can make much more specific recommendations then. It is an issue where we are really learning, and we can only learn by continuing to talk to as many young people as possible, because they are the experts—I really believe that they are. Does that answer your question?

argymhellion pendant ar gyfer siop un stop neu un math o gynghorydd fesul sir hyd nes y cyflwynwyd yr adroddiad hwn. Fodd bynnag, cyflwynwch argymhellion eithaf pendant yn eich adroddiad, nid yn unig o ran cofrestru cwynion fel cwynion ffurfiol, ond hefyd o ran sicrhau bod eiriolwyr annibynnol ar gael i bobl ifanc unwaith y gwneir y cwynion hynny. A hoffech weld yr argymhellion hynny yn cael eu cyflwyno cyn i'ch adolygiad nesaf gael ei gwblhau, neu a hoffech aros hyd nes y byddwch wedi cwblhau eich adolygiad nesaf ar fwlio?

Mr Clarke: Efallai imi siarad mewn ffordd ddryslyd. Ni chaiff rhai argymhellion eu cyflwyno hyd nes y caiff yr adolygiad ei gyhoeddi, ond nid yw'r rhai a grybwyllwyd gennych yn eu plith. Credaf mewn defnyddio ymagwedd siop un stop: dywed plant wrthym fod hynny gymaint yn haws iddynt hwy. Dylem ddod o hyd i ffyrdd o integreiddio cwynion plant am achosion o fwlio i'r weithdrefn gwyno, a gyhoeddir i blant mewn ysgolion. O'n safbwynt ni, mae'r pethau hyn yn ffurfio pecyn cydlynol iawn, o ddatgan pryderon i argymhellion Clywch a'r hyn a fydd yn deillio o'r adolygiad o AALI. Dylid rhoi systemau cwyno syml ar waith, a chredwn y dylai honiadau o achosion o fwlio gael eu cymryd o ddifrif fel cwynion. Ailbwysleisiaf, fodd bynnag, nad ydym am i'r system fod yn orfiwrocraidaidd, gan na fyddai hynny o fudd i athrawon ac, yn bendant, na fyddai o fudd i ddisgyblion—ni fyddant yn ei defnyddio os yw'n rhy fwiwrocraidaidd. Y rheswm pam nad af ymhellach fyth yn fy argymhellion hyd nes y byddwn wedi cynnal trafodaethau pellach yw ein bod am edrych i weld pa ddulliau sy'n gweithio o ran bod yn gyflym ond yn systemataidd ar yr un pryd, ac sy'n caniatáu inni gael y data o hyd ac i'r ysgolion wybod sawl achos o fwlio a gofnodwyd ac i'r plant wybod yr ymdrinnir â'r achos fel cwyn. Mae angen inni ystyried y canlyniadau wrth i'r broses honno ddatblygu, a gallwn gyflwyno argymhellion llawer mwy penodol bryd hynny. Mae'n fater lle yr ydym yn dysgu'n barhaus, a dim ond drwy barhau i siarad â chymaint o bobl ifanc â phosibl y gallwn ddysgu, gan mai hwy yw'r arbenigwyr—yr wyf yn gadarn o'r farn honno. A yw hynny'n ateb eich cwestiwn?

[58] **Janet Ryder:** Thank you.

[59] **Karen Sinclair:** Obviously, you speak with the Scottish commissioner, and there has been much innovative work in schools in Scotland on building young people's self-esteem through, for example, group work where one stands in the middle and everybody has to say one positive thing about that child. On the face of it, you think, 'Ugh', but it really is fantastic for kids to think, 'Yeah, people are saying positive things and are thinking positive things about me', and their self-esteem goes up, in the same way that, as the person on the receiving end of the bullying, your self-esteem goes down and down. So, pro-active and productive work is being done with children before they can get into that sort of situation, and I wondered what you feel about that. I think that it is very exciting work.

[60] **David Melding:** I am going to take a comment on bullying from Laura, and I would appreciate it if you would respond very crisply. I think that that was a wonderful point, but I doubt that anyone in this room would disagree with it.

[61] **Laura Anne Jones:** As well as bullying in schools, will you also be looking at bullying in the workplace and after-school clubs?

Mr Clarke: Yes. I say in my report that the broad way in which we need to look at bullying is in preventive areas, and then restorative areas. There are a host of excellent projects throughout Wales as well as in Scotland, which will be part of our research. Yesterday, I met with missdorothy.com, and I have written to various people about this organisation. It has just the type of thing that you have mentioned—as part of a whole network of many other such organisations. I want to see some such scheme in every school in Wales. The schools which have such schemes report lower bullying, high self-esteem, and a whole range of other benefits. The best ambassadors for it are the schools, teachers and pupils who have done it. When I go to schools which want to get involved, I put them in touch with other schools or with Sara's team. They can then

[58] **Janet Ryder:** Diolch.

[59] **Karen Sinclair:** Yn amlwg, yr ydych yn cynnal trafodaethau gyda chomisiynydd yr Alban, a gwnaed llawer o waith arloesol mewn ysgolion yn yr Alban o ran magu hunanhyder pobl ifanc, er enghraifft, drwy waith grw^p lle mae un person yn sefyll yn y canol a phawb yn gorfod dweud un peth cadarnhaol am y plentyn hwnnw. Ar yr wyneb, 'Ych' yw'r ymateb i hynny, ond mae'n hwb mawr i blant feddwl, 'Ydyn, mae pobl yn dweud pethau cadarnhaol ac yn meddwl pethau cadarnhaol amdanaf i', ac mae'n magu eu hunanhyder, yn yr un ffordd ag y bydd hunan-barch person sy'n dioddef o fwlio yn mynd yn llai ac yn llai. Felly, mae gwaith rhagweithiol a chynhyrchiol yn mynd rhagddo gyda phlant cyn y byddant yn wynebu'r math hwnnw o sefyllfa, a meddwl oeddwn tybed beth yw eich barn am hynny. Credaf ei fod yn waith cyffrous iawn.

[60] **David Melding:** Yr wyf am gymryd sylw ar fwlio gan Laura, ac fe werthfawrogwn pe gallech ymateb yn gryno iddo. Yr oedd eich pwynt yn un ardderchog, ond amheuaf a fyddai unrhyw un yn yr ystafell hon yn anghytuno ag ef.

[61] **Laura Anne Jones:** Yn ogystal â bwlio mewn ysgolion, a fyddwch hefyd yn edrych ar fwlio yn y gweithle ac mewn clybiau ar ôl yr ysgol?

Mr Clarke: Byddwn. Dywedaf yn fy adroddiad mai o fewn meysydd ataliol y mae angen inni ystyried bwlio yn gyffredinol, ac wedyn o fewn meysydd adferol. Mae lluo o brosiectau ardderchog ledled Cymru yn ogystal ag yn yr Alban, a fydd yn rhan o'n gwaith ymchwil. Ddoe, cyfarfûm â missdorothy.com, ac yr wyf wedi ysgrifennu at amrywiol bobl yn sôn am y sefydliad hwn. Mae'n cynnig yr union bethau a grybwyllwyd gennych—fel rhan o rwydwaith cyfan o sawl sefydliad arall o'r fath. Yr wyf am weld cynllun o'r fath ym mhob ysgol yng Nghymru. Noda'r ysgolion lle y mae cynlluniau o'r fath ar waith lefelau is o fwlio, hunan-barch uchel, ac ystod lawn o fuddion eraill. Y llysgenhadon gorau ar ei gyfer yw'r ysgolion, yr athrawon a'r disgyblion sydd wedi bod yn rhan ohono. Pan fyddaf yn ymweld ag ysgolion sy'n awyddus i gymryd

just get on with learning from each other—they are very positively disposed to that.

I am sorry, I have forgotten your other question.

Ms Reid: It was about after school clubs and the workplace.

Mr Clarke: I have to think on my feet, because I had not considered workplaces. I suppose that 16 to 18-year-olds may be in work.

[62] **David Melding:** Work experience.

Mr Clarke: I see what you are getting at—in that case, yes.

[63] **David Melding:** Okay; you are thinking about it.

[64] **Janice Gregory:** I am looking at support for parents and families, which is on page 31. There will now be a transfer of functions to Edwina Hart for CAF/CASS and that is something which is close to the heart of the Social Justice and Regeneration Committee. Would you like to elaborate on what you have written in the report? That is probably a question for Maria.

Ms Battle: We have met CAF/CASS and we work with it. We will also be meeting Edwina, and will look at new initiatives which we might be able to implement in Wales in addition to what is proposed in England in private law with parental separation and contact. We are looking at family group conferencing and so forth. It is all on the table for discussion, but we are taking it forward. We were supposed to be meeting tomorrow, but I think that it will be next week now.

Mr Clarke: I think that that is also in partnership with Children in Wales, is it not?

Ms Battle: Yes.

Mr Clarke: There are also other partner agencies.

rhan, rhoddaf fanylion cyswllt ysgolion eraill neu dîm Sara iddynt. Wedyn gallant fwrw ati i ddysgu oddi wrth ei gilydd—maent yn awyddus iawn i wneud hynny.

Mae'n ddrwg gennyf, yr wyf wedi anghofio eich cwestiwn arall.

Ms Reid: Yr oedd yn ymwneud â chlybiau ar ôl yr ysgol a'r gweithle.

Mr Clarke: Yr wyf yn gorfod meddwl ar fy nhraed, gan nad oeddwn wedi ystyried gweithleoedd. Mae'n debyg y gallai pobl ifanc 16 i 18 oed fod yn gweithio.

[62] **David Melding:** Profiad gwaith.

Mr Clarke: Deallaf eich pwynt—os felly, byddwn.

[63] **David Melding:** Iawn, yr ydych yn ystyried y mater.

[64] **Janice Gregory:** Yr wyf yn edrych ar gefnogaeth i rieni a theuluoedd, sydd ar dudalen 31. Caiff swyddogaethau yn awr eu trosglwyddo i Edwina Hart o ran CAF/CASS ac mae hynny'n fater sy'n agos at galon y Pwyllgor Cyfiawnder Cymdeithasol ac Adfywio. A hoffech ymhelaethu ar yr hyn a ysgrifennwyd gennych yn yr adroddiad? Cwestiwn i Maria yw hynny, fwy na thebyg.

Ms Battle: Yr ydym wedi cyfarfod â CAF/CASS ac yn cydweithio ag ef. Byddwn hefyd yn cyfarfod ag Edwina, ac yn edrych ar fentrau newydd y gellid eu gweithredu yng Nghymru yn ogystal â'r hyn a gynigir yn Lloegr o ran cyfraith breifat sy'n ymwneud â gwahanu a chyswllt rhieni. Yr ydym yn ystyried dulliau cynadledda grw^p i deuluoedd ac ati. Maent oll yn faterion i'w trafod, ond yr ydym yn gweithredu ar hyn. Yr oeddem i fod i gyfarfod yfory, ond credaf mai'r wythnos nesaf y bydd y cyfarfod yn awr.

Mr Clarke: Onid yw hynny mewn partneriaeth â Phlant yng Nghymru hefyd?

Ms Battle: Ydy.

Mr Clarke: Mae asiantaethau partner eraill hefyd.

Ms Battle: Yes.

[65] **David Melding:** I now call Rhodri Glyn Thomas again, as he raised the mental health issues.

[66] **Rhodri Glyn Thomas:** Diolch am bwysleisio eto. Dim ond dau gwestiwn yr wyf wedi'u gofyn; dyma'r ail un.

Ar wasanaethau cymdeithasol, mae beirniadaeth lem o ansawdd ac ystod y gwasanaethau sydd ar gael i bobl ifanc a phlant. Yr ydym oll yn ymwybodol o'r adroddiadau beirniadol sydd wedi'u cyhoeddi am wasanaethau cymdeithasol Caerdydd a Blaenau Gwent. Pan edrychwch ar adroddiadau yr arolygiaeth yn gyfan gwbl, mae diffygion bron ym mhob sir yng Nghymru.

Yn eich adroddiad blaenorol neu yn yr un cyn hynny, bu i chi godi'r syniad o gael swyddog wedi'i ddynodi'n arbennig mewn llywodraeth leol i fod yn gyfrifol am wasanaethau plant a phobl ifanc—rhywun y gallai plant a phobl ifanc fynd ato fel cyswllt mewn llywodraeth leol. A gafwyd ymateb i hynny oddi wrth lywodraeth leol? Sawl swyddog o'r fath sydd yn eu lle erbyn hyn? A ydych yn dal o'r un farn neu a ydych yn parhau i gredu, yn y sefyllfa sydd ohoni, ei bod yn bwysig?

[67] **David Melding:** Peter, in the joint reviews which have now been completed—and there will be another cycle in a reformed review system—it was found that the state of social services in Wales was poor, and worse than the situation in England. The worst services were those services for children. Unfortunately, this was a comprehensive finding with disturbing ramifications.

Mr Clarke: On the original point about officers in local government, the Children Act 2004 will bring in someone within local government or local government/health structures who will have a lead role with regard to children. The idea, to which we referred, was to have someone either at official level or at councillor level. I cannot give you the numbers, but when I was in Torfaen, I met one councillor whose sole

Ms Battle: Oes.

[65] **David Melding:** Galwaf yn awr ar Rhodri Glyn Thomas eto, gan mai ef a gododd y materion iechyd meddwl.

[66] **Rhodri Glyn Thomas:** Thank you again for emphasising that. I have only asked two questions; this is the second one.

On social services, there is harsh criticism of the quality and range of services available for children and young people. We are all aware of the critical reports of Cardiff and Blaenau Gwent social services. When you look at the inspectorate's reporting as a whole, there are deficiencies to be found in nearly each county in Wales.

In your previous report, or the one prior to that, you mentioned the idea of appointing an officer within local government to be responsible for services for children and young people—a point of contact for young people within local government. Have you had a response to that idea from local government? How many such officers are in post to date? Do you still believe that this is an important step to take?

[67] **David Melding:** Peter, yn y cydadolygiadau a gwblhawyd bellach—a chynhelir cylch arall ohonynt fel rhan o system adolygu ddiwygiedig—canfu fod cyflwr gwasanaethau cymdeithasol yng Nghymru yn wael, ac yn waeth na'r sefyllfa yn Lloegr. Y gwasanaethau gwaethaf oedd y gwasanaethau hynny i blant. Yn anffodus, yr oedd goblygiadau difrifol i'r canfyddiad cyffredinol hwn.

Mr Clarke: O ran y pwynt gwreiddiol am swyddogion llywodraeth leol, bydd Deddf Plant 2004 yn cyflwyno rhywun o fewn llywodraeth leol neu strwythurau llywodraeth leol/iechyd fydd â rhan arweiniol i'w chwarae mewn perthynas â phlant. Y syniad y cyfeiriasom ato oedd y byddai rhywun yn cael ei benodi ar lefel swyddog neu ar lefel cynghorydd. Ni allaf roi'r niferoedd ichi, ond pan oeddwn yn Nhor-faen, cyfarfûm ag un

brief was to be a champion for children. Therefore, I am looking at that model with interest. The person in Torfaen has only just taken up that post but seems to have embarked on it with the right spirit.

I think that it is a good idea, and I still think that children need champions. It is so easy within local government, local health trusts or local health boards for children to fall by the wayside when local government considers what are seen as the big issues, such as finance and so on. That is why I think that it is good to have key people who are in touch with children and who will speak out for them in those fora. I am still up for the idea, but I cannot tell you how many there are, as we have not carried out a systematic review.

I am not sure about the question regarding joint reviews, Chair. I, like you, read the inspectorate's report about the end of the cycle of reviews and the state of play with regard to social services. If you know that, I would argue that there is at least as much responsibility at that side of the table as there is on this side. I have drawn it to people's attention time and again and will continue to do so. I am willing to put what resources we have into helping to solve the problem, but I do not see that it is the children's commissioner's responsibility to deliver those services; it is the responsibility of local government and the Assembly. We will do all that we can to try to continue to highlight it, to try to help with the solutions that are brought forward and to harass people so that such solutions and resources are brought forward, for example, in terms of CAMHS. It would be easy and tempting for commissioners to think that they can do everything. I know that we cannot. You have the authority, the power and the wherewithal to make a bigger impact than I can on some of these issues. It is important that that is understood.

[68] **David Melding:** I will ask Janet Ryder and Janice Gregory to make brief points on this issue—I will be indulgent and call them.

cynghorydd a oedd yn gweithredu yn gyfan gwbl fel pencampwr plant. Felly, mae gennyf ddi-ddordeb mawr yn y model hwnnw. Newydd ddechrau yn y swydd honno y mae'r person yn Nhor-faen ond ymddengys ei fod wedi bwrw ati gyda brwdfrydedd.

Credaf ei fod yn syniad da, ac yr wyf yn parhau o'r farn bod angen pencampwyr ar blant. Mae'n hawdd iawn o fewn llywodraeth leol, ymddiriedolaethau iechyd lleol neu fyrddau iechyd lleol i blant gael eu hesgeuluso pan fydd llywodraeth leol yn ystyried yr hyn sydd, yn eu barn hwy, yn faterion pwysig, megis cyllid ac ati. Dyna pam fy mod o'r farn ei bod yn syniad da penodi pobl allweddol sydd mewn cysylltiad â phlant ac a fydd yn siarad ar eu rhan yn y fforymau hyn. Yr wyf yn parhau i arddel y syniad, ond ni allaf ddweud wrthyech sawl person o'r fath sydd wedi'u penodi, gan nad ydym wedi cynnal adolygiad systemataidd.

Nid wyf yn siw'r o ran y cwestiwn am gydadolygiadau, Gadeirydd. Fel y gwnaethoch chi, darllenais adroddiad yr arolygiaeth am ddiwedd y cylch o adolygiadau a chyflwr gwasanaethau cymdeithasol. Os ydych yn ymwybodol o hynny, byddwn yn dadlau bod o leiaf cymaint o gyfrifoldeb ar yr ochr honno ag sydd ar yr ochr hon. Yr wyf wedi tynnu sylw pobl at y sefyllfa dro ar ôl tro a byddaf yn parhau i wneud hynny. Yr wyf yn barod i gyfrannu pa adnoddau bynnag sydd gennym i helpu i ddatrys y broblem, ond ni welaf mai cyfrifoldeb y comisiynydd plant yw cyflwyno'r gwasanaethau hynny; cyfrifoldeb llywodraeth leol a'r Cynulliad ydyw. Gwnawn bopeth o fewn ein gallu i geisio parhau i'w amlygu, i geisio helpu gyda'r atebion a gyflwynir ac i fynd ar ofyn pobl er mwyn sicrhau y caiff atebion ac adnoddau o'r fath eu darparu, er enghraifft, o ran CAMHS. Byddai'n hawdd ac yn demtasiwn i gomisiynwyr feddwl y gallant wneud popeth. Gwn na allwn wneud hynny. Mae gennych chi yr awdurdod, y pw^er a'r gallu i gael effaith fwy nag y gallaf i ei chael ar rai o'r materion hyn. Mae'n bwysig deall hynny.

[68] **David Melding:** Gofynnaf i Janet Ryder a Janice Gregory gyflwyno pwyntiau cryno ar y mater hwn—byddaf yn hynaws a galwaf arnynt.

[69] **Janet Ryder:** I understand that there is a prospect in the Children Act 2004 that the necessity to have a dedicated director of social services and a dedicated director of education, and accountable people within the cabinet, might be removed subject to permission being granted. Will that situation be allowed in Wales? There is a move in Wales to combine social services and education departments and then, perhaps, to split them into adult and children services. Given that many of the problems in cases such as those described in the Waterhouse report occur when bad line management exists and where there is no accountability, how can we ensure that line management continues and that those children's services are properly accounted for? That is what leads to many of the problems in social services and education.

[70] **David Melding:** I will call a member of the Executive to answer part of that. If you believe that a full answer has not been given, you can reply. However, I will just take Janice's question first.

[71] **Janice Gregory:** Having a children's champion and an older person's champion in local authorities is a good idea. However, there is a difference between just having an interest in children and having in-depth knowledge of what you need to know. Would you advocate, suggest, encourage or insist that those councillors have proper training on the issues that you think are important?

[72] **David Melding:** I think that Jane Davidson will answer that point. I thank the Ministers—Brian has been present for the whole meeting and Jane has been present for most of it. Given their other public duties, we are grateful.

The Minister for Education and Lifelong Learning (Jane Davidson): I apologise for being late, but I have hotfooted it from accrediting the Neath Port Talbot healthy schools network scheme—Brian would have been with me if this meeting had not been

[69] **Janet Ryder:** Deallaf fod posibilrwydd yn Neddf Plant 2004 y caiff yr orfodaeth i bennu cyfarwyddwr gwasanaethau cymdeithasol a chyfarwyddwr addysg penodol, a phobl atebol o fewn y cabinet, ei diddymu yn amodol ar dderbyn caniatâd i wneud hynny. A ganiateir y sefyllfa honno yng Nghymru? Yr ydym yn symud tuag at sefyllfa o gyfuno adrannau gwasanaethau cymdeithasol ac adrannau addysg yng Nghymru ac wedyn, efallai, eu rhannu yn wasanaethau i oedolion a gwasanaethau i blant. O gofio bod llawer o'r problemau mewn achosion fel y rheini a ddisgrifiwyd yn adroddiad Waterhouse yn deillio o reolaeth linell wael a sefyllfaoedd lle nad oes unrhyw atebolrwydd, sut y gallwn sicrhau bod systemau rheolaeth linell yn parhau ar waith ac y ceir atebolrwydd priodol o ran y gwasanaethau hynny i blant? Dyna yw sail llawer o'r problemau ym maes gwasanaethau cymdeithasol ac addysg.

[70] **David Melding:** Galwaf ar aelod o'r Weithrediaeth i ateb rhan o hynny. Os byddwch o'r farn na chwsoch ateb llawn, gallwch ymateb. Fodd bynnag, derbynïaf gwestiwn Janice yn gyntaf.

[71] **Janice Gregory:** Mae cael pencampwr plant a phencampwr pobl hŷn mewn awdurdodau lleol yn syniad da. Fodd bynnag, mae gwahaniaeth rhwng bod â diddordeb mewn plant a meddu ar wybodaeth fanwl o'r hyn y mae angen ichi ei wybod. A fydech yn cynnig, yn awgrymu, yn annog neu'n mynnu bod y cynghorwyr hynny yn cael hyfforddiant priodol ar y materion sy'n bwysig, yn eich barn chi?

[72] **David Melding:** Credaf mai Jane Davidson fydd yn ateb y pwynt hwnnw. Diolchaf i'r Gweinidogion—bu Brian yn bresennol drwy gydol y cyfarfod a bu Jane yn bresennol am y rhan fwyaf ohono. O gofio eu dyletswyddau cyhoeddus eraill, yr ydym yn ddiolchgar iddynt.

Y Gweinidog dros Addysg a Dysgu Gydol Oes (Jane Davidson): Ymddiheuraf am fod yn hwyr, ond yr wyf wedi rhuthro o achlysur achredu cynllun rhwydwaith ysgolion iach Castell-nedd Port Talbot—byddai Brian wedi bod yno hefyd oni bai am y cyfarfod hwn.

taking place. I wish to clarify the legislation. In Wales, we are not requiring departments to become combined. This has been made clear on many occasions, including in a letter from Liz Williams to directors of education in February 2004, and a further joint letter from Ann Lloyd and Richard Davies to local authorities recently. We are requiring that there should be separate directors of education and social services, and that there should be a lead member and a lead officer with responsibility. That adequately takes account of the fact that many local authorities have already developed what they feel are appropriate arrangements at a local level in delivering services. Our focus is on the delivery. The children's champion function sits with designated lead officers and designated lead Members.

Mr Clarke: Good.

[73] **David Melding:** You are going to monitor it?

Mr Clarke: Yes, very much so. I think that part of that should be training in participatory ways of working and listening to young people, obviously linking in to local framework partnerships and all the rest of it. There is actually some infrastructure there to help them with that task. Therefore, in that stage, we are ahead of the game. They will presumably also need to be checked by the Criminal Records Bureau also.

[74] **David Melding:** Members, we have a few minutes to look at financial issues. I think that we have more or less covered it in this section, but is there anything else about the future work programme, or another issue, that you feel should be brought to the children's commissioner's attention?

[75] **Mark Isherwood:** I have just a short question. At the outset, you commented that there were just a small number of cases outstanding from two years ago. In those sorts of circumstances, do you believe that you that you should have stronger legal powers or legal powers to act?

Ms Battle: Yes.

Hoffwn egluro'r ddeddfwriaeth. Yng Nghymru, nid ydym yn ei gwneud yn ofynnol i adrannau gyfuno. Eglurwyd hyn sawl gwaith, gan gynnwys mewn llythyr gan Liz Williams at gyfarwyddwyr addysg ym mis Chwefror 2004, a llythyr pellach a anfonwyd ar y cyd gan Ann Lloyd a Richard Davies at awdurdodau lleol yn ddiweddar. Yr ydym yn ei gwneud yn ofynnol iddynt benodi cyfarwyddwyr addysg a gwasanaethau cymdeithasol ar wahân, ac iddynt benodi aelod arweiniol a swyddog arweiniol cyfrifol. Mae hynny'n rhoi ystyriaeth ddigonol i'r ffaith bod llawer o awdurdodau lleol eisoes wedi datblygu yr hyn a ystyrir ganddynt yn drefniadau priodol ar lefel leol o ran cyflwyno gwasanaethau. Yr ydym am ganolbwyntio ar y broses gyflwyno honno. Mae swyddogaeth y pencampwr plant yn cyd-fynd â swyddogaeth swyddogion arweiniol ac Aelodau arweiniol penodedig.

Mr Clarke: Iawn.

[73] **David Melding:** Byddwch yn monitro'r sefyllfa?

Mr Clarke: Byddwn, yn wir. Credaf y dylai hyfforddiant ym maes gweithio cyfranogol a gwrando ar bobl ifanc fod yn rhan o hynny, gan ei gysylltu â phartneriaethau fframwaith lleol ac ati, mae'n amlwg. Mae rhywfaint o'r seilwaith yno'n barod i'w helpu yn hynny o beth. Felly, wrth ystyried y cam hwnnw, yr ydym wedi achub y blaen. Tybiaf y bydd angen i'r Swyddfa Cofnodion Troseddol eu harchwilio hefyd.

[74] **David Melding:** Aelodau, mae gennym ychydig funudau i ystyried materion ariannol. Credaf ein bod fwy neu lai wedi cwmpasu'r mater yn yr adran hon, ond a oes unrhyw beth arall am y rhaglen waith ar gyfer y dyfodol, neu fater arall, y teimlwch y dylid ei ddwyn at sylw'r comisiynydd plant?

[75] **Mark Isherwood:** Mae gennyf gwestiwn byr. Ar y cychwyn, nodwyd gennyhch mai dim ond nifer fach o achosion sy'n parhau heb eu datrys o ddwy flynedd yn ôl. O dan amgylchiadau o'r fath, a gredwch y dylai fod gennyhch bwerau cyfreithiol cryfach neu bwerau cyfreithiol i weithredu?

Ms Battle: Credaf.

[76] **David Melding:** I am not sure that that was in this bit, but you got in under the wire before I could stop you. Does anyone else have anything to say on financial issues? The accounts have all been audited. We have covered many of the issues concerning the forward work programme, and I am sure that the office of the children's commissioner will happily engage with any Member who suddenly thinks of anything that he or she should have raised.

This has been a useful session, which is indicated by the fact that we have had four committees here that have been in quorum, two members of the Executive, and a stream of questions. I think that the answers have been candid and fair, and you have acknowledged that a situation has occurred with the coverage in north Wales, and you know that you need to catch up slightly there. However, I think that that candour does the office great credit.

We are grateful to all three of you, because we have three members of the senior management team here—three of the four—and I realise what that requires in terms of your commitment. I am very pleased. I will give you the opportunity to have the final word, Peter.

Mr Clarke: I will just say that I am pleased that, as I mentioned earlier, we continue to have a relationship of mutually critical friends, and long may that last. It is clear from talks with colleagues across Europe that the Welsh Assembly Government has taken the lead and, as I said at the beginning, has been exemplary, in general, in its relationship with its children's commissioner. I hope that others across the bridge will learn from that.

[77] **David Melding:** Thank you very much, members, for your excellent contributions. That closes our proceedings.

[76] **David Melding:** Nid wyf yn siw[^]r bod hynny wedi'i gynnwys yn y rhan hon, ond llwyddoch i achub ar eich cyfle cyn imi allu eich atal. A oes gan unrhyw un arall unrhyw beth i'w ddweud o ran materion ariannol? Archwiliwyd yr holl gyfrifon. Yr ydym wedi trafod sawl un o'r materion sy'n deillio o'r flaen raglen waith, ac yr wyf yn siw[^]r y bydd swyddfa'r comisiynydd plant yn fwy na pharod i drafod unrhyw fater y bydd unrhyw Aelod yn meddwl yn sydyn y dylai fod wedi'i godi.

Bu'r sesiwn yn un defnyddiol, a nodir gan y ffaith bod gennym bedwar pwyllgor yma a chanddynt gworwm, dau aelod o'r Weithrediaeth, a llif o gwestiynau. Credaf inni gael atebion gonest a theg, ac ichi gydnabod bod sefyllfa wedi codi o ran eich gallu i gyrraedd y Gogledd, ac yr ydych yn gwybod bod angen ichi ddal lan â'r gwaith yno. Fodd bynnag, credaf fod y gonestrwydd hwnnw o glod mawr i'r swyddfa.

Yr ydym yn ddiolchgar i'r tri ohonoch, gan fod tri aelod o'r uwch dîm rheoli yn bresennol—tri allan o'r pedwar—a sylweddolaf fod hynny'n gryn gamp o ystyried eich ymrwymadau eraill. Yr wyf yn falch iawn. Rhoddaf y cyfle ichi gael y gair olaf, Peter.

Mr Clarke: Dim ond i ddweud fy mod yn falch, fel y soniais yn gynharach, ein bod yn parhau i weithredu fel cyfeillion beirniadol, a boed i'r gydberthynas honno bara. Mae'n amlwg o sgysiau gyda chydweithwyr ledled Ewrop fod Llywodraeth Cynulliad Cymru ar flaen y gad ac, fel y dywedais ar y dechrau, iddi fod yn ddi-fai, yn gyffredinol, yn ei chydberthynas â'i chomisiynydd plant. Gobeithiaf y bydd eraill yr ochr arall i'r bont yn dysgu o hynny.

[77] **David Melding:** Diolch yn fawr iawn, aelodau, am eich cyfraniadau ardderchog. Daw hynny â'n trafodion i ben.

*Daeth y cyfarfod i ben am 3.27 p.m.
The meeting came to an end at 3.27 p.m.*

