



**Cynulliad Cenedlaethol Cymru  
The National Assembly for Wales**

**Y Pwyllgor Deisebau  
The Petitions Committee**

**Dydd Mercher, 9 Gorffennaf 2008  
Wednesday, 9 July 2008**

**Cynnwys**  
**Contents**

- 3 Ethol Cadeirydd Dros Dro  
Election of Temporary Chair
- 3 Cyflwyniad, Ymddiheuriadau a Dirprwyon  
Introduction, Apologies and Substitutions
- 4 Ffyrdd Diogel Tu Allan i Ysgolion  
Safer Roads Outside Schools
- 4 Deisebau Newydd  
New Petitions
- 8 Y Wybodaeth Ddiweddaraf am Ddeisebau Blaenorol  
Updates on Previous Petitions

Cofnodir y trafodion hyn yn yr iaith y llefarwyd hwy ynndi yn y pwyllgor. Yn ogystal,  
cynhwysir cyfieithiad Saesneg o gyfraniadau yn y Gymraeg.

These proceedings are reported in the language in which they were spoken in the committee.  
In addition, an English translation of Welsh speeches is included.

**Aelodau'r pwyllgor yn bresennol**  
**Committee members in attendance**

Andrew R.T. Davies	Ceidwadwyr Cymreig Welsh Conservatives
Kirsty Williams	Democratiaid Rhyddfrydol Cymru (yn dirprwyo ar ran Michael German) Welsh Liberal Democrats (substitute for Michael German)
Bethan Jenkins	Plaid Cymru The Party of Wales
Janice Gregory	Llafur (yn dirprwyo ar ran Val Lloyd) Labour (substitute for Val Lloyd)

**Swyddogion Gwasanaeth Seneddol y Cynulliad yn bresennol**  
**Assembly Parliamentary Service officials in attendance**

Alun Davidson	Dirprwy Glerc Deputy Clerk
Joanest Jackson	Cynghorydd Cyfreithiol Legal Adviser
Stefan Sanchez	Clerc Clerk

*Dechreuodd y cyfarfod am 9.03 a.m.*  
*The meeting began at 9.03 a.m.*

**Ethol Cadeirydd Dros Dro**  
**Election of Temporary Chair**

[1] **Mr Sanchez:** Good morning and welcome to the Petitions Committee. As you are probably aware, Val Lloyd is currently off work with a health problem, so we do not have a Chair at this time. Under Standing Order No. 10.19 and in Val's temporary absence, I invite nominations for Chair.

[2] **Bethan Jenkins:** I nominate Janice Gregory.

[3] **Kirsty Williams:** I second that nomination.

[4] **Mr Sanchez:** Janice is therefore appointed Chair.

*Penodwyd Janice Gregory yn Gadeirydd dros dro.*  
*Janice Gregory was appointed temporary Chair.*

[5] **Janice Gregory:** Thank you, Members. It is my first time in the Petitions Committee, so I am looking forward to it. Stefan has opened the meeting, so we will now move to item 2.

9.04 a.m.

**Cyflwyniad, Ymddiheuriadau a Dirprwyon**  
**Introduction, Apologies and Substitutions**

[6] **Janice Gregory:** On apologies and substitutions, I am obviously substituting for Val. Please switch off any electronic devices such as mobile phones, BlackBerrys and pagers as they interfere with the recording equipment. I welcome people to the public gallery. Good

morning and thank you for taking the time to come to the Assembly to see a committee at work. The National Assembly for Wales operates through the media of the Welsh and English languages. If you require simultaneous translation, it is available on the headsets, on channel 1; amplification of sound is on channel 0.

[7] No fire drill is to be held this morning, so if we hear an alarm we will be required to leave the building in an orderly fashion. Please be guided by our ushers, who will ensure that we exit through the door on the left and out of the building.

9.05 a.m.

### **Ffyrdd Diogel Tu Allan i Ysgolion Safer Roads Outside Schools**

[8] **Janice Gregory:** I inform Members that the safer roads outside schools petition has been withdrawn and that the petitioners will not be attending the committee this morning.

### **Deisebau Newydd New Petitions**

[9] **Janice Gregory:** The first petition is to remove the statue of Margaret Thatcher from the Senedd. The petition wording is:

[10] ‘We call upon the National Assembly for Wales to remove the statue of Margaret Thatcher from the National Assembly building (Y Senedd).’

[11] This petition was submitted as an e-petition by Mr Aubrey Jenkins.

[12] **Kirsty Williams:** I declare an interest in that I know Mr Aubrey Jenkins, because he is a constituent of mine and is a Liberal Democrat party member.

[13] **Bethan Jenkins:** I also declare an interest, because I have signed the petition. That obviously means that I concur with the content of the petition, so I will not be able to partake in the decision about it. I do not know where that puts Kirsty, because we have both declared an interest.

[14] **Kirsty Williams:** Under the code, because I have not signed the petition, I can still participate in the discussion, but for the sake of transparency I wanted Members to be aware that I know Mr Jenkins and that I advised him that he had the opportunity of submitting a petition to express his views on this subject.

[15] **Janice Gregory:** Thank you both. I think that Stefan wants to come in.

[16] **Mr Sanchez:** I just wanted to clarify that it is not a statue, as you are aware; it is artwork, and we understood the petition to mean that.

[17] **Bethan Jenkins:** As it is an e-petition, there is some flexibility around how you would word it.

[18] **Janice Gregory:** Stefan is right. I have not seen a statue or any other image of Margaret Thatcher in this building—only the one that is hanging up at the front. I assumed that that was the one that Mr Jenkins was referring to.

[19] As Andrew has just come in, I will bring him up to speed. We have gone through the

agenda and we are now on item 4, which is on new petitions. We are talking about the petition from Mr Aubrey Jenkins to remove the statue of Margaret Thatcher from the Senedd, so that will be in your papers. You may wish to make a comment.

[20] **Andrew R.T. Davies:** I think that it has raised the whole profile of our institution, and I think that the fact that art that can do such a thing is greatly appreciated.

[21] **Bethan Jenkins:** We are not usually political on this committee, but this is an issue on which we have to be political.

[22] **Janice Gregory:** Yes, we will probably have some debate about this, and of course it is a political issue. Kirsty and Bethan have declared an interest. The action for the committee is that we can write to the Assembly Commission and ask that it provides the reasons for the installation's presence and for details of how long it will remain in situ. I think that we would all recall that, when it was put up there, a number of questions were asked about how long it would be there. I understand that it was to remain in place for 12 weeks from the time that it was installed, so I assume that we are coming fairly close to the time when it will be taken down.

[23] **Mr Sanchez:** Yes.

[24] **Janice Gregory:** So, I invite your comments on this.

[25] **Kirsty Williams:** The installation of any artwork in the Assembly could potentially cause strong feeling and emotions for a variety of reasons. That is one of the reasons why art exists—to challenge people's thinking and to stimulate debate. I understand why people felt upset about this particular image, and people need to be aware of the rules and regulations that surround the installation of art at the Assembly. We should make the Assembly Commission aware of this petition, and ask it to explain the rules around art installations at the Assembly and why it felt that this piece was appropriate. I think that that is the very least that we owe those who have taken the trouble to submit a petition.

9.10 a.m.

[26] **Janice Gregory:** I agree. Does anyone else wish to comment? Bethan?

[27] **Kirsty Williams:** She cannot say anything.

[28] **Janice Gregory:** I beg your pardon. I can go back to the debacle over the image of Greenham common in the old Chamber, which Kirsty will also remember. I was under the impression that this issue had been resolved. The issue had been raised and there was a whole host of difficulties. I sat on the House Committee at the time, so I remember it well. I would like us to write to the Assembly Commission on this, because I am now very confused about the artwork and who made the decision. Was it the Presiding Officer or the Assembly Commission that took the decision?

[29] **Kirsty Williams:** Or is it an issue for the four Assembly Members who sponsored it? My understanding is that four individual Assembly Members sponsored it. I am also aware that the Assembly Members may not have been aware of the nature of what was going to be installed—the content—when they agreed to sponsor the event. I think that we need some clarity about the rules, regulations and procedures.

[30] **Andrew R.T. Davies:** I understood that there was no problem with clarity. I was led to believe that the four Assembly Members were in full possession of the facts when they agreed to support the presentation of the art in the Assembly. I concur with Kirsty's suggestion and

what I believe is the general sentiment from you, Chair, that we should liaise with the Commission to clarify the situation. However, at the end of the day, while I have heard people say that it has caused offence, there are also a lot of admirers of Margaret Thatcher and if there is one thing that is true, it is that she was a dominant figure in the latter part of the twentieth century—love it or loathe it—as was Aneurin Bevan. I would hope that a lot of other figures will be exhibited in the Assembly showing both sides of any argument, because that is what this institution is about. However, the correct approach here would be to approach the Commission to find out exactly what steps were taken to bring that art into the public domain.

[31] **Kirsty Williams:** The petitioner is very concerned about the nature of this particular piece of artwork, but as Janice just said, when the statue depicting the women of Greenham common was placed in the old building, I can assure you that party colleagues of yours were extremely offended by the presence of that image, while others of us were very comfortable to see that image in the Assembly. Rather than discussing the specific piece of art, we need to be clear about how the Assembly makes these decisions, because, next time around, it might be another statue of a Greenham common woman and you will be personally offended.

[32] **Andrew R.T. Davies:** No; good luck to you, I say. Good luck to them.

[33] **Janice Gregory:** I am afraid that your colleagues did not think that at the time. As much as I would love to continue this lovely discussion, I do not think that it is within my remit to do so. Are we content with the suggestion that we write to the Commission? Should we also write to the Presiding Officer or just the Commission?

[34] **Kirsty Williams:** Does he not chair the Commission?

[35] **Janice Gregory:** He does chair it.

[36] **Kirsty Williams:** Therefore, I think that he will get the message.

[37] **Janice Gregory:** Okay. I see that you are happy with that. Thank you.

[38] We will now move on to the petition on national cancer standards. The wording of this petition is:

[39] ‘We call upon the National Assembly for Wales to investigate whether Local Health Boards have the necessary strategies and action plans in place to deliver the target to comply with the National Cancer Standards by March 2009 in RCT and throughout Wales, as a matter of urgency’.

[40] The petition was submitted as an e-petition by Diane Raybould, the chair of Rhondda Breast Friends. Are there any comments on this petition?

[41] **Andrew R.T. Davies:** We have had numerous petitions on various aspects of cancer treatment. I think that one is before the Health, Wellbeing and Local Government Committee at the moment. I believe that, in the first instance, as this is the initial hearing, we should seek the Minister’s view, because that would give us the current picture as to what is being afforded in relation to this type of treatment. On the basis of that information, we can decide whether we wish to progress it by having the petitioners in. What I have found is that once you get the Government position and you put the two strands together, you can then suggest a meaningful way forward for a petition.

[42] **Bethan Jenkins:** The problem with many strategies is that they are only guidelines and I know from my work on eating disorders that they are often not implemented locally through

the LHBs. I would go from that end also, to see what the Minister is doing to encourage this proactively or to perhaps make this statutory, to ensure that Rhondda Cynon Taf and other bodies are carrying out their responsibilities in this field. I concur with Andrew; we have had many petitions on cancer and the implementation of treatment, so perhaps we can look at the broader aspect of treatment in Wales in accordance with that.

[43] **Kirsty Williams:** I agree with the proposed action of writing to the Minister about what they are doing. I share Bethan's concerns with regard to what happens when a local health board does not meet the standard by its deadline. I am sure that we are all aware that there are many guidelines that LHBs should currently be meeting, but they are not, and I have yet to understand what the consequences are and what sanctions the Welsh Assembly Government applies to a local health board that is clearly failing to meet a particular standard. I would be interested to hear from the Minister what sanctions and actions the Minister intends to take should the standard not be reached by 2009. That might then clarify the thinking of certain local health boards about why they need to do it.

[44] **Janice Gregory:** It will be a wide-ranging letter to the Minister, then. What about the petitioners presenting evidence? Do you want to wait for the response from the Minister? What is the normal procedure?

[45] **Andrew R.T. Davies:** We wait for the response and construct the next stage accordingly.

[46] **Bethan Jenkins:** We will have more information by that stage.

[47] **Janice Gregory:** We will move on to the third new petition, which is on the Welsh-language Federal College. The petition wording is,

[48] 'We call upon the Assembly Government to keep its 'One Wales' agreement promise of establishing a Welsh-language Federal College. A Federal College *must* include the following elements:

[49] 'Statutory status and an independent constitution

[50] 'An independent charter and terms of reference that includes responsibility for all Welsh-language higher education in Wales

[51] 'An independent funding stream—at least £20 million in the first instance

[52] 'An independent register of students, that will ensure that students register with the Federal College and with their geographic college, leading to a feeling of belonging and ownership of it

[53] 'Anything less than a full combination of the above will break the promise. We call upon the Government to reconsider its plans if the above are not part of them'.

[54] This petition was submitted by Cymdeithas yr Iaith Gymraeg. Are there any comments?

[55] **Bethan Jenkins:** I agree with the sentiment behind the petition, because it is part of the 'One Wales' agreement, and before I was elected I was heavily involved in the campaign for a Welsh-language federal college. I know from another petition that we are discussing on Welsh-language education that the Minister is planning to go out to consultation in 2009, so I wonder whether we can clarify with the Minister whether she is taking into consideration the Welsh-language federal college in that respect, so that she can ensure that it is a fundamental

part of any new strategy. The only problem that I have with the petition wording is ‘*must* include a, b and c’; there has to be flexibility in that regard, because we said in ‘One Wales’ that we would implement a federal college, but we have to discuss what is possible within our remit and with regard to the financial implications for the Government and the reality on the ground. That is where we are at and we should go back to the Minister in that regard, and then discuss whether we need to see the petitioners.

[56] **Janice Gregory:** The word ‘must’ is emphasised in this particular petition.

[57] **Kirsty Williams:** I agree with Bethan that, in the first instance, we should write to the Minister to try to gain a deeper understanding of where the Government is with the implementation of this policy. Given the concerns about the wording of the petition, it might be useful to hear at first hand from the petitioners why they think that the listed bullet points are fundamental aspects of a federal college. I would like to see the Petitions Committee invite the petitioners to come in and give us further understanding of why the petition is worded in the way that it is, and why they believe that the bullet points are so fundamental to the fulfilment of the Government’s commitment.

[58] **Andrew R.T. Davies:** I think that that is pertinent. If it was a straight strapline at the top, we could seek the Government’s assurance, because it is a Government promise, but the petitioners believe that the bullet points are integral to the delivery of that promise. As an individual, I would benefit from hearing what those points are, and the Petitions Committee is the ideal forum to do that. So, can we extend that invitation to them, Chair?

[59] **Janice Gregory:** We will write to the Minister for Children, Education, Lifelong Learning and Skills and we will also invite the petitioners to committee.

9.20 a.m.

### **Y Wybodaeth Ddiweddaraf am Ddeisebau Blaenorol Updates on Previous Petitions**

[60] **Janice Gregory:** Taking the updates on previous petitions in order, this is papers 3 and 3A. Seven updates have been received, the first of which is on Rhyl Flats. A letter has been sent, or is about to be sent—let me get this right now; I do apologise.

[61] **Mr Sanchez:** A letter was sent the last time this matter was considered to the Minister for Environment, Sustainability and Housing asking about the outstanding Food and Environment Protection Act 1985 licence issue. It had not been answered in previous correspondence, so the committee agreed to write to the Minister to clear that up. We have had a response regarding that issue.

[62] **Janice Gregory:** It is the first item in paper 3A. We are now awaiting the petitioners’ response. Is that correct, Stefan?

[63] **Mr Sanchez:** At the last meeting, the committee agreed that we would write to the petitioners and explain everything that we have done with this petition and ask if they are satisfied with the approach that we have taken. We are basically giving them another opportunity to highlight any inconsistencies that they want examined.

[64] **Janice Gregory:** I thought that I had brought myself up to speed with this issue. Not having been involved in it before, I can see that it is a complicated issue. I think that writing to the petitioners is a good way forward.

[65] **Andrew R.T. Davies:** That was the sentiment behind going back to the petitioners. I

think that there were three strands to the petition, one of which was outside of our remit anyway, that is, power generation. The other two fell within our remit, however.

[66] **Janice Gregory:** Are Members content with us writing to them? I see that you are.

[67] **Mr Sanchez:** We agreed that last time. We are yet to do it, but when we do it, we will make that point.

[68] **Janice Gregory:** Thank you very much.

[69] The second update in paper 3 is on the petition on work permits for foreign nurses. There has been a response. I therefore invite your comments on this petition.

[70] **Andrew R.T. Davies:** The situation seems to have moved on in that many of the issues have been answered over the passage of time, and, I hope, as a result of some of the questions that we as a committee have put to various bodies. I fail to see how we can take this petition any further. I hope that the petitioners feel that we have exhausted every avenue and that we have given them some sort of satisfaction in terms of what they were asking for. I therefore suggest that the petition now be closed.

[71] **Janice Gregory:** The letter from the Minister is very clear, is it not? Is everyone content to close the petition?

[72] **Kirsty Williams:** I am.

[73] **Bethan Jenkins:** I am, too.

[74] **Janice Gregory:** Thank you. That petition is now closed.

[75] We now move on to the petition on surgeries in Flintshire. The Minister for health has responded to this, too. You keep the Minister for health very busy on this committee, do you not?

[76] **Bethan Jenkins:** We wrote back to her asking when she would be making a decision. I think that this is clarification that she will keep us informed, is it not? So, I do not think that we should close this petition until we get that confirmation, just so that the petitioners are clear that we are keeping the matter on the agenda.

[77] **Janice Gregory:** We will just continue with that then. I am sure that the Minister will keep you informed. We will therefore await the Minister's final decision on that one.

[78] The next one is the petition on Aberthaw. There is a letter from the Environment Agency Wales to Val, a copy of which you have in your pack. Does anyone have any comments on this? I felt that this, too, is a complicated issue when I was reading the papers. The letter from the Environment Agency Wales is very clear.

[79] **Andrew R.T. Davies:** The Environment Agency Wales has now sent us the letter that we were waiting for—because of the appeal, it could not respond before 21 June. At a previous meeting, I indicated that I thought that it would be beneficial for the committee to visit the site; sadly, fellow members did not agree, and I respect that decision. In light of what the Environment Agency has told us, I am not sure how much further we can progress this. The only clarification that I would seek—I was not at the evidence-gathering session when the petitioners came in, although I understand that Bethan was—is on the question of the Countryside Council for Wales coming in to speak to us, on which the petitioners seemed very keen. As I missed that segment of our work on this petition, I am unclear on that, so it

would be useful to get some guidance as to why we were unable to facilitate CCW offering evidence. If that avenue is not open to us, I do not see how we can take this petition any further, given the detailed information that we have.

[80] **Janice Gregory:** Having read the papers—I am sure that someone will correct me if I am wrong, and I will apologise—CCW would have been entitled to comment on any application, as I understand it. It would have been able to feed in its views directly, so I am not sure, as a newcomer to this committee, what benefit would have derived from having CCW representatives in the room. That was clearly the feeling of committee members.

[81] **Bethan Jenkins:** I do not remember who was in committee at the time, but we had a discussion about bodies that were not directly involved in petitions that could be taken into account, and whether we should take evidence from them, because, at the end of the day, they were not the bodies behind the petition. That was the discussion that we had. We decided that we would not take evidence from them because, if we started to do so, we could be taking evidence from—

[82] **Janice Gregory:** From every statutory consultee.

[83] **Bethan Jenkins:** Yes. That was the decision. CCW had also fed into the Environment Agency's comments. Max Wallis may correct me on this, but I do not think that he emphasised CCW in his presentation—he was not vehement about it. I am not sure if he mentioned in his oral evidence that he wanted CCW to come before us. He mentioned it in his written evidence.

[84] **Mr Sanchez:** He has since written again, suggesting that we invite CCW.

[85] **Janice Gregory:** If we were in a situation where CCW had not been able to make any comment at all, that would be a different issue; but it has had an opportunity, and it did comment, as I understand it. Does the committee feel that the question has been answered? Do you wish to close the petition?

[86] **Andrew R.T. Davies:** I will go on what Bethan and your good self have said, Chair. If CCW has already fed into the consultation process, then we have to accept that the evidence of the Environment Agency is based partly on what the Countryside Council for Wales has said. On that basis, that avenue seems to have been exhausted.

[87] **Janice Gregory:** It is my understanding—I do not know whether I can get any advice from anywhere—that the opportunity was afforded to CCW, as a statutory consultee. Are you happy with that?

[88] **Bethan Jenkins:** We could be setting a precedent if we were to ask such a body in to give evidence. Where do we stop if we go down that road?

[89] **Janice Gregory:** Once you set that kind of precedent, it is difficult. If no opportunity had been afforded to CCW at the time, to comment or not to comment, it might be different. However, as long as it has had the opportunity to comment, I think that it is difficult for this committee to bring in an organisation that has already had an opportunity to give evidence, or make a comment on an application. We all want to raise the profile of this committee, so that people feel able to submit petitions, but you would be swamped if you had statutory consultees in to give evidence on petitions. If you do that once, then on another petition you may find that there are 40 consultees, and they might all want to come in to give evidence. I am just substituting here, but if I was a member of this committee, that would be at the forefront of my mind. I think that the way to go is to give a voice to those who do not have any other way to express their views.

9.30 a.m.

[90] **Bethan Jenkins:** The Environment Agency has answered on the other issues, so I do not see where else it can go.

[91] **Janice Gregory:** Are we content to close the petition? I see that we are.

[92] We will now move on to Welsh-medium education in the former Gwent area. There is a letter from the Minister, Jane Hutt, to the petitioners. I do not know whether you agree, but it is quite a positive response to the petitioners. Are there any comments on that?

[93] **Andrew R.T. Davies:** The letter sets out the timeframe for what the Government aspires to achieve through the consultation process. The local education authorities will be the collaborative organisations on this, driving it forward to make the provision. As a committee, we have tried to tread very carefully when we have looked at local government issues, because there are areas where responsibility is devolved from here and people have to make their decisions and live with them. Based on the Minister's letter, I am not sure how much further we can progress this particular petition, as there is a framework being subscribed to.

[94] **Janice Gregory:** In the penultimate paragraph, the Minister says:

[95] 'I agree that the issuing of guidance to Local Education Authorities on cross-county working is a matter that should be considered further'.

[96] I thought that that was a positive comment. The Minister goes on to say:

[97] 'indeed, it is one of the issues that will be discussed and considered in the preparation of a national Welsh-medium Education Strategy under the One Wales commitments'.

[98] **Bethan Jenkins:** Could we not—as we have done in relation to other petitions—explain to the petitioners how they can be involved in the consultation process? We would then be making it clear to them how they can further this on their own agenda, instead of leaving them in the dark. They will want to do so; they have come to us because they need a new Welsh-medium school in their area. We could clarify where they go from here.

[99] **Mr Sanchez:** Are you suggesting that we close it and, in closing it, write to them to explain how they can progress?

[100] **Bethan Jenkins:** Yes, because I do not see what else the committee can do. It is now up to the Minister and her consultation process on the future of Welsh-medium provision in secondary education to initiate discussion with this organisation, Rhieni dros Addysg Gymraeg.

[101] **Kirsty Williams:** I agree with what Bethan has said. In closing the petition, we should make it clear to the petitioners that they will have an opportunity to participate in any public consultation that the Minister begins next spring, which will hopefully deal with the issues and demonstrate to them that the petition has had some effect in changing the guidance that will go out to local authorities. Can we also write to the Minister or the person in the Department for Children, Education, Lifelong Learning and Skills who will be responsible for this strategy to make sure that the petitioner's name is added to the list of consultees, so that they will be formally invited to make a response to the consultation exercise? Given that they have expressed this interest, I do not think that it is beyond the wit of DCELLS to ensure that this person gets a direct copy of that consultation exercise and is encouraged to respond.

[102] **Janice Gregory:** I think that that is a good idea.

[103] **Andrew R.T. Davies:** I think that it is an established organisation; it has been in to give evidence to us.

[104] **Kirsty Williams:** My understanding is, from the RhAG work that I am aware of, that there are constituted RhAG groups. So, while there is a national RhAG organisation that might well be making a consultation response, it is important that the Gwent group is directly asked, given that it has taken the trouble to submit a petition.

[105] **Janice Gregory:** Absolutely. Are you content? I see that you are.

[106] We will now move on to number six, the availability of the prostate specific antigen test. You will have seen the response from the Minister for Health and Social Services to the prostate specific antigen test for men over 50. Having read it, it is not just a simple blood or urine test, where you would just get a positive or negative result. It seems to be far more complex than that. I believe that the Minister's letter sets that out clearly. What is crystal clear to me is the fact that this test is available. If someone asks for it—perhaps because of family history—the GP would need to make the patient aware of just how complex the results can be. I do not know how Members feel about that—does anyone wish to comment?

[107] **Bethan Jenkins:** The only issue that I have is that I do not believe that it is different to when we first wrote the letter to the Minister regarding the fact that they wanted it on demand. I believe that they already knew from the first letter that that was Government policy, which is the same policy as the Westminster Government. I know that the petitioners are not going to be pleased with this, because they were saying that they wanted it to be initiated differently to the current policy.

[108] **Kirsty Williams:** My understanding—not that I was here for previous discussions—is that there is a campaign to institute a screening service in the way that we would understand other cancer screening services, whether for breast cancer, cervical cancer, or, potentially, bowel cancer. Is that what they wanted?

[109] **Mr Sanchez:** No, we had a discussion with the petitioners at an early stage, and they made it clear that this was not about screening.

[110] **Kirsty Williams:** Oh, right.

[111] **Andrew R.T. Davies:** They came to committee and gave us comprehensive evidence.

[112] **Mr Sanchez:** We had included some public papers. I think that we had called it screening for prostate cancer, and they were particularly unhappy about that. They made the clear point that it was not about screening.

[113] **Andrew R.T. Davies:** This is the initial stage; you then go on to have the screening.

[114] **Janice Gregory:** I am in the same position as Kirsty, or a worse position, because I only know what I have read, and from speaking to the clerk. It appears to me that, some people who present to a GP because of family history, or whatever, feel that, having reached the golden age of 50, they would like this test. However, it is not refused to them—it is just that it is not like a normal mammogram, where you go and have a mammogram, and, if something is discovered, you then go on. There seems to be a far more complex explanation of tests—it does not just come back when something is raised, and you need further tests; it is complex. That could perhaps make it a more anxious time.

[115] **Kirsty Williams:** I have not heard previous evidence, but I have read the papers, and from my previous membership of the health committee, as well as in a Welsh Liberal Democrat policy context, I have had many discussions on PSA. The issue is that, in managing someone with a raised PSA level, you have to watch for weighting and for false-positives, but how do you identify an individual who, potentially, has a form of prostate cancer? Is it an aggressive form that will need aggressive treatment, or is it a kind of cancer where you can sit back and monitor it and wait? You are right that the PSA issue is not as straightforward as it first appears. There is different advice on this, and different medical opinion about the appropriateness of the use of PSA and what you do afterwards. Any potential treatment arising out of this is radical, and could, potentially, have significant side-effects, as I understand it.

[116] **Andrew R.T. Davies:** I suppose that that is the danger of the petition process—we sometimes take evidence before the other correspondents catch up with it. However, we received a graphic, professional presentation. My understanding of the petitioners' request is that the test was more readily available; rather than the patient initiating the test, it was the health professional initiating the test, as a matter of course. Forgive me if I am misconstruing that. Therefore, the request was that the health establishment in Wales adopt this test as a matter of course, rather than as a matter of request from the patient. As they were saying, it is not the screening process—this is very much the initial diagnosis, to see whether you should go on for further screening, and so on. We are fortunate that we had Mike German here last time, who is an expert on this issue, because he had taken a lot of evidence on it in a previous policy forum or something.

9.40 a.m.

[117] **Kirsty Williams:** We had a big Liberal Democrat debate about offering PSA screening as a manifesto commitment, but it was rejected at conference.

[118] **Janice Gregory:** The difficulty is that we know that the test is available and that GPs would be required to ensure that patients understood exactly what could come back from the test. However, Andrew is saying that what the petitioners wanted was for the test to be offered. I would have thought that if a GP—for example, my GP, who is incredibly thorough—had any concerns or suspicions, he or she would offer this test anyway as part of the patient's care.

[119] **Bethan Jenkins:** The petitioner was saying was that that is not happening on a routine basis across Wales.

[120] **Andrew R.T. Davies:** There is good practice and there is bad practice. The Minister has made it clear in her letter that the test is available, but that she has no current plans to change the process. We, as a committee, cannot instruct the Government to change its plans. The petitioners have brought their persuasive argument here, but, at the end of the day, someone has to make a decision, and it is the Government that is charged with making that decision. Therefore, I do not see how we can advance this petition any further, because the Government states in this letter from the Minister that it has no plans to change its advice, or provide any new advice, to GPs at this stage.

[121] **Kirsty Williams:** It seems that the Minister has taken steps to make GPs aware of the test and has offered advice to GPs. It is not for the Petitions Committee to begin to micromanage the practice of individual GPs.

[122] **Andrew R.T. Davies:** Or the NHS in Wales.

[123] **Kirsty Williams:** There may be other avenues by which people, if they are unhappy

with practice, could pursue that at a local level, via the community health council or via the local health board's director of primary care. There may be a need to issue additional guidance on a local basis.

[124] **Bethan Jenkins:** I only raised this because I try to see how we can best help petitioners to get through their process, but I do not believe that the Minister will change her mind or will change anything until the UK National Screening Committee—

[125] **Andrew R.T. Davies:** Chair, in light of the Minister's response, I propose that we close the petition.

[126] **Janice Gregory:** Okay. I am quite positive that the Minister will look at the issue again once she receives the information.

[127] We now move on to number seven, which is the Heath and Birchgrove parking petition. There is a letter from the Minister for Health and Social Services, which is, again, quite clear.

[128] **Bethan Jenkins:** I think that the situation is currently ongoing, is it not?

[129] **Andrew R.T. Davies:** In reading the correspondence regarding this petition, I believe that there are two elements to it. The first is on the parking issue around the Heath hospital, and the second is about the right of appeal. On the right of appeal, the Minister's response is categorical. It was looked at in 2002 and various consultations have been carried out. I think that that door has been closed for the stated reasons, although there is a watching brief on it.

[130] There is a bigger issue for dialogue in respect of the parking. The Minister asked the trust to carry out an audit of parking in its area, which closed at the end of May, I believe. That information is now with the Minister, her officials are analysing it and, hopefully, a report will be available by the end of July. We should be in possession of that information at the start of the new session in September, and it would be beneficial, because this is a very localised issue that affects people's lives, if we could invite the petitioners in to tell us about their experiences. While the Heath hospital issues are relevant, people who live around all big hospitals have these problems. This is the National Assembly for Wales and I think that it would be good to hear about the experience of the petitioners at first-hand, in light of what the Minister's audit has told us about what is going on. We could then be more inquisitive and constructive in our argument across the table here.

[131] **Janice Gregory:** Is everyone content with that?

[132] **Bethan Jenkins:** So you are saying, from the consultation with the trust, that you believe that the petitioners should have an input into how to implement that most effectively?

[133] **Andrew R.T. Davies:** I am not sure whether that information will be in the public domain on 31 July—I assume that it will be, because it is an open consultation. However, I think that the committee will gain an explanation of the situation in the Heath hospital area, and the impact that it is having on the petitioners' lives. Perhaps they will be able to offer solutions in light of the audit that the hospital has undertaken with the Welsh Assembly Government. On that basis, we can hopefully come up with something constructive rather than be negative. It is easy to turn your back on parking and say that it is someone else's problem, but it is not someone else's problem—if you have the institution, then you have to provide the facilities.

[134] **Janice Gregory:** Are we all content with that? I see that we are. Thank you.

[135] Finally, we have a paper to note. Has everyone had a look at that?

[136] **Mr Sanchez:** No-one has indicated that they wish to ask questions on any of the petitions.

[137] **Janice Gregory:** Wonderful. Thank you for making this a pleasant experience for me. I declare the meeting closed.

*Daeth y cyfarfod i ben am 9.46 a.m.*  
*The meeting ended at 9.46 a.m.*