

Agenda – Y Pwyllgor Deisebau

Lleoliad:	I gael rhagor o wybodaeth cysylltwch a:
Ystafell Bwyllgora 1 – y Senedd	Graeme Francis – Clerc y Pwyllgor
Dyddiad: Dydd Mawrth, 1 Mai 2018	Kath Thomas – Dipwrwy Glerc
Amser: 09.00	0300 200 6565
	SeneddDeisebau@cynulliad.cymru

1 Cyflwyniad, ymddiheuriadau, dirprwyon a datganiadau o fuddiant (Tudalennau 1 – 38)

2 Deisebau newydd

2.1 P-05-805 Rhoi chwarae teg i Athrawon Cyflenwi
(Tudalennau 39 – 47)

2.2 P-05-808 Ni ddylai Cymraeg fod yn orfodol i blant â dyslecsia ac anghenion
arbennig
(Tudalennau 48 – 55)

2.3 P-05-809 Is-ddeddfau Pysgota arfaethedig Newydd a methiannau Cyfoeth
Naturiol Cymru
(Tudalennau 56 – 66)

2.4 P-05-810 Rhowch Gyfle i Glybiau Pysgota Cymru ac Eog a Brithyll y Môr
(Tudalennau 67 – 79)

2.5 P-05-811 Rhoi'r gorau i ddefnyddio ardystiad gweithwyr ar brosiectau
Llywodraeth Cymru
(Tudalennau 80 – 93)

3 Y wybodaeth ddiweddaraf am ddeisebau blaenorol

Economi a Thrafnidiaeth

3.1 P-05-780 Ailagor Gorsaf Carno
(Tudalennau 94 – 96)



Addysg

- 3.2 P-04-481 Cau'r bwlch ar gyfer disgyblion byddar yng Nghymru
(Tudalennau 97 – 100)
- 3.3 P-05-757 Cael gwared ar y rhwymedigaeth ar ysgolion i gynnal
gweithredoedd addoli crefyddol
(Tudalennau 101 – 105)
- 3.4 P-05-765 Cadw canllawiau presennol ar gyfer Gwasanaethau Crefyddol
(Tudalen 106)
- 3.5 P-05-783 Sicrhau Cydraddoldeb Cwricwlwm i Ysgolion Cyfrwng Cymraeg e.e.
Seicoleg TGAU
(Tudalennau 107 – 108)
- 3.6 P-05-802 Amddiffyn Maint Dosbarthiadau mewn Ystafelloedd Dosbarth a
Gweithdai Dylunio a Thechnoleg
(Tudalennau 109 – 113)

Llywodraeth Leol a Gwasanaethau Cyhoeddus

- 3.7 P-05-781 Cymuned Port Talbot yn erbyn yr Archgarchar
(Tudalennau 114 – 117)
- 3.8 P-05-800 Apêl Brys am Gomisiynydd Cyn-filwyr Cymru i ofalu am iechyd a
lles cyn-filwyr sydd wedi'u hanafu, sy'n sâl neu sy'n ddigartref
(Tudalennau 118 – 122)

Iechyd

- 3.9 P-05-784 Dibyniaeth ar gyffuriau presgripsiwn ac effeithiau diddyfnu –
adnabyddiaeth a chefnogaeth
(Tudalennau 123 – 163)

Arweinydd y Tŷ a'r Prif Chwip at y Cadeirydd

- 3.10 P-05-793 Band eang cyflym i bentref Llangenni
(Tudalennau 164 – 165)

3.11 P-05-798 Gwasanaethau cymorth i ddynion sy'n ddioddefwyr trais yn y cartref i gael eu rhedeg a'u cyllido'n annibynnol

(Tudalennau 166 – 170)

Plant a Gofal Cymdeithasol

3.12 P-05-804 Mae angen cyllid Llywodraeth Cymru ar gyfer chwarae!!

(Tudalennau 171 – 175)

Papurau i'w nodi

4 P-04-479 Deiseb Adran Pelydr-X ac Uned Man Anafiadau Ysbyty Tywyn

(Tudalennau 176 – 178)

5 Sesiwn dystiolaeth – P-05-751 Cydnabod achosion o Ddieithrio Plentyn oddi wrth Riant

(10:00)

(Tudalennau 179 – 215)

6 Cynnig o dan Reol Sefydlog 17.42 i benderfynu gwahardd y cyhoedd o'r cyfarfod ar gyfer y busnes a ganlyn:

Gweddill busnes y dydd.

7 Trafod Sesiynau Tystiolaeth Blaenorol

8 Ystyried yr adroddiad drafft – P-05-785 Atal Trwydded Forol 12/45/ML i ollwng gwaddodion morol ymbelydrol o safle niwclear Hinkley Point yn nyfroedd glannau Cymru ger Caerdydd

(Tudalennau 216 – 244)

Mae cyfyngiadau ar y ddogfen hon

P-05-805 Rhoi chwarae teg i Athrawon Cyflenwi

Cyflwynwyd y ddeiseb hon gan Sheila Jones, ar ôl casglu 997 o lofnodion ar-lein a 428 o lofnodion ar bapur, cyfanswm o 1,425 o lofnodion.

Geiriad y ddeiseb

Rydym ni, sydd wedi llofnodi isod, yn galw am i athrawon cyflenwi gael eu talu'n deg a chael mynediad llawn at gyfleoedd hyfforddi a thelerau ac amodau eraill. Dylai fod athro cymwys ym mhob ystafell ddosbarth a dylai arian trethdalwyr fod yn cael ei wario'n uniongyrchol ar addysg, heb fynd i bocedi asiantaethau preifat.

Mae athrawon cyflenwi'n cael cam ac mae athrawon yn gadael y proffesiwn oherwydd na allant fforddio bod yn athrawon cyflenwi.

Mae asiantaethau'n lleihau cyflog athrawon cyflenwi 40 i 60 y cant ac mae athrawon yn colli eu pensiynau. Mae'r sefyllfa'n enghraifft o ddefnyddio arian cyhoeddus i greu elw i'r sector preifat. Mae gwersi'n cael eu darparu gan staff anghymwys.

Etholaeth a Rhanbarth y Cynulliad

- Caerffili
- Dwyrain De Cymru

Athrawon cyflenwi

Y Pwyllgor Deisebau | 1 Mai 2018

Petitions Committee | 1 Mai 2018

Papur briffio gan y Gwasanaeth Ymchwil:

Rhif y ddeiseb: P-05-805

Teitl y ddeiseb: Rhoi chwarae teg i Athrawon Cyflenwi

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1. Busnes y Cynulliad Cenedlaethol

Yn ystod y Pedwerydd Cynulliad, cynhaliodd y **Pwyllgor Cyfrifon Cyhoeddus** ymchwiliad byr i 'Gyflenwi ar gyfer Absenoldeb Athrawon' a chyhoeddodd ei [adroddiad](#) ym mis Mai 2014, gan wneud 14 o argymhellion. [Ymatebodd](#) Llywodraeth Cymru ym mis Mehefin 2014.

Cynhaliodd Pwyllgor **Plant, Pobl Ifanc ac Addysg** y Pedwerydd Cynulliad ymchwiliad i athrawon cyflenwi yn 2015. Cyhoeddodd ei [adroddiad terfynol](#) ym mis Rhagfyr 2015. [Ymatebodd](#) Huw Lewis y Gweinidog Addysg ym mis Rhagfyr 2015.

Ymhlith y materion a nodwyd yn y dystiolaeth i'r Pwyllgor Plant, Pobl Ifanc ac Addysg, oedd y ffaith nad oedd cyfle i athrawon cyflenwi fanteisio ar raglenni dysgu proffesiynol a bod problemau hefyd ynghlwm wrth ddefnyddio asiantaethau cyflenwi. Roedd llawer o'r dystiolaeth yn awgrymu y gellid lliniaru llawer o'r problemau pe bai cysylltiadau agosach rhwng cyflogwyr athrawon cyflenwi a'r rhai sy'n gyfrifol am addysg mewn ysgolion, er enghraifft, **trefniadau clwstwr** sy'n cael eu gweithredu gan awdurdodau lleol neu gorff

llywodraethu. Gwnaeth y Pwyllgor argymhelliad cyffredinol y dylai Llywodraeth Cymru ddechrau gweithio i gynllunio model newydd ar gyfer cyflogi athrawon cyflenwi.

2. Y camau a gymerodd Llywodraeth Cymru

Tasglu ar gyfer Model Cyflenwi

Sefydlodd Llywodraeth Cymru y **Tasglu Gweinidogol ar gyfer Model Cyflenwi** ym mis Mehefin 2016 i ystyried materion yn ymwneud ag athrawon cyflenwi. [Cyhoeddwyd ei adroddiad](#) ar 2 Chwefror 2017. Derbyniodd Ysgrifennydd y Cabinet dros Addysg [y rhan fwyaf o'r argymhellion](#). Yn yr adroddiad, ystyriwyd modelau gwahanol ar gyfer athrawon cyflenwi, tebyg i'r rhai sydd ar waith yng Ngogledd Iwerddon ar hyn o bryd (gweler isod), ond gwelwyd ar unwaith nad oedd dim un ateb a fyddai'n addas ar gyfer Cymru gyfan.

Tâl ac amodau athrawon

Yn achos athrawon a gaiff eu cyflogi gan awdurdod lleol neu ysgolion a gynhelir gan awdurdodau lleol yng Nghymru a Lloegr, mae'r [Ddogfen Cyflog ac Amodau Athrawon Ysgol](#) yn cyflwyno'r rheolau statudol ynghylch cyflogau athrawon cyflenwi. Fodd bynnag, nid yw athrawon a gyflogir drwy asiantaethau cyflogi'n cael eu cyflogi gan yr awdurdod lleol na'r ysgol ac felly nid yw'r ddogfen Cyflog ac Amodau'n berthnasol iddynt. Yn gyffredinol, caiff athrawon sy'n perthyn i asiantaeth eu cyflogi gan yr asiantaeth ac, felly, yr asiantaethau unigol sy'n pennu eu cyflog a'u hamodau cyflogaeth. Nid yw athrawon a gaiff eu cyflogi gan asiantaeth cyflenwi'n aelodau o'r Cynllun Pensiwn Athrawon.

Nodir yn adroddiad y Tasglu Gweinidogol

Ar hyn o bryd, nid yw cyflog ac amodau gwasanaeth athrawon wedi'u datganoli i Gymru. Pe baent yn cael eu datganoli yn y dyfodol, byddai'n bosibl i Lywodraeth Cymru fabwysiadu dull mwy rhagweithiol o bennu cyflog ac amodau athrawon cyflenwi.

Mae'r cyfrifoldeb dros bennu cyflog ac amodau athrawon wedi'i ddatganoli erbyn hyn. Mae Llywodraeth Cymru wrthi'n [ymgyngori ar hyn o bryd](#) (tan 4 Mai 2018) ynghylch y model arfaethedig ar gyfer pennu cyflog ac amodau gwasanaeth athrawon yng Nghymru. Medi 2019 yw'r dyddiad cynharaf y byddai system gyflog newydd yn dod i rym yng Nghymru. Mae [Deddf Cymru 2017](#) yn cadw pensiynau athrawon yn ôl fel swyddogaeth heb ei datganoli.

Roedd adroddiad y Tasglu Gweinidogol yn cynnwys [data a gesglir gan Gyngor y Gweithlu Addysg](#) a ddangosodd fod 46.7 y cant (1,987) o athrawon cyflenwi, ym mis Gorffennaf 2016, yn cael eu cyflogi gan awdurdod lleol o'i gymharu â 50.4 y cant (2,143) a oedd yn cael eu cyflogi gan asiantaeth gyflenwi.

Trefniadau clwstwr

Ar 24 Hydref 2017, [cyhoeddodd Ysgrifennydd y Cabinet dros Addysg](#) brosiect gwerth £2.7 miliwn a fydd yn helpu 15 o awdurdodau lleol i roi trefniadau newydd ar waith ar gyfer

athrawon cyflenwi mewn 86 o ysgolion. Bydd y prosiect yn helpu i benodi tua 50 o athrawon a fydd wedi cymhwyso'n ddiweddar i weithio mewn grwpiau o ysgolion, yn ystod absenoldeb athrawon ac i hybu newidiadau ehangach i wella ysgolion a chanlyniadau dysgwyr. Bydd y prosiect peilot yn cael ei gynnal yn ystod blynyddoedd ariannol 2017–18 a 2018–19.

Contract athrawon cyflenwi

Mae'r Gwasanaeth Caffael Cenedlaethol wedi sefydlu contract tair blynedd ar gyfer staff cyflenwi a New Directions yw'r 'darparwr a ffefrir'. Daeth y contract i rym ar 1 Awst 2015, ac mae'n para am dair blynedd (gyda'r posibilrwydd o'i ymestyn am ddeuddeng mis arall). Mae pob un o'r 22 awdurdod lleol wedi ymrwymo i ddefnyddio'r Cytundebau Fframwaith. Mae Awdurdodau Lleol yn disgwyl i ysgolion yn eu hardaloedd ddefnyddio'r fframwaith i ddod o hyd i athrawon cyflenwi. Nid oes raid i ysgolion ddefnyddio'r fframwaith, fodd bynnag, ac mae rhwydd hynt iddynt i ddefnyddio unrhyw ddull o gyflogi athrawon cyflenwi.

3. Gogledd Iwerddon

Yn ei hymateb i'r Pwyllgor, dywedodd Ysgrifennydd y Cabinet dros Addysg fod y Deisebydd yn 'hyrwyddo' model Gogledd Iwerddon ar gyfer athrawon cyflenwi.

Ym mis Mawrth 2004, sefydlwyd Cofrestr Athrawon Wrth Gefn Gogledd Iwerddon (NISTR) gan Adran Addysg Gogledd Iwerddon, a hynny mewn partneriaeth ag awdurdodau cyflogi, cymdeithasau cymorth a'r undebau athrawon. Cronfa ddata ganolog ranbarthol yw NISTR ac mae'n cynnwys enw pob athro wrth gefn (cyflenwi) yng Ngogledd Iwerddon. Mae'n caniatáu i ysgolion lleol ddefnyddio'r gronfa ddata ar fyr rybudd er mwyn dod o hyd i athrawon wrth gefn pan fydd eu hathrawon arferol yn absennol. Caiff yr athrawon wrth gefn eu talu bob mis gan Dîm Cyflogau Athrawon yr Adran Addysg am y cyfnodau y buont yn cyflenwi mewn ysgolion. Ers Medi 2006, rhaid i ysgolion ddefnyddio'r Gofrestr ar-lein i gyflogi athrawon wrth gefn.

Cyflogir athrawon wrth gefn yn unol ag amodau a thelerau gwasanaeth Gogledd Iwerddon. Maent hefyd yn aelodau o Gynllun Pensiwn Athrawon Gogledd Iwerddon (NITPS).

Mewn perthynas â model Gogledd Iwerddon, dywedodd adroddiad y Tasglu Gweinidogol ar gyfer Model Cyflenwi:

Y manteision amlwg yn gysylltiedig â'r math hwn o fodel yw bod yr holl athrawon dros dro wrth gefn sydd wedi'u cofrestru ar NISTR yn gallu elwa ar gyfres statudol o delerau ac amodau gwasanaeth cenedlaethol, a'r buddion sy'n gysylltiedig â hynny. O'n safbwynt ni, nid yw cyflog ac amodau wedi'u datganoli eto, mae'r dull o recriwtio athrawon cyflenwi yn amrywio, a gwneir defnydd sylweddol o asiantaethau cyflenwi masnachol i fodloni anghenion ysgolion. Yn y cyd-destun presennol, felly, mae'n anodd gweld sut y gallai model canoledig tebyg weithredu o fewn y fframwaith deddfwriaethol a geir ar hyn o bryd yng Nghymru.

Gwneir pob ymdrech i sicrhau bod y wybodaeth yn y papur briffio hwn yn gywir adeg ei

gyhoeddi. Dylai darllenwyr fod yn ymwybodol nad yw'r papurau briffio hyn yn cael eu diweddarau o reidrwydd na'u diwygio fel arall i adlewyrchu newidiadau dilynol.

Kirsty Williams AC/AM
Ysgrifennydd y Cabinet dros Addysg
Cabinet Secretary for Education



Eich cyf/Your ref P-05-807
Ein cyf/Our ref KW/00597/18

Llywodraeth Cymru
Welsh Government

David John Rowlands AC
Cadeirydd - Y Pwyllgor Deisebau
Cynulliad Cenedlaethol Cymru
Bae Caerdydd
Caerdydd CF99 1NA
government.committee.business@cymru.gsi.gov.uk

5 Mawrth 2018

Annwyl David ,

Diolch am eich llythyr dyddiedig 21 Chwefror am ddeiseb Laura Charles-Price yn annog Llywodraeth Cymru i newid y canllawiau ar wobrau presenoldeb mewn ysgolion yng Nghymru.

Mae [Fframwaith Presenoldeb Cymru Gyfan](#) yn rhoi arweiniad a safonau ar gyfer ysgolion ac awdurdodau lleol i sicrhau yr adroddir ar bresenoldeb mewn ffordd gyson. Os oes gan yr ysgol gynllun gwobrwyo presenoldeb ar gyfer disgyblion, yna cyfrifoldeb yr ysgol yw penderfynu ar y meini prawf ar gyfer rhoi'r gwobrau. Mae ysgolion yn pennu eu targedau presenoldeb eu hunain, ar y cyd ag awdurdodau lleol. Mae hyn yn ffordd o sicrhau y caiff amgylchiadau penodol pob ysgol ei ystyried. Y disgwyl yw bod y targedau hyn yn heriol, ond yn realistig.

Ar dudalen 8 o'r [canllawiau](#) atodedig rhoddir cyngor ar y defnydd o wobrau a chymhelliannau mewn ysgolion, ynghyd ag ambell astudiaeth achos.

Yn 2014, comisiynwyd Estyn i wneud adolygiad thematig o bresenoldeb mewn ysgolion. Un o brif ganfyddiadau'r [adroddiad](#) ar arfer effeithiol mewn ysgolion cynradd yw bod ysgolion sydd â phresenoldeb da neu bresenoldeb sy'n gwella yn defnyddio gwobrau a chymhelliannau i annog presenoldeb. Nododd yr adroddiad y gall hyn fod yn ffordd dda o annog presenoldeb.

Fodd bynnag, hoffai Llywodraeth Cymru bwysleisio bod angen tegwch mewn system o'r fath.

Mae Deddf Cydraddoldeb 2010 (Deddf 2010) yn rhoi dyletswydd ar sefydliadau dysgu i wneud addasiadau rhesymol ar gyfer plant a phobl ifanc ag anabledd (fel y'i diffinnir gan y Ddeddf). Dylid ystyried hyn wrth benderfynu pwy sy'n gymwys ar gyfer

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

Tudalen y pecyn 44
We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

cynlluniau gwobrwyo er mwyn sicrhau nad yw disgyblion ag anableddau a/neu anawsterau dysgu dan anfantais.

Mae Deddf 2010 yn gymwys i bob ysgol a gynhelir ac ysgol annibynnol, gan gynnwys ysgolion arbennig. Mae'r Llywodraeth wedi cyflwyno dyletswyddau penodol gyda'r nod o helpu awdurdodau cyhoeddus i gyflawni eu hymrwymadau o dan Ddeddf 2010. Felly, os oes gan ysgol gynllun gwobrwyo presenoldeb, rhaid sicrhau ei fod yn cyd-fynd â darpariaethau Deddf 2010 gan sicrhau nad yw'n rhoi plant ag anableddau neu gyflyrau meddygol dan anfantais. Golyga hyn na ddylai plant neu bobl ifanc sydd â phresenoldeb sy'n llai na 100% am resymau meddygol ddioddef oherwydd hynny, o ran system gwobrwyo presenoldeb yr ysgol.

Mae canllawiau statudol Llywodraeth Cymru '[Cefnogi Dysgwyr ag Anghenion Gofal iechyd](#)' hefyd yn berthnasol ac yn bwysig yn y cyd-destun hwn. Yr hyn a ddwedwn yw ei bod yn annerbyniol cosbi dysgwyr am eu presenoldeb os yw'r absenoldeb oherwydd anghenion gofal iechyd. Ni ddylid defnyddio 'absenoldebau awdurdodedig', megis apwyntiadau meddygol, amser teithio i'r ysbyty, amser gwella ar ôl triniaeth ac ati, i gosbi dysgwyr mewn unrhyw ffordd. Mae hyn yn cynnwys, ond nid yw'n gyfyngedig i, gymryd rhan mewn gweithgareddau, teithiau neu wobrau annog presenoldeb.

Gan weithio gyda rhanddeiliaid a phartneriaid, mae fy swyddogion ar hyn o bryd yn adolygu'r canllawiau presenoldeb i sicrhau bod y trefniadau'n parhau i ddarparu cefnogaeth effeithiol ac eglurder i awdurdodau lleol, ysgolion, rhieni a dysgwyr. Fel rhan o'r adolygiad hwn, rhoddwn sylw dyledus i gynlluniau gwobrwyo a chymell.

Yn gywir



Kirsty Williams AC/AM

Ysgrifennydd y Cabinet dros Addysg
Cabinet Secretary for Education

Re: Supply Teacher Petition

Dear Mr. Rowlands,

Thank you for accepting our petition regarding our concerns about supply teaching in Wales and for the kind attention of your staff who have been very helpful.

In her reply to you the Cabinet Secretary reminds us about her initiative for NQTs

- We remind her that 50 NQTs will make a tiny impact and doesn't help the thousands of experienced qualified teachers who are being paid a very poor daily rate, as little as £80 a day in Swansea. We would like the cluster project to be made more widely available to experienced teachers. We understand that the cluster project has not had the take up expected.

She has issued guidance about Agency Workers Regulations

- Supply teachers are still being offered employment on condition they sign the Swedish Derogation

Kirsty Williams published the Welsh Government's Toolkit Guide – Code of Practice – Ethical Employment in Supply Chains to the education sector including commercial recruitment agencies. This document tells employers they should: "*...be mindful of the School Teacher's Pay and Conditions Document and should consider this document when reaching an agreement on the terms of contract and the impact on the supply teacher*"

- What does this mean? Because it is far too vague to have any impact on our pay or conditions. It does not direct schools or agencies to pay us commensurate with our skills and experience.
- We are currently paid a poor flat rate that stays the same for years on end and we have a very poor pension scheme via agencies. Pay rates in Wales are generally much lower than in England.

Kirsty Williams told us about Pay and Conditions being devolved to Wales.

- By the time this is in place and hopefully things will
- Improve, many more highly qualified teachers will have left the profession to take on alternative employment.

Kirsty Williams reminds us about investment in HWB.

- The very small number of supply teachers who have accessed HWB shows it has a long way to go before it will impact on our practice, few schools are engaged with it

as yet. We also need to have CPD with providers as we should have the same training and opportunities as permanent staff. Currently many agencies including ND charge teachers to attend CPD, so not only do they lose a day's pay they also have to pay for the training.

New Directions are making huge profits from the public purse as the 'Preferred Supplier'

- We met with Neil Thomas of the NPS recently and pointed out some very poor practices, such as a culture of fear imposed on teachers, rates of pay from agencies varying between different authorities for teachers doing the same job and account managers suddenly removing teachers from schools just before AWR would take effect.

Use of unqualified staff in schools.

- As the Cabinet Secretary is aware we have made many FOIs about who is taking lessons in schools. Our replies show that a huge number of lessons are being taken by people who are not qualified teachers. Schools are able to employ anyone with an enhanced DBS to 'supervise' a class. Surely every child has the right to be taught by a qualified teacher and not just supervised? Cover supervisors are being paid around £55 a day to cover classes, just enough to satisfy minimum wage rules, they are also being exploited.

As you can see we have a catalogue of concerns . Ultimately, we would like the pay and conditions We hope you will consider this petition in the light of the information we have given.

Yours sincerely

Sheila Jones
Angela Sandles
Ruth Treen
Cathy Grunis

Representatives of Fair Deal for Supply Teachers

Eitem 2.2

P-05-808 Ni ddylai Cymraeg fod yn orfodol i blant â dyslecsia ac anghenion arbennig

Cyflwynwyd y ddeiseb hon gan Jessica Fox, ar ôl casglu XXX o lofnodion ar-lein.

Geiriad y ddeiseb

Fel llawer o blant eraill yn y Deyrnas Unedig, mae fy mab yn dioddef o dyslecsia. Mae ysgrifennu a darllen Saesneg yn her ddyddiol felly dychmygwch orfod dysgu darllen ac ysgrifennu iaith arall na fyddwch byth yn ei defnyddio. Dyma beth mae fy mab yn gorfod ei wneud bob dydd gan ein bod yn byw yng Nghymru. Rwyf wedi ceisio ei dynnu o'r gwersi Cymraeg fel y gall gael gwersi Saesneg ychwanegol ond mae'n rhwymedigaeth gyfreithiol i'r ysgol ddysgu Cymraeg yng Nghymru. Mae'n her ddyddiol i blant â dyslecsia sy'n byw yng Nghymru. Dylai Cymraeg fod yn ddewisol i blant â dyslecsia ac anghenion arbennig, ac nid yn orfodol.

Etholaeth a Rhanbarth y Cynulliad

- Dwyrain Casnewydd
- Dwyrain De Cymru

Ni ddylai Cymraeg fod yn orfodol i blant â dyslecsia ac anghenion arbennig

Y Pwyllgor Deisebau | 1 Mai 2018

Petitions Committee | 1 May 2018

Papur briffio gan y Gwasanaeth Ymchwil:

Rhif y ddeiseb: P-05-808

Teitl y ddeiseb: Ni ddylai Cymraeg fod yn orfodol i blant â dyslecsia ac anghenion arbennig

Testun y ddeiseb: *Fel llawer o blant eraill yn y Deyrnas Unedig, mae fy mab yn dioddef o dyslecsia. Mae ysgrifennu a darllen Saesneg yn her ddyddiol felly dychmygwch orfod dysgu darllen ac ysgrifennu iaith arall na fyddwch byth yn ei defnyddio. Dyma beth mae fy mab yn gorfod ei wneud bob dydd gan ein bod yn byw yng Nghymru. Rwyf wedi ceisio ei dynnu o'r gwersi Cymraeg fel y gall gael gwersi Saesneg ychwanegol ond mae'n rhwymedigaeth gyfreithiol i'r ysgol ddysgu Cymraeg yng Nghymru. Mae'n her ddyddiol i blant â dyslecsia sy'n byw yng Nghymru. Dylai Cymraeg fod yn ddewisol i blant â dyslecsia ac anghenion arbennig, ac nid yn orfodol.*

Y cefndir

Mae Cymraeg (naill ai iaith gyntaf neu ail iaith yn dibynnu a yw ysgol yn un cyfrwng Cymraeg ai peidio) yn **bwnc statudol** yn y cwricwlwm cenedlaethol yng Nghymru. Daeth yn bwnc gorfodol i bob disgybl yng Nghyfnodau Allweddol 1, 2 a 3 ym 1990 ac yng Nghyfnod Allweddol 4 ym 1999. Ar ôl cyhoeddi adolygiad yr Athro Graham Donaldson o'r cwricwlwm yng Nghymru, [Dyfodol Llwyddiannus](#) (Chwefror 2015), [cadarnhaodd Huw Lewis, y Gweinidog dros Addysg a Sgiliau ar y pryd](#) (Hydref 2015) ei fod wedi derbyn argymhellion yr Athro Donaldson ar y cwricwlwm newydd i Gymru y bydd Cymraeg yn parhau i fod yn orfodol ym mhob ysgol hyd at 16 oed. Mae [Gorchymyn Cymraeg Ail Iaith](#) y cwricwlwm cenedlaethol cyfredol yn datgan:

Dylai dysgwyr o bob gallu gael mynediad i asesu ac achredu priodol.

Er bod Cymraeg yn bwnc gorfodol yn y cwricwlwm cenedlaethol, nid yw'n orfodol cofrestru dysgwyr i sefyll arholiad TGAU neu gymhwyster arall. Mater i ysgolion yw penderfynu ar gymhwyster penodol ac fe'i gwneir ar lefel leol.

Camau gweithredu Llywodraeth Cymru

Cymraeg mewn Addysg: Cynllun Gweithredu 2017–21

Ym mis Rhagfyr 2017, cyhoeddodd Ysgrifennydd y Cabinet dros Addysg a Gweinidog y Gymraeg a Dysgu Gydol Oes [Y Gymraeg mewn addysg: Cynllun gweithredu 2017–21](#) sy'n nodi cyfeiriad Llywodraeth Cymru ar gyfer datblygu addysg orfodol cyfrwng Cymraeg ac iaith Gymraeg dros y pedair blynedd nesaf. Mae hyn yn ailadrodd na fydd statws y Gymraeg fel pwnc gorfodol yn newid ac:

yn y dyfodol, rhoddir mwy o bwys ar y Gymraeg fel pwnc ac fel cyfrwng i addysgu a dysgu.

Ochr yn ochr â'r Cynllun Gweithredu, cyhoeddodd Llywodraeth Cymru [atebion i gwestiynau cyffredinol](#). Dywed:

Beth am ddysgwyr sydd ag anghenion dysgu ychwanegol?

- Rhaid inni sicrhau y gall pob dysgwr gael mynediad cyfartal i addysg cyfrwng Cymraeg a phrofi'r cyfleoedd gorau i ddatblygu eu sgiliau iaith.
- Mae tegwch yn golygu bod angen inni sicrhau bod y system, ar lefel ysgolion, ar lefel leol ac ar lefel genedlaethol, yn ystyried yr heriau unigryw sy'n wynebu unigolion neu grwpiau o ddysgwyr, ac yn ymateb i'r heriau hynny.

Anghenion dysgu ychwanegol

Mae Llywodraeth Cymru yn gwneud newidiadau i'r ddarpariaeth ar gyfer dysgwyr ag anghenion dysgu ychwanegol. Bydd Deddf Anghenion Dysgu Ychwanegol a Thriwlynlys Addysg (Cymru) 2018 yn disodli'r Fframwaith Anghenion Addysgol Arbennig gydag un newydd yn seiliedig ar Anghenion Dysgu Ychwanegol (ADY) y disgwylir iddo gael ei weithredu o 2020. Hyd nes y caiff ei weithredu, mae'r trefniadau presennol ar gyfer nodi a darparu ar gyfer Anghenion Addysgol Arbennig yn parhau i fod ar waith fel y nodwyd yn Neddf Addysg 1996 ac yn fwy manwl yn y [Côd Ymarfer Anghenion Addysgol Arbennig](#) (a gyflwynwyd yn 2002 a'i ddiweddarau yn 2004). Mae'n rhaid i awdurdodau lleol, ysgolion, sefydliadau blynyddoedd cynnar a'r rhai sy'n eu helpu, gan gynnwys iechyd a gwasanaethau cymdeithasol roi sylw i'r Cod.

Mae'r Cod hefyd yn nodi'r egwyddor sylfaenol:

dylid cynnig cyfle llawn i blant sydd ag anghenion addysgol arbennig i gael addysg eang, gytbwys a pherthnasol, wedi'i seilio ar y Cwricwlwm Cenedlaethol

Mae hefyd yn nodi:

Mae'n ofynnol i bob ysgol gynllunio cwricwlwm sy'n cynnwys darpariaeth ar gyfer pynciau'r Cwricwlwm Cenedlaethol sy'n statudol yng nghyfnodau allweddol 3 a 4. Dylai athrawon gyflwyno rhaglenni astudio'r Cwricwlwm Cenedlaethol *mewn ffyrdd sy'n cwrdd ag anghenion dysgu neilltuol eu disgyblion*. Caniateir rhai amrywiadau yn y gofynion yng nghyfnod allweddol 4 trwy ddefnyddio'r rheoliadau o dan Adran 363 o Ddeddf Addysg 1996 sy'n caniatáu datgymhwyso pynciau sy'n rhan o'r Cwricwlwm Cenedlaethol at ddibenion penodol.

Pan gyhoeddodd Llywodraeth Cymru y Bil Anghenion Dysgu Ychwanegol a Thribiwnlys, cyhoeddodd hefyd [God Ymarfer Anghenion Dysgu Ychwanegol drafft](#) (Chwefror 2017) nad oedd yn destun ymgynghoriad ei hun, ond fe'i bwriadwyd fel cymorth i ddeall y Bil. Roedd y Cod drafft yn cynnwys yr egwyddor gyffredinol bod yn **rhaid** i ddysgwyr dderbyn cymorth i gyfranogi mor llawn â phosibl mewn addysg brif ffrwd a'r Cwricwlwm Cenedlaethol pan fydd hynny'n ymarferol.

Camau gweithredu Cynulliad Cenedlaethol Cymru

Trafododd y Pwyllgor ddeiseb debyg ([P05-760](#)) a oedd yn galw am atal TGAU Cymraeg Gorfodol, i bawb, yn hytrach nag i rai grwpiau o ddysgwyr. Ar yr adeg honno, roedd Ysgrifennydd y Cabinet dros Addysg yn bendant bod astudio Cymraeg yn parhau i fod yn elfen allweddol yn y cwricwlwm yng Nghymru hyd at 16 oed ac nid oedd unrhyw gynlluniau i newid y sefyllfa hon. Dywedodd y dylai fod digon o gyfleoedd i bob dysgwr ddatblygu ei sgiliau craidd wrth ddysgu Cymraeg, a dylai dysgu Cymraeg ehangu'r cwricwlwm yn hytrach na'i gulhau. Felly, cafodd y ddeiseb ei chau.

Gwneir pob ymdrech i sicrhau bod y wybodaeth yn y papur briffio hwn yn gywir adeg ei gyhoeddi. Dylai darllenwyr fod yn ymwybodol nad yw'r papurau briffio hyn yn cael eu diweddarau o reidrwydd na'u diwygio fel arall i adlewyrchu newidiadau dilynol.



Eich cyf/Your ref P-05-808
Ein cyf/Our ref EM/00174/18

David John Rowlands AC
Cadeirydd y Pwyllgor Deisebau
Cynulliad Cenedlaethol Cymru
Bae Caerdydd
Caerdydd
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Ebrill 2018

Diolch am eich gohebiaeth dyddiedig 6 Mawrth parthed Deiseb P-05-808 *Ni ddylai'r Gymraeg fod yn orfodol i blant â dyslecsia ac anghenion arbennig*, a gyfeiriwyd at Ysgrifennydd y Cabinet dros Addysg. Mae'r cyfrifoldeb dros y Gymraeg yn rhan o'm cylch gorchwyl i.

Mae Llywodraeth Cymru wedi ymrwymo i greu system addysg gynhwysol i bob dysgwr, beth bynnag ei anghenion a'i gefndir, er mwyn sicrhau bod pob dysgwr yn cael addysg o'r safon uchaf ac yn gwireddu ei lawn botensial. Mae Deddf Addysg 1996 yn rhoi dyletswydd gyfreithiol ar bob awdurdod lleol i ddarparu addysg briodol i bob dysgwr, gan gynnwys disgyblion ag anghenion addysgol arbennig (AAA) megis dyslecsia.

Polisi Llywodraeth Cymru yw gosod sylfaen gadarn i'r Gymraeg yn y cwricwlwm ym mhob ysgol. Mae astudio'r Gymraeg yn ofyniad statudol i bob dysgwr tan ddiwedd Cyfnod Allweddol 4 a bydd hyn yn parhau pan gyflwynir y cwricwlwm newydd i ysgolion yn 2020. Dim ond un rhan o'r cwricwlwm ehangach yw dysgu'r Gymraeg a'n nod yw cyflwyno ymyriadau ag iddynt ffocws i ddysgwyr i'w cynorthwyo i gyflawni eu llawn botensial ar draws yr holl bynciau.

Nid ydym yn pennu amser penodedig ar gyfer astudio'r Gymraeg – mater i ysgolion unigol y hwn ac mae ganddynt ryddid i drefnu eu hamserlenni a'u dulliau cyflawni mewn modd sy'n addas i'w dysgwyr. Mae hyn yn cynnwys strategaethau ar lefel ysgolion i gefnogi dysgwyr a chanddynt anawsterau dysgu penodol.

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Correspondence.Eluned.Morgan@gov.wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

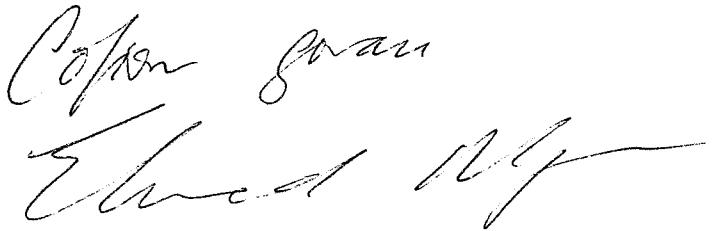
We welcome receiving correspondence in Welsh and responses to correspondence in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

O ran datgymhwyso, yng Nghymru gellir datgymhwyso rhan o'r Cwricwlwm Cenedlaethol neu'r cwricwlwm cyfan os yw'n anaddas i ddisgybl ar gyfer y cyfnod arbennig hwnnw. Er enghraifft, gellir eithrio disgyblion dros dro o bynciau penodol os ydynt wedi dod o system addysg wahanol i system Cymru, a bod angen cyfnod arnynt i ymaddasu. Nid yw'n fwriad i ddatgymhwyso dros dro ddatblygu i fod yn eithriad hirdymor o ddarpariaethau'r cwricwlwm cenedlaethol a dim ond mewn amgylchiadau prin y mae'n debygol y bydd angen defnyddio hyn.

Mae gan Benaethiaid ddisgresiwn i gyflwyno 'cyfarwyddyd' ysgrifenedig cyffredinol i egluro pa gamau sy'n cael eu cymryd, gan nodi'r rhesymau dros y trefniadau arbennig. Mae'n rhaid i'r cyfarwyddyd nodi pryd y bydd y trefniadau arbennig hyn yn cychwyn a gorffen, neu'r ffactorau a fydd yn penderfynu pryd y byddant yn gorffen. Ni chaiff cyfarwyddyd cychwynol bara mwy na chwe mis calendr. Fodd bynnag, disgwylir i benaethiaid ddefnyddio eu pwerau cyfarwyddo yn sensitif a chynnil oherwydd dylid rhoi'r cyfle i bob disgybl fanteisio ar ystod lawn o bynciau'r Cwricwlwm Cenedlaethol.

Mae manteision ymarferol yn gysylltiedig â dysgu'r Gymraeg i'r sawl sy'n dymuno byw a gweithio yng Nghymru. Mae cwmnïau'r sectorau cyhoeddus a phreifat yn annog datblygiad gweithluoedd dwyieithog a darparu gwasanaethau drwy gyfrwng y Gymraeg er mwyn diwallu anghenion cwsmeriaid.

Mae hwn yn arwydd clir o'r manteision economaidd sy'n deillio o feddu ar sgiliau Cymraeg, ac mae gennym ddyletswydd i sicrhau bod gan ein pobl ifanc y sgiliau angenrheidiol er mwyn manteisio ar y cyfleoedd hyn.



Eluned Morgan AC/AM

Gweinidog y Gymraeg a Dysgu Gydol Oes
Minister for Welsh Language and Lifelong Learning



Eich cyf/Your ref P-05-808
Ein cyf/Our ref EM/00174/18

David John Rowlands AM
Chair - Petitions committee.
National Assembly for Wales
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April 2018

Thank you for your correspondence of 6 March concerning Petition P-05-808 *Welsh should not be compulsory for children with dyslexia and special needs*, addressed to the Cabinet Secretary for Education. Responsibility for Welsh language falls within my remit.

The Welsh Government is committed to creating an inclusive education system for all learners, regardless of their needs and background, to ensure all learners are able to access a high standard of education and reach their full potential. The Education Act 1996 places the legal duty on local authorities (LAs) to provide suitable education for all learners, including those who have special educational needs (SEN) such as dyslexia.

Welsh Government policy is for the Welsh language to have a firm place in the curriculum at all schools. The study of Welsh is a statutory requirement for all learners until the end of Key Stage 4 and this will continue to be the case in the new curriculum which will be rolled out to schools from 2020. Learning Welsh is just one part of a broad curriculum and our aim is for learners to receive focused interventions at school that help them reach their full potential across all subject areas.

We do not prescribe a set amount of time for the study of Welsh - this is a matter for individual schools and they have the freedom to organise their timetabling and delivery methods in ways that are appropriate for their learners. This includes school level strategies to support learners with SEN specific learning difficulties.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

With regard to disapplication, in Wales some or all of the National Curriculum may be temporarily disapplied for a pupil if, for that particular time, it is inappropriate to him or her. For example, temporary exemption from particular subjects can be applied for pupils who have arrived from a different educational system to Wales and require a period of adjustment. Temporary disapplication is not intended to provide long-term exemption from the national curriculum provisions and is likely to be needed in rare circumstances only.

Head teachers have the discretion to issue a written general 'direction' explaining the action that is being taken and stating why exceptional arrangements are necessary. Any direction must specify when the exceptional arrangements will start and end, or the factors that will determine their ending. An initial direction may last no longer than six calendar months. However, it is expected that head teachers use their powers of direction sensitively and sparingly because all pupils should have the opportunity of benefiting from the full range of National Curriculum subjects.

There are practical advantages to learning Welsh for those who wish to live and work in Wales. Public and private sector companies are now actively encouraging the growth of bilingual workforces and the availability of Welsh-medium services to meet customer needs.

This is a clear indication of the economic benefits of Welsh language skills and we have a duty to ensure that all our young people are equipped with the skills they may need to take up such opportunities.

Yours Sincerely
Eluned Morgan

Eluned Morgan AC/AM
Gweinidog y Gymraeg a Dysgu Gydol Oes
Minister for Welsh Language and Lifelong Learning

Eitem 2.3

P-05-809 Is-ddeddfau Pysgota arfaethedig Newydd a methiannau Cyfoeth Naturiol Cymru

Cyflwynwyd y ddeiseb hon gan Sian Godbert, ar ôl casglu 1,070 o lofnodion ar-lein.

Geiriad y ddeiseb

Fel mater o frys, gofynnwn i Weinidog y Cabinet ymchwilio i ymddygiad Gweithrediaeth Cyfoeth Naturiol Cymru yn ystod y broses ymgynghori a'r argymhelliad i wneud newidiadau i is-ddeddfau pysgota gwialen a llinell yng Nghyfarfod y Bwrdd (Cyfoeth Naturiol Cymru) a gynhaliwyd ym Mhrifysgol Bangor ar 18 Ionawr 2018, cyn derbyn unrhyw gynigion i newid is-ddeddfau pysgota presennol.

1. Methodd Gweithrediaeth Cyfoeth Naturiol Cymru â dilyn y drefn ddemocrataidd drwy wrthod caniatáu i aelodau Bwrdd Cyfoeth Naturiol Cymru bleidleisio ar gynigion newydd o ran Is-ddeddfau pysgota newydd gan bysgotwyr gwialen a llinell. Mabwysiadodd Gweithrediaeth Cyfoeth Naturiol Cymru safiad didrugaredd, ac anwybyddodd bryderon y rhanddeiliaid yn ystod y broses ymgynghori ac aelodau Bwrdd llawn Cyfoeth Naturiol Cymru yn y cyfarfod.
2. Argymhellodd Gweithrediaeth Cyfoeth Naturiol Cymru newidiadau i'r Is-ddeddfau i Gynulliad Cymru ac yntau wedi ardystio yng nghyfarfod y Bwrdd na fyddai'r cynigion yn effeithio llawer, neu ddim o gwbl, ar leihau stociau eogiaid a brithyllod môr o fewn dalgylchoedd afonydd mewndirol ledled Cymru.
3. Gyda Swyddogion Gweithredol Cyfoeth Naturiol Cymru wedi cydnabod bod "materion eraill" sy'n cyfrannu at leihau'r stociau eog a brithyllod môr, methasant â blaenoriaethu a gweithredu ar y "materion eraill" hyn, ac maent wedi gwneud hynny dros nifer o ddegawdau, heb gynllunio ar gyfer y dyfodol. Felly, mae Bwrdd Cyfoeth Naturiol Cymru yn torri gofynion Adran 6 (6) o Ddeddf yr Amgylchedd (Cymru) 2016 ac yn methu â chyflawni ei

hamcan o leihau'r risg i lefelau stoc eog a brithyllod môr yn afonydd Cymru, yn enwedig o ran:

(a) Atal, monitro, gorfodi ac erlyn yn effeithiol o ran llygredd.

(b) Monitro ysglyfaethu bywyd gwyllt ac argymell rheolaethau cymesur.

Gwybodaeth ychwanegol

4. Derbyniodd Swyddogion Gweithredol Cyfoeth Naturiol Cymru yn agored yng nghyfarfod y Bwrdd eu bod wedi methu â chyfathrebu'n effeithiol a mabwysiadu polisi o weithredu cytundebau gyda rhanddeiliaid, y disgwylir iddynt fonitro ac adrodd ar ran Cyfoeth Naturiol Cymru a gorfodi'n wirfoddol y newidiadau arfaethedig i is-ddeddfau, y mae llawer yn anghytuno â nhw.

5. Methwyd â mabwysiadu strategaeth, a gydnabyddir fel arfer gorau mewn gwledydd eraill, i fonitro ac asesu risg pob afon yn gywir, nac argymell dim sancsiynau fesul afon unigol, gyda rhanddeiliaid perthnasol.

6. Mae Bwrdd a Gweithrediaeth Cyfoeth Naturiol Cymru wedi methu â bodloni gofynion gofal a diwydrwydd dyladwy yn ystod y broses ymgynghori, a arweiniodd at fethiant i gydnabod pa mor bwysig yw sut y bydd eu his-ddeddfau newydd yn effeithio'n andwyol ar:

(a) Gyfleoedd pysgota hamdden, budd economaidd i gymunedau gwledig ac arfordirol, a hefyd maent yn mynd yn groes i Ddeddf Llesiant Cenedlaethau'r Dyfodol 2015.

(b) Ewyllys da rhanddeiliaid sydd wedi monitro a gwarchod yr amgylchedd naturiol yn effeithiol heb Cyfoeth Naturiol Cymru ers dros ddegawd, a pheryglwyd yr ewyllys da barhaus honno ar gyfer cenedlaethau'r dyfodol.

Etholaeth a Rhanbarth y Cynulliad

- Aberconwy
- Gogledd Cymru

P-05-809 Is-ddeddfau Pysgota Arfaethedig Newydd

Y Pwyllgor Deisebau | 01 Mai 2018

Petitions Committee | 01 May 2018

Papur briffio gan y Gwasanaeth Ymchwil:

Rhif y ddeiseb: P-05-809

Teitl y ddeiseb: Is-ddeddfau Pysgota Arfaethedig Newydd a methiannau CNC

Testun y ddeiseb:

Fel mater o frys, gofynnwn i Weinidog y Cabinet ymchwilio i ymddygiad Gweithrediaeth Cyfoeth Naturiol Cymru yn ystod y broses ymgynghori a'r argymhelliad i wneud newidiadau i is-ddeddfau pysgota gwialen a llinell yng Nghyfarfod y Bwrdd (Cyfoeth Naturiol Cymru) a gynhaliwyd ym Mhrifysgol Bangor ar 18 Ionawr 2018, cyn derbyn unrhyw gynigion i newid is-ddeddfau pysgota presennol.

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2. Argymhellodd Gweithrediaeth Cyfoeth Naturiol Cymru newidiadau i'r Is-ddeddfau i Gynulliad Cymru ac yntau wedi ardystio yng nghyfarfod y Bwrdd na fyddai'r cynigion yn effeithio llawer, neu ddim o gwbl, ar leihau stociau eogiaid a brithyllod môr o fewn dalgylchoedd afonydd mewndirol ledled Cymru.

3. Gyda Swyddogion Gweithredol Cyfoeth Naturiol Cymru wedi cydnabod bod "materion eraill" sy'n cyfrannu at leihau'r stociau eog a brithyllod môr, methasant â blaenoriaethu a gweithredu ar y "materion eraill" hyn, ac maent wedi gwneud hynny dros nifer o ddegawdau, heb gynllunio ar gyfer y dyfodol. Felly, mae Bwrdd Cyfoeth Naturiol Cymru yn torri gofynion Adran 6 (6) o Ddeddf yr Amgylchedd (Cymru) 2016 ac yn methu â chyflawni ei hamcan o leihau'r risg i lefelau stoc eog a brithyllod môr yn afonydd Cymru, yn enwedig o ran:

(a) Atal, monitro, gorfodi ac erlyn yn effeithiol o ran llygredd.

(b) Monitro ysglyfaethu bywyd gwyllt ac argymell rheolaethau cymesur.

Gwybodaeth ychwanegol

4. Derbyniodd Swyddogion Gweithredol Cyfoeth Naturiol Cymru yn agored yng nghyfarfod y Bwrdd eu bod wedi methu â chyfathrebu'n effeithiol a mabwysiadu polisi o weithredu cytundebau gyda rhanddeiliaid, y disgwylir iddynt fonitro ac adrodd ar ran Cyfoeth Naturiol Cymru a gorfodi'n wirfoddol y newidiadau arfaethedig i is-ddeddfau, y mae llawer yn anghytuno â nhw.

5. Methwyd â mabwysiadu strategaeth, a gydnabyddir fel arfer gorau mewn gwledydd eraill, i fonitro ac asesu risg pob afon yn gywir, nac argymell dim sancsiynau fesul afon unigol, gyda rhanddeiliaid perthnasol.

6. Mae Bwrdd a Gweithrediaeth Cyfoeth Naturiol Cymru wedi methu â bodloni gofynion gofal a diwydrwydd dyladwy yn ystod y broses ymgynghori, a arweiniodd at fethiant i gydnabod pamor bwysig yw sut y bydd eu his-ddeddfau newydd yn effeithio'n andwyol ar:

(a) Gyfleoedd pysgota hamdden, budd economaidd i gymunedau gwledig ac arfordirol, a hefyd maent yn mynd yn groes i Ddeddf Llesiant Cenedlaethau'r Dyfodol 2015.

(b) Ewyllys da rhanddeiliaid sydd wedi monitro a gwarchod yr amgylchedd naturiol yn effeithiol heb Cyfoeth Naturiol Cymru ers dros ddegawd, a pheryglwyd yr ewyllys da barhaus honno ar gyfer cenedlaethau'r dyfodol.

Y cefndir

Mae 33 o afonydd yng Nghymru sy'n cynnwys rhywfaint o [eogiaid](#) ac, o'r rhain, caiff [23 eu dynodi fel prif afonydd eogiaid \(PDF 155KB\)](#). O'r 23 o afonydd hyn, mae pedair wedi'u dynodi'n Ardaloedd Cadwraeth Arbennig (ACA) o dan y [Gyfarwyddeb Cynefinoedd Ewropeaidd](#). Mae terfynau cadwraeth a thargedau rheoli wedi'u sefydlu ar gyfer y prif afonydd.

Cyfoeth Naturiol Cymru (CNC) sy'n gyfrifol am reoli pysgodfeydd mewndirol a physgodfeydd eogiaid yng Nghymru. Mae gan Cyfoeth Naturiol Cymru, fel awdurdodau pysgodfeydd eraill yn y DU, bwerau i lunio is-ddeddfau cenedlaethol a lleol i gynorthwyo â'r gwaith o ran cadwraeth stociau pysgod yn afonydd Cymru. Mae'r is-ddeddfau hyn yn rhoi nifer o fesurau rheoli ymdrech ar waith i sicrhau bod stociau'n cael eu defnyddio'n gynaliadwy. Gall y rhain gynnwys mesurau megis cyfyngiadau o ran pa daclau y gellir eu defnyddio i bysgota rhywogaethau gwahanol, adegau'r flwyddyn y gellir pysgota rhywogaethau gwahanol a'r lleoliadau lle y gellir pysgota rhywogaethau gwahanol. Un dull rheoli ymdrech yw 'dal a rhyddhau'; mae hyn yn ofyniad i bob pysgotwr ddychwelyd y pysgod y maent yn eu dal i'r afon (heb eu lladd).

Gall CNC wneud is-ddeddfau drwy arfer y pwerau a freiniwyd ynddo gan [adran 210](#) a [pharagraff 6 o Atodlen 25](#) i [Ddeddf Adnoddau Dŵr 1991](#). Mae [Atodlen 26](#) o'r Ddeddf yn nodi gweithdrefn i'w dilyn er mwyn gwneud yr is-ddeddfau sy'n cynnwys proses ar gyfer ymchwiliad lleol os ceir gwrthwynebiadau.

Dyletswydd Deddf yr Amgylchedd (Cymru) 2016

Mewn perthynas â phwynt 3 y ddeiseb, mae Adran 6(6) o [Ddeddf yr Amgylchedd \(Cymru\) 2016](#) yn datgan:

6. Dyletswydd bioamrywiaeth a chydnerthedd ecosystemau

(1) Rhaid i awdurdod cyhoeddus geisio cynnal a gwella bioamrywiaeth wrth arfer swyddogaethau mewn perthynas â Chymru, ac wrth wneud hynny hyrwyddo cydnerthedd ecosystemau, i'r graddau y bo hynny'n gyson ag arfer y swyddogaethau hynny'n briodol.

...

(6) Rhaid i awdurdod cyhoeddus ac eithrio unrhyw un neu ragor o Weinidogion y Goron neu unrhyw un neu ragor o adrannau'r llywodraeth baratoi a chyhoeddi cynllun sy'n nodi'r hyn y mae'n bwriadu ei wneud er mwyn cydymffurfio ag is-adran (1)..

Mae CNC yn gyfrifol am ddatblygu [Datganiadau Ardal](#), sef gofyniad [Deddf yr Amgylchedd \(Cymru\) 2016](#). Mae'r [Polisi ar Adnoddau Naturiol](#) yn canolbwyntio ar gyflawni nodau [rheoli cynaliadwy ar adnoddau naturiol](#) ac yn gosod y cyd-destun ar gyfer Datganiadau Ardal. Mae [Canllawiau](#) Llywodraeth Cymru ar adran 6, Dyletswydd Bioamrywiaeth a Chydnerthedd Ecosystemau yn nodi'r canlynol:

Bydd Datganiadau Ardal yn:

- Darparu tystiolaeth i gefnogi awdurdodau cyhoeddus wrth gydymffurfio â dyletswydd A6

Mae CNC hefyd yn cyhoeddi [Cynlluniau Rheoli Basn Afon](#) sy'n edrych ar y pwysau sy'n wynebu amgylchedd dŵr Cymru.

Bwrdd CNC

Nodir [Telerau Cyfrifoldeb](#) Bwrdd CNC mewn papur sydd ar gael i'r cyhoedd sy'n nodi'r canlynol:

Bydd y Cadeirydd yn cloi pob eitem ar yr agenda yn glir gyda chrynodeb o'r drafodaeth; yn cadarnhau unrhyw gamau i'w gweithredu a'r penderfyniadau a gymerwyd.

Nid oes gwybodaeth ar gael a oes angen pleidlais i basio penderfyniadau.

Camau gweithredu Llywodraeth Cymru

Mae gan Cyfoeth Naturiol Cymru gyfrifoldeb dros reoli pysgodfeydd eogiaid yng Nghymru ar ran Llywodraeth Cymru. Mae CNC wedi bod yn mynd trwy broses o ystyried pa gamau ychwanegol y gall fod eu hangen, os oes rhai, i fynd i'r afael â'r dirywiad mewn stociau eogiaid yn afonydd Cymru.

Ar 17 Mawrth 2016, cyflwynwyd [papur](#) i Fwrdd CNC a oedd yn rhoi'r wybodaeth ddiweddaraf am y camau gweithredu a gymerwyd gan CNC yn ystod y flwyddyn flaenorol i fynd i'r afael â'r dirywiad mewn stociau. Amlinellodd gynigion ar gyfer rhagor o gamau gweithredu. Roedd y papur yn nodi, er nad yw CNC o'r farn mai pysgota â gwiall a rhwydi yw prif achos y dirywiad mewn stociau, ei fod yn credu na ellir cynyddu nifer y pysgod sy'n goroesi i'r cam silio mewn afonydd yng Nghymru, yn y tymor byr, 'oni bai bod pysgotwyr â gwiall a rhwydi'n rhoi'r gorau i ladd pysgod yn gyfan gwbl'.

Mae CNC yn datgan ei fod wedi ymgynghori'n ffurfiol ac yn anffurfiol â physgotwyr a grwpiau pysgodfeydd lleol ar y camau gweithredu posibl y gellir eu cymryd i reoli stociau eogiaid, gan gynnwys drwy ddsbarthu holiadur.

Yn 2017, cynhaliodd CNC ymgynghoriad ar [reoliadau dalfeydd eogiaid a sewin](#). Roedd yr ymgynghoriad mewn 3 rhan ac roedd pob un yn edrych ar y canlynol:

- Y cais am Orchymyn Cyfyngu ar Rwydi 'Cymru Gyfan' 2017 newydd;
- Cynigion ar gyfer is-ddeddfau pysgota rhwyd a gwialen newydd ar draws Cymru gyfan (ac eithrio afonydd trawsffiniol Dyfrdwy, Hafren a Gwy); a
- Chynigion ar gyfer 'Is-ddeddfau Trawsffiniol (Cymru)' newydd i fynd i'r afael â materion yn ymwneud â'r tair afon hynny.

Cyflwynodd CNC [Achos Technegol](#) yn cefnogi'r ymgynghoriad, a [Chrynodeb Gweithredol](#) sy'n edrych ar yr opsiynau a ystyriwyd. Daeth CNC i'r casgliad canlynol ar gyfer cyfnod 10 mlynedd:

a 'zero kill' policy for salmon and some identified sea trout stocks through statutory catch-and-release fishing with appropriate restrictions on fishing methods – regulation of exploitation through new byelaw.

Mae'r Achos Technegol yn ystyried cau pysgodfeydd penodedig. Fodd bynnag, mae CNC yn dod i'r casgliad y byddai hyn yn arwain at effeithiau economaidd-gymdeithasol anghymesur, a bod dull dal a rhyddhau gorfodol yn well na chau pysgodfeydd.

Trafodwyd yr is-ddeddfau arfaethedig newydd yng [Nghyfarfod Bwrdd CNC](#) ar 18 Ionawr 2018.

Mae [Atodiad 4](#) o'r papurau a gyflwynwyd i Fwrdd CNC yn edrych ar bob un o'r mesurau rheoli amgen a gynigiwyd yn ystod y broses ymgynghori, a fyddant yn cael eu mabwysiadu, a rhesymau CNC dros y penderfyniad mabwysiadu.

Mae [Atodiad 6](#) yn rhoi manylion am drefniadau rheoli tebyg ar gyfer awdurdodaethau eraill. Mae'n dweud bod y gweithdrefnau'n arwain at ganlyniadau tebyg yn gyffredinol yn yr Alban, Iwerddon a Gogledd Iwerddon. Mae gan Lywodraeth yr Alban y mesurau rheoli canlynol:

Mae Rheoliadau Cadwraeth Eogiaid (Yr Alban) 2016: –

- Yn gwahardd cadw eogiaid a ddaliwyd mewn dyfroedd arfordirol
- Yn caniatáu cadw eogiaid a ddaliwyd mewn afonydd lle mae'r stociau'n uwch na therfyn cadwraeth diffiniedig
- Yn gofyn am ddull pysgota dal a rhyddhau gorfodol lle mae stociau'n disgyn yn is na'u terfyn cadwraeth.

Mae Asiantaeth yr Amgylchedd hefyd wedi cynnig [mesurau newydd](#) i fynd i'r afael â dirywiad mewn stociau eogiaid.

Cofnodion Bwrdd CNC

Nid yw cofnodion cyfarfod Bwrdd CNC ar 18 Ionawr 2018 ar gael yn gyhoeddus ar adeg ysgrifennu'r papur briffio hwn. Mae copi ar gael i'r Cynulliad a bydd ar gael ar [wefan](#) CNC yn y dyfodol agos. Mae'r cofnodion yn dweud:

Nododd y Bwrdd y pryderon cryf a fynegwyd gan randdeiliaid drwy ohebiaeth e-byst a gyflwynwyd cyn cyfarfod y Bwrdd. Roedd yr holl ohebiaeth wedi cael ei rhannu â holl aelodau'r Bwrdd.

Yn ôl cofnodion y cyfarfod, tynnodd cyflwyniad gan Brif Gyngorydd Pysgodfeydd CNC, Pete Gough, sylw at:

- Ddiwygiadau i'r cynigion gwreiddiol, mewn ymateb i'r sylwadau a'r cyngor a gafwyd, gan gynnwys y math o fachyn ar lithiau a phlu, y defnydd tymhorol o ferdys fel abwyd, a diwedd cynnar arfaethedig ar gyfer dal a rhyddhau ar Afon Wysg;
- Y broses dwy flynedd a wnaed gan Cyfoeth Naturiol Cymru, yr ystyriwyd ei bod yn rhy hir ac angen ei gwella;
- Yr angen i wella gweithio mewn partneriaeth gyda rhanddeiliaid er mwyn adeiladu ffydd;
- Mae arferion dal a rhyddhau presennol yn dda ond mae angen eu gwella; ac
- Mae bron yr holl stociau eogiaid yn dirywio'n barhaus, ond mae hyn o ganlyniad i gasgliad cymhleth o resymau.

Yn ôl y cofnodion, "ar ôl llawer o drafod," rhoddodd y Bwrdd gymeradwyaeth i gais i Lywodraeth Cymru am y newidiadau arfaethedig i'r is-ddeddfau. Cefnogodd Tîm Gweithredol CNC y cynigion.

Camau gweithredu Cynulliad Cenedlaethol Cymru

Cyn ymgynghoriad 2017 gan CNC, ystyriodd y Pwyllgor Deisebau ddeiseb [P-05-703 Cynnig i ohirio'r Cyfyngiadau ar Bysgota yn Afonydd Cymru](#). Ystyriodd y Pwyllgor y ddeiseb am y tro cyntaf ar 13 Medi 2018 a chytunodd i'w chau. Cytunodd hefyd i anfon sylwadau'r deisebydd at Cyfoeth Naturiol Cymru cyn ei ymgynghoriad arfaethedig ar fesurau rheoli stoc eogiaid a oedd i'w gynnal ddiwedd 2016/dechrau 2017 yn wreiddiol.

Mewn cwestiwn yn y Cyfarfod Llawn ar 14 Chwefror 2018, gofynnodd Neil Hamilton AC i Lesley Griffiths AC, Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig, roi barn

ynglŷn â "chynigion... i roi polisi dal a rhyddhau gorfodol ar waith am 10 mlynedd". Atebodd Ysgrifennydd y Cabinet ei bod hi'n "aros i Cyfoeth Naturiol Cymru gyflwyno eu hargymhellion".

Cododd Neil Hamilton AC y mater o "ysglyfaethu gan adar sy'n bwyta pysgod" a "graddau llygredd afonydd". Cydnabu Ysgrifennydd y Cabinet fod "cryn dipyn o lygredd amaethyddol yn ein hafonydd", gan nodi y bydd yn "gofyn i'r Gweinidog dros yr Amgylchedd godi hyn gyda Cyfoeth Naturiol Cymru yn ei chyfarfod rheolaidd nesaf".

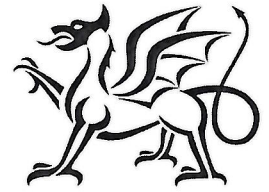
Ar 15 Chwefror 2018, gofynnodd Janet Finch-Saunders AC [gwestiwn ysgrifenedig](#) i Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig iddi "roi cyfiawnhad dros yr argymhelliad... y dylid cyflwyno polisi dal a rhyddhau". Ymatebodd Ysgrifennydd y Cabinet:

NRW will now make a formal application to me to determine the byelaws under the Water Resources Act 1991.

Once I receive the formal application from NRW, hopefully later this month, I will consider the range of issues in detail before making a determination in line with the process set out in the Act. However, until this process is completed I am unable to comment further on the proposals

Gwneir pob ymdrech i sicrhau bod y wybodaeth yn y papur briffio hwn yn gywir adeg ei gyhoeddi. Dylai darllenwyr fod yn ymwybodol nad yw'r papurau briffio hyn yn cael eu diweddarau o reidrwydd na'u diwygio fel arall i adlewyrchu newidiadau dilynol.

Lesley Griffiths AC/AM
Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig
Cabinet Secretary for Energy, Planning and Rural Affairs



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-809
Ein cyf/Our ref LG/00515/18

David John Rowlands AM
Chair - Petitions committee.

government.committee.business@wales.gsi.gov.uk

March 2018

Dear David

Thank you for your letter of 6 March, regarding petition P-05-809 regarding procedures and processes of Natural Resources Wales (NRW) related to its proposed introduction of fishing byelaws relating to salmon and sea trout.

It is unclear from the petition as to whether this issue has been the subject of a formal complaint to NRW. Individuals that are dissatisfied with the standard of service expected of NRW are able to make a formal complaint, the process for which can be accessed via NRW's website <http://naturalresources.wales/about-us/contact-us/making-a-complaint/?lang=en>

If, after pursuing matters with NRW, complainant remain dissatisfied, the complainant is then open to make a complaint to the Public Services Ombudsman for Wales. The Ombudsman is independent of public bodies and has legal powers to look into complaints about public services and any failure on their part. Details of how to contact the Ombudsman can be found on www.ombudsman-wales.org.uk. Before contacting the Ombudsman, you must first have complained to NRW. Any complaint to the Ombudsman must be made within 12 months of the date on which the complaint was made to NRW. It is of course for the committee to consider whether the petitioners should be advised of the availability of this course of action.

My Department has been liaising with NRW throughout and I have received a significant number amount of correspondence from stakeholders on the issue.

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400
Gohebiaeth.Lesley.Griffiths@llyw.cymru
Correspondence.Lesley.Griffiths@gov.wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

Tudalen y pecyn 65

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

The Welsh Government has made clear in our Natural Resources Policy (NRP), our rivers and seas provide important recreational angling opportunities and economic benefit in rural and coastal communities. I want to see thriving rivers supporting angling and other important economic activities within our rural communities. However, this vision can only be built on a foundation of healthy fish stocks.

NRW has now proposed significant changes to fishing byelaws on the rivers of Wales, primarily to introduce compulsory catch and release across all rivers in Wales for a 10 year period commencing with the fishing season in 2018. NRW received approval of its Board regarding these proposals on 18 January 2018. I subsequently received a formal application to determine the byelaws from NRW on the 20 February, under the provisions contained within the Water Resources Act 1991.

I will therefore consider the range of issues in detail, including the adequacy of the NRW procedures, before making a determination in line with the process set out in the Act.

Until this is completed I am unable to comment on the proposals.

A handwritten signature in blue ink that reads "Regards" on the top line and "Lesley" on the bottom line.

Lesley Griffiths AC/AM

Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig
Cabinet Secretary for Energy, Planning and Rural Affairs

P-05-810 Rhowch Gyfle i Glybiau Pysgota Cymru ac Eog a Brithyll y Môr

Cyflwynwyd y ddeiseb hon gan Reuben Woodford, ar ôl casglu 1,710 o lofnodion ar-lein.

Geiriad y ddeiseb

Rhwystro'r gormodedd o ddal a chadw Eogiaid drwy weithredu cyfyngiadau ar fagiau dal a chadw ar bob afon yng Nghymru am y 4 blynedd nesaf ar sail data penodol i dalgylch mewn ymgynghoriad agos â chlybiau pysgota.

Gweithredu rhaglen stocio gynhwysfawr o bysgod brodorol ar bob afon.

Tynhau a gweithredu deddfwriaeth bresennol er mwyn dileu'r bygythiad o lygredd ffermio a llygredd diwydiant.

Rhwystro pob math o bysgota rhwydi masnachol ar raddfa fawr a gweithrediadau llongau ffactri o amgylch arfordir Cymru am gyfnod o 10 mlynedd.

Blaenoriaethu dyrannu adnoddau i gynorthwyo i reoli materion sy'n benodol i dalgylchoedd sy'n gysylltiedig â chyfraddau ysglyfaethu naturiol gormodol a rhwystrau rhag ymfudiad pysgod.

Etholaeth a Rhanbarth y Cynulliad

Arfon

Gogledd Cymru

P-05-810 Rheoli Pysgodfeydd

Y Pwyllgor Deisebau | 01 Mai 2018

Petitions Committee | 01 May 2018

Papur briffio gan y Gwasanaeth Ymchwil:

Rhif y ddeiseb: P-05-810

Teitl y ddeiseb: Rhowch Gyfle i Glybiau Pysgota Cymru ac Eog a Brithyll y Môr

Testun y ddeiseb:

Rhwystro'r gormodedd o ddal a chadw Eogiaid drwy weithredu cyfyngiadau ar fagiau dal a chadw ar bob afon yng Nghymru am y 4 blynedd nesaf ar sail data penodol i ddalgylch mewn ymgynghoriad agos â chlybiau pysgota.

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Blaenoriaethu dyrannu adnoddau i gynorthwyo i reoli materion sy'n benodol i ddalgylchoedd sy'n gysylltiedig â chyfraddau ysglyfaethu naturiol gormodol a rhwystrau rhag ymfudiad pysgod.

Y cefndir

Rheoli pysgodfeydd mewndirol Cymru

Mae 33 afon yng Nghymru sydd â [stociau o eogiaid](#), ac o'r rhain [dynodir 23 yn brif afonydd i eogiaid \(PDF 155KB\)](#). O'r 23 afon hyn, dynodwyd pedair yn Ardaloedd Cadwraeth Arbennig (ACA) o dan y [Gyfarwyddeb Cynefinoedd Ewropeaidd](#). Mae terfynau cadwraeth a thargedau rheoli ar waith ar y prif afonydd, ac mae'r rhain yn cael eu pennu gan Gyfoeth Naturiol Cymru.

Cyfoeth Naturiol Cymru sy'n gyfrifol am reoli pysgodfeydd mewndirol a physgodfeydd eogiaid yng Nghymru. Mae gan Gyfoeth Naturiol Cymru, fel awdurdodau pysgodfeydd eraill yn y DU, bwerau i lunio is-ddeddfau cenedlaethol a lleol i gynorthwyo gyda chadwraeth

stociau pysgod yn afonydd Cymru. Mae'r is-ddeddfau hyn yn rhoi nifer o gamau rheoli ymdrech ar waith i sicrhau bod defnyddio stociau'n digwydd ar lefelau cynaliadwy. Gall y rhain gynnwys camau fel cyfyngiadau o ran y gêr y gellir eu defnyddio i bysgota gwahanol rywogaethau, yr adegau o'r flwyddyn y gellir pysgota gwahanol rywogaethau ac o ran y lleoliadau y gall gwahanol rywogaethau gael eu pysgota. Un dull rheoli ymdrech o'r fath yw'r 'cyfyngiad ar fagiau', sef gofyniad sy'n cyfyngu ar faint o bysgod y gall pob person eu cymryd bob dydd. Hwn yw'r dull a ddefnyddir gan Inland Fisheries Ireland yn Rheoliadau [Management of the Wild Salmon Fishery 2018](#). Dull arall yw 'dal a rhyddhau'; dyma ofyniad i bob pysgotwr ddychwelyd unrhyw bysgod a ddelir ganddo i'r afon (heb eu lladd).

Stocio pysgod

Stocio pysgod yw'r arfer o fagu pysgod mewn deorfa a'u rhyddhau i'w cynefinoedd naturiol fel ffordd o gynyddu niferoedd pysgod. Defnyddir y dull hwn mewn [pysgodfeydd hamdden](#) fel ffordd o adfer niferoedd y pysgod. Yn ôl rhai sefydliadau, efallai nad stocio yw'r opsiwn rheoli orau bob tro ar gyfer pysgodfa neu gwrs dŵr, a gall defnyddio'r dull hwn gael effeithiau negyddol, trwy leihau amrywiad genetig a chyflwyno cystadleuaeth er enghraifft. Mae gan yr [Ymddiriedolaeth Brithyll Gwyllt](#) doreth o adnoddau ar y pwnc hwn, gan gynnwys papur gan Wasanaeth Ymchwil Pysgodfeydd Gweithrediaeth yr Alban o 2003, [To Stock or Not to Stock?](#) (PDF 456KB) sy'n trafod y mater yn fanwl. Mae'n nodi:

Advice on stocking is contradictory. Proponents raise expectations of large additional catches if the stocked fish survive. Critics emphasise the heavy costs set against the modest, if any, gains shown from past stocking initiatives, as well as the potential threats to health and genetic integrity of existing fish. What is clear is that stocking should only be considered as one of a number of possible courses of action.

Mae sawl clwb pysgota yn penderfynu rhoi'r gorau i ailstocio, gan gynnwys [Clwb Pysgota Dinbych a Chlwyd](#) (PDF 234KB) ar Afon Clwyd.

Ysglyfaethu pysgod

Mae amryw o rywogaethau, gan gynnwys adar a mamaliaid, yn ysglyfaethu pysgod, ond mae'r effaith ar bysgodfeydd yn gymharol anhysbys. Canfu papur ymchwil gan Brifysgol Abertawe, [Fisheries and predators In Wales: a preliminary consultation](#):

Fisheries perceived Great cormorant [*Phalacrocorax carbo*], Grey heron [*Ardea cinerea*], Eurasian otter [*Lutra lutra*], American mink [*Mustela vison*] and crows [*Corvus sp.*] to be the greatest threat to their business, with birds perceived as the biggest threat overall (54%).

Mae'r Ymddiriedolaeth Brithyll Gwyllt wedi cyhoeddi [Papur Gwybodaeth am Ysglyfaethu gan Adar](#). Mae'n nodi:

We believe that the primary focus for fishery interests in tackling predation problems should be the creation and maintenance of complex and varied habitat that gives fish a much greater chance of avoiding predators.

Llygredd amaethyddol

Mae atal llygredd dŵr yn hanfodol i ddiogelu ansawdd dŵr ac, o ganlyniad, iechyd dyfroedd Cymru a'u pysgod. Mae dulliau ffermio mwy dwys wedi arwain at [gynnydd yn y llwyth nitrogen ar diroedd](#), a'r nitrogen a gollir i'r amgylchedd dyfrol.

Nod y [Gyfarwyddeb Nitradau \(91/676/EC\)](#) yw lleihau ac atal llygru dŵr gan nitradau o fyd amaeth. O dan y Gyfarwyddiaeth, mae'n ofynnol i Aelod-wladwriaethau [nodi cronfeydd dŵr wyneb a dŵr daear](#) sy'n cynnwys llawer o nitradau o ffynonellau amaethyddol, neu a allai fod yn eu cynnwys. Ar ôl i'r Aelod-wladwriaethau nodi cronfa ddŵr o'r fath, mae'n ofynnol iddynt ei dynodi'n Barth Perygl Nitradau. Mae'n ofynnol i unrhyw ffermwyr sy'n gweithredu o fewn Parth Perygl Nitradau ddilyn rheolau a chyfyngiadau penodol, sef 'Rhaglen Weithredu'.

Mae'n ofynnol i Aelod-wladwriaethau'r UE adolygu sut y maent yn gweithredu'r Gyfarwyddeb bob pedair blynedd. Mae'n ofynnol iddynt ddefnyddio canlyniadau'r adolygiad i wneud unrhyw newidiadau angenrheidiol i'r dynodiadau Parth Perygl Nitradau a/neu i'r Rhaglen Weithredu. Troswyd y Gyfarwyddeb yng Nghymru gan [Reoliadau Atal Llygredd Nitradau \(Cymru\) 2013](#) sy'n darparu ar gyfer gweithredu a gorfodi'r Gyfarwyddeb Nitradau yng Nghymru ac yn pennu'r gofynion sy'n orfodol o dan y Rhaglen Weithredu i ffermwyr Cymru sy'n gweithredu mewn ardaloedd a ddynodwyd yn Barthau Perygl Nitradau.

Pysgodfeydd môr masnachol

Cychod o dan 10 metr o hyd sy'n pysgota ar raddfa fach yw dros 90 y cant o'r fflyd pysgota yng Nghymru. Yn ôl [ystadegau pysgodfeydd môr blynyddol ar gyfer y DU](#) (Ystadegau MMO 2016) gan y Sefydliad Rheoli Morol, roedd 451 o gychod wedi'u cofrestru mewn porthladdoedd yng Nghymru a 753 o bysgotwyr wedi'u cyflogi yn y sector yn 2016 (roedd 320 neu 42 y cant ohonynt yn rhan-amser). O'r rhain, roedd 419 o gychod o dan 10 metr; a dim ond 32 o gychod oedd dros 10 metr o hyd.

Yn gyffredinol, mae cychod o dan 10 metr o hyd yn cael eu dosbarthu fel rhai graddfa fach gan nad oes ganddynt y gallu i bysgota ar y môr am gyfnodau hir na physgota'r môr mawr.

Datganolwyd rheolaeth dros bysgodfeydd i Gymru drwy [Ddeddf Cymru 2017](#) a [Choncordat Pysgodfeydd y DU](#). Llywodraeth Cymru sy'n gyfrifol am reoli a rheoleiddio pysgodfeydd rhynglanwol, masnachol a hamdden yng Nghymru, gan gynnwys ei moroedd tiriogaethol (0–12 milltir fôr) a Pharth Cymru (fel y nodwyd yng [Ngorchymyn Parth Cymru \(Ffiniau a Throsoglwyddo Swyddogaethau\) 2010](#)).

Mae Gorchymyn 2010 yn rhoi i Weinidogion Cymru swyddogaethau cysylltiedig â physgota, pysgodfeydd ac iechyd pysgod yn yr ardal y tu allan i fôr tiriogaethol Cymru, ond o fewn cyfyngiadau pysgodfeydd Prydain a oedd yn flaenorol yn arferadwy yn unig gan Lywodraeth y DU. [Deddf Pysgod Môr \(Cadwraeth\) 1967](#) yw'r brif Ddeddf a ddefnyddir ar gyfer rheoleiddio pysgota masnachol. Yn ogystal, mae [Deddf Pysgodfeydd Môr \(Pysgod Cregyn\) 1967](#) (fel y'i

diwygiwyd) yn rhoi i Weinidogion Cymru bwerau ychwanegol yn ymwneud â physgod cregyn. Mae [Deddf Pysgodfeydd 1981](#) yn darparu ar gyfer rheoleiddio pysgota môr a gorfodi rheoliadau pysgodfeydd Ewropeaidd yn y DU, yn gysylltiedig â'r [Polisi Pysgodfeydd Cyffredin](#).

Nid yw'r Gwasanaeth Ymchwil wedi dod o hyd i dystiolaeth o gychod rhwyd neu ffatri graddfa fawr sy'n gweithredu ger arfordir Cymru, a chadarnhawyd hyn gan Lywodraeth Cymru yn ei ymateb i'r ddeiseb hon.

Camau gweithredu Llywodraeth Cymru

Mae Ysgrifennydd y Cabinet wedi darparu llythyr mewn ymateb i'r ddeiseb hon (ynghlwm).

Rheoli pysgodfeydd mewndirol Cymru

Mae gan Gyfoeth Naturiol Cymru gyfrifoldeb dros reoli pysgodfeydd eogiaid yng Nghymru ar ran Llywodraeth Cymru. Mae'r corff wedi bod yn mynd drwy broses o ystyried pa gamau ychwanegol y gall fod eu hangen, os o gwbl, i fynd i'r afael â'r dirywiad mewn stociau eog yn afonydd Cymru.

Ar 17 Mawrth 2016, cyflwynwyd [papur](#) i Fwrdd Cyfoeth Naturiol Cymru a oedd yn rhoi'r wybodaeth ddiweddaraf am y camau a gymerwyd gan y corff yn ystod y flwyddyn ddiwethaf i fynd i'r afael â'r dirywiad o ran stociau. Mae hefyd yn amlinellu cynigion ar gyfer gweithredu pellach. Roedd y papur yn nodi, er nad yw Cyfoeth Naturiol Cymru o'r farn mai pysgota â gwialenni a rhwydi yw prif achos y dirywiad o ran stociau, mae'n credu y gellir cynyddu nifer y pysgod sy'n goroesi i'r cam silio mewn afonydd yng Nghymru, yn y tymor byr, 'dim ond os bydd pysgotwyr gwialen a rhwyd yn rhoi'r gorau i'r lladd yn gyfan gwbl'. Mae Cyfoeth Naturiol Cymru wedi datgan bod dal a rhyddhau yn ffafriol o'i gymharu â chau pysgodfeydd yn gyfan gwbl, gan fod hynny'n galluogi llawer o fanteision cymdeithasol-economaidd y pysgodfeydd i barhau.

Mae Cyfoeth Naturiol Cymru yn datgan ei fod wedi ymgynghori'n ffurfiol ac yn anffurfiol â physgotwyr a grwpiau pysgodfeydd lleol ar y camau posibl y gellir eu cymryd i reoli stociau eogiaid, gan gynnwys drwy holiadur.

Yn 2017, cynhaliodd NRW ymgynghoriad, [Ymgynghoriadau rheoliadau dalfeydd eogiaid a sewin 2017](#). Roedd tair rhan i'r ymgynghoriad:

- Y cais am Orchymyn Cyfyngu Net 'Cymru Gyfan' 2017 adnewyddedig;
- Cynigion ar gyfer is-ddeddfau pysgota â gwialenni a rhwydi newydd trwy Gymru gyfan (ac eithrio afonydd trawsffiniol Dyfrdwy, Hafren a Gwy); a
- Chynigion ar gyfer 'Is-ddeddfau Trawsffiniol (Cymru)' newydd i fynd i'r afael â materion yn ymwneud â'r tair afon hynny.

Cyhoeddodd Cyfoeth Naturiol Cymru [Grynodeb Gweithredol](#) sy'n ymdrin â'r opsiynau a ystyriwyd. Dyma ei gasgliad ynghylch cyfnod o 10 mlynedd:

a 'zero kill' policy for salmon and some identified sea trout stocks through statutory catch-and-release fishing with appropriate restrictions on fishing methods – regulation of exploitation through new byelaw.

Stocio Pysgod

Mae stocio eogiaid a brithyllod môr yn ddull a ddefnyddiwyd yn flaenorol yng Nghymru i gynyddu niferoedd pysgod. Fodd bynnag, ym mis Rhagfyr 2013, adolygodd Cyfoeth Naturiol Cymru ei weithgareddau stocio ar gyfer eogiaid a brithyllod môr a deorfeydd cysylltiedig:

Daeth yr adolygiad i'r casgliad, ar sail tystiolaeth wyddonol, fod defnydd Cyfoeth Naturiol Cymru a trydydd partion o stocio eogiaid er mwyn cynyddu a lliniaru yn arwain at ganlyniadau gwael i boblogaethau eogiaid ac y gallai fod effeithiau negyddol.

Yn dilyn [ymgyngoriad cyhoeddus yn 2014](#), daethpwyd â'r dull stocio i ben ar gyfer eogiaid a brithyllod y môr.

Llygredd Amaethyddol

Ar 29 Medi 2016, cyhoeddodd Llywodraeth Cymru [ymgyngoriad](#) ar yr adolygiad o Barthau Perygl Nitradau yng Nghymru. Roedd yr ymgynghoriad yn gofyn am safbwyntiau am y cynigion ar gyfer dynodiadau Parth Perygl Nitradau yn y dyfodol a newidiadau i'r Rhaglen Weithredu bresennol. Mewn [datganiad ysgrifenedig](#) ar 13 Rhagfyr 2017, dywedodd Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig:

...mae'n rhaid gwella'r ffordd y caiff ein dŵr ei warchod rhag llygredd amaethyddol. Rwyf o blaid cyflwyno dull cenedlaethol i ymdrin â llygredd nitradau sy'n deillio o waith amaethyddol.

Ar 22 Mawrth 2018, yn ystod gwaith [craffu gan y Pwyllgor Newid Hinsawdd, yr Amgylchedd a Materion Gwledig](#), dywedodd Ysgrifennydd y Cabinet mewn ymateb i gwestiynau am lygredd amaethyddol a'r hyn sy'n cael ei wneud i sicrhau nad yw ffermwyr yn parhau â'r camymddwyn ("malpractice"):

The voluntary approach clearly hasn't worked on its own, so let's have a voluntary approach with some regulation.

Camau gweithredu Cynulliad Cenedlaethol Cymru

Cyn yr ymgynghoriad yn 2017 gan Gyfoeth Naturiol Cymru, trafododd y Pwyllgor Deisebau ddeiseb [P-05-703 Cynnig i ohirio'r Cyfyngiadau ar Bysgota yn Afonydd Cymru](#). Trafododd y Pwyllgor y ddeiseb am y tro cyntaf a chytunodd i'w chau. Cytunodd hefyd ar anfon sylwadau'r deisebydd at Gyfoeth Naturiol Cymru cyn ymgynghoriad arfaethedig y Pwyllgor ar fesurau rheoli stoc eogiaid a oedd i'w gynnal yn wreiddiol tua diwedd 2016/dechrau 2017.

Mewn [cwestiwn](#) yn y Cyfarfod Llawn ar 14 Chwefror 2018, gofynnodd Neil Hamilton AC i Lesley Griffiths AC, Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig, roi barn ynglŷn â "chynigion... i roi polisi dal a rhyddhau gorfodol ar waith am 10 mlynedd". Atebodd

Ysgrifennydd y Cabinet ei bod hi'n "aros i Cyfoeth Naturiol Cymru gyflwyno eu hargymhellion".

Cododd Neil Hamilton AC y mater o "ysglyfaethu gan adar sy'n bwyta pysgod" a "graddau llygredd afonydd". Cydnabu Ysgrifennydd y Cabinet y "cryn dipyn o lygredd amaethyddol yn ein hafonydd", gan nodi y byddai'n gofyn i Weinidog yr Amgylchedd godi'r mater gyda Chyfoeth Naturiol Cymru yn ei chyfarfod rheolaidd nesaf.

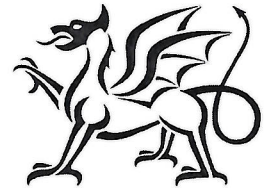
Ar 15 Chwefror 2018, gofynnodd Janet Finch-Saunders AC [gwestiwn ysgrifenedig](#) i Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig, gan ofyn iddi "roi cyfiawnhad dros yr argymhelliad... y dylid cyflwyno polisi dal a rhyddhau". Ymatebodd Ysgrifennydd y Cabinet:

NRW will now make a formal application to me to determine the byelaws under the Water Resources Act 1991.

Once I receive the formal application from NRW, hopefully later this month, I will consider the range of issues in detail before making a determination in line with the process set out in the Act. However, until this process is completed I am unable to comment further on the proposals.

Gwneir pob ymdrech i sicrhau bod y wybodaeth yn y papur briffio hwn yn gywir adeg ei gyhoeddi. Dylai darllenwyr fod yn ymwybodol nad yw'r papurau briffio hyn yn cael eu diweddarau o reidrwydd na'u diwygio fel arall i adlewyrchu newidiadau dilynol.

Lesley Griffiths AC/AM
Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig
Cabinet Secretary for Energy, Planning and Rural Affairs



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-810
Ein cyf/Our ref LG/00516/18

David John Rowlands AM
Chair - Petitions committee.

government.committee.business@wales.gsi.gov.uk

20 March 2018

Dear David

Thank you for your letter of 6 March, regarding petition P-05-810, regarding proposals for an alternative approach to resolving the issue of reducing salmon and sea trout stock in the rivers of Wales.

Fresh water and migratory fisheries in Wales are managed by Natural Resources Wales (NRW) (in line with the statutory duty under section 6(6) of the Environment Act 1995 to "maintain, improve and develop fisheries of salmon, trout, eels, lampreys, smelt and freshwater fish").

Detailed management measures and operational decisions such as stocking of rivers are a matter for NRW and its Board.

The Welsh Government has made clear in our Natural Resources Policy (NRP), our rivers and seas provide important recreational angling opportunities and economic benefit in rural and coastal communities. I want to see thriving rivers supporting angling and other important economic activities within our rural communities. However, this vision can only be built on a foundation of healthy fish stocks.

To address the poor state of salmon and sea trout in our rivers NRW has proposed significant changes to fishing byelaws on the rivers of Wales. These byelaws would introduce compulsory catch and release for salmon across all rivers in Wales for a 10 year period commencing with the fishing season in 2018. NRW received approval of its Board regarding these proposals on 18 January 2018. I subsequently received a formal application to determine the byelaws from NRW on the 20 February, under the provisions contained within the Water Resources Act 1991.

Bae Caerdydd • Cardiff Bay
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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

Tudalen y pecyn 74

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

I will therefore consider the range of issues in detail, including the alternative proposals submitted by stakeholders during NRW's consultation, before making a determination in line with the process set out in the Act. Until this is completed I am unable to comment on the proposals.

In relation to industrial and agricultural pollution my department continues to report to the European Commission over river pollution. It is disappointing to see the number of pollution incidents still increasing. Poor land management is something the Welsh Government is determined to tackle. The Welsh Government expects to receive recommendations from the Wales Land Management Forum Sub-group by the end of March on Agricultural Pollution. While we intend to explore options to provide land managers with flexibility, where these would achieve the same or better outcomes than a regulatory approach, voluntary measures alone will not tackle the issue, and it is envisaged regulations applying to the whole of Wales will underpin any action.

I want to assure you and the petitioners there is no large scale netting or factory ships operating around the Welsh coast.

I am very aware, like other countries in the North Atlantic, Wales is subject to a variety of natural predation with regard to salmon and sea trout stock. Whilst I have a desire to ensure sustainable fish stocks are achieved in the rivers of Wales, it is important to be aware both cormorants and goosanders are protected species in Wales under the Wildlife and Countryside Act 1981 (WCA 1981).

When NRW came into operation on 1 April 2013, the function of issuing licences to shoot piscivorous birds was given outright to the NRW. Under section 16 (1) of the WCA 1981 a licence should be issued primarily as an aid to scaring birds away from a particular location. NRW urge angling interests to operate on a large geographic scale in order to avoid the issue of 'moving birds from one pool to another'.

In regard to removal of barriers to fish migration, Welsh Government provided Grant in Aid of £800k per annum for over 10 years to the Environment Agency Wales (now NRW) to facilitate the draw down of EU and partnership funding. This has contributed to a total spend on environmental and access improvements of £32million over 10 years. This investment resulted in more than 1,500km of improved access (fish passes and easements) and more than 500km of riparian and in-river habitat improvements.

Regards
Lesley

Lesley Griffiths AC/AM

Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig
Cabinet Secretary for Energy, Planning and Rural Affairs

**Sustainable Management - Salmonid Fisheries & Angling Communities Wales
(Originator: Reuben Woodford)**

In support of petition to be considered on 1 May 2018

Background to our petition

NRWs Fisheries Stock Control Byelaws are NOT a proportionate response to the current pressures our salmonid fisheries face.

The primary problem impacting salmon stocks is not exploitation by anglers or a lack of adult salmon reaching spawning sites. The decline in salmon stocks has been caused by a multiple of adverse conditions both in-river and at sea, NRW accepts that angler exploitation is not a root cause but is failing to address the root causes.

It is the losses from eggs deposited to smolts i.e. young salmon migrating to sea which is the key to reversal of the decline. The NRW technical case claims that by increasing the numbers of salmon reaching the spawning grounds this will reverse the decline, after more than 20 years on some rivers of compulsory catch and release there is no evidence that this improves the number of smolts which reach the sea.

Causes of excessive egg and juvenile mortality are numerous e.g. siltation of spawning gravels; water pollution; natural predation; barriers to seaward migration and increasing climatic variability with climate change. Whilst man plays an obvious part in influencing such variables; anglers do not pillage spawning gravels for fish eggs, nor do they fish for juvenile salmonids. How therefore have anglers become the primary target for ill advised action that poses such a substantial risk to the Welsh economy, Welsh community culture and the very relationships that current future fisheries management is dependent upon (and thus future sustainability).

It is known by NRW that 40% to 50% of smolts are lost, as they migrate to the sea, to predation mainly to fish eating birds i.e. goosander, merganser. It should be noted that goosander and merganser were not native birds; they were winter migrants and have no predators in the UK. They arrived in Scotland in the 1950's and there are now more than 1000 nesting pairs in Wales each bird will eat 146Kg of fish per year and according to the British Trust for ornithology it takes 33Kg of fish to raise one chick to adult, these birds have broods of 10 plus and only eat fish, they predate on salmonid stocks from egg to smolt. Further smolt predation is caused by cormorants on their migration to the sea; controlling avian predation would have a far greater effect on reversing the decline than the draconian proposals in the byelaws.

In 2016 a natural resources report, found 63% of all freshwater courses in Wales were not achieving the necessary status. Other than reducing fishing effort NRW's proposals will do little or nothing to reverse the decline in fish stocks. Nothing in the proposals will improve this. Additionally, efforts to improve fisheries by stakeholders have been obstructed by the WG agencies as stakeholder initiatives were perceived as a threat by agency employees and thus permits for any habitat works have either been withheld or refused in many cases.

Since our petition and lobbying of the Welsh Government in a press release on 24 April from NRW there is now to be a deferment on the proposed byelaws until 2019. The press release deliberately uses emotive words e.g. 'uncontrolled killing' but recognises that is by a minority, this is not based on any objective evidence just hearsay and personal beliefs and opinions. We know from the press release that NRW will not consider any further negotiation on the measures. It is time for obstructive practices of this nature to cease. They should have no part in exemplary approaches devised to promote sustainable fisheries and communities.

We therefore request that the petitions committee support our request for an inquiry as per Section 26 of the Water Resources Act 1991. Without an inquiry we cannot voice our concerns or more effective solutions to the Welsh Government. It should be noted that more than 83% of respondents to the NRW consultation on the byelaw proposals objected, our objections were dismissed out of hand and we were asked to withdraw them.

The aims of our Petition

The crux of the matter is that changes to the proposed byelaws by NRW will have little or no effect on reversing the decline in salmon stocks but will have a significant impact upon the socio-economics of rural communities in Wales. The consequential impacts of the byelaws would not benefit future generations and due to the extent of method restrictions would destroy the cultural positivity that angling provides.

During the consultation upon NRW's byelaws we stated the methodology used by NRW (and EA/European countries) was flawed. Working with the North West Anglers Trust Consultative Committee (England) we jointly funded a review of the methodology, by consultants from Dublin University. This is an independent review of the statistical methodology used in the UK. The statement and report received from the consultant statisticians from Dublin University supports our claims that there are serious concerns over the data used by both NRW and the EA which underpin their case for new byelaws. A copy of our consultants report has been forwarded to the Cabinet Secretary.

The Salmon & Sea Trout fishing community in Wales call for a proportionate and targeted response that incorporates key components within its strategy:

- In order to prevent the excesses of fish keep, introduce catchment specific targets managed by angling clubs creating resilience for angling clubs, recognising that all catchments have unique characteristics.
- Comprehensive stocking programmes of native fish based on best practice examples. As successfully demonstrated through third party stocking on the Conwy and Dovey.
- Tighten and enforce legislation to control the widespread impact of pollution, in particular pollution from agriculture.
- Investigate and prevent by-catch of smolts/salmon by pelagic trawlers and other net fishing at sea.
- Meaningful prevention of excessive natural predation rates upon salmonids in particular from piscivorous birds.
- Remove barriers to fish migration and prevent irresponsible developments incorporating new ones within our river systems.

We must continue to restore and enhance our river habitats so that they are optimised to support adult and juvenile fish and that we continue to improve our understanding and evidence base in relation to fish stocks both in their riverine and ocean habitats. It seems incomprehensible that NRW's proposed byelaws offer little means of improving fish stocks and bring immediate risk to their own evidence base and to angling.

You may be told that the improvements on the Wye justify these draconian measures i.e. that the imposition of total Catch & Release (C&R) in 2012 has resulted in some improvement in Wye salmon stocks. The reality, is this improvement has been as a result of the work of the Wye & Usk Foundation, who over 15 years has carried out habitat restoration, acid waters amelioration, removal of circa 60 fish passes and easements, net buy offs etc. There is no evidence from any river system in the UK that C&R measures, which have been in place on some Scottish rivers for more than 20 years, are effective in re-establishing salmon stocks. In all instances, we are allowing adult salmon to return to environments depleted in their ability to support spawning and juvenile fish without addressing critical and obvious causes.

NRW's proposed byelaws have taken little or no notice of stakeholders concerns; 83% of respondents to NRW's consultation did not support the byelaw proposals and NRW's own Board Members in January 2018 had to remind the Chair this was not an acceptable partnership situation and must as a matter of urgency be rectified – this has not been done and thus the stakeholder partnership hangs in the balance.

Nobody is in doubt, that Salmon stocks in particular, are showing significant variability and as a consequence anglers have adopted behaviours that contribute to a precautionary approach (most salmon anglers return all of the fish they catch). As anglers we play a significant part in promoting conservation measures and proportionate catch and release is now well established across all fisheries. In contradiction to a recent trend, fishing club figures show salmon runs in 2017 in many Welsh rivers were above average. EA/NRW has failed to provide their 2017 season dataset presumably as these may undermine their beliefs. Adverse weather conditions between 2011 and 2015 have caused poor recruitment of Salmon although the impact varies between individual catchments. NRW recognises that anglers are not the problem and a FOI from CEFAS acknowledges that these proposals will do little or nothing to reverse a perceived decline. NRW's focus is simply in the wrong place.

Our current fear is that WG will be persuaded to approve the proposals without providing the major stakeholders a chance to offer a workable solution which does not require legislation. No revised system can work without communities playing their part and being integral to its development.

We must as a matter of urgency apply a revised response; this is being denied to us by NRW hence the petition. We must establish a strategy for Salmonid Fisheries that is proportional to the issues and establishes a way forward that is supported by all key players. We have support from clubs and river trusts across Wales. Having talked to, and having the support of, both the North Wales Rivers Trusts and Afonydd Cymru, we would offer the following solution. These are our outline proposals:

- Use the Rivers Trusts, working in co-operation with stakeholders and NRW to assess stock levels in individual river systems. Trusts, using their local volunteers, have far better' knowledge of their rivers and can obtain accurate catch returns and stock assessments from clubs. We could then categorise our rivers as has been done in Scotland and Ireland. If rivers require additional restrictions due to low stock levels at least we would have the support of the affected clubs as we will be working in partnership with them.

We must recognise that currently not all rivers in Wales are failing to meet their conservation limits (the threshold stated by NASCO as the key indicator of risk to stocks) and yet NRW are attempting to apply a pan Wales action that implies they are.

- By working with clubs we can involve the local community in assessing the state of their rivers and work with them to ensure workable conservation measures are put in place.
- Afonydd Cymru would act as the co-ordinator for the Rivers Trusts and would liaise with NRW on technical matters. This would be cost neutral and would go a long way to bridge the budget gap NRW fisheries are now facing.
- This approach would include stocking of our rivers. In terms of stocking, NRW object to this based purely on personal beliefs and opinions that stocking is harmful. There is not a scientific case that backs this opinion up. The stocking on

the Conwy and Dovey demonstrated that at no cost to NRW/WG the decline in salmon numbers can be reversed.

If we are to sustain Wales Salmonid Fisheries we must, work together. We must participate in a manner that instils trust and mutual respect within partnerships in order to galvanise a transitioned and adaptive process to optimised fisheries. In the absence of partnerships, desired outcomes can only be a pipe dream. It makes no sense that NRW are failing to see that trust, within cooperative partnership, is something you develop and not retro fit to bulldozed draconian byelaws. We are very much reliant on WG to work with us on this and adjudicate and rectify a situation that has got out of hand.

The Welsh Government has clarified in its Natural Resources Policy (NRP), that our rivers and seas provide important recreational angling opportunities and economic benefit in rural and coastal communities. If WG recognises the economic and social benefit of fisheries, they must understand the byelaws would bring a significant reduction in revenue from anglers and angling visitors due to the restrictions the byelaws impose. Not only would we be actively promoting a net export of fishing tourism, we would be denying our own people a life experience shared between generations across generations. Fishing has been given no custodianship in this process. We must all be reminded, the proposed byelaw changes cannot significantly improve fish stocks – the remit we have all been given.

The Minister wants to see thriving rivers supporting anglers, the alternative measures we propose are the optimal option to achieve this. Angling institutions are best placed to improve their rivers and yet they are being prevented from doing this effectively. NRW are obstructing these improvements based on personal beliefs and opinion. It has been pointed out that WG/NRW are delinquent in the way these proposals have been published.

If the new byelaws are implemented without stakeholders' objections being addressed, as required by the Water Resources Act 1991, the Welsh Government can be accused of presiding over a situation that is not appropriate for a 21st century western democracy.

Under Section 26 of the Water Resources Act 1991 there is provision for an inquiry should objections not be dealt with, we have written to the Minister pointing this out. It is clear that there has been pre-determination in the implementation of the NRW byelaws and method restriction proposals and whilst it is accepted that action needs to be taken in order to reverse the decline in salmon stocks, these proposals will not achieve this whilst alternative options can.

Without stakeholder involvement it is inconceivable on the basis of the evidence before us, that the decline in salmon stocks will be reversed. We cannot allow the current and future management of this situation to be dominated by a myopic approach created by a regulatory organisation in budgetary, resource and aspirational deficit. We must, for the future of Wales fisheries and the economic and social prosperity that angling provides to its citizens, work together on an integrated strategy.

There is no doubt, without the support of the fishing fraternity and like minded organisations, our rivers would be depleted of their primary custodians.

Eitem 2.5

P-05-811 Rhoi'r gorau i ddefnyddio ardystiad gweithwyr ar brosiectau Llywodraeth Cymru

Cyflwynwyd y ddeiseb hon gan Paul Fear, ar ôl casglu 66 o lofnodion ar-lein.

Geiriad y ddeiseb

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i roi'r gorau i ddefnyddio a hyrwyddo ardystiad gweithwyr ar gontractau Llywodraeth Cymru.

Mae ardystiad gweithiwr yn gynllun trwyddedu galwedigaethol wedi'i breifateiddio.

- 1) Mae'n annemocrataidd ac yn amharu ar egwyddorion y gyfraith gyffredin (hawliau tad-cu).
- 2) Mae'n rhoi cost hyfforddi a chymwysterau ar weithwyr, yn enwedig gweithwyr hunangyflogedig a gweithwyr asiantaeth sydd heb fawr o siawns o gael grantiau na chyllid.
- 3) Mae'n lleihau'r siawns o symud i fyny ar gyfer y tlotaf mewn cymdeithas.
- 4) Mae'n atal symudedd gweithwyr, ar adeg pan mae angen gweithlu hyblyg arnom.
- 5) Mae'n caniatáu i fuddiannau corfforaethol gael rheolaeth dros weithlu cyfan ein sectorau economaidd, gan gynyddu costau busnesau bach ac isgontractwyr.
- 6) Mae'n hyrwyddo ceisio rhent, sy'n golygu bod defnyddwyr yn talu mwy am gynhyrchion a gwasanaethau.
- 7) Mae'n lleihau cynhyrchedd.
- 8) Mae'n doreithiog a bydd yn ymledu i bob sector economaidd.
- 9) Gall greu gwrthdaro o ran buddiannau.
- 10) Nid oes tystiolaeth bod ardystio gweithwyr yn gwella ansawdd na safon crefftwaith.
- 11) Mae profiad, sgiliau a gwybodaeth yn lleihau risgiau iechyd a diogelwch, a gellir cyflawni'r rhain a'u profi heb gymwysterau.
- 12) Mae'n cynyddu cost prosiectau cyhoeddus.

13) Os oes angen gofynion cymhwyster ar ddiwydiant, yna dylai ein llywodraeth a etholwyd yn ddemocrataidd greu deddfwriaeth.

Etholaeth a Rhanbarth y Cynulliad

- Dwyrain Casnewydd
- Dwyrain De Cymru

Papur Briffio ar gyfer y Pwyllgor Deisebau

Y Pwyllgor Deisebau | 1 Mai 2018
Petitions Committee | 1 May 2018

Papur briffio gan y Gwasanaeth Ymchwil:

Rhif y ddeiseb: P-05-811

Teitl y ddeiseb: Rhoi'r gorau i ddefnyddio ardystiad gweithwyr ar brosiectau Llywodraeth Cymru

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i roi'r gorau i ddefnyddio a hyrwyddo ardystiad gweithwyr ar gontractau Llywodraeth Cymru.

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ddemocrataidd greu deddfwriaeth.

1. Cynlluniau ardystio gweithwyr

Un o'r cynlluniau ardystio gwaith mwyaf cyffredin yn y DU yw'r Cynllun Ardystio Sgiliau Adeiladu (CSCS). Mae cardiau CSCS yn darparu tystiolaeth bod gan unigolion sy'n gweithio ar safleoedd adeiladu yr hyfforddiant a'r cymwysterau angenrheidiol ar gyfer y math o waith y maent yn ei wneud.

Mae [nifer o gardiau Cynllun Ardystio Sgiliau Adeiladu \(CSCS\)](#) ar gael. Yn dibynnu ar ba gerdyn sydd ei angen, efallai y bydd gofynion gwahanol o ran cymwysterau gofynnol. Mae [offeryn 'darganfod cerdyn'](#) ar wefan y cerdyn CSCS, sy'n caniatáu i bobl sefydlu pa gerdyn sy'n addas ar gyfer eu dewis gyrfa a pha gymwysterau sydd eu hangen i'w gael.

Nid yw'n [ofyniad deddfwriaethol](#) i gael cerdyn CSCS. Penderfyniad y prif gontractwr neu'r cleient yw p'un a yw'n ofynnol i weithwyr ddal cerdyn cyn iddynt gael mynediad i safle. Fodd bynnag, mae'r rhan fwyaf o brif gontractwyr a phrif adeiladwyr tai yn mynnu bod gan y gweithwyr adeiladu ar eu safleoedd gerdyn CSCS dilys.

Er mwyn cael unrhyw gerdyn CSCS rhaid i ymgeisydd gwblhau [Prawf iechyd, diogelwch ac amgylchedd CITB](#) yn gyntaf. Unwaith eto, mae profion gwahanol ar gael yn dibynnu ar lwybr gyrfa dewisol yr ymgeisydd. Mae rhagor o fanylion ar sut i ddewis y prawf cywir ar wefan CSCS, naill ai drwy ei offeryn darganfod cerdyn neu drwy [fideo ar-lein](#).

Mae cardiau CSCS yn costio £30 ac mae prawf iechyd, diogelwch ac amgylchedd ar wahân y CITB yn costio £19.50. Mae yna sefydliadau sy'n cynnig gwasanaethau gwneud cais am gerdyn. Mae'r CITB yn argymhell:

If you are being charged more than £30 for a card or £19.50 for a CITB Health, safety & environment test, check that you understand what additional services you will receive.

Penderfynir ar gost yr hyfforddiant i gefnogi pobl i basio'r prawf gan y cwmnïau hyfforddi niferus sy'n darparu hyfforddiant a bydd yn amrywio yn dibynnu ar bwy sy'n darparu'r hyfforddiant ac ym mhle yn y DU y mae'r cwrs yn cael ei gyflwyno.

2. Barn Llywodraeth Cymru

Mae llythyr Llywodraeth Cymru at y Pwyllgor yn nodi ei fod

yn defnyddio Cronfa Ddata Gwybodaeth am Gymwysterau Cyflenwyr wrth ddewis cyflenwyr, sy'n gofyn cwestiwn dewisol ynghylch y Cynllun Ardystio Sgiliau Adeiladu (CSCS), neu unrhyw system ardystio gyfatebol. Yn ymarferol, golyga hyn fod pob prosiect adeiladu yn cael ei asesu i benderfynu a yw natur y prosiect yn ei wneud yn ofynnol i gontractwyr gadarnhau fod gan eu gweithlu ardystiad CSCS.

Mae'r llythyr yn mynd ymlaen i nodi bod Llywodraeth Cymru 'bob amser yn awyddus i'r dulliau caffael gael eu hadolygu' ac y bydd 'yn monitro datblygiad y ddeiseb' i weld a oes unrhyw ffyrdd eraill o sicrhau diogelwch gweithwyr.

2.1 Cronfa ddata gwybodaeth am gymwysterau cyflenwyr (SQuID)

Mae'r [gronfa ddata gwybodaeth am gymwysterau cyflenwyr \(SQuID\)](#) yn offeryn sydd wedi'i gynnwys yn y Wefan Gaffael Genedlaethol, [GwerthwchiGymru](#) ac mae'n cynnwys tair elfen. Mae [Cyflwyniad Llywodraeth Cymru i'r SQuID](#) yn tynnu sylw at y ffaith bod y tair elfen yn cynnwys

Yn gyntaf, set o gwestiynau SQuID. Yn ail, cronfa ddata o atebion gan gyflenwyr sydd wedi'u storio er mwyn eu haildefnyddio. Yn drydydd, offeryn ar gyfer prynwyr sy'n creu holiadur ar gyfer dewis drwy ddefnyddio dull seiliedig ar risg, ar gyfer pob prosiect caffael.

Y syniad yw y bydd yr elfennau hyn yn rhoi nifer o fanteision o'u defnyddio gyda'i gilydd:

- Mwy o **effeithlonrwydd** i gyflenwyr a phrynwyr, drwy allu storio cwestiynau ac atebion safonol i'w defnyddio yn y dyfodol, drwy ofyn y nifer lleiaf posibl o gwestiynau; a hefyd drwy gymhell prynwyr i beidio â gofyn am wybodaeth gan gyflenwyr oni bai eu bod yn glir ynghylch sut yn union y bydd y wybodaeth yn cael ei defnyddio.
- Mwy o **safoni** ar y cam dewis, gan roi'r gallu hefyd i **addasu** cwestiynau i gwrdd â'r anghenion penodol ar gyfer pob ymarfer caffael.
- Mwy o **dryloywder** yn y broses dewis a'r ffordd o werthuso ymatebion – fel y bydd yn hawdd i gyflenwyr benderfynu a fyddant am gynnig am gyfle penodol neu beidio, a sut i gyflwyno'r cynnig gorau posibl mewn ffordd effeithiol.
- Proses sy'n agored, yn deg ac yn dryloyw i bawb – fel y bydd gwell **cyfleoedd** gan fusnesau bach a chanolig eu maint a busnesau lleol i gystadlu ar sail gyfartal drwy gael set o gwestiynau pwrpasol a fydd yn dileu rhai o'r rhwystrau diangen sy'n eu hatal rhag cystadlu.

Pwrpas y SQuID yw helpu prynwyr i reoli risgiau (o fethu â chyflawni prosiect) mewn ffordd gytbwys drwy ofyn cwestiynau perthnasol a chymesur. Drwy gael contract tymor byr ar raddfa fach lle y mae'r costau a risgiau eraill o fethu'n isel, bydd llai o alw am reolaeth fanwl ac felly bydd yr ymarfer caffael yn fwy effeithlon.

Diweddarwyd y system SQuID gyfredol ar 26 Chwefror 2015, mewn ymateb i gyflwyno [Rheoliadau Contractau Cyhoeddus 2015](#) Llywodraeth y DU.

3. Rhagor o wybodaeth

Mae'r deisebydd wedi cyd-ysgrifennu erthygl gyhoeddedig, drwy'r Sefydliad Materion Economaidd, dan y teitl '[Voluntary worker certification is occupational licencing by stealth](#)', sy'n ymwneud â'r pryderon a godwyd yn y ddeiseb hon.

Gwneir pob ymdrech i sicrhau bod y wybodaeth yn y papur briffio hwn yn gywir adeg ei

gyhoeddi. Dylai darllenwyr fod yn ymwybodol nad yw'r papurau briffio hyn yn cael eu diweddarau o reidrwydd na'u diwygio fel arall i adlewyrchu newidiadau dilynol.

Mark Drakeford AC/AM
Ysgrifennydd y Cabinet dros Gyllid
Cabinet Secretary for Finance



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-811
Ein cyf/Our ref MD/00156/18

David John Rowlands AM
Chair - Petitions committee.
National Assembly for Wales
Cardiff Bay
Cardiff Bay
CF99 1NA

government.committee.business@wales.gsi.gov.uk

10 Ebrill 2018

Diolch am eich ebost dyddiedig 15 Mawrth, yn rhoi manylion deiseb gan Mr Paul Fear yn gofyn i Lywodraeth Cymru roi'r gorau i ddefnyddio a hyrwyddo ardystiad gweithwyr ar gontractau Llywodraeth Cymru.

Mae Llywodraeth Cymru yn gweld manteision gofyn am ardystiad gweithwyr mewn rhai achosion a defnyddir dull gymesur o ofyn am ardystiad gyda prosiectau adeiladu. Mae angen bod yn ddoeth wrth ddefnyddio cynlluniau ardystio i sicrhau bod prosiectau adeiladu yn cael eu cynnal yn ddiogel a chymwys, ac i alluogi contractwyr llai, lleol a masnachwyr i dderbyn gwaith uniongyrchol ac gwaith ar is-gontract.

Mae Llywodraeth Cymru yn defnyddio Cronfa Ddata Gwybodaeth am Gymwysterau Cyflenwyr wrth ddewis cyflenwyr, sy'n gofyn cwestiwn dewisol ynghylch y Cynllun Ardystio Sgiliau Adeiladu (CSCS), neu unrhyw system ardystio gyfatebol. Yn ymarferol, golyga hyn fod pob prosiect adeiladu yn cael ei asesu i benderfynu a yw natur y prosiect yn ei wneud yn ofynnol i gontractwyr gadarnhau fod gan eu gweithlu ardystiad CSCS.

Bwriad Llywodraeth Cymru yw sicrhau bod costau defnyddio contractau cyhoeddus, gan gynnwys cyflogi drwy'r gadwyn gyflenwi, yn cael ei gadw cyn ised â phosibl.

Caiff y cynllun ardystio CSCS ei weithredu gan gwmni cyfyngedig dielw. Mae eu cyfarwyddwyr o sefydliadau cyflogwyr ac undebau sy'n cynrychioli'r diwydiant yn gyffredinol. Mae'r costau sy'n gysylltiedig ag ardystiad CSCS yn £30 am y cerdyn ei hun ac mae prawf lechyd, diogelwch a'r amgylchedd CITB yn costio £19.50.

Rwyf bob amser yn awyddus i'r dulliau caffael gael eu hadolygu i edrych ar ffyrdd eraill o sicrhau bod prosiectau adeiladu y sector cyhoeddus yn cynnig yr amgylchedd mwyaf diogel posibl i'r holl weithwyr hynny sy'n rhan o gyflawni'r cynlluniau. Byddaf yn monitro datblygiad y ddeiseb i ddeall a oes dull arall o gyflawni hyn.

In gywir.
Mark

Mark Drakeford AM/AC
Ysgrifennydd y Cabinet dros Gyllid
Cabinet Secretary for Finance

**P-05-811 Stop Using Worker Certification on Welsh Government Projects –
Correspondence from Petitioner to Committee, 20.04.18**

For the attention of the Welsh Assembly Petitions committee (date
20/04/2018)

Reference number P-05-811

Paul Fear

Personal profile.

Carpenter, with over 35 years experience in the construction industry.
Working on civil engineering projects, new house build and renovations/
extensions to domestic property. I also have a HND in computing/ business
systems analysis.

Documents/articles referred to in this evidence have been attached to the
email.

In response to Professor Mark Drakeford AM correspondence (ref MD/
00156/18)

- 1) The Minister refers to a proportionate and intelligent use of worker
certification schemes.

This statement seems to contradict the Welsh governments own
(construction procurement strategy executive summary and action plan)
page 19 refers to construction supply side commitments. This states “ All
professional and site staff will hold Construction Skills Certification Scheme
(CSCS) cards or equivalent.”

I would like the minister to clarify this statement, I would also like the
minister to give details of other so called “ voluntary” health & safety
certification schemes that the Welsh government uses.

- 2) The minister calculates the total cost of a CSCS card to be £49.50.

The true cost of a CSCS card for an experienced tradesman is.

NVQ2 one day assessment £1,500

Day off work for the assessment Approximately £100

Another day off work for the CITB health & safety test £100

A health and safety book needed for revision £20

The test £19.50

The card £30

Days of work lost waiting for the CSCS card to arrive, 10 days £1000

So the true cost to a worker for a CSCS card can be as much as £2,769.50

For a small business trying to get their employees CSCS certified to work on a Welsh government project the cost can run into tens of thousands of pounds.

- 3) The minister makes reference to the directors of CSCS.ltd representing employers and employees from the breadth of the industry.

The trade unions on the board of CSCS do NOT represent the vast majority of construction employees. The biggest construction union was UCATT that has now merged with UNITE union. Their membership was just 80,000. Over 3 million people work in the construction industry, most are self employed subcontractors or agency workers who are not members of a union. Further more, most union members are in full time employment and have their CSCS costs paid by their employers. As for employer representation only the federation of master builders has a few small construction companies as

members. The other directors of CSCS represent large & corporate employers.

The control of CSCS requirements has been gifted to the construction leadership council (CLC). No small construction companies, employment agency workers or self employed sub contractors have representation on the board of the construction leadership council. The vast majority of board members on the CLC are corporate directors.

4) The minister suggests he is open to alternative approaches.

Firstly if an employer needs a certification card to assess a workers competence, then I sincerely doubt that the employer has the ability to inspect work done, to make sure it is of good standard and is safe. These certification schemes are being used not for safety, or to improve standards, they are being used to reduce employers liabilities. In the past 4 years since using my CSCS card, not once has any employer ever asked me about my competence or previous work experience. This goes against CDM 2015 regulation 163 that states:

“Sole reliance should not be placed on industry certification cards or similar being presented to them as evidence that a worker has the right qualities.”

So CSCS could actually be creating danger not reducing it.

Highways England recently introduced their own health & safety passport, probably because CSCS was causing a labour shortage (I can see no other reason). The Highways England passport uses a competence sponsorship system rather than a qualification requirement. This is certainly a good

alternative to the undemocratic corporate controlled CSCS. I hope the Welsh government gives this idea serious consideration.

SUMMARY OF CSCS FAULTS.

- 1) The CITB health & safety test discriminates against people with dyslexia, learning difficulties and poor education. The test requires revision of a rather large health and safety book, the test is done on a touch screen computer terminal. The test centre will read out questions and answers for the applicant, however many forms of dyslexia are auditory as well as visual. Also no extra time is given. Rather than a test, a health and safety course with visual aids should be used to stop this discrimination.
- 2) The CITB test/ course should be tailored to individual trades.
- 3) I am currently training two CITB apprentices, neither has taken the CITB test. It seems incredible to me that the CITB would allow young inexperienced people onto a construction site, without first making sure that they are aware of the risks involved in their trade and on a construction site in general.
- 4) It has also come to my attention, talking to my apprentices , that CITB requires minimum GCSE requirements in Maths and English for apprenticeships. Again this is discrimination. I am dyslexic, I failed both English and Maths in school. Yet I am a very skilled carpenter and I also achieved a business HND. My lack of GCSE qualifications has never stopped me being skilled in carpentry, carpentry actually helped me to learn Maths and English.

5) FUNDING. This is the biggest fault with CSCS.

I contacted the Welsh government via my constituency AM John Griffiths. I complained that the CITB was not properly funding employment agency workers that needed NVQs for their CSCS cards. The Welsh government declined to help, simply saying that CITB was not a devolved issue.

To give some idea of the scale of the problem, these are the percentages of CITB grants received by employers compared to CITB levies paid by employers.

Corporate companies 92%

Small companies 61%

Micro sized companies 52%

Umbrella payroll companies used by employment agencies received only 5%.

I can verify all these percentages if needed.

The European Social fund provides funding for long term unemployed people to enable them to get a CSCS card. Will this funding disappear when Wales leaves the European Union?

6) Construction has the highest rates of suicide of any occupation 3.7 times the average. A shocking and shameful statistic. (See guardian article) I believe CSCS is contributing to this statistic.

7) CSCS restricts peoples access to work, putting a cost burden on entry to an occupation, affects the poorest the most. CSCS reduces the flexibility of the work force and workers mobility. CSCS is controlled by

corporate interests who can reduce competition from small competitors in the market by increasing Qualification requirements.

- 8) CSCS gets around the ancient non retrospective principles of the common laws of England and Wales (grandfather rights) by saying it is voluntary. In reality it has become an industry good practice that proves an employers duty of care. Since the employee pays for CSCS the employer has no “practicable reason” not to use it. See section 40 , health and safety at work act 1974. (Reverse burden).

GLOSSARY

CITB : Construction industry training board

CSCS : construction skills certificate scheme

CLC : construction leadership council

NVQ : national vocational qualification

Eitem 3.1

P-05-780 Ailagor Gorsaf Carno

Cyflwynwyd y ddeiseb hon gan Carno Station Action Group, ar ôl casglu 877 o lofnodion ar bapur.

Geiriad y ddeiseb:

Rydym ni, sydd wedi llofnodi isod, yn croesawu'r gwaith o ddatblygu Achos Busnes ar gyfer ailagor gorsaf Carno, yn dilyn deiseb Grŵp Gweithredu Gorsaf Carno i'r Cynulliad 10 mlynedd yn ôl. Rydym yn nodi bod yr achos busnes diwygiedig yn dangos cymhareb o 1.65 o ran manteision i gostau ac y byddai stopio'r rhan fwyaf o drenau yng Ngharno yn cyd-fynd â'r amserlen lawnach bresennol. Mae Carno yn gymuned cymharol anghysbell, sydd wedi'i lleoli ar y darn hiraf o reilffordd heb orsaf weithredol arni yng Nghymru gyfan. Byddai cael gorsaf yma yn rhoi mynediad llawer gwell a chynaliadwy at swyddi a gwasanaethau. Felly, rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i ailagor gorsaf Carno yn unol ag amserlen o bum mlynedd.

Etholaeth a Rhanbarth y Cynulliad

- Maldwyn
- Canolbarth a Gorllewin Cymru

Carno Station Action Group

David J Rowlands
Chair
Petitions Committee
National Assembly for Wales
Cardiff Bay, CF99 1NA

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
April 19th, 2018

Dear Mr Rowlands,

Petition P-05-780 Reopen Carno station

Thank you for forwarding us copies of your letter dated 24th October 2017 to the Cabinet Secretary for Economy and Transport and of his reply dated 30th November 2017. We are grateful for the opportunity to comment on his response and apologise for our long delay in doing so.

Our chief reason for submitting a second petition was that the fundamental shift in Welsh Government policy away from funding new stations itself effectively eliminated the possibility of Carno station re-opening in a reasonable timeframe. This is because the alternative source of funding – the Department for Transport New Stations Fund – only becomes available every few years and because Wales has been disproportionately successful in the first two rounds (winning both Pye Corner and Bow Street).

We fully understand that the powers, funding and responsibility for the development of rail infrastructure in Wales is reserved to the UK government, as Ken Skates points out in his reply. However, this has been the case from the start of devolution, and did not prevent the Welsh Government spending money from its block grant on new stations prior to 2016, using its powers under the Railways Act 2005.

With the help of the National Assembly research service, we have been able to establish the extent of WG government support for new station schemes. In total, an average of £8.5 m per year was spent on new stations (and the new lines associated with some of them) over the 10 year period from 2005-6 to 2014-5. This represented 0.058% of the Welsh Government average annual budget for the period, which was £14.7 bn. [The annual expenditures are detailed in the Table reproduced at the end of this letter.]

It has been suggested to us that the Welsh Government has had to discontinue expenditure on new stations programme because of cuts in the block grant, but in fact the block grant has risen every year since 2014-5 [see Table reproduced below.]

We assume that the Welsh Governments previous policy of supporting the opening of new stations out of its block grant was driven by the desire to promote economic regeneration, especially in disadvantaged areas, and to encourage the move to sustainable transport, in line with its legal obligation to promote sustainability. There can be no doubt that the objectives of economic regeneration and sustainability are as important as ever, so we cannot understand why the Welsh Government has changed its new stations funding policy.

The Cabinet Secretary's reply does not explain why the Welsh Government has decided to stop opening new stations using its own funds, even though the rationale for so doing has not changed. It is all very well to "invest in the rail network to deliver services and infrastructure" as the Welsh Government continues to do, but this prioritises people already served by the railway network over those who are not served. This is the fundamental problem with the current approach of the Welsh Government and we believe it should be held to account for it.

Given the valuable work the former Enterprise and Learning Committee did in highlighting the need for a Carno Station Business Case in the first place, we believe that the successor committee, the Economy, Infrastructure and Skills Committee, should examine the new stations funding issue. We are therefore writing to ask if your committee could refer our petition to them with this in view.

Yours sincerely,

Jeremy Barnes,
Chairman, Carno Station Action Group & Member of Carno Community Council

		WG New station expenditure (£m)	WG Total Annual Expenditure (£bn)	New station expenditure as a percentage of total
2005-6	New stations on Ebbw Vale	21.8	12.2	0.179 %
2006-7	& Vale of Glamorgan lines;	21.8	13.2	0.165 %
2007-8	Llanharan	21.8	14.1	0.155 %
2008-9	Ebbw Vale line	1.3	14.6	0.009 %
2009-10		1.3	15.8	0.008 %
2010-11		1.3	15.6	0.008 %
2011-2012		0	15	0 %
2012-2013	Energlyn	2.7	15	0.018 %
2013-2014	Pye Corner	1.3	15.8	0.008 %
2014-2015	Ebbw Vale Town	11.5	15.4	0.075 %
	Total	84.8 £m	146.7 £bn	0.058 %
	Average	8.48 £m	14.67 £bn	

Table 1: Welsh Government Overall Budget Since 1999-2000
(Source: Welsh Government)

	<i>£000s</i>				
	TME	DEL	Revenue DEL	Capital DEL	AME
1999-2000	7,453,643	..	..	..	..
2000-01	7,924,332	..	..	..	..
2001-02	9,705,827	..	..	..	..
2002-03	10,514,334	..	..	..	..
2003-04	11,209,877	..	..	..	..
2004-05	11,780,895	..	..	..	..
2005-06	12,739,161	12,238,790	10,961,132	1,277,658	500,371
2006-07	13,757,390	13,235,309	11,729,257	1,506,052	522,081
2007-08	14,566,124	14,084,254	12,516,713	1,567,541	481,870
2008-09	15,280,784	14,583,559	12,917,672	1,665,887	697,225
2009-10	16,557,597	15,759,438	13,817,505	1,941,933	798,159
2010-11	15,866,773	15,583,016	13,830,994	1,752,022	283,757
2011-12	15,465,150	15,037,037	13,641,891	1,395,146	428,113
2012-13	15,483,141	14,985,958	13,673,874	1,312,084	497,183
2013-14	16,167,748	15,765,863	14,439,395	1,326,468	401,885
2014-15	15,816,846	15,374,770	13,934,153	1,440,617	442,076
2015-16	16,099,283	14,843,090	13,296,074	1,547,016	1,256,193
2016-17	16,484,444	14,790,184	13,342,795	1,447,389	1,694,660
2017-18	17,707,901	15,863,072	14,088,198	1,774,874	1,844,829
2018-19	17,662,097	15,474,940	13,866,762	1,608,178	2,062,933

Note: Figures up to 2017-18 are taken from the second supplementary budget for the relevant year.

P-04-481 Cau'r bwlch ar gyfer disgyblion byddar yng Nghymru

Geiriad y ddeiseb:

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i ddatblygu strategaeth genedlaethol ar gyfer Cau'r Bwlch o ran cyrhaeddiad addysgol rhwng disgyblion byddar a'u cyfoedion.

Mae'r Gymdeithas Genedlaethol i Blant Byddar yng Nghymru yn cyflwyno'r ddeiseb hon heddiw oherwydd ei bod yn Wythnos Ymwybyddiaeth o fod yn Fyddar, ac mae dwy flynedd wedi mynd heibio ers i 55 Aelod Cynulliad roi adduned y byddent yn cymryd camau i Gau'r Bwlch ar gyfer plant byddar.

Er hynny, mae ystadegau Llywodraeth Cymru yn dangos bod bylchau sylweddol o ran cyrhaeddiad rhwng disgyblion byddar a'u cyfoedion. Yn 2012, roedd disgyblion byddar 26 y cant yn llai tebygol o lwyddo i basio 5 TGAU ar radd A*-C, a 41 y cant yn llai tebygol o lwyddo i basio ar raddau A*-C yn y pynciau craidd Saesneg, Cymraeg, Mathemateg a Gwyddoniaeth.

Mae ein deiseb fideo yn gofyn i'r arbenigwyr (plant byddar eu hunain) beth sydd bwysicaf yn eu barn hwy. Dywedasant wrthym:

Mae angen cefnogaeth briodol arnom yn yr ysgol a'r coleg

Mae angen acwsteg dda ym mhob ystafell ddosbarth arnom

Bydd rhai ohonom yn defnyddio iaith arwyddion. Helpwch ni i annog ein cyfoedion sy'n clywed a'n hathrawon i ddysgu iaith arwyddion.

Mae arnom angen i fwy o athrawon a disgyblion fod ag ymwybyddiaeth o fod yn fyddar.

Mae gormod o ddisgyblion byddar yn wynebu rhwystrau yn hyn o beth. Mae angen strategaeth genedlaethol er mwyn goresgyn y rhwystrau a Chau'r Bwlch!

Gwybodaeth ychwanegol:

Mae modd llwytho ein deiseb fideo a'r adroddiad sy'n cyd-fynd â hi oddi ar y wefan: www.ndcs.org.uk/ClosetheGapWales

Cynhyrchwyd y ddeiseb fideo gyda chymorth wyth o bobl ifanc byddar, ac mae'n disgrifio'r pedwar ffactor pwysicaf i ddisgyblion byddar mewn ysgolion a cholegau, yn eu barn hwy.

Mae'r adroddiad sy'n cyd-fynd â'r fideo yn nodi'r rhwystrau y bydd llawer o ddisgyblion byddar yng Nghymru yn eu hwynebu yn y meysydd hyn. Mae hefyd yn cynnig awgrymiadau ynghylch sut y gallai strategaeth helpu i oresgyn y rhwystrau hyn.

Prif ddeisebydd: NDCS

Ysytiriwyd am y tro cyntaf gan y Pwyllgor: 14 Mai 2013

P-04-481 Close the Gap for Deaf Pupils in Wales – Correspondence from the Petitioner to the Chair, 3.04.18

Dear Chair,

I write with regard to the petition P-04-481, *Close the Gap for Deaf Pupils in Wales*.

Following the Committee's last consideration of the petition in July last year, we were able to secure a meeting with the Cabinet Secretary for Education. Due to a cancellation last year by the then-Minister for Lifelong Learning and Welsh Language and then a cabinet re-shuffle, this meeting took place at end of March.

We were pleased of the opportunity to meet with Kirsty Williams and she appeared open to make changes to improve the attainment gap for deaf pupils in Wales. In particular, we discussed:

- Including basic deaf awareness within the ITE and the training package being developed for the ALN transformation programme.
- Improving access to Communication Support Workers with an appropriate level of BSL by considering a regional approach.
- Improving access to opportunities to learn BSL.
- Ensuring that access to data on the attainment of deaf pupils as a discreet group continues following the proposed changes to school data collation.
- Raising awareness of the National Deaf Children's Society's free resources and of our guides to improve acoustics in school buildings.

We hope this will prove to be part of an ongoing dialogue with the Department and that we will see positive change in these areas. However, given that the pace of change to this point has been slow (the attainment gap at GCSE was still at 26.2% last year), we would welcome the opportunity to keep this petition open until these key and important actions have been undertaken.

We will endeavour to keep the Committee updated on developments. In the meantime, please do not hesitate to get in touch if you have any queries.

Kind Regards,

Debbie Thomas

Policy and Campaigns Officer for the National Deaf Children's Society Cymru

P-05-757 Cael gwared ar y rhwymedigaeth ar ysgolion i gynnal gweithredoedd addoli crefyddol

Cyflwynwyd y ddeiseb hon gan Rhiannon Shipton & Lily McAllister-Sutton ar ôl casglu 1,333 llofnod.

Geiriad y ddeiseb

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i basio deddf a fydd yn cael gwared ar y rhwymedigaeth ar ysgolion i gynnal gweithredoedd addoli crefyddol.

Etholaeth a Rhanbarth y Cynulliad

- De Caerdydd a Phenarth
- Canol De Cymru

Kirsty Williams AC/AM
Ysgrifennydd y Cabinet dros Addysg
Cabinet Secretary for Education



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-765 - P-05-757
Ein cyf/Our ref KW/00885/18

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11 April 2018

Dear David

Thank you for your letter of 23 March about petitions in relation to collective worship.

The current legislative framework in respect of collective worship in schools raises a number of complex legal issues including Human Rights and Equalities legislation. That does not mean of course that there is necessarily any incompatibility but it is something my officials are exploring in detail. That work is on-going and due to its complexity it is taking some time to complete. This subject area gives rise to a range of often competing interests and can understandably be very emotive. In light of that we need to ensure that our analysis is as rigorous as it can be.

Whilst I appreciate the desire of the Committee to want to know more information, I'm afraid I am not in a position to provide that at this point. It is only after the work referred to above has been completed, will I be in a position to provide an informed answer to the Committee.

As for timescales, I have previously stated that with curriculum reform being a driving focus for schools in Wales, it would not be appropriate to review collective worship until the new curriculum has been established. However, my officials are currently considering all aspects

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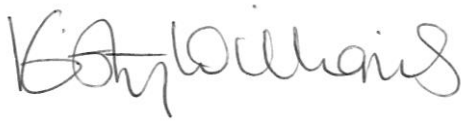
Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Tudalen y pecyn 102

of Circular 10/94, relating to both religious education and collective worship, ensuring that guidance on these two matters is fit for purpose.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Kirsty Williams'.

Kirsty Williams AC/AM

Ysgrifennydd y Cabinet dros Addysg
Cabinet Secretary for Education

P-05-757 Remove the obligation on Schools to hold acts of religious worship – Correspondence from Petitioners to Chair, 25.04.18

Dear Mr Rowlands,

As the original petitioners who called for the lifting of the obligation on schools to hold acts of religious worship, we write in response to the recent letter sent to you by Kirsty Williams, the Cabinet Secretary for Education. We are frustrated by what we see as the Cabinet Secretary's delaying tactics in relation to the important issue we have raised.

It is now 10 months since our petition was first considered by the committee. On June 27 2017, a research briefing document submitted to the committee explained how the Rights of Children and Young Persons (Wales) Measure 2011 "embeds consideration of the United Nations Convention on the Rights of the Child into Welsh law".

The Measure placed a duty on Welsh Ministers to have "due regard" to the UNCRC.

The briefing document also outlined how the UN committee recommended that the law concerning acts of worship in schools in Wales and England should be repealed.

We believe that the Cabinet Secretary has had plenty of time to take legal advice on this issue, but is now delaying progress for purely political reasons. In her latest letter to the committee she refers to the issue as "very emotive".

From our point of view it is not a matter of emotion, but of fundamental human rights. Many thousands of school students throughout Wales are currently being deprived of their human right to decide whether to attend acts of religious worship or not. We believe that in not progressing this matter, the Welsh Government is not complying with its own Measure. Contrary to what the Cabinet Secretary implies in her latest letter, the issue we have raised has nothing to do with the school curriculum and should be considered in its own right independently.

We ask the committee to put further pressure on the Cabinet Secretary.

Thank you.

Yours sincerely,

Rhiannon Shipton and Lily McAllister-Sutton

Eitem 3.4

P-05-765 Cadw canllawiau presennol ar gyfer Gwasanaethau Crefyddol

Cyflwynwyd y ddeiseb hon gan Iraj Irfan, ar ôl casglu cyfanswm o 2,231 llofnod – 2,209 o lofnodion ar-lein, a 22 o lofnodion ar bapur mewn deiseb amgen.

Geiriad y ddeiseb:

Rydym yn galw ar i Gynulliad Cenedlaethol Cymru annog Llywodraeth Cymru i gadw gwasanaethau crefyddol yn ysgolion gwladol Cymru fel rhai ‘optio allan’ ac “o natur Gristnogol fras yn gyfan gwbl neu’n bennaf”, gan ystyried ffyrdd o sicrhau eu bod yn parhau i fod yn berthnasol i bobl sydd o grefydd wahanol a’r rhai sydd heb grefydd o gwbl.

Etholaeth a Rhanbarth y Cynulliad

- Gorllewin Caerdydd
- Canol De Cymru

P-05-783 Sicrhau Cydraddoldeb Cwricwlwm i Ysgolion Cyfrwng Cymraeg e.e. Seicoleg TGAU

Cyflwynwyd y ddeiseb hon gan Chris Evans, ar ôl casglu 652 o lofnodion ar-lein.

Geiriad y ddeiseb:

Rwyf yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i atal Cymwysterau Cymru rhag parhau i wahaniaethu yn erbyn dysgwyr cyfrwng Cymraeg, a sicrhau cydraddoldeb ieithyddol o ran cwricwlwm ysgol. Yn 2015, penderfynodd CBAC ollwng Seicoleg TGAU oherwydd niferoedd ymgeiswyr cymharol fach (37 canolfan – 5 yn rhai cyfrwng Cymraeg gyda 144 ymgeisydd cyfrwng Cymraeg bob blwyddyn). Oherwydd hyn, rhoddwyd gwahoddiad gan Gymwysterau Cymru (CC) i'r Cyrff Dyfarnu Saesneg; AQA, OCR, Pearson-Edexcell, gynnig y pwnc hwn, a rhai eraill e.e. Economeg, yng Nghymru.

Yn anffodus, ac yn anghrediniol, ni roddwyd unrhyw bwysau arnynt i gynnig y pynciau yma yn y Gymraeg. Ymateb Gymwysterau Cymru i hyn yw dweud y byddai'r Cyrff Saesneg yn gwrthod cynnig pynciau yng Nghymru yn gyfan gwbl pe tase nhw yn cael eu gorfodi i gynnig opsiwn Cymraeg, a bod CC yn ceisio sicrhau 'y dewis ehangaf o bynciau i ddysgwyr Cymru' (Cylchlythyr CC, Rhagfyr 2016).

'Y dewis ehangaf o bynciau i ddysgwyr Cymru'....heblaw eich bod yn dilyn addysg Gymraeg! Ym mis Medi, ni fydd cwrs Seicoleg TGAU blwyddyn 10 yn rhedeg yn fy ysgol am y tro cyntaf ers 2009, tra bod yr ysgol cyfrwng Saesneg ychydig filltiroedd i ffwrdd, yn cychwyn ar gwrs Seicoleg TGAU newydd yn Saesneg trwy AQA. Yr unig reswm pam nad wyf gallu cynnig y pwnc yw oherwydd ein bod yn dysgu drwy'r Gymraeg. Mae pedair canolfan Gymraeg arall yn yr un sefyllfa.

Mae angen Seicolegwyr sy'n gallu trafod eu pwnc drwy'r Gymraeg. Wrth amddifadu disgyblion cyfrwng Cymraeg rhag y cyfle i astudio Seicoleg TGAU drwy'r Gymraeg, dyna golli 144 myfyriwr y flwyddyn fyddai efo'r potensial o gyfrannu at Seicoleg – fel athro, darlithydd, therapydd, ymchwilydd a.y.b drwy'r Gymraeg yn hyderus oherwydd bod y derminoleg berthnasol yn gyfarwydd iddynt.

Gwybodaeth ychwanegol:

Safodd 144 ymgeisydd bapur Uned 2 TGAU Seicoleg CBAC drwy'r Gymraeg i orffen y cwrs yn 2015, a 5 canolfan yn ei gyflwyno, felly mae potensial o niferoedd sylweddol, nid llond llaw. Rwyf wedi trefnu y byddai tri arholwr Seicoleg profiadol ar gael i weithio i unrhyw Fwrdd Saesneg fel na fyddai angen cyfieithu unrhyw sgriptiau (atebion) ymgeiswyr, ond y papur ei hun. Yr unig Fwrdd Saesneg wnaeth hyd yn oed ystyried y cais (gen i, nid CC), oedd Pearson, ond gwrthod wnaethon nhw yn y diwedd gan ddweud 'y byddai angen Cymry Cymraeg ar bob lefel o gynhyrchu'r papurau'. Mae hynny'n nonsens llwyr oherwydd dydy hynny ddim yn digwydd hyd yn oed yn CBAC ble mae'r Prif Arholwr a'r Swyddog Pwnc yn ddi-Gymraeg!

Nid wyf yn beio'r Byrddau, oherwydd pam dyle nhw fynd i'r drafferth os nad oes rhaid iddyn nhw? Ar Gymwysterau Cymru y mae'r bai am eu polisi llipa, nad yw'n amddiffyn hawliau dysgwyr cyfrwng Cymraeg. Byddai hi wedi bod yn bosibl creu elfen o gystadleuaeth rhwng y Byrddau Saesneg trwy roi blaenoriaeth i rai a fyddai'n agored i'r syniad o gynnig opsiwn Cymraeg, ond doedd dim ymdrech i wneud hyn o gwbl.

Mae hyn yn hollol annerbyniol yn y Gymru Fodern. Os ydy Cyrff Dyfarnu Saesneg yn cael cynnig pynciau yng Nghymru, rhaid gwneud yn glir iddyn nhw bod angen cynnig papur Cymraeg ble mae cais rhesymol dros wneud hyn.

Etholaeth a Rhanbarth y Cynulliad

- Wreccsam
- Gogledd Cymru

P-05-802 Amddiffyn Maint Dosbarthiadau mewn Ystafelloedd Dosbarth a Gweithdai Dylunio a Thechnoleg

Cyflwynwyd y ddeiseb hon gan Aled Dafis, ar ôl casglu 338 o lofnodion arlein.

Geiriad y ddeiseb

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i sicrhau bod pob ysgol yng Nghymru yn mabwysiadu safon BS4163:2014 yn llawn fel gofyniad yn hytrach nag argymhelliad, er mwyn amddiffyn iechyd a diogelwch disgyblion, athrawon a thechnegwyr.

Yn dilyn cyfarfodydd rhwydweithio ar gyfer athrawon Dylunio a Thechnoleg gan Ein Rhanbarth ar Waith, daeth yn amlwg bod y pwysau ariannol ar ysgolion yn arwain at sefyllfa lle y mae gofyn i athrawon Dylunio a Thechnoleg fwyfwy i addysgu dosbarthiadau mwy na'r 20 disgybl yr argymhellir yn BS4163:2014 "Iechyd a diogelwch ar gyfer dylunio a thechnoleg mewn sefydliadau addysgol – Cod Ymarfer". Mae dosbarthiadau mwy o faint yn anochel yn arwain at risg uwch o ran disgyblion yn cael eu hanafu mewn amgylcheddau gweithdy.

Gwybodaeth ychwanegol:

Mae Cod Ymarfer BS4163:2014 yn nodi'n glir fel a ganlyn:

"9 Rheoli'r amgylchedd addysgu

9.1

Gwybodaeth gefndir

Dylid ystyried yn ofalus nifer y dysgwyr mewn unrhyw un ardal weithio, i sicrhau y ceir gweithio diogel a goruchwyliaeth effeithiol.

Yng Nghymru a Lloegr, dylai dim mwy nag 20 o ddysgwyr fod gydag un athro cymwys, sydd wedi cymhwyso, mewn unrhyw un ardal weithio.

Yn yr Alban a Gogledd Iwerddon, dylai dim mwy nag 20 disgybl fod ar gyfer pob dosbarth mewn pynciau ymarferol."

Etholaeth a Rhanbarth y Cynulliad

- Ceredigion
- Canolbarth a Gorllewin Cymru

Kirsty Williams AC/AM
Ysgrifennydd y Cabinet dros Addysg
Cabinet Secretary for Education



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-802
Ein cyf/Our ref KW/00884/18

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10 Ebrill 2018

Annwyl David

Diolch am y cyfle i ymateb i sylwadau ychwanegol gan ddeisebydd. Deallaf mai'r cymhelliad y tu ôl i'r ddeiseb hon yw diogelwch a lles pobl ifanc yn y dosbarth. Rydw innau'n rhannu'r un cymhelliad.

Mae'r rheoliadau yn yr Alban ac yng Ngogledd Iwerddon yn mynd yn ôl gryn dipyn o amser a chawsant eu cyflwyno ymhell cyn canllawiau cyfredol Awdurdod Gweithredol Iechyd a Diogelwch, Cod Ymddygiad BS4 163:2014 yn ogystal â Bwletinau Adeiladu 81 a 99 sydd oll yn ymdrin â maint priodol dosbarthiadau ar gyfer gwersi ymarferol Dylunio a Thechnoleg. Wedi adolygu'r rheoliadau a'r canllawiau, rydw i o'r farn fod y canllawiau cyfredol ynghylch maint dosbarthiadau yn ddigonol. Mater i ysgolion yw rhoi sylw i iechyd a diogelwch eu disgyblion a sicrhau bod unrhyw ddosbarth a fydd yn cynnal gweithgareddau ymarferol yn gyfyngedig o ran ei faint yn seiliedig ar ganfyddiadau asesiad risg iechyd a diogelwch.

Mae'r Gymdeithas Dylunio a Thechnoleg (sefydliad y mae ei aelodau'n cefnogi athrawon sy'n dysgu dosbarthiadau Dylunio a Thechnoleg) yn gytûn â'r farn yma a chredant mai asesiadau risg gan staff proffesiynol yw'r sail fwyaf dilys wrth benderfynu ar faint dosbarthiadau. Er enghraifft, bydd yna achlysuron pryd na ddylai maint y grŵp fod yn fwy na rhwng 12 a 14 oherwydd y math o weithgareddau sydd ar waith. Roedd hyn yn enghraifft o'r rheswm pam na fyddai rheoliadau ychwanegol yn cynnig yr ateb.

Mae'r ddeddfwriaeth, fel ag y mae, yn cynnig diogelwch. Mae'n ofynnol yn ôl y gyfraith i weithwyr fod yn ddiogel yn eu gwaith. Mae hyn hefyd yn cynnwys dyletswydd i ddarparu gweithle diogel ac iach lle bo athrawon yn gyfrifol am ddysgwyr. Os yw cyflogwr neu

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Tudalen y pecyn 111


weithiwr yn methu â dilyn cyngor a roddwyd mewn asesiad risg ysgrifenedig ac os yw digwyddiad yn arwain at gael niwed o ganlyniad i hynny, y cyflogwr neu'r gweithiwr hwnnw fydd ar fai. Dyma ailadrodd y neges felly mai'r pennaeth a'r corff llywodraethu sydd â'r rôl allweddol o sicrhau bod y risgiau yn cael eu rheoli'n effeithiol ar y safle.

I grynhoi, rwyf o'r farn fod y prosesau sydd yn eu lle ar hyn o bryd yn ddigon cadarn ac nad oes angen deddfwriaeth ychwanegol.

Fe wyddoch fod Estyn yn arolygu ysgolion yn rheolaidd. Byddwn yn disgwyl i unrhyw bryderon sy'n parhau ynghylch iechyd a diogelwch gael eu codi yn yr adroddiadau arolygu.

Byddaf yn atgoffa Penaethiaid, Llywodraethwyr ac Awdurdodau Lleol o'u dyletswyddau wrth ddiogelu a sicrhau lles plant a phobl ifanc mewn ysgolion, yn arbennig mewn perthynas â'r angen i asesu risgiau mewn dosbarthiadau ymarferol.

Yn gywir

A handwritten signature in black ink, appearing to read 'Kirsty Williams'.

Kirsty Williams AC/AM

Ysgrifennydd y Cabinet dros Addysg
Cabinet Secretary for Education

**P-05-802 Protecting Class Sizes in Design and Technology Classrooms and Workshops –
Correspondence from Petitioner to Committee, 24.04.18**

Thank you for the opportunity to respond to Ms Williams' letter, it's clear that we both share the same view that the safety and well-being of students is of paramount importance.

I agree that the findings of health and safety risk assessments by professional, competent staff must drive decisions on class sizes, based on the relevant safety standards. To this end, I urge the Cabinet Secretary for Education to send an advice note to all schools, clearly outlining these requirements. I firmly believe that school leaders will benefit from the clarity that such a communication would bring, and ultimately result in safer and higher quality provision for all students.

Yours sincerely
Aled Dafis

Eitem 3.7

P-05-781 Cymuned Port Talbot yn erbyn yr Archgarchar

Cyflwynwyd y ddeiseb hon gan The Port Talbot Super Prison Protest Group, ar ôl casglu 1,263 o lofnodion ar-lein a 7,528 ar bapur – cyfanswm o 8,791 lofnodion.

Geiriad y ddeiseb:

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i beidio â rhyddhau na gwerthu tir i lywodraeth y DU i ddatblygu archgarchar ym Maglan.

Mae Llywodraeth y DU, gyda chefnogaeth Llywodraeth Cymru, yn cynnig adeiladu 'archgarchar' â lle i 1600 o ddynion ar rostir Baglan.

Mae'r safle yn agos at gartrefi a chyfleusterau lleol a busnesau lleol, a bydd yn rhoi straen sylweddol ar ffyrdd a gwasanaethau iechyd yn yr ardal. Mae'r safle mewn parth menter ac wedi'i ddynodi ar gyfer defnydd economaidd yn ogystal â bod mewn ardal lle y ceir perygl llifogydd.

Mae gan Gymru eisoes lawer o leoedd gwag yn y carchardai sydd ganddi ar hyn o bryd.

Byddai'r carchar hwn yn cyflwyno'r holl broblemau sy'n gysylltiedig â charchardai mawr ac ni chafwyd unrhyw warant gan y naill lywodraeth na'r llall ynglŷn â'r camau amddiffyn a fyddai'n cael eu rhoi ar waith i gynorthwyo Port Talbot i ymdopi â nifer mor fawr o garcharorion.

Nid oes unrhyw sicrwydd tymor hir y byddai'r carchar newydd yn parhau i gael ei neilltuo ar gyfer carcharorion categori C. Gellid ei newid yn y dyfodol i gadw troseddwy'r mwy peryglus.

Gall Port Talbot wneud yn well na hyn ac mae ein tref yn haeddu llawer mwy. A wnewch chi lofnodi'r ddeiseb a dweud wrth Lywodraeth y DU a Llywodraeth Cymru, DIM archgarchar ym Mhort Talbot?

Etholaeth a Rhanbarth y Cynulliad

- Aberafan

- Gorllewin De Cymru



Llywodraeth Cymru
Welsh Government

DATGANIAD YSGRIFENEDIG GAN LYWODRAETH CYMRU

TEITL **Polisi Cyfiawnder yng Nghymru**

DYDDIAD **06 Ebrill 2018**

GAN **Alun Davies, Ysgrifennydd y Cabinet dros Lywodraeth Leol a
Gwasanaethau Cyhoeddus**

Bydd y Comisiwn ar Gyfiawnder yng Nghymru, a sefydlwyd gan y Prif Weinidog, yn ystyried y mater o ddatganoli plismona a'r system cyfiawnder troseddol, a sut y dylid gweithredu system o'r fath yng Nghymru. Disgwyliwn am gasgliadau'r Comisiwn.

Yn y cyfamser, mae heriau cynyddol yn codi wrth reoli'r galw am wasanaethau cyhoeddus gan y rheini yn y system cyfiawnder troseddol, neu'r rheini yr effeithir arnynt gan fod aelod o'u teulu yn rhan o'r system. Er mai Llywodraeth y DU sydd â'r cyfrifoldeb cyffredinol dros gyfiawnder troseddol, mae'r system yng Nghymru yn wynebu heriau.

Rwy'n bryderus y bydd y galw ar wasanaethau cyhoeddus Cymru yn parhau i gynyddu, ac y bydd pobl o fewn ein system cyfiawnder troseddol yn dioddef canlyniadau gwaeth os na fyddwn yn cynnal trafodaethau ystyrion a manwl â Llywodraeth y DU. Rwy'n arbennig o bryderus nad yw rhai o'r dynion a'r menywod yng Nghymru sydd wedi'u hanfon i'r carchar yn cael y gwasanaethau a'r cymorth sydd eu hangen arnynt er mwyn sicrhau bod modd eu hadsefydlu'n effeithiol a'u cefnogi i beidio ag aildroseddu.

Wrth inni aros i'r Comisiwn ar Gyfiawnder ddod i'w gasgliadau, mae angen inni fwrw ymlaen â'r gwaith o ddatblygu dull gweithredu gwahanol a neilltuol sy'n adlewyrchu anghenion pobl Cymru, ond sydd hefyd yn fwy cydnaws â'n gwasanaethau cyhoeddus a'n polisïau.

Mae hyn yn cynnwys deall yn well pam fod pobl yn mynd i'r carchar a'r hyn y gallwn ei wneud i rwystro llawer rhag cael eu hanfon yno, yn aml am ddedfryd fer sy'n cael effaith drychinebus ar eu bywydau.

Hyd nes y byddwn wedi ystyried hyn yn fanylach, a chynnal trafodaethau manwl â Llywodraeth y DU, nid wyf yn credu y byddai mwy o waith datblygu carchardai o fudd i Lywodraeth Cymru na phobl Cymru. Felly, rwyf wedi ysgrifennu at yr Ysgrifennydd Gwladol dros Gyfiawnder i roi gwybod iddo na fyddwn yn hwyluso'r gwaith o ddatblygu carchardai

ymhellach yng Nghymru heb i drafodaethau mwy ystyrlon gael eu cynnal â Llywodraeth Cymru.

Byddaf yn rhoi gwybod i'r Aelodau ynghylch hyn unrhyw drafodaethau â Llywodraeth y DU.

Caiff y datganiad ei gyhoeddi yn ystod y toriad er mwyn rhoi'r wybodaeth ddiweddaraf i aelodau. Os bydd aelodau eisiau i mi wneud datganiad pellach neu ateb cwestiynau ynglŷn â hyn pan fydd y Cynulliad yn dychwelyd, byddwn yn hapus i wneud hynny.

Eitem 3.8

P-05-800 Apêl Brys am Gomisiynydd Cyn-filwyr Cymru i ofalu am iechyd a lles cyn-filwyr sydd wedi'u hanafu, sy'n sâl neu sy'n ddigartref

Cyflwynwyd y ddeiseb hon gan Nicola Hester, ar ôl casglu 50 o lofnodion ar-lein.

Geiriad y ddeiseb:

Yma yng Nghymru, roeddwn i'n falch mai ni oedd y cyntaf i gael Comisiynydd ar gyfer Plant a Phobl Ifanc a Chomisiynydd ar gyfer Pobl Hŷn. Yn anffodus, mae'r Alban wedi achub y blaen arnom i gael Comisiynydd ar gyfer Cyn-filwyr.

Rydym ni gyn-filwyr angen rhywun i fod yn llais a chynrychiolaeth ar ein rhan i lywodraeth Cynulliad Cymru. Nid beth mae'r "uwch-swyddogion" eisiau i chi ei wybod.

Rydym angen rhywun a all gwrdd â ni, a fydd yn gwybod ein safbwynt a'r hyn yr ydym ei angen. I gefnogi'r sawl anffodus sy'n cael eu hunain yn y carchar yn hytrach nag eu bod derbyn triniaeth iechyd meddwl am Anhwylder Straen Wedi Trawma (PTSD).

Etholaeth a Rhanbarth y Cynulliad

- Torfaen
- Dwyrain De Cymru

Alun Davies AC/AM
Ysgrifennydd y Cabinet dros Lywodraeth Leol a
Gwasanaethau Cyhoeddus
Cabinet Secretary for Local Government and Public
Services



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-800
Ein cyf/Our ref ARD/00212/18

David John Rowlands AM
Chair - Petitions committee.
National Assembly for Wales
Cardiff Bay
CF99 1NA

government.committee.business@wales.gsi.gov.uk

16th April 2018

Dear David,

Thank you for your further correspondence of 12 March, regarding the petition from Nicola Hester seeking the appointment of a Welsh Veterans' Commissioner for the health and wellbeing of wounded, injured, sick and homeless veterans.

I attended both the Armed Forces Expert Group and the Cross-Party Group for the Armed Forces and Cadets. I listened to the comparative discussions on the value of appointing a Veterans' Commissioner for Wales. I am considering the findings, and I will issue a Written Statement on my considered response in due course.

The Armed Forces Expert Group is unique to Wales. It is seen as an example of good practice from within military service charities and other public service organisations. The Group consists of a cross-section of military, public and third sector charities which discuss issues affecting the Armed Forces community, and solutions to providing services and support that meets their needs. The minutes of the meetings are published on the Welsh Government's website and can be accessed at: <http://gov.wales/topics/people-and-communities/communities/safety/armedforces/armed-forces-expert-group/?lang=en>

All Local Authorities in Wales have Armed Forces Champions, who, when contacted should assist the petitioner and others, in accessing Local and Regional Fora to contribute to discussions pertaining to services and support for the Armed Forces community.

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400
Gohebiaeth.Alun.Davies@llyw.cymru
Correspondence.Alun.Davies@gov.wales

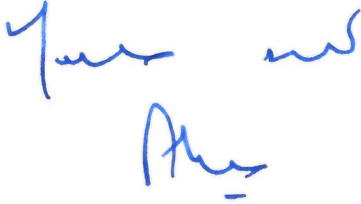
Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Tudalen y pecyn 119

Through the WLGA there are structures in place to ensure issues and good practice raised at the Local and Regional Fora are discussed at the Armed Forces Expert Group meetings.

The WLGA representative contact who will be able to signpost the petitioner to her relevant Local Authority is Barry Williams at: barry.williams@wlga.gov.uk

A handwritten signature in blue ink, appearing to read 'Alun Davies', with a horizontal line underneath the name.

Alun Davies AC/AM

Ysgrifennydd y Cabinet dros Lywodraeth Leol a Gwasanaethau Cyhoeddus
Cabinet Secretary for Local Government and Public Services



Llywodraeth Cymru
Welsh Government

DATGANIAD YSGRIFENEDIG GAN LYWODRAETH CYMRU

TEITL Cefnogaeth i'r Lluoedd Arfog yng Nghymru

DYDDIAD 23 Ebrill 2018

GAN Alun Davies , Ysgrifennydd y Cabinet dros Lywodraeth Leol a Gwasanaethau Cyhoeddus

Heddiw, rwy'n cyhoeddi fy asesiad o fanteision a gwerth penodi Comisiynydd Lluoedd Arfog i Gymru. Mae hyn yn dilyn fy ymrwymiad yn ystod y Cyfarfod Llawn ar 29 Tachwedd i gyfarfod y Grŵp Trawsbleidiol ar y Lluoedd Arfog a'r Cadetiaid ac i wneud penderfyniad ar y mater yn dilyn y cyfarfod.

Wedi cyfarfod y Grŵp Trawsbleidiol ac ystyried y gwaith sy'n mynd rhagddo yng Nghymru, y DU a thu hwnt, rwy'n nodi fy mhenderfyniad isod:

Gwelwyd cynnydd aruthrol yng Nghymru dros y ddwy flynedd ddiwethaf. Gan gydweithio'n agos gyda Grŵp Arbenigol y Lluoedd Arfog, rydym wedi llwyddo i gyflawni mewn meysydd pwysig gan gynnwys;

- Adolygu a hyrwyddo'r pecyn cymorth i gymuned y Lluoedd Arfog, a datblygu'r ddogfen *Croeso i Gymru* ar gyfer pobl sy'n gwasanaethu a'u teuluoedd.
- Cynllun nofio am ddim i'r Lluoedd Arfog
- Llwybr Atgyfeirio Tai a Chod Canllawiau i Awdurdodau Lleol ar Ddyrannu Llety a Digartrefedd - i roi cymorth cynnar i gyn-filwyr sydd mewn perygl o fod yn ddigartref
- Diystyru Pensiwn Anabledd Rhyfel yn llwyr wrth i gyn-filwyr ddefnyddio gofal cymdeithasol
- Cymorth ariannol pellach i GIG Cymru i Gyn-filwyr er mwyn lleihau rhestrau aros a chynyddu'r gallu i drin cyn-filwyr â phroblemau iechyd meddwl
- Diwygio'r Canllawiau Blaenoriaeth Gofal Iechyd i Gyn-filwyr
- Cymorth i gyn-filwyr yn y system cyfiawnder troseddol.

Mae gwaith Grŵp Arbenigol y Lluoedd Arfog wedi bod yn flaengar yn hyn o beth. Yn unigryw i Gymru, mae'n rhoi llais a llwyfan i nodi a darparu gwasanaethau a chymorth i gymuned y Lluoedd Arfog.

Yn ategu Grŵp Arbenigol y Lluoedd Arfog mae gwaith Grŵp Rhwydweithio Cymdeithas Llywodraeth Leol Cymru, a fforymau rhanbarthol a lleol Maent yn trafod materion a nodwyd

gan y cyn-filwyr, gan sicrhau bod materion pwysig yn cael eu nodi a bod y Grŵp Arbenigol yn gweithredu arnynt. Mae penodi Swyddogion Cyswllt y Lluoedd Arfog ar draws y rhan fwyaf o Gymru hefyd yn rhoi ffordd unigryw i ni gefnogi Awdurdodau Lleol, er mwyn sicrhau darpariaeth gyson o bolisiâu a gweithdrefnau sy'n cefnogi cymuned y Lluoedd Arfog.

Mae Cymru wedi llwyddo i wneud mwy na'r disgwyl i gael Cronfeydd y Cyfamod i gyflawni mentrau a phrosiectau i gefnogi'r sector hwn, gyda nifer o'r prosiectau mwyaf yn cael eu cymeradwyo gan Grŵp Arbenigol y Lluoedd Arfog. Cyfrifoldeb y Weinyddiaeth Amddiffyn yw llywodraethu a monitro'r prosiectau drwy Fwrdd Cronfeydd y Cyfamod y DU. Caiff y Grŵp Arbenigol wybod am gynnydd a chanlyniadau'r prosiectau.

Wrth edrych tua'r dyfodol, bydd y Grŵp Arbenigol yn arwain y gwaith o ddatblygu Llwybr Cyflogaeth a Phecyn Cymorth i Gyflogwyr er mwyn helpu'r rhai sydd angen cymorth i gyrraedd at swyddi ystyrlon. Bydd ymchwil a gomisiynwyd yn ddiweddar i brofiadau niweidiol yn ystod plentyndod a'r rheini sy'n gadael y Lluoedd arfog yn gynnar yn ein helpu i weld beth sy'n medru achosi iddynt adael yn gynnar, gan ein cynorthwyo i nodi pa gefnogaeth benodol allai leddfu hyn.

Gyda lansiad Porth y Cyn-filwyr, bydd cyn-filwyr a'u teuluoedd yn cael mynediad at gymorth 24 awr y dydd, ac fe fydd hefyd yn gyfle i ni gael data ansoddol i gyfeirio ein hadnoddau at anghenion penodol.

Rydym wedi llwyddo i wneud cynnydd ardderchog yng Nghymru wrth ddarparu gwasanaethau a chymorth i gymuned y Lluoedd Arfog. Fodd bynnag, dydy hynny ddim yn golygu nad oes lle i wneud mwy.

Rydw i wedi adolygu'r strwythurau sydd yn eu lle, ein cynnydd hyd yma, a'n gallu i adeiladu arnynt. Byddai costau ariannu Comisiynydd a staff cynorthwyol tua £550k y flwyddyn, ac fe fyddai hynny'n gwyro adnoddau oddi wrth wasanaethau a chefnogaeth ymarferol i gymuned y Lluoedd Arfog yng Nghymru.

Ar ôl edrych ar yr wybodaeth, rwyf wedi penderfynu na fyddai penodi Comisiynydd Lluoedd Arfog i Gymru yn ychwanegu unrhyw fanteision neu werth pellach. Fodd bynnag, rwy'n cydnabod bod angen i ni barhau i fuddsoddi a chryfhau'r gefnogaeth sy'n cael ei darparu i'r rhai sy'n cynnig gwasanaethau i gyn-filwyr. Felly rwy'n gofyn i'm swyddogion gryfhau uned y cyn-filwyr o fewn Llywodraeth Cymru a rhoi asesiad manwl pellach o fylchau mewn darpariaeth gwasanaethau. Byddaf yn ceisio darparu cyllid ychwanegol lle gwelaf fod angen er mwyn cynnal ansawdd ac ystod y gwasanaethau sy'n ofynnol gan gymuned y Lluoedd Arfog.

Mae Llywodraeth Cymru yn parhau i ymrwymo i ddarparu gwasanaethau a chymorth sy'n diwallu anghenion cymuned y Lluoedd Arfog. Byddaf hefyd yn rhoi adroddiad blynyddol i'r Cynulliad Cenedlaethol ar ein cynnydd wrth gyflawni'n hymrwymiaidau.

P-05-784 Dibyniaeth ar gyffuriau presgripsiwn ac effeithiau diddyfnu – adnabyddiaeth a chefnogaeth

Cyflwynwyd y ddeiseb hon gan Stevie Lewis, ar ôl casglu 213 o lofnodion ar-lein.

Geiriad y ddeiseb:

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i annog Llywodraeth Cymru i gymryd camau i adnabod yn briodol a chefnogi'n effeithiol yr unigolion hynny yr effeithir arnynt ac a niweidir gan ddibyniaeth ar gyffuriau presgripsiwn a'r adwaith wrth diddyfnu oddi wrthynt.

Sefydlwyd y ddeiseb hon i godi ymwybyddiaeth o sefyllfa unigolion yng Nghymru yr effeithir arnynt gan ddibyniaeth ar gyffuriau gwrth-iselder a bensodiasepinau ar bresgripsiwn a'r adwaith wrth geisio diddyfnu oddi wrthynt. Yn benodol gofynnwn i Lywodraeth Cymru gefnogi galwad Cymdeithas Feddygol Prydain ledled y DU am gamau i ddarparu cymorth amserol a phriodol ar gyfer unigolion yr effeithir arnynt.

Mae'r term "dibyniaeth ar gyffuriau presgripsiwn" yn cyfeirio'n benodol at y sefyllfa lle mae cleifion, ar ôl cymryd eu meddyginiaeth gwrth-iselder neu bensodiasepin yn union fel a ragnodwyd gan eu meddyg, yn gweld na allant roi'r gorau oherwydd yr effeithiau diddyfnu difrifol. Mae'n bwysig nodi yma bod caethiwed a dibyniaeth yn gysylltiedig â'i gilydd, ond yn faterion gwahanol. Mae defnyddio'r term 'bod yn gaeth' yn awgrymu bod yr unigolyn yn ymddwyn mewn ffordd benodol er mwyn ceisio pleser. Mae adroddiadau am ddibyniaeth ar gyffuriau presgripsiwn yn y cyfryngau yn parhau i gyfeirio at "camddefnyddio" a "bod yn gaeth" fel pe bai'r claf yn gyfrifol mewn rhyw ffordd am ei niwed ei hun. Mae hyn ymhell o'r gwir. Ni cheir unrhyw bleser o gwbl o sylweddoli eich bod yn dioddef amrywiaeth eang o symptomau corfforol ac emosiynol wrth geisio rhoi'r gorau i'ch meddyginiaeth gwrth-iselder neu cymryd llai ohoni. Mewn rhai achosion, gall y symptomau gyfyngu ar fywyd pobl ac, yn drasig, gallant fod yn angheuol hyd yn oed. Mae ar gleifion angen cydnabyddiaeth ffurfiol, cymorth ac arweiniad i'w helpu drwy eu taith o roi'r gorau i'r feddyginiaeth ac nid yw hynny'n bodoli ar hyn o bryd.

Gwybodaeth ychwanegol:

Yn ddiweddar, mae Cymdeithas Feddygol Prydain wedi tynnu sylw at broblem dibyniaeth ar gyffuriau presgripsiwn. Ym mis Mai 2017 ysgrifennodd: "Prescribing of psychoactive drugs is a major clinical activity and a key therapeutic tool for influencing the health of patients. But often their use can lead to a patient becoming dependent or suffering withdrawal symptoms. In the absence of robust data, we do not know the true scale and extent of the problem across the UK. However, the evidence and insight presented to us by many charity and support groups shows that it is substantial. It shows us that the 'lived experience' of patients using these medications is too often associated with devastating health and social harms. This represents a significant public health issue, one that is central to doctors' clinical role, and one that the medical profession has a clear responsibility to help address." Oherwydd nad yw sgil effeithiau, effeithiau goddefiad ac effeithiau diddyfnu'r meddyginiaethau hyn yn cael eu hadnabod yn feddygol am yr hyn ydynt, pan fydd cleifion yn datblygu'r effeithiau/symptomau cysylltiedig hyn maent yn aml yn cael presgripsiwn ar gyfer meddyginiaethau eraill ac yna mae'r gymysgedd o nifer o feddyginiaethau yn cymhlethu'r problemau ymhellach.

Mae cleifion yr effeithir arnynt yn eu cael eu hunain â diagnosis amwys, e.e.'symptomau heb esboniad meddygol' neu 'anhwylderau'r system anorganaid / corfforol'. Yn y bôn, diagnosis seiciatrïg yw pob un o'r rhain, yn priodoli amrywiol symptomau corfforol sy'n gwanychu a llesgáu'r claf i'w bryder a'i gredoau ac ati ei hun. Effaith hyn yw diystyru, diraddio a digalonni rhagor ar y cleifion hyn. Os na ellir cydnabod bod modd i gleifion ddiodef niwed a chamweithrediad anorganaid parhaus ar y system nerfol o ganlyniad i gymryd meddyginiaethau 'yn unol â'r presgripsiwn' (weithiau dros lawer o flynyddoedd), bydd dysg a gwelliant meddygol systemig yn cael eu llesteirio a bydd cleifion yn parhau i gael eu niweidio ymhellach. Yn y cyfamser ni sylweddolir o hyd faint y risgiau wrth roi'r presgripsiwn cychwynnol, ac mae'r canllawiau camarweiniol a'r cyngor 'arfer gorau' ar gyfer rhoi meddyginiaethau o'r fath ar bresgripsiwn yn parhau yr un fath.

Etholaeth a Rhanbarth y Cynulliad

- Mynwy
- Dwyrain De Cymru

Yn rhinwedd paragraff(au) vi o Reol Sefydlog 17.42

Mae cyfyngiadau ar y ddogfen hon

Y Gymdeithas Feddygol Brydeinig
Pumed Llawr
2 Pentir Caspian
Ffordd Caspian
Bae Caerdydd
Caerdydd
CF10 4DQ

British Medical Association
Fifth Floor
2 Caspian Point
Caspian Way
Cardiff Bay
Cardiff
CF10 4DQ

BMA

Cymru Wales

David Rowlands AM,
Chair, Petitions Committee
National Assembly for Wales
CF99 1NA

06 February 2018

Petition P-05-784 Prescription drug dependence and withdrawal - recognition and support

Dear David,

Thank you for your letter of 31 January regarding the petition on prescription drug dependence, and recognition and support for those individuals affected.

Prescribing of psychoactive drugs is a major clinical activity and a key therapeutic tool for influencing the health of patients. However, when certain psychoactive drugs are inappropriately prescribed there is potential for patients to become dependent or suffer withdrawal symptoms, leading to a range of health and social harms.

In the absence of robust data, we do not know the true scale and extent of this problem across the UK. However, the evidence and insight presented to us by many charity and support groups shows that it is substantial.

In response to this problem, the BMA board of science undertook a [collaborative project](#) with a range of organisations including the medical royal colleges, professional groups, and patient organisations which culminated in a discussion event to identify policy asks that could be supported by all stakeholders.

This event led to four key policy calls:

Cyfarwyddwr Cenedlaethol (Cymru)/National director (Wales):

Rachel Podolak

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- the UK government, working with the devolved nations, should introduce a national, 24 hour helpline for prescribed drug dependence;
- each of the UK governments, relevant health departments and local authorities should establish, adequately resourced specialist support services for prescribed drug dependence;
- clear guidance on tapering and withdrawal management should be developed collaboratively with input from professional groups and patients;
- and better education and training for healthcare professionals.

To take this forward, the BMA wrote to the Department of Health England and each of the devolved governments specifically calling for the establishment of a national helpline to support those individuals affected.

We continue to raise this issue and our recommendations in discussions with the UK's governments and politicians.

Yours sincerely



Rachel Podolak
Director, BMA Cymru Wales



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Mr David J Rowlands AM
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Eich cyf / Your ref:

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Gofynnwch am / Ask for: Dawn Lees

E-bost / Email: Dawn.Lees@wales.nhs.uk

Dyddiad / Date: 7th February 2018

Dear Mr Rowlands AM,

Re: Petition P-05-784 Prescription drug dependence and withdrawal – recognition and support

The Prescribed Medication Support Service was initially established in one County of North Wales approximately 20 years ago. Funded by Substance Misuse Services there was a recognition identified by GP's that patient's prescribed Benzodiazepines experienced addiction and struggled to reduce or abstain without support. The clinician worked closely with GP's to establish plans to gradually taper withdrawal with support in order to work towards to a goal which had been agreed with the patients. As the Service became more established there was a ground swell of support by GP's across North Wales to increase the Service offer and broaden out to neighbouring Counties, this service now covers all six Counties within BCUHB's footprint.

It was felt that the Service needed to be realigned and managed by Mental Health Services as there was recognition that this particular patient group maybe liable to experience stigma. As the model expanded to cover North Wales there was also a recognition locally that patients were also struggling to withdrawal from other prescribed medications including opiates. The Service was renamed as a Prescribed Medication Service to reflect the broadening of inclusion criteria.

In terms of sharing best practise across Health Boards in Wales the team would welcome the opportunity to promote a service that it is particularly proud of. We would also consider becoming established as a beacon site. We would be willing to identify Service Users who have received services from this Team if the committee would like to elicit their views.

Yours sincerely

Gary Doherty
Prif Weithredwr
Chief Executive



Bwrdd Iechyd Prifysgol
Cwm Taf
University Health Board

Your ref/eich cyf: AJW/TLT
Our ref/ein cyf: 21 February 2018
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Chair
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Dear Mr Rowlands

Petition P-05-784 Prescription drug dependence and withdrawal - recognition and support

Thank you for your letter of 31 January 2018. Cwm Taf UHB has recognised for a number of years the harm and adverse effects that dependence on benzodiazepines and anti-depressants can have on individuals.

The All Wales Medicines Strategy Group (AWMSG) primary Care prescribing indicators tell us that we have a high prescribing volume of these types of medicines within our Health Board. It also tells us that this volume has been decreasing over the past few years as actions have been implemented to avoid initiating these medicines, support timely and appropriate stopping of them and also support the managed withdrawal of long term use.

<http://www.awmsg.org/docs/awmsg/medman/National%20Prescribing%20Indicators%202017-2018.pdf>

A key action is to provide alternative pathways to initiating these medicines where appropriate. The Valley Steps initiative is a social enterprise scheme which is supported by CTUHB and offers open access to low level tier 0 & 1 services such as stress management, mindfulness and other coping strategies. People can attend through their own actions or be signposted or referred by health professionals. The link to their website is: <http://www.valleysteps.org/>

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GP practice clusters have also commissioned the services of the third sector MIND to provide low level (tier 0 and 1) advice and support to patients with low mood, depression etc. This has been extremely well received by practices but also by patients too. Other social prescribing schemes being initiated may also have an impact in this area.

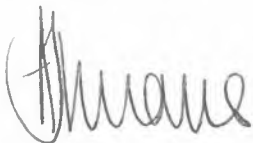
The prescribing of antidepressants and benzodiazepines is supported by AWMSG prescribing guidelines and prescribers in both primary and secondary care have access to the advice of the pharmacists and community mental health practitioners working with their teams. The new cluster based pharmacists in primary care and also primary care advisor pharmacists are involved in medication review clinics, where appropriate de-prescribing of medicines can be managed.

The support of individuals who are dependent on or withdrawing from these medicines is provided on a patient by patient basis by their GP and the Community Mental Health Teams. A tailored support programme, which can include counselling services, is provided to those patients who wish to stop or reduce the use of benzodiazepines or antidepressants.

We are constantly reviewing and improving our services for patients and would be interested in any recommendations or areas of good practice which this petition may produce.

I trust this answers your questions and if I can be of any further assistance please do not hesitate to contact me.

Yours sincerely



Mrs Allison Williams
Chief Executive/Prif Weithredydd



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Bwrdd Iechyd Prifysgol
Abertawe Bro Morgannwg
University Health Board

Our Ref: TCM/JV/tr

Date: 1st March 2018

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Dear Mr Rowlands

Thank you for your letter asking for the Health Boards perspective, in respect to the petition P-05-784 Prescription drug dependence and withdrawal – recognition and support.

Across Wales there is a recognition of high volume of prescribing of both anxiolytics and hypnotics and antidepressants. The All Wales Medicines Strategy Group (AWMSG) Primary Care Prescribing Indicators has shown that, although the prescribing volume of hypnotics and anxiolytics has reduced, there remains variation between the Health Boards and GP Practices. Our rate in Wales remains high in comparison with England, with six of the seven Health Boards in Wales within the highest prescribing quantity when compared to the English Clinical Commissioning Groups.

Dependence on Benzodiazepines is a well known risk and clear guidelines exist for the prescribing of these products as short term anxiolytics and hypnotics, so as to reduce the risk of prescribing dependency e.g. BNF, Maudsley Prescribing Guidelines. In addition there is a NICE guidance on short term management of insomnia which advises that, if after non-drug therapy options have been explored, they should be used in the lowest dose possible for the shortest duration possible, in strict accordance to their licensed indications and for no more than 2-4 weeks. If used in this way then dependence is unlikely.

If longer term prescriptions are required which could lead to dependence there are also clear guidelines on gradual withdrawal of these medications so as to minimize the withdrawal symptoms should the patient request this or should the Clinician feel it is

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• Chief Executive/ Prif Weithredydd: **Tracy Myhill**

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clinically indicated. If patients present with a complex picture e.g. significant psychosocial, psychological problems or co morbidity they can access specialist help from local drug and alcohol services and / or the Community Mental Health Team.

AWMSG has developed an Educational Pack: Material to Support Appropriate Prescribing of Hypnotics and Anxiolytics across Wales and provides examples of practice protocols to allow Clinicians to agree a consistent approach for the prescribing, review and discontinuation of treatment.

Significant work has been undertaken in primary care to help people to reduce and stop benzodiazepines, some of which have been led by pharmacist led reduction clinics.

Antidepressants do not cause dependence and are generally not considered to be addictive. The fear of addiction can sometimes be a barrier to concordance with antidepressants which are the first line choice for depression and anxiety.

When stopping therapy with antidepressants, guidance advises that this should be done slowly, over at least 4 weeks, in order to avoid experiencing 'discontinuation effects'. These effects are usually mild and short lived and are not unlike the withdrawal syndrome with rebound anxiety, mood disturbances and a variety of physical complaints e.g. dizziness.

Patients are advised of these possible effects on commencement of antidepressants and through the use of patient leaflets etc. Again, should the patient struggle with cessation of medication, they would have access to specialist medical advice through Community Mental Health Team or Local Primary Care Mental Health Services.

ABMU Health Board officers work in close collaboration with partners across Western Bay including Local Authority, Leisure and Third Sector partners to identify and put into place alternative pathways, group therapy and one to one support to individuals to address underlying mental health issues, loneliness and isolation and to prevent and mitigate the need for prescribing. Each Local Authority area has introduced Local Community Connects who work in geographically defined communities to link people into local support services. There is a wealth of Third Sector support groups and Men's Sheds that have also been successfully established which provide stress management, mindfulness activities and coping strategies.

A number of the GP clusters across the Health Board have also invested a considerable proportion of their cluster funding to contract in low level (tier 0 and 1) advice and support to patients with low mood, anxiety and depression, including CBT and one-to-one counselling. For example, Bridgend East have invested £121,000 in a 5 day a week counselling service through a local provider, Karuna Counselling. Bridgend North have invested £93,000 in Ty Elis, a local Third Sector Counselling and counsellor training provider, and Llchwyr have invested £68,000 in CBT Counselling sessions.

In addition, the Neath Hub Pacesetter employs the services of a Health Board Tier 1/zero Mental Health Counsellor to receive patients triaged from the GP practices in Neath with

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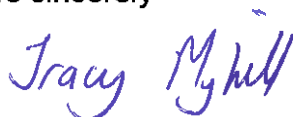
low mood, anxiety and depression and provides one-to-one support to address underlying issues and signpost into the most appropriate support service.

A number of the clusters across the Health Board have also invested in Cluster Pharmacists who work within individual practices to support appropriate medicines usage, audit and support practices with appropriate management and reduction of benzodiazepines and anti-depressants.

ABMU Health Board recognises the issues these medications have in relation to their use and there has been a focus on reducing prescribing, through the mechanisms we identify. The Health Board recognises that there is further potential to support patients to reduce their medication burden.

I trust you will find this response helpful and if I can help further please do not hesitate to contact me.

Yours sincerely



TRACY MYHILL
CHIEF EXECUTIVE



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David Rowlands AC/AM
Chair
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National Assembly for Wales

Email only to – SeneddPetitions@assembly.wales

Re: Comments on Petition P-05-784 prescription drug dependence and withdrawal- recognition and support

Thank you for your letter of 31 January 2018. The concerns raised relating to dependence of individuals on some groups of drugs such as benzodiazepines and antidepressants have been recognised for some time. The Health Board has been working alongside GP Practices, the wider service and patients to address this area.

The national prescribing indicators published by the All Wales Medicines Strategy Group (AWMSG) highlights that the Health Board has a higher than the national average prescribing level for benzodiazepines and anxiolytics. However, the trend graphs also reflect the ongoing work to address and show a steady decrease over the past few years, accepting there is much more to be done.

<http://www.awmsg.org/docs/awmsg/medman/National%20Prescribing%20Indicators%202017-2018.pdf>

The Health Board supports the review of prescribing of antidepressants and benzodiazepines through the work of the primary care pharmacist teams and the GP cluster pharmacist roles. There is a significant amount of supporting material provided by AWMSG which is used regularly by these teams in order to address the concerns and to work with Practices and individuals to reduce dependency and support slow and controlled withdrawals appropriately. This

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Cadeirydd / Chair
Mrs Bernardine Rees OBE

Prif Weithredwr/Chief Executive
Mr Steve Moore

Tudalen y pecyn 141

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can be progressed through on going medication reviews and/or specific clinics focusing on benzodiazepine and antidepressant prescribing, this will include counselling and close monitoring of progress.

The Mental Health and Learning Disabilities Directorate, Community Drug and Alcohol Team (CDAT), provides specialist multi-disciplinary assessment and treatment interventions, (pharmacological and non-pharmacological), in the area of substance misuse. The CDAT service continues to offer and provide advice to GPs on the reduction of Benzodiazepines when faced with prescribed drug dependence. This level of advice is available when dealing with prescribed drug dependence, (benzodiazepines and other Gabaergic drugs and opiates), to prescribers from the CDAT, and Tier 2 services are available to provide support through the process. In addition to offering advice, the Tier 2 services support individuals through the process of reduction.

There is a significant resource requirement for on-going training and education to further inform and support prescribers when dealing with such complex clinical scenarios.

The availability of supporting services and networks to provide alternatives to initiation of a prescription is key, and the Health Board encourages sign posting individuals to support services where appropriate. Certain GP clusters are commissioning additional counselling services to support individuals to help to prevent the commencement of these medicines and also to support those who are currently receiving prescriptions.

The Health Board appreciates the focus on this issue as it continues to work to reduce the potential negative impact on individuals. Any opportunities to learn from other Health Boards or organisations is welcomed.

Yours sincerely

A handwritten signature in black ink that reads "Steve Moore". The signature is written in a cursive, flowing style.

Steve Moore
Chief Executive

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Health Board

Mr D J Rowlands AM
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CF99 1NA

27th February 2018

SeneddPetitions@assembly.wales

Dear Mr Rowlands

**Re: Petition P-05-784 Prescription drug dependence and withdrawal -
recognition and support**

Powys Teaching Health Board (PTHB) has worked with partners in Powys to build an understanding of what treatment responses are required for individuals. This is to ensure that the right support is in place, whether this be for their physical health or mental health.

Under the auspices of the 'Together for Mental Health' agenda, a number of significant developments have taken place to widen the range of responses in Powys. This includes PTHB's involvement in the European 'Mastermind' project, aiming to make high quality treatment for depression more widely available for adults suffering from the illness, through the use of digital technology. Over the past two years PTHB has been embedding computerised cognitive behaviour therapy, known as 'Beating the Blues', to the county with good success.

However, during 2017/18, an increase in the number of people who are experiencing prescribed medication dependence has been identified through Primary Care Clusters across Powys and the substance misuse commissioned provider service, Kaleidoscope. Although these numbers are low, we recognise the need to ensure we minimise the occurrence of dependence, the impact this

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Tudalen y pecyn 143

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has on individuals affected and to strengthen our existing approach including the consideration of the referral pathway and support available in the county.

The issue has therefore been considered at a strategic partnership level. The Powys Area Planning Board brings together all those who share the responsibility of delivering, and improving, efficient and effective harm reduction services in Powys and they considered the issues described above at their last meeting in December 2017. The response has been to put in motion a process of proactively identifying need, which includes engaging with people with first-hand experience of this kind of dependence as part of their future service user involvement strategy. The outcomes of this work will help us determine a model for Powys that enhances the current support available and ensures we work with GPs to understand prescribing patterns.

PTHB has a Pain and Fatigue Management Service within a Centre for Long Term Condition Management, where a biopsychosocial approach is adopted. This encompasses all aspects of a person's life and intervention is focused on what is important to them as an individual. Due to the nature of the service, medication reduction tends to be focused on prescription pain medication. Individual medication plans are a collaboration between the individual, in-house prescribing Clinical Nurse Specialist, Therapists, GP and if required support from the Health Board Medicines Management Team. Medication reduction within the service is carried out as part of an intervention package.

The aims of the interventions are to provide the opportunity for individuals to develop skills to manage their long term health conditions, building on the assets they already have and increasing their confidence in self management skills to expand their resources. The principles of the approach are to develop and establish these skills prior to embarking on a medication reduction plan. This is always carried out at the pace and feedback of the individual.

Within the Pain and Fatigue Management service, interventions are offered in a variety of formats to optimise compatibility with an individual's lifestyle and ensure access in a timely manner. The telehealth service enables individuals to access programmes via Skype and have individual consultations with Therapists in a convenient manner. Other options range from community programmes through to a 2 week residential programme. The residential programme enables individuals to intensely focus on the development of self management techniques and often results in a reduction of pain medication.

Further discussions with Welsh Government on how we might work together to address other issues, such as a joint approach to tackling the availability of online prescription drugs, and achieve consistency of approach between Health Board areas would be useful. Further to this, the funding that Area Planning Boards receive from Welsh Government commissions a local substance misuse service to treat and support people with alcohol or illicit drug addiction but does not extend to providing a service for prescribed drug dependence and any updates or guidance on reviewing a national treatment framework would be appreciated.

I hope that this overview is helpful for the Petitions Committee's deliberations but if any further information is required please do let me know.

Yours sincerely

A handwritten signature in cursive script that reads "Carol Shillabeer".

Carol Shillabeer
Chief Executive



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Our Ref: JP/RB/jr

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27 February 2018

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Dear Sir or Madam

Comments on Petition P-05-784 Prescription drug dependence and withdrawal – recognition and support.

Aneurin Bevan University Health Board (ABUHB) has been asked to comment on the above petition received by the Petitions Committee, which calls for recognition and effective support for individuals affected and harmed by prescribed drug dependence and withdrawal, to provide views on the issues raised and information on the support available to individuals affected.

A key consideration within this petition is that it is important to distinguish between true dependence as with opiate analgesics and the issue of discontinuation syndrome from antidepressants, which is perhaps the major aspect to this petition.

The Health Board recognises the growing concerns around the increased prescribing of medicines associated with dependence and withdrawal symptoms on discontinuation. Although prescribing of psychoactive drugs is a major clinical activity and a key therapeutic tool for managing and influencing the health of patients, this can often lead to patients becoming dependent or suffering withdrawal symptoms on cessation of therapy. Data¹ on UK prescribing patterns of drugs associated with dependence and withdrawal symptoms, e.g. Antidepressants, benzodiazepines, "Z" drugs, and opioids, have shown that within the UK:

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- Antidepressant prescribing has more than doubled in the last decade with over 75 million prescriptions dispensed in 2016
- 12 million prescriptions for benzodiazepines were dispensed in 2015
- 28 million prescriptions for opioids were dispensed in 2016

The Health Board recognises that it has a role and responsibility to help address concerns relating to the use of these medicines and has prioritised a reduction in prescribing of causative agents.

Within Wales, the All Wales Medicines Strategy Group (AWMSG) has also recognised these concerns, and has developed prescribing indicators and resources for healthcare professionals to utilise in their daily practice in order to improve the quality of prescribing and to reduce unintentional harm to patients. The Health Board is committed to improving performance within these indicators relating to the use of psychoactive drugs. Both peer review amongst prescribers and education are used so that variation in prescribing is reduced and good practice followed.

Specific targeted work is carried out within the following areas to reduce prescribed drug dependence:

Hypnotics and Anxiolytics – this area was identified by AWMSG as being a key area to improve medicines utilisation due to ongoing concerns regarding high levels of prescribing within NHS Wales. The Health Board has reduced its prescribing of these medicines by 9% from 2016-17(Qtr1) to 2017-18(Qtr1)² by increasing awareness in prescribers of key messages and variation in practice. Other initiatives have included a successful practice pharmacist led benzodiazepine reduction clinic, helping patients to gradually reduce or stop their medicines. Where patients find it difficult to reduce in primary care, or have additional complexity of need, they may be referred to Gwent Specialist Substance Misuse Service (GSSMS) which provides specialist support and prescribing within the Health Board.

Analgesics – overall the prescribing rates of analgesics within the Health Board have remained stable, however pain management remains a significant pressure to prescribers with an increasing demand for adequate pain control amongst the patient population

- Tramadol – whilst there is a recognised place in pain management for this medicine, there are concerns regarding the risks associated with its use, including dependence. Prescribing initiatives have reduced the use of tramadol by 10% over recent years². Health Board initiatives such as a pharmacist led review and withdrawal service, supported by Consultants in pain management and addiction (Chronic Pain Group) have also played a valuable role helping identified patients to have their tramadol stepped down or stopped.

- Gabapentin/Pregabalin – these medicines are linked with a potential risk of dependence misuse and diversion, however they also have a defined role in pain management and, in the case of pregabalin, generalised anxiety disorder. The use of these two medicines is increasing and therefore the need for regular review of patients to assess effectiveness is pivotal in controlling this growth of prescribing. All Health Boards in Wales are showing an increase in prescribing rates and quantity prescribed. In the Health Board a Consultant-led Chronic Pain Group have produced a range of educational resources for GPs and have directly educated the GP and primary care workforce about the issues related to the use of these two agents. This group is also piloting specific “pregabalin” clinics so that patients can be assessed and perhaps have a reduction in their drug therapy. Medicines management team audits have also been carried out and presented to prescribers, highlighting key messages in the safe, effective use of these medicines.

Again, primary care initiatives have been developed by the Chronic Pain Group to support patients in reducing their use of these medications. Patients who find it difficult to reduce in the primary care setting or who have an additional complexity of need, can be referred to specialist clinics within GSSMS.

De-prescribing of anti-depressants can be a prolonged process, due to the need to avoid discontinuation symptoms over the stepping down treatment course. This needs to be distinguished from true drug dependence as seen in opiates and benzodiazepines.

A report by Welsh Government³ illustrated that there has been a significant increase in the prescribing of anti-depressants over the last decade. In a move to address this issue the All Wales Medicines Strategy Group developed an indicator which attempted to reduce the prescribing rates of antidepressants by encouraging prescribers to refer preferentially in the first instance to psychological therapies in the community setting. The Health Board has developed services within primary care which offer an alternative to the prescription of antidepressant/anti-anxiolytic medicines e.g. Activate Your Life/Stress Control classes, however, it is recognised that more access to services like these are necessary to ensure timely treatment for patients.

The Health Board is committed to implementing the direction of AWMSG advice within these areas of prescribing through education, audit and peer discussion with prescribers, however it is recognised that more needs to be done to help patients reduce or stop their medicines should that be the desired course of action. There has been a great emphasis on reducing prescribing rates of these medicines, and there have been successes e.g. in tramadol and benzodiazepine use.

The Health Board's Chronic Pain Group has successfully piloted work within practices to help patients reduce opioids and pregabalin utilising independent prescribers, and there is an intention to increase this service provision. A successful benzodiazepine withdrawal service has recently been established by a practice pharmacist within the Caerphilly County Borough reducing prescribing rates of these medicines. The Health Board has therefore recognised the need for these services and the further need for increased access for patients. There are discussions taking place to develop community pharmacy independent prescribers to aid in treatment withdrawal within primary care.

To summarise, the Health Board recognises the issues that these medicines have in relation to their discontinuation and overuse, there has been a focus on reducing prescribing but the Health Board also recognises that more can be done to help patients reduce their medication, where appropriate.

I hope this is helpful but should you require any additional information, please do not hesitate to contact me.

Yours sincerely



Judith Paget
Chief Executive/Prif Weithredwr

References

1. Supporting Individuals affected by prescribed drugs associated with dependence and withdrawal. BMA Jan 2018
2. AWTTC National Prescribing Indicators 2017-18, Analysis of Prescribing Data to June 2017
3. Research Briefing – Misuse of Prescription and over-the-counter medications. Hannah Roberts. National Assembly of Wales Research Service June 2016



Eich cyf/Your ref:
Ein cyf/Our ref:

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neil.jones3@wales.nhs.uk

Mr David J. Rowlands AC/AM,
Senedd Petitions,
National Assembly for Wales,
Cardif Bay,
CF99 1NA

27/03/2018

Dear Mr Rowlands,

Petition P-05-784 Prescription drug dependence and withdrawal - recognition and support

Apologies for the delay in this return, and not meeting the requested timeframe.

Thank you for your letter, and interest, outlining the above petition by Steve Lewis. As the petition states there is indeed some excellent work undertaken by the BMA:

<https://www.bma.org.uk/collective-voice/policy-and-research/public-and-population-health/prescribed-drugs-dependence-and-withdrawal>, amongst others, in raising the profile of prescription drug dependence.

You will note this UHB response does not contain the word addiction, but the defined term drug dependence, and this response starts by clarifying our understanding of terminology.

The UHB is very aware that some medications, whether prescribed, or available over the counter from pharmacies (OTC) can lead to dependence, as defined by the World Health Organisation's 10th International Classification of Diseases

http://www.who.int/substance_abuse/terminology/ICD10ClinicalDiagnosis.pdf

All journeys into ICD-10 defined drug dependence are unique, and multifaceted. Drug dependence as a complex condition with bio-psycho-social causation. Therefore effective approaches to tackle, and where possible avoid, drug dependence must also be wide ranging and thorough.

Your letter also talks about drug withdrawal. Withdrawal symptoms are usually linked to tolerance to a drug. Tolerance is commonly described as: needing to take more of a drug to get the previously experienced positive psychotropic (affecting one's mental state) effect. Repeated dose escalations of that drug followed by sudden withdrawal result in a withdrawal experience. Tolerance and withdrawal are important factors in drug dependence, but are not unique to it, and understanding this is important in understanding the concept of discontinuation syndrome, seen with some antidepressants (where the other

symptoms which comprise the dependence syndrome are missing). Caution maybe needed in stopping antidepressants, but the drug group is not associated with drug dependence.

Patients may also experience difficulties when trying to stop a range of drugs – if the original treated condition’s symptoms begin to break through again on drug reduction /removal.

The differences between drug dependence, discontinuation syndrome, and re-emergence of the treated condition are significant, and important to understand in considering interventions and services needed.

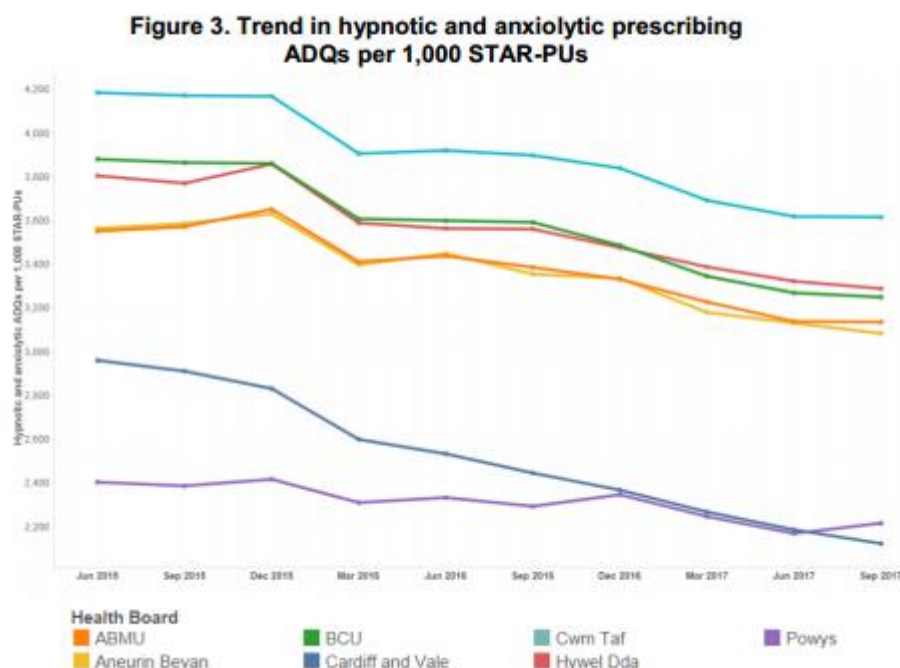
This response goes on to highlight the important work going within primary care to effectively manage drugs with propensity to cause dependence and or withdrawal symptoms.

Cardiff and Vale Health Board primary care medicine management team has supported practices in improving their performance against the National Prescribing Indicators for Hypnotics and Anxiolytics and for Analgesics, developed by the All Wales Medicines Strategy Group (AWMSG). This has included hands on support to clinics as well as educational sessions which gives the opportunity for peer review.

Specific targeted work is carried out within the following areas to reduce prescribed drug dependence:

Hypnotics and Anxiolytics

Prescribing advisors have run specific withdrawal clinics to help patients gradually stop or withdraw. One practice was the 2nd highest prescriber, and was not managing to reduce prescribing on their own; becoming more of an outlier compared to the majority of practices. With support from their advisor their performance against the prescribing indicator improved from red to amber and prescribing has reduced by 20%. Overall the UHB has reduced its prescribing by 13.2% in quarter 2 (2016/16 compared to 2017/18) and had the largest percentage decrease across all Welsh Health Boards.



Analgesics – overall the prescribing rates of analgesics as a whole have remained static despite the increase in patient pressure to prescribe a medicine for these conditions. Primary and secondary care are working together to review pain pathways and produce guidance for GPs around dose reductions.

Tramadol – the Local Intelligence Network (LIN) for controlled drugs has highlighted its growing concerns with regards the abuse and dependence potential with tramadol. During the coming financial year practices will be supported by the medicine management team to help patients on these medicines review their current need for it and support them in withdrawal. The advisors have been supported by educational sessions from consultants in the chronic pain team. Overall the UHB has reduced its prescribing by 5.91% in quarter 2 (2016/16 compared to 2017/18).

Gabapentin/Pregabalin – these medicines are linked with a potential risk of dependence misuse and diversion, however they also have a defined role in pain management and, in the case of pregabalin, generalised anxiety disorder. Prescribing leads have had an educational session on pain control as a whole which has included the role of these agents in the pain pathway. Individual practices have received support from their prescribing advisors who have been highlighting key messages in the safe, effective use of these medicines. Cardiff prison also addresses patients admitted on these agents and actively reducing them on admission to prison. As part of the medicine management actions in the GP contract, practices could choose to undertake an audit of their pregabalin prescribing. It was undertaken by 65 practices and a total 1,714 patients were reviewed face to face. 13% (224 pts) stopped pregabalin, 8% (134 pts) had their dose reduced, 4% (72 pts) dose was optimised to twice daily and in 2% (29 pts) a switch was made to another neuropathic agent

Antidepressants

Anti-depressant prescribing is on the increase across all areas. It is an area that clinicians find hard to de-prescribe in particular because of the lack of additional support services for these large patient numbers. The All Wales Medicines Strategy Group developed a prescribing indicator in an attempt to reduce the prescribing rates of antidepressants by encouraging prescribers to refer preferentially in the first instance to psychological therapies in the community setting. The UHB has developed an audit for practices to undertake as part of their GMS action which looks at reviewing prescribing of antidepressants for patients with a new diagnosis of depression in line with National Institute for Health and Care Excellence (NICE) Clinical Guideline 90 and Cardiff & Vale UHB pathway for Medicine management of depression in Primary Care.

The Health Board continues to support the messages from AWMSG across these areas of prescribing.

Within secondary care services steps are being made to limit the harms associated with dependence causing medications, or those with difficult withdrawal.

Mental Health have made significant investments over the years in the development of primary mental health support services – to make available quality first line psychological services, inkeeping with a range of practice guidance around the place of drug treatments. Likewise within chronic pain services practitioners are very aware of limited evidence for opioids in the management of chronic non-cancer pain (NCP), supporting review of such patients and utilising chronic pain programmes. The advent of the Royal College of Anaesthetists resource: Opioids Aware <https://www.rcoa.ac.uk/faculty-of-pain-medicine/opioids-aware> has helped to drive review of higher dose opioid prescribing – where opioid dependence and poisoning risks are highest.

Dedicated substance Misuse services across Cardiff and Vale offer interventions to anyone with a substance misuse issue, whether drug, alcohol, no matter what the source or supply route – this includes prescription drugs. Across the UK over the last decade the number of individuals referred with dependence prescribed opioids has increased, in contrast to illicit

opioid dependence. Local substance misuse services are available, by professional referral, or by direct access through a single point of engagement.

As in other areas of Wales, the Local Intelligence Network has played a key role in the safe prescribing of controlled drugs, and scrutinising high dose prescribing of such drugs.

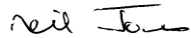
Hopefully the above demonstrates the seriousness with which The UHB takes medication dependence, and problematic medication discontinuation.

Over the years some of the biggest positive safety changes in prescribing have been driven CD classification and going forward leadership at UK and National Welsh level is crucial; with co-ordination, resource, legislation and public health measures.

At one end of the scale - It is fundamental that a patient considering a licensed medication, known for its dependence / discontinuation capacity, should get clear unambiguous information about the risk about the capacity for that medication to cause dependence or discontinuation syndrome. At the other end of the same scale, managed withdrawal or substitution for those for whom dependence has brought significant morbidity must be available.

Please contact if your require clarification on any of the points raised.

Yours sincerely,



NEIL JONES

Consultant Psychiatrist

Cc. Nesta Lloyd-Jones, Policy and Public Affairs Officer, NHS Confederation



ROYAL CYMDEITHAS
PHARMACEUTICAL FFERYLLOL
SOCIETY FRENHINOL

Wales Cymru

Petition P-05-784 Prescription drug dependence and withdrawal – recognition and support

Response from the Royal Pharmaceutical Society in Wales

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About us

The Royal Pharmaceutical Society (RPS) is the professional body for pharmacists in Great Britain. We represent all sectors of pharmacy in Great Britain and we lead and support the development of the pharmacy profession including the advancement of science, practice, education and knowledge in pharmacy. In addition, we promote the profession's policies and views to a range of external stakeholders in a number of different forums.

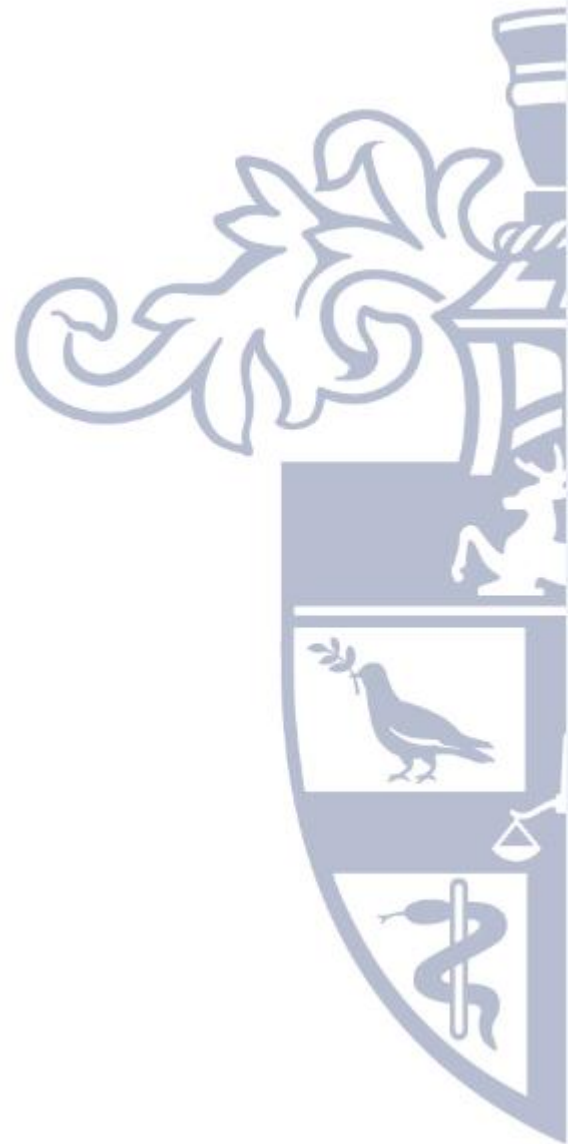
For more information please contact:

Elen Jones, Practice and Policy lead

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Email: Wales@Rpharms.com

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David J Rowlands AC/AM
Chair – Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff,
CF99 1NA

09th of March 2018

Dear Mr Rowlands

RE: Prescription drug dependence and withdrawal – recognition and support

The Royal Pharmaceutical Society (RPS) Wales welcomes the opportunity to share its view on this petition.

RPS Wales is supportive of the asks in this petition and agrees that individuals in Wales who become addicted to prescription medicines must be provided with timely and appropriate support without any fear of judgement.

Background information on Benzodiazepines;

Benzodiazepines can be grouped into hypnotics and anxiolytics (sedatives and tranquillisers) and have been available to prescribe for anxiety and insomnia since the 1960's when they replaced older drugs such as barbiturates. They were much safer in overdose and were initially thought to have little or no addiction potential. Unfortunately as prescribing increased and more data was available it became obvious that there was both a serious addiction potential, both physical and psychological, and that withdrawing the medicines could precipitate severe withdrawal symptoms which were very similar to the original anxiety disorder.

Tolerance to the drug effects occurs within a few days or weeks of use leading to the requirement for larger doses for the effect and subsequently withdrawal is more difficult.

There is little evidence of effectiveness after prolonged use and the problems of withdrawal have led to numerous warnings and clinical guidelines.

BNF states¹;

- 1. Benzodiazepines are indicated for the short-term relief (two to four weeks only) of anxiety that is severe, disabling, or causing the patient unacceptable distress, occurring alone or in association with insomnia or short-term psychosomatic, organic, or psychotic illness.*

¹ Pharmaceutical Press. British National Formulary 74. Section 7.1 Hypnotics and Anxiolytics. Available at <https://www.medicinescomplete.com/mc/bnf/current/PHP78112-hypnotics-and-anxiolytics.htm>

2. *The use of benzodiazepines to treat short-term 'mild' anxiety is inappropriate.*
3. *Benzodiazepines should be used to treat insomnia only when it is severe, disabling, or causing the patient extreme distress.*

The effects of benzodiazepines are both physical and psychological and so withdrawal can be very difficult. The short acting drugs tend to precipitate more severe withdrawal symptoms and some patients with other health or addiction problems may be more likely to both become addicted and have problems withdrawing.

NICE guidance states;

- ***Withdrawal should be gradual*** (dose tapering, such as 5–10% reduction every 1–2 weeks, or an eighth of the dose fortnightly, with a slower reduction at lower doses), and titrated according to the severity of withdrawal symptoms.
 - *This may take 3–4 months to a year or longer. Some people may be able to withdraw in less time.*

Background information on Antidepressants

Antidepressants can be very effective for moderate to severe depression when used correctly and appropriately, however there is a need to prescribe within guidelines. The BNF states;

Antidepressant drugs should not be used routinely in mild depression, and psychological therapy should be considered initially; however, a trial of antidepressant therapy may be considered in cases refractory to psychological treatments or in those associated with psychosocial or medical problems. Drug treatment of mild depression may also be considered in patients with a history of moderate or severe depression¹.

It is important that individuals who are prescribed antidepressants are supported and fully informed about how antidepressants work, particularly as many can take several weeks for the antidepressant action to start. During the first few weeks of treatment, patients may feel anxiety, and even suicidal ideation. It is crucial that these patients feel that they have a point of contact to discuss any problems.

Addiction to prescribed drugs and to some over the counter medication can be challenging for patients and for health professionals to address. A multidisciplinary approach should be taken to ensure patients receive the right support when withdrawing from medication that they, often inadvertently, have become reliant upon. RPS believes that the expertise and clinical knowledge of pharmacists must be better utilised to support people needing these medicines and help them to achieve the desired outcomes from their treatment.

RPS Wales is therefore supportive of this petition and agrees that individuals in Wales who become addicted to prescription medicines must be provided with timely and appropriate support without any fear of judgement

Yours faithfully

A handwritten signature in black ink, appearing to read 'Mair Davies', with a long horizontal flourish extending to the right.

Mair Davies, FFRPS, FRPharmS, FHEA, Director, RPS Wales

David Rowlands AC
Cadeirydd y Pwyllgor Deisebau

12 Mawrth 2018

Annwyl David

**P-05-784 Dibyniaeth ar gyffuriau presgripsiwn ac effeithiau diddyfnu –
adnabyddiaeth a chefnogaeth**

Diolch ichi am eich llythyr dyddiedig 31 Ionawr 2018 ynghylch y ddeiseb a nodir uchod. Trafododd y Pwyllgor y ddeiseb hon ar 14 Chwefror, wrth drafod ei flaenraglen waith. Gallaf gadarnhau nad yw'r Pwyllgor wedi gwneud unrhyw waith yn y maes hwn hyd yn hyn.

Mae'r Pwyllgor eisoes wedi cytuno ar ei flaenraglen waith ar gyfer 2017-18 ac wedi'i chyhoeddi. Byddwn hefyd yn hefyd yn gwneud gwaith craffu Cyfnod 2 mewn perthynas â Bil Iechyd y Cyhoedd (Isafbris am Alcohol) (Cymru) cyn bo hir. Felly, nid wyf yn rhagweld y bydd unrhyw gyfleoedd inni ymrwymo i unrhyw ymchwiliadau pellach yn y dyfodol agos. Fodd bynnag, rydym yn adolygu blaenoriaethau ein rhaglen waith yn rheolaidd, ac rydym wedi cynnwys y materion a godwyd yn y ddeiseb hon i'w hystyried yn ddiweddarach.

Yn gywir,



Dr Dai Lloyd AC
Cadeirydd y Pwyllgor Iechyd, Gofal Cymdeithasol a Chwaraeon



Fourth submission in response to comments from professional bodies, Health Boards and patient's written evidence

TO APPROPRIATELY RECOGNISE PRESCRIBED DRUG DEPENDENCE

I see that the subject of prescription drug dependence (PDD) is not on the horizon for the Health, Social Care and Sport Committee. I am very grateful for the opportunity for this to be discussed further by the Petitions Committee.

From the professional body responses, all responders are in favour of the idea that we need to do more to better support dependent patients and to tackle rising antidepressant prescribing. The BMA Wales fully supports the BMA's actions in PDD, providing a helpline and dedicated support services. The Welsh Royal Pharmaceutical Society is supportive of the petition and agrees that individuals in Wales who become addicted to prescription medicines must be provided with timely and appropriate support. Of all the responders, these two bodies have the greatest knowledge and expertise on the subject of prescription medication, and I would maintain that their opinions on the problems of dependence and withdrawal carry more weight than those of the Chief Executives of the Health Boards.

Of the seven University Health Boards:

Two have dedicated services of some kind (Betsi Cadwalader and Powys).

Three dispute that dependence is related to antidepressants (Abertawe, Aneurin Bevan UHB and Cardiff and Vale).

One leaves it up to GPs and Community Mental Health Teams to manage (Cwm Taf).

One puts substance misuse together with Prescribed Drug Dependence (Hywel Dda).

In short, there is a highly variable response to these issues and Welsh patients will receive markedly different help according to which Health Board they are covered by. If they are covered by Abertawe, Aneurin Bevan UHB or Cardiff and Vale, they will likely get no support for antidepressant dependence and withdrawal whatsoever.

However, in general the Health Boards acknowledge that more needs to be done:

"...the funding that Area Planning Boards receive from Welsh Government commissions a local substance misuse service to treat and support people with alcohol or illicit drug addiction but does not extend to providing a service for prescribed drug dependence and any updates or guidance on reviewing a national treatment framework would be appreciated." **Carol Shillabeer Powys THB**

"At one end of the scale - It is fundamental that a patient considering a licensed medication, known for its dependence / discontinuation capacity, should get clear unambiguous information about the risk about the capacity for that medication to cause dependence or discontinuation syndrome. At the other end of the same scale, managed withdrawal or substitution for those for whom dependence has brought significant morbidity must be available." **Neil Jones Community Addiction Unit Cardiff and Vale UHB**

"We are constantly reviewing and improving our services for patients and would be interested in any recommendations or areas of good practice which this petition may produce." **Alison Cwm Taff UHB**

The Health Boards all show their commitment to reducing drugs which cause dependence in line with the targets set by the All Medicines Strategy Group. These drugs of dependence do not currently include antidepressants. As outlined in my previous submissions, I urge the Petitions Committee to recommend that antidepressants, particularly the SSRIs and SNRIs, are added to that target list. One of the reasons that they are not currently on that list, or that there is resistance to their being added, is demonstrated in several of the letters. The writers helpfully clarify for the committee prevailing expert views on definitions of addiction and dependence:

"A key consideration within this petition is that it is important to distinguish between true dependence as with opiate analgesics and the issue of discontinuation syndrome from antidepressants..." **Judith Paget Aneurin Bevan UHB**

"Tolerance and withdrawal are important factors in drug dependence, but are not unique to it, and understanding this is important in understanding the concept of discontinuation syndrome, seen with some antidepressants (where the other symptoms which comprise the dependence syndrome are missing). Caution maybe needed in stopping antidepressants, but the drug group is not associated with drug dependence." **Neil Jones Community Addiction Unit Cardiff and Vale UHB**

“Antidepressants do not cause dependence and are generally not considered to be addictive” Tracy Myhill Abertawe UHB

Please, for one moment would you put yourself in the shoes of someone experiencing antidepressant withdrawal? Your physical symptoms are likely to include (note I am not including psychological symptoms here): dizziness or vertigo, electric shock sensations in head, flu-like symptoms, problems with movement, sensory disturbances, stomach cramps, strange dreams, tinnitus, difficulty sleeping¹

Someone experiencing benzodiazepine withdrawal will have physical symptoms which include: dizziness, stomach cramps, blurred vision, difficulty sleeping, face and neck pain, headaches, nausea/vomiting, nightmares, tinnitus, tingling in the hands and feet². How different are these from yours?

Someone experiencing Heroin (opiate) withdrawal will have physical symptoms which include: difficulty sleeping, tremors, joint and muscle pain, stomach cramps, nausea/vomiting, diarrhoea, involuntary muscle spasm³. How different are these from yours?

I am concerned that the academic distinctions and definitions referred to in the Health Boards' submissions are a barrier to the antidepressant class of drugs being recognised at policy level as causing the same distress and potential for harm as those drugs already targeted for reduction. The behaviours around taking the drug may be different but the physical and psychological outcomes for the patient on the absence of the drug are very similar. As a patient taking antidepressants, these views also lead you to not being believed if you think you are in withdrawal and to you not getting the care and support you need. Worse still, you will be kept on the drug because the diagnosis will be that your original symptoms have come back. Only by adding antidepressants to the list of drugs targeted for reduction will all the Health Boards have the appropriate level of incentive to take patients' needs seriously. Only by adding antidepressants to this list together with new up-to-date prescribing guidelines will GPs acknowledge and understand the scale of antidepressant dependence and withdrawal and treat their patients accordingly, rather than continue with the drug or move them on to other specialist departments at a huge cost to the NHS.

In my first submission I claimed that “antidepressants cause dependence to a level equal to or greater than the benzodiazepines, anxiolytics, hypnotics and opioids”. My claim at the time was unreferenced. On 07 April the New York Times, a prestigious newspaper, ran an article entitled “Many People Taking Antidepressants Discover They Can't Quit”.⁴ In a letter in response to that article Dr Kelly Brogan MD wrote:

“In the first systematized review of SSRI withdrawal, Fava et al.⁵ examined 23 studies and 38 case reports leading them to conclude that the euphemistic term “discontinuation syndrome” must be abandoned in lieu of a more accurate depiction of the habit-forming qualities of antidepressants — withdrawal. Yes, just like Xanax, Valium, alcohol, and heroin.”⁶

TO EFFECTIVELY SUPPORT PATIENTS WITH PRESCRIBED DRUG DEPENDENCE

Personal responses - key themes:

Doctors do not inform patients at the start of drug therapy (be they benzodiazepines, antidepressants or opioid analgesics) that there may be difficulty coming off the drugs after a period of time.

The time taken to withdraw from the drugs is vastly longer than that suggested by psychiatrists or GPs. The official guidance is to reduce within weeks; many of the responders had to reduce over years.

Many respondents had to self-support as they did not receive help, advice or support from Psychiatrist's, GPs or Community Mental Health Teams.

Many respondents reported not being believed that their symptoms related to withdrawal. *“The first time that I felt some sort of control over my condition was when we went for the second opinion – and everything that I said was BELIEVED”.* **Shane Cooke**

Patients reporting dependence and withdrawal issues report a wide range of distressing symptoms and often resorted to additional medications to help (either prescribed or over-the-counter) leading to further difficulty and potential harm.

Nearly all reported that they had to become 'experts by experience' because of the lack of knowledge and experience within the medical profession.

PETITION 1235 – PRESCRIPTION DRUG DEPENDENCE AND WITHDRAWAL – RECOGNITION AND SUPPORT BY STEVIE LEWIS APRIL 2018

One respondent was referred to a Prescribed Medication Dependency Counsellor. *“I can’t express how vital these services were to me”* **Anonymous**

Many respondents report life-changing and life-limiting effects even after coming off the drugs. Many felt marginalised and isolated simply because they wanted to reduce their medication burden. There is a great deal of unemployment reported, a significant financial consequence both to the individual and to society.

There are cost implications for the health budget, since the management of people struggling to come off their drugs is complex. Many responders report multiple consultations and medical tests/procedures.

One responder reported that Welsh GPs have become dependent on prescription medication but are unwilling to speak out for fear of the impact on their careers.

The written evidence indicates a post-code lottery of help ranging from a customised patient-centred approach, referred to with pride by Betsi Cadwalader, to no acknowledgement of antidepressant withdrawal at all. In my first submission I provided the Committee with a summary of the work and expertise carried out within this Health Board – the Prescribed Medication Support Service - and I continue to urge you to recommend that this approach is delivered Wales-wide.

From the personal responses, a broad overview of the actions deemed necessary to appropriately recognise and support prescribed drug dependence and withdrawal are as follows:

- An acceptance at policy level that antidepressants have the same potential for dependency and harm to some patients as do benzodiazepines, hypnotics, anxiolytics and opioids.
- Education for prescribers – GPs, Psychiatrists, Psychologists, Pharmacists with new guidelines on prescribing, withdrawal and tapering for all drugs of dependence.
- Education for NHS specialists – Neurologists, Cardiologists, Endocrinologists, Gastroenterologists and A&E Staff, all of whom see patients with withdrawal symptoms and fail to recognise them.
- A specialist Prescribed Medication Support Service within each Health Board.
- An on-line portal for both prescribers and the public to access information provided by the NHS and managed by trained NHS staff on prescribed drug dependence. This will tie in with the existing CALL 24/7 Helpline, enabling helpline staff to give clear and concise pointers for help and support to callers irrespective of where they live in Wales.
- Funding should come from the current Substance Misuse funds and the Pharmaceutical Companies whose successful marketing strategies have overplayed the benefits and underplayed the risks, giving them huge profits.

The above actions will enable patients to be prescribed appropriately and, if they have problems, to be BELIEVED. Dr David Healy, one of the experts who has submitted to this petition, in his blog entry of 18th April entitled “The Horrific Effects of Not Being Believed” (about PPD and withdrawal), wrote with reference to his colleagues at the Royal College of Psychiatrists (RCP):

“They can’t say this is news. Successive presidents of the British Psychiatric College have been told about this problem for over 20 years since Charles Medawar first wrote to them. They are in great part personally responsible for ongoing injuries from disbelief to thousands, maybe hundreds of thousands of people.”⁷

UPDATE ON RELATED CAMPAIGNS OUTSIDE WALES

UK PRESS and ROYAL COLLEGE OF PSYCHIATRISTS

On 22 February 2018 the Royal College of Psychiatrists (RCP) issued confident national press statements about a newly published Lancet report on a study on efficacy of antidepressants – and suggested that many more patients should be prescribed them.

PETITION 1235 – PRESCRIPTION DRUG DEPENDENCE AND WITHDRAWAL – RECOGNITION AND SUPPORT BY STEVIE LEWIS APRIL 2018

A letter by Profs Burn (RCP President) and Baldwin (Chair of its Psychopharmacology Committee) was published in The Times on 24 February⁸, (responding to a letter by James Davies et al⁹), which said *‘the statement that coming off antidepressants has disabling withdrawal effects in many patients “which often last for many years” is incorrect. We know that in the vast majority of patients, any unpleasant symptoms experienced on discontinuing antidepressants have resolved within two weeks of stopping treatment.’* This has caused great distress to people who have submitted evidence for this and the Scottish petition – and the many others who have experienced dependence and withdrawal and have for years been desperately trying to raise the alarm. We are led to wonder whether the RCP is being wilfully blind to potential antidepressant harm. RCP’s own research about antidepressant withdrawal disappeared from RCP’s website on 26 February. Their leaflet “Coming Off Antidepressants” was dated 2014 and reported a survey of 817 people who completed the RCP survey and shared their experiences: *“512 (63%) people in our survey experienced withdrawal when stopping their antidepressants”*. (A full copy of this RCP leaflet was previously saved and can be provided.)

This led to a formal complaint of misleading the public on a matter of public safety being lodged with the RCP against Profs Burn and Baldwin by 10 of its own members. The complaint states: *“To mislead the public on this issue has grave consequences. People may be misled by the false statement into thinking that it is easy to withdraw and may therefore try to do so too quickly or without support from the prescriber, other professionals or loved ones.”*¹⁰ Alongside the 10 psychiatrists, 10 people with experience of withdrawal lasting more than two weeks also signed the letter. I was one of the signatories.

SCOTTISH PETITION

The next date for this petition to be discussed is 26th April. They now have 150 written submissions from people with lived experience and 20 expert submissions.¹¹

PUBLIC HEALTH ENGLAND

Public Health England has announced the scope of the review into PDD, which includes antidepressants.¹²

BMA BOARD OF SCIENCE: PRESCRIBED DRUGS

On 18th April, the BMA hosted a further Board of Science Stakeholder meeting in London for stakeholders, to allow members of the group to update on actions that have been taken since the last meeting and to discuss next steps. Marion Brown, the Scottish petitioner, was invited to give a brief report about Scottish Petition and she reported on my behalf on this Petition.¹³

References:

1. <https://www.mind.org.uk/information-support/drugs-and-treatments/antidepressants/withdrawal-effects-of-antidepressants/#.Ws9WlYjwaUk>
2. <https://www.mind.org.uk/information-support/drugs-and-treatments/sleeping-pills-and-minor-tranquillisers/withdrawal-effects-of-benzodiazepines/#.Ws9W6YjwaUk>
3. <https://castlecraig.co.uk/resources/drugs/types-of-drugs/heroin/>
4. <https://www.nytimes.com/2018/04/07/health/antidepressants-withdrawal-prozac-cymbalta.html>
5. <https://www.karger.com/Article/FullText/370338>
6. <https://www.madinamerica.com/2018/04/letter-new-york-times-antidepressants-quit/>
7. <https://davidhealy.org/the-horrific-effects-of-not-being-believed/>
8. Letter to TIMES 24 February 2018 ‘Pills for depression’ by Profs Burn and Baldwin
9. Letter to TIMES 23 February 2018 ‘Stigma and efficacy of taking antidepressants’ by James Davies et al
10. <http://cepuk.org/2018/03/09/patients-academics-psychiatrists-formally-complain-president-royal-college-psychiatrists-misled-public-antidepressant-safety/>
11. <http://www.parliament.scot/GettingInvolved/Petitions/PE01651>
12. <https://www.gov.uk/government/news/prescribed-medicines-that-may-cause-dependence-or-withdrawal>
13. <https://www.bma.org.uk/collective-voice/policy-and-research/public-and-population-health/prescribed-drugs-dependence-and-withdrawal>

Eitem 3.10

P-05-793 Band eang cyflym i bentref Llangenni

Cyflwynwyd y ddeiseb hon gan Llangenny Village residents, ar ôl casglu 72 o lofnodion ar-lein.

Geiriad y ddeiseb:

Rydym ni, preswylwyr pentref Llangenni ym Mhowys, yn galw ar Gynulliad Cenedlaethol Cymru i sicrhau bod Llywodraeth Cymru yn rheoli eu contract am fand eang cyflym yng Nghymru gyda BT mewn modd fel y bydd pentref Llangenni wedi cysylltu â chyflymder uchel erbyn 31 Rhagfyr 2017.

Gwybodaeth ychwanegol:

Ar hyn o bryd, mae preswylwyr yn ein pentref yn profi colli gwasanaeth yn rheolaidd neu gyflymder mor isel â 0.01Mb/s. Mae llawer o breswylwyr yn rhedeg busnesau neu sefydliadau gwirfoddol o adref ac mae angen band eang cyflym arnynt. Mae'r gwasanaeth presennol yn gwbl annerbyniol.

Etholaeth a Rhanbarth y Cynulliad

- Brycheiniog a Sir Faesyfed
- Canolbarth a Gorllewin Cymru

P-05-793 Hi speed broadband to Llangenny village – Correspondence from the Petitioner to the Clerking Team, 9.04.18

Dear Ms Thomas

Thank you for your email asking for an update on the latest position from me.

Despite the letter from Julie James AM to the Committee advising that high speed broadband installation was in progress and would be available within 8 weeks (8 weeks from her letter being the 1st week of April) there is no sign whatsoever of any progress being made anywhere in Llangenny and I have checked with all the petition signatories. No fibre cable has been installed and the local BT Openreach engineers (who are in our village almost daily sorting out problems with residents' low speed signals) aren't aware of any planned works. One of our neighbours has recently been without phone or broadband for a week. The cabling to our village is obviously in poor condition.

So it looks as though, yet again, BT have provided false information, this time to a Welsh Government Minister.

Duncan Forbes

Eitem 3.11

P-05-798 Gwasanaethau cymorth i ddynion sy'n ddioddefwyr trais yn y cartref i gael eu rhedeg a'u cyllido'n annibynnol

Cyflwynwyd y ddeiseb hon gan Tom Embling, ar ôl casglu 138 o lofnodion ar-lein.

Geiriad y ddeiseb:

Gwasanaethau cymorth i ddynion sy'n ddioddefwyr trais yn y cartref i gael eu rhedeg a'u hariannu yn annibynnol ar Gymorth i Fenywod Cymru a'r holl fudiadau cysylltiedig.

Y diffiniad traws-lywodraethol o drais a cham-drin yn y cartref yw: "Unrhyw ddigwyddiad neu batrwm o achosion o ymddygiad, trais neu gamdriniaeth sy'n rheoli, yn gorfodi, yn bygwth, rhwng pobl 16 oed neu hŷn sydd, neu sydd wedi bod, yn bartneriaid agos neu'n aelodau o'r teulu, waeth beth fo'u rhyw neu rywioldeb."

Gall Cam-drin yn y Cartref effeithio ar unrhyw un. Mae mwy o ddioddefwyr/goroeswyr gwrywaidd yn chwilio am help, cyngor, cymorth a diogelwch nag erioed o'r blaen. Mae'n bwysig bod dioddefwyr gwrywaidd yn haeddu cymorth a chyllid annibynnol gan grwpiau penodol o ran rhywedd fel Cymorth i Fenywod Cymru a grwpiau cysylltiedig.

Mae dioddefwyr/goroeswyr gwrywaidd yn haeddu cymorth/help sy'n benodol i'w hanghenion, tra'n parhau i gynnal eu hurddas, a rhoi diogelwch iddynt hwy a'u plant sy'n gyfartal ac yn debyg i'r hyn y mae menywod yn ei dderbyn ar hyn o bryd.

Gwybodaeth ychwanegol:

Mae'r ystadegau Cam-drin yn y Cartref cyfredol ledled Cymru a Lloegr yn nodi y bydd Cam-drin yn y Cartref yn effeithio ar 1 o bob 4 menyw ac 1 o bob 6 dyn yn ystod eu hoes.

Mae Cam-drin/Trais yn y Cartref yn broblem a all effeithio ar unrhyw un, felly oni ddylem fod yn:

"Rhoi pobl a'u plant yn gyntaf."

Nid oes mwy o fwlch o ran argaeledd gwasanaethau a chymorth yn seiliedig ar ryw person yn unig ar draws Cymru a'r DU.

Mae angen i agweddau newid oherwydd ni ddylai neb (a'u plant) barhau heb ddiogelwch a chymorth mewn modd mor gyhoeddus a chywilyddus oherwydd eu rhyw yng Nghymru, yn yr oes sydd ohoni.

Cefnogwch hyn i helpu i gefnogi eraill.

Etholaeth a Rhanbarth y Cynulliad

- Pen-y-Bont ar Ogwr
- Dwyrain De Cymru

Julie James AC/AM
Arweinydd y Tŷ a'r Prif Chwip
Leader of the House and Chief Whip



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-798
Ein cyf/Our ref JJ/00393/18

David John Rowlands AM
Chair - Petitions committee.
National Assembly for Wales
Cardiff Bay
Cardiff Bay
CF99 1NA

government.committee.business@wales.gsi.gov.uk

9 April 2018

Dear David

Thank you for your letter of 23 March regarding funding specific support for male victims of domestic violence, and whether there have previously been opportunities for organisations to apply for funding.

The work to implement the Violence against Women, Domestic Abuse and Sexual Violence (VAWDASV) Act and the National Strategy has always been inclusive and conscious of the experience of men. This experience has been considered specifically as part of the National Training Framework implementation; in "Ask and Act" rollout and as part of forthcoming Communications work.

The Welsh Government funds projects in Wales providing support services for male victims including the Live Fear Free Helpline and Project Dyn.

The Welsh Government fully funds the Live Fear Free website and 24 hour helpline. This helpline is gender responsive and includes targeted information specifically for male victims. The Dyn project provides accessible support to all men who experience domestic abuse in Wales regardless of age; gender; race; religion or sexual orientation.

The regional approach for VAWDASV services will commence from April 2018 whereby local authorities' VAWDASV budget will be allocated to regions. This will enable increased consistency and effective multi-agency collaboration for VAWDASV services. Regional Boards have undertaken their needs analyses and local strategies will be published in May 2018 based on the findings.

To support this regional approach the draft guidance for the commissioning of VAWDASV Services in Wales will be published for formal consultation in April 2018. The aim of this guidance is to promote high quality collaborative commissioning that delivers more

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Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Gohebiaeth.Julie.James@llyw.cymru
Correspondence.Julie.James@gov.Wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Tudalen y pecyn 168

consistent and effective services to prevent VAWDASV. It aims to support commissioners ensure equal access to holistic, appropriately resourced, high quality, needs-led, and gender responsive services across Wales for victims of VAWDASV. This guidance applies to the commissioning of both specialist and non-specialist VAWDASV services, whether commissioned from the public, third or private sectors.

Yours sincerely



Julie James AC/AM
Arweinydd y Tŷ a'r Prif Chwip
Leader of the House and Chief Whip

P-05-798 Male domestic violence victim support services to be independently run & funded –

Correspondence from Petitioner to Committee, 18.04.25

Again I feel the question hasn't been answered. I would also like to point out the matter of screening male callers to said male services.

I would like the petitions committee to progress the petition as there seems to be a reluctance to address the matter in hand. As mentioned previously there is a real issue here, the fact that no one will openly discuss let alone act is detrimental to all victims of domestic abuse across Wales.

Relevant information is available, however failure "ask & act" or simply plain "answer" of Julie James only goes to show the pro's of said petition.

Further evidence, documentation & statistics will be provided by myself further along the petitions process to support the petition.

Again, I would like to thank the petitions committee for their time.

Please help make Wales safer for all.

Kind regards

Tom Embling.

P-05-804 Mae angen cyllid Llywodraeth Cymru ar gyfer chwarae!!

Cyflwynwyd y ddeiseb hon gan RAY Ceredigion, ar ôl casglu 328 o lofnodion ar-lein.

Geiriad y ddeiseb:

Rydym yn galw ar Gynulliad Cenedlaethol Cymru i ddarparu cyllid dynodedig blynyddol i roi cymorth ariannol i bob Awdurdod Lleol wrth gyflawni eu dyletswydd yn unol â'u hasesiad o ddigonolrwydd cyfleoedd chwarae er mwyn osgoi cau darpariaethau chwarae agored megis RAY Ceredigion

Etholaeth a Rhanbarth y Cynulliad

- Ceredigion
- Canolbarth a Gorllewin Cymru



Ein cyf/Our ref HID/00239/18

David John Rowlands AC
Cadeirydd - Pwyllgor Deisebau
Cynulliad Cenedlaethol Cymru
Bae Caerdydd
Caerdydd
CF99 1NA

SeneddDeisebau@cynulliad.cymru

13 Ebrill 2018

Annwyl David,

Diolch ichi am eich llythyr pellach dyddiedig 23 Mawrth ynghylch y ddeiseb a gyflwynwyd gan RAY Ceredigion a ystyriwyd gan eich pwyllgor yn ddiweddar.

Rwyf wedi ymateb i'r pwyntiau a godwyd isod:

- **Pa asesiad y mae Llywodraeth Cymru wedi'i wneud o ddigonolrwydd y camau a gymerwyd gan awdurdodau lleol i gyflawni'r dyletswyddau o dan Adran 11 Mesur Plant a Theuluoedd (Cymru) 2010**

Ers cychwyn y dyletswyddau ar awdurdodau lleol mewn perthynas â chyfleoedd chwarae, mae Llywodraeth Cymru wedi mabwysiadu safbwynt cefnogol, cydweithredol ac anogol. O dan Grant Polisi Strategol Chwarae Cymru, mae Llywodraeth Cymru wedi darparu cyllid grant i Chwarae Cymru i ddarparu cefnogaeth strategol i'r Awdurdodau Lleol a'u partneriaid er mwyn cynorthwyo gyda gweithredu'r dyletswyddau Digonolrwydd Cyfleoedd Chwarae.

Datblygwyd Pecyn Cymorth Asesu Digonolrwydd Cyfleoedd Chwarae hefyd yn 2012 gan Chwarae Cymru a Llywodraeth Cymru, ar y cyd â darparwyr chwarae ledled Cymru, fel ffordd o gefnogi'r broses o weithredu'r ddyletswydd. Dyluniwyd y pecyn cymorth i roi arweiniad ond i ganiatáu ar gyfer cyd-destunau lleol, i annog deialog ar draws meysydd polisi ac i ddylanwadu ar ymwybyddiaeth a phenderfyniadau polisi yn y dyfodol. Y bwriad oedd galluogi awdurdodau lleol a'u partneriaid i ystyried chwarae plant ym mhob agenda polisi a gweithredu.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Er mwyn cefnogi awdurdodau lleol i ystyried cydweithio, mae Chwarae Cymru wedi bod yn hyrwyddo Rhaglen Datblygiad Proffesiynol a gyflwynir gan gydweithwyr o Brifysgol Swydd Gaerloyw. Mae'n seiliedig ar raglen beilot sy'n cynnwys themâu allweddol a nodwyd mewn dwy astudiaeth ymchwil a gynhaliwyd gan Chwarae Cymru a Phrifysgol Swydd Gaerloyw yn 2013. Mae'r rhaglen yn cynnwys cyfres o weithdai a gynlluniwyd i gefnogi'r awdurdod lleol a'i bartneriaid yn y trydydd sector wrth asesu a sicrhau cyfleoedd chwarae.

Fel rhan o'i weithgaredd a ariennir gan grant, mae Chwarae Cymru wedi cynnal dadansoddiadau ac adolygiadau o'r Aseidiadau o Ddigonolrwydd Cyfleoedd Chwarae a'r Cynlluniau Gweithredu cysylltiedig. Mae'r adroddiadau hyn wedi dangos y cynnydd a wneir ym mhob awdurdod lleol yng Nghymru. Mae fy swyddogion yn gweithio mewn partneriaeth â Chwarae Cymru i gynnal digwyddiadau rhanbarthol blynyddol ar gyfer swyddogion chwarae awdurdodau lleol, lle y caiff arferion da eu rhannu a lle y trafodir materion rhanbarthol.

Mae fy swyddogion hefyd yn gweithio mewn partneriaeth â Chwarae Cymru i gyflwyno cyfarfodydd rhwydweithio traws-bolisi gydag ystod o swyddogion Llywodraeth Cymru. Mae'r cyfarfodydd hyn wedi galluogi rhannu mentrau sydd wedi gweithio'n dda, rhwystrau i ddigonolrwydd ac atebion, camau gweithredu yn y dyfodol a gwybodaeth am gydweithredu. Mae'r dull hwn hefyd wedi nodi materion a heriau y gallai gwahanol feysydd polisi Llywodraeth Cymru eu hamlinellu o fewn Mater Ff o'r canllawiau statudol 'Cymru - Gwlad Lle Mae Cyfle i Chwarae'. Gwelwyd tystiolaeth o fanteision neilltuo i'r dull hwn, gan gynnwys integreiddio ac alinio polisiâu'n fanylach.

- **Pa gamau a gymerwyd i sicrhau bod lefel ddigonol o wariant ar chwarae yn cael ei ddyrannu yn lleol ledled Cymru**

Fel yr amlinellais yn fy llythyr dyddiedig 6 Mawrth, mae Llywodraeth Cymru wedi dyrannu ychydig o dan £5 miliwn ers 2013-14 i gefnogi awdurdodau lleol i gyflawni eu dyletswyddau mewn perthynas â digonolrwydd cyfleoedd chwarae. Dyrannwyd £1.7 miliwn arall yn y flwyddyn ariannol ddiwethaf, nad yw'n swm ansylweddol o gyllid o ystyried yr hinsawdd ariannol bresennol. Mae gan awdurdodau lleol hefyd y disgresiwn i ddefnyddio cyllid Grant Gofal Plant y Tu Allan i Oriau Ysgol Llywodraeth Cymru at ddibenion chwarae ac mae hyn yn gyfystyr â £2.3 miliwn y flwyddyn. Mae'r rhan fwyaf o gyllid Llywodraeth Leol wrth gwrs yn cynnwys yr arian craidd sydd heb ei neilltuo ar gyfer awdurdodau lleol ac mae'n rhaid i bob awdurdod lleol benderfynu sut y mae'n gwario'r adnoddau hyn, ynghyd â threth gyngor a godwyd yn lleol ac incwm o ffioedd a thaliadau, i sicrhau canlyniadau a blaenoriaethau allweddol.

- **Pa ystyriaeth a roddwyd i ddarpariaeth chwarae wrth ddatblygu strategaeth gordewdra Llywodraeth Cymru**

Mae Mater Ff yng nghanllawiau statudol Llywodraeth Cymru 'Cymru - Gwlad Lle Mae Cyfle i Chwarae' yn cydnabod, os ydym am gyflawni'r canlyniadau cadarnhaol yr ydym yn eu dymuno ar gyfer plant, mae'n angenrheidiol i bolisi a gweithredu ar draws llawer o feysydd polisi gyfrannu at hyn. Rwyf eisoes wedi sôn am gyfarfodydd Rhwydweithio Trawsbolisi Llywodraeth Cymru y mae fy swyddogion yn eu cynnull i rannu diweddariadau a gwybodaeth am ddatblygiad polisi, gan gynnwys enghreifftiau o arfer da, heriau a rhwystrau, a nodwyd yng Nghynlluniau Gweithredu Chwarae Awdurdodau Lleol.

Ar hyn o bryd rydym wrthi'n datblygu strategaeth gordewdra drwy Ddeddf Iechyd y Cyhoedd Cymru 2017, gyda'r amcan o wella iechyd y genedl. Bydd hyn yn anelu at ystyried nifer o feysydd gwaith y bydd angen iddynt ddod ynghyd er mwyn creu newid. Byddwn yn lansio ymgynghoriad yn ddiweddarach eleni, lle rydym yn gobeithio profi syniadau. Bydd hyn yn cynnwys gwrandio ar blant a theuluoedd i ystyried sut y gallwn ddeall rhai o'r materion bywyd a'r rhwystrau sy'n her i sicrhau pwysau iach mewn bywyd bob dydd.

Mae chwarae yn bwysig er mwyn cynyddu lefelau gweithgaredd corfforol ymhlith plant, a fydd yn helpu i fynd i'r afael â gordewdra. Mae Chwarae Cymru wedi bod yn rhan o weithdai ymgysylltu cynnar gyda rhanddeiliaid er mwyn bwydo syniadau polisi ar gyfer datblygu strategaeth. Cydnabyddir rôl chwarae yn '10 Cam i Bwysau Iach' Iechyd Cyhoeddus Cymru ac mae Chwarae Cymru wedi bod yn gweithio i ddatblygu negeseuon ymgyrchu mewn perthynas â 'Cam 6 Dylai plant chwarae yn yr awyr agored bob dydd'. I gefnogi'r rhaglen, mae Chwarae Cymru wedi cynnwys gwybodaeth yn ei gyhoeddiad 'Ffocws ar Chwarae' i gefnogi gweithwyr iechyd proffesiynol ym maes iechyd y cyhoedd i ystyried y rôl sydd ganddynt wrth gefnogi cyfleoedd gwell i blant chwarae yn eu cymunedau eu hunain. At hynny, rydym yn cydnabod y rôl hanfodol y mae lleoliadau'r blynyddoedd cynnar yn ei chwarae ac rydym wrthi'n datblygu canllawiau ar gyfer safonau maeth i helpu i gefnogi deiet iachach.

Rwyf hefyd wedi dyrannu £30,000 o arian grant ychwanegol i Chwarae Cymru yn 2017-18 i ddatblygu a chyflwyno ymgyrch gymdeithasol sydd wedi'i anelu at rieni a chymunedau i helpu i wneud eu cymunedau yn fwy chwareus. Ynghyd â gwefan gefnogol newydd a gwefan hygyrch (heb jargon), mae'r ymgyrch yn cynnwys datblygu amrywiaeth o daflenni gwybodaeth ac adnoddau cymunedol dwyieithog ar chwarae stryd, ac argraffu a dosbarthu llyfr plant 'Yr Hawl i Chwarae' Chwarae Cymru mewn digwyddiadau ledled Cymru sy'n cynnwys sioeau teithiol mewn partneriaeth ag Iechyd Cyhoeddus Cymru.

Rwy'n gobeithio bod yr wybodaeth hon yn ateb ymholiadau y Pwyllgor Deisebau.

Yn gywir,



Huw Irranca-Davies AC/AM
Y Gweinidog Gofal Cymdeithasol a Phlant
Minister for Children and Social Care

David Rowlands AC
Cadeirydd y Pwyllgor Deisebau

20 Ebrill 2018

Annwyl David

P-05-804 Mae angen cyllid Llywodraeth Cymru ar gyfer chwarae!!

Diolch am eich llythyr ar 23 Mawrth 2018 ynghylch y ddeiseb uchod, sydd wedi'i ddsbarthu i aelodau'r Pwyllgor er gwybodaeth.

Fel rhan o'i ymchwiliad i weithgarwch corfforol ymhlith plant a phobl ifanc, cynhaliodd y Pwyllgor gyfres o grwpiau ffocws â rhanddeiliaid perthnasol. Cyfrannodd cynrychiolwyr o Chwarae Cymru at y sesiynau hyn, a thrafodwyd pwysigrwydd chwarae mewn cryn fanylder.

Gellir gweld nodyn o'r trafodaethau hyn ar wefan y Pwyllgor:

<http://abms/cy/documents/s73229/Papur%206%20-%20Trafodaethau%20grwpiau%20ffocws%20gyda%20rhanddeiliaid%2025%20Ionawr%202018.pdf>

At hynny, yn ein cyfarfod ddoe, trafododd yr Aelodau fater yr amgylchedd ffisegol a mynediad at chwarae gyda Chomisiynydd Plant Cymru.

Yn gywir,



Dr Dai Lloyd AC

Cadeirydd y Pwyllgor Iechyd, Gofal Cymdeithasol a Chwaraeon





Bwrdd Iechyd Prifysgol
Betsi Cadwaladr
University Health Board

Bloc 5, Llys Carlton, Parc Busnes Llanelwy,
Llanelwy, LL17 0JG

Block 5, Carlton Court, St Asaph Business
Park, St Asaph, LL17 0JG

Mr David J Rowlands AM
Chair of the Petitions Committee
National Assembly for Wales

Email:
Osian.Shelley@assembly.wales

Ein cyf / Our ref: GD/CR/7092/1520

Eich cyf / Your ref:

☎: 01745 448788 ext 6364

Gofynnwch am / Ask for: Dawn Lees

E-bost / Email: Dawn.Lees@wales.nhs.uk

Dyddiad / Date: 17th April 2018

Dear Mr Rowlands,

Re: P-04-479 Tywyn Memorial Hospital X-ray & Minor Injuries Unit Petition

Thank you for your letter dated 23rd March regarding Tywyn Hospital Minor Injury Unit opening hours in summer 2017 and requests for information made to the Health Board last year from the South Meirionnydd Older People's Forum.

I am able to respond to your queries as follows:

Why the opening hours of MIU in Tywyn Hospital were not extended in Summer 2017

You will be aware that Tywyn Hospital Minor Injury Unit (MIU) has different summer and winter opening hours. In summer (1st April to end September), the Unit is scheduled to be open from 10.00am to 6.00pm 7 days per week, whilst in the Winter (1st October to end March) it is open 10.00am to 6.00pm 5 days per week, Monday to Friday.

I wrote to the Petitions Committee on 9th February 2017 expressing the Health Board's commitment to these opening hours and nothing has changed, that is still the case. However our MIU opening hours and inpatient beds (and many other nurse led services) are wholly dependent on securing qualified nurse staffing to ensure that they run safely. Despite extensive recruitment efforts throughout late 2016 and 2017, the MIU in Tywyn was unable to recruit suitably qualified individuals or those prepared to undertake suitable courses, which meant that we were unable to operate our extended opening hours in the MIU during the 2017 summer season.

For information, in order to undertake the nursing role in MIU, individuals must be a Registered Nurse or an Institute of Healthcare and Development (IHCD) paramedic ideally with emergency care experience. Unfortunately, we face the same challenges as other health boards and trusts across the UK in recruiting qualified nurses, in particular in rural areas.

This is an ongoing issue which is also affecting our ability to open additional inpatient beds in Tywyn Hospital, however I would like to assure you that we are very mindful of the local concern this generates and we continue to explore all avenues to address the situation.



GIG
CYMRU
NHS
WALES

Bwrdd Iechyd Prifysgol
Betsi Cadwaladr
University Health Board

On a positive note, we are pleased to report some recruitment success and that currently within the establishment in Tywyn we now have 4 individuals who are able to work in the MIU department at varying levels of experience and competency. This has meant that we were able to open Tywyn MIU at the beginning of April 2018 for its extended summer opening hours, as we planned.

Why the South Meirionnydd Older People's Forum have apparently not received a response from the Health Board to a number of requests for information

I am very sorry that the South Meirionnydd Older People's Forum has not received responses to two letters it sent to the Health Board last year (on 20th August and 1st November 2017) and for the inconvenience this has caused. I understand that the two letters in question were sent directly to Kathryn Cummings, the West Area Communications Officer and their receipt was therefore not formally acknowledged by our Corporate Office. Unfortunately it then appears that the letters were overlooked during the move of the Communications Officer's base from Carlton Court in St Asaph to Ysbyty Gwynedd.

To avoid this happening again, we will ensure from now on that any correspondence received directly by the Communications Department is copied to the Corporate Office to ensure responses are timely and are not overlooked.

I trust that this covers the issues raised in your letter by the petitioner.

Yours sincerely

Gary Doherty
Prif Weithredwr
Chief Executive

P-04-479 Tywyn X-ray & Minor Injuries Unit Petition –
Correspondence from Petitioner to Committee, 24.04.18

Kathryn Thomas ,
Deputy Clerk,
The Petition's Committee ,
National Assembly for Wales,
Cardiff Bay, CF99 1NA.

South Meirionnydd Older People's Forum
Sunnyside, Corbett Avenue, Tywyn,
LL36 0DF, Gwynedd.
Secretary; George Buckley


24th April 2018

Closed Petition: P-04-479 Tywyn X-ray & Minor Injuries Unit Petition.

Dear Kathryn, Thank you for your e.mail on the 18th of April 2018 informing us of the response from Betsi Cawaladr UHB to the questions raised regarding the Tywyn Hospital Minor Injuries Unit by the Petition's Committee during the Petition's Committee Meeting on the 13th of March 2018. We are pleased to give our views of the response received from the Health Board to be included in the discussion of the response at the next meeting of the Petition's Committee on the 1st of May 2018.

We are pleased to learn that the Health Board have not wavered in it's commitment to extend the opening hours of the Minor Injuries Unit at Tywyn to include the weekends from April to September and we are pleased to be informed that, following a successful recruitment of staff, this has been already initiated from the beginning of April this year. We appreciate that the provision of the Minor Injuries service is totally dependent on the availability of suitably qualified staff. We voiced our fears of the possible outcome of future staff shortages when the strategy of Changes to Community Services was proposed in 2012 with a view to curtailing Services at rural Community Hospitals in favour of designated Hub Hospitals serving a wider area. We also voiced our fears that the staff shortages would lead to a lack of availability of the Services which would ultimately lead to their decline. However Betsi Cadwaladr UHB have stated, in this latest correspondence, that they are very mindful of the local concern regarding this issue and, in relation to the future of the Minor Injuries Unit, we find this statement somewhat reassuring.

We kindly accept the apologies from the Health Board for their lack of response to letters of concern written by the South Meirionnydd Older People's Forum in August and November 2017 regarding the lack of provision of Minor Injuries Services at Tywyn Hospital ,during the weekends, from April to September. When making enquiries at Tywyn Hospital as to the status of the extension of Minor Injuries Services last year we were advised to contact Kathryn Cummings the Health Board Communications Officer who was handling the case. We are pleased to accept the assurance from the Health Board that future correspondence will not be overlooked. We feel that, within their response, the Health Board have now provided enough evidence of their commitment to provide and maintain a Minor Injuries Service which will be extended when the demand for the service may be at it's highest and we are satisfied in that case that our concerns have been sufficiently addressed. Finally the South Meirionnydd Older People's Forum would like to offer our thanks for and appreciation of the help that you have provided to us in contacting the Health Board once again in our interests even though the original Petition was closed. We feel that the response that was gained through the intervention of the Petition's Committee may not have been forthcoming without it. We greatly value the work that you have undertaken on our behalf .

With the Most Kind Regards, Miss Jennifer Windsor
(on behalf of the South Meirionnydd Older People's Forum)



David J Rowlands AM
Chair
National Assembly for Wales
Petitions Committee

National Office
3rd Floor
21 Bloomsbury Street
London
WC1B 3HF

Sent via email to: SeneddPetitions@assembly.wales

4 April 2018

Dear Mr Rowlands

I am replying to your letter dated 15 March 2018, setting out the Cafcass position on parental alienation as requested. I have attached our work in progress about this. We are carrying out further work internally within Cafcass on our proposed parental alienation pathway, prior to discussions with stakeholders and then an invitation for general comment via our website before going live, starting in the early autumn.

Recognition of parental alienation

We recognise parental alienation. I have publicly stated that in my view it has a serious child impact which can properly be called emotional abuse. It can take the form of a systematic removal or downgrading of one parent by the other parent. It can also take place between other family members such as siblings or grandparents.

We prefer to refer to parental alienation not as a syndrome or a classification but as alienating behaviours. Our primary focus is the child impact of these alienating behaviours. Whilst in some of our cases, alienating behaviours are the main or only feature, it is more common for us to see alienating behaviour and impact operating alongside other damaging factors or risk factors within a family. Our role is to understand the precise toxic mix or cocktail of problems affecting a child and to seek to persuade those responsible for the problems to cease what they are doing and to in future protect the child from harm.

Whilst we focus on children, others in a family network can be affected or victimised through the alienation process. All of our practitioners are provided with guidance and training on how to recognise alienating behaviours and we also cover some of the features in our Operating Framework, which I have attached for reference (see p64).

The new Cafcass private law assessment pathways

In recognition of the complexity of alienating behaviours, we decided to develop new private law assessment pathways including a high conflict pathway and a parental alienation pathway. These will sit alongside our award-winning domestic abuse pathway, as the pathways need to

Baroness Tyler of Enfield Chair
Anthony Douglas CBE Chief Executive



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be considered as a whole rather than in isolation from one another. We will train our staff in these pathways when they are operational later in the year. Any practitioner trained will start using the pathways straight away. Our plan is to ensure that all practitioners are trained before we publish the final version and designate it as mandatory, probably in April 2019. This will allow us to refine the pathways in the light of early experience before they become mandatory.

Our work is aligned with the Ministry of Justice position on parental alienation which you make reference to. We work closely with them on this and all related developments.

In closing, my view is that the child impact of high conflict separation and divorce is a major public health issue, which would benefit from publicity and awareness raising, with a view to deterring parents from behaving like this. A different way of framing this would be to promote the benefits of low conflict lives. Programmes like this need Government support but in my view a change in legislation is not required at this stage, especially as the issues are complex and legislation is in my experience a blunt tool for regulating private family life. A stronger evidence base will help to move the debate forward. In Cafcass we intend to do that through the work on our new practice pathways I have summarised in an attachment to this letter.

Below are details of our Positive Parenting Programme Pilot, which you asked about.

The Cafcass Positive Parenting Programme Pilot

The High Conflict Pathway supports practitioners to identify cases suitable for the Cafcass Positive Parenting Programme Intervention. Our Positive Parenting Programme pilot is a 12-week programme for families which provides structured sessions to high conflict parents aimed at promoting change, improving communication between parents and reducing the emotional harm experienced by the child. It encourages parents to place themselves in their children's shoes so as to understand the impact of their behaviour. We use restorative practice principles to help the child recover with the support, where possible, of both parents.

A number of Cafcass practitioners have been trained to deliver the programme and it is being piloted across the country in 50 [Rule 16.4 cases](#) assessed to be suitable. Cafcass identifies those cases which might benefit from the programme. This is then discussed with the judge for each case and if agreed, the case is allocated to one of the practitioners trained in the programme.

We are currently undertaking further development work to refine the design and implementation of the pilot and will undertake an impact evaluation once a sufficient number of cases have completed the programme.

Yours sincerely

Anthony Douglas CBE
Chief Executive

cc. Nigel Brown, Chief Executive, Cafcass Cymru

Cafcass Private Law Assessment Pathways



What are the Private Law Assessment Pathways?

1. Alongside our existing pathway on assessing domestic abuse, we are introducing two new assessment pathways for our practitioners, on assessing high conflict and alienation in private law cases.
2. We have also developed an introductory pathway which sets out the principles of private law assessments in Cafcass and advises on how the subsequent pathways should be used.
3. These pathways are interconnected and interrelated to reflect that children's lives are complex and may be affected by elements from more than one type of behaviour simultaneously (hybrid cases).
4. The practitioner will use the most appropriate pathway(s) to undertake their assessment, checking back to avoid confirmation bias and updating their assessment where there is new information available.
5. The pathways follow a consistent and evidence-informed approach helping practitioners find an outcome which is in the best interests of the children involved.

What are the intended benefits of the pathways?

1. The damaging impact of parental conflict and alienating behaviour are well known. The pathways have been developed to provide a clearer framework for the robust assessment of the impact of such behaviours on children and to help practitioners identify what is happening in each case.
2. Labels such as Domestic Abuse and Parental Alienation are frequently 'used' within contested proceedings, in a one-dimensional blaming way without objective clarity about the meaning of the terms. The pathways draw attention to and help to tease out the nuances and complexities in these cases. The pathways provide a transparent, comprehensive and reliable frame of reference to facilitate balanced reporting to court.
3. They draw on established and emerging research in these areas and are intended to support practitioners' existing practice knowledge and skills by equipping them with a set of tools to structure and enhance assessment.
4. This systematic approach can also help with the early identification of such cases so appropriate work can take place with the family to improve the situation. An example of this is identification of suitable cases for the Cafcass Positive Parenting Programme.
5. The pathways provide a framework for early triage which provides an opportunity to design a more differentiated route through private family proceedings. For example, early identification of signs of alienation or high conflict may inform an early decision not to go down a route of multiple Section 7 reports followed by a 16.4 appointment, but instead order a combination of interventions, coordinated or delivered by Cafcass.
6. This approach could save time and resources as well as deliver more timely and improved outcomes for children.
7. The model we're using follows the same tried and tested format as our [Domestic Abuse Practice Pathway](#), introduced in 2016 to support and strengthen the systematic assessment of cases involving domestic abuse or domestic abuse allegations.
8. The pathways could assist the courts determination of any allegations of domestic abuse, substance misuse, and compromised parenting.
9. They help the practitioner keep in mind a variety of hypotheses about the cause of the family dynamics impacting on the child, being aware of the problems of confirmation bias.

Private Law Assessment Pathways

Introductory Private Law Assessment Pathway

- Underlying Principles of a Cafcass Private Law Assessment
- Successful co-parenting post separation.
- The Parenting Plan.
- Assessing the pre-existing parent-child relationship.
- Ascertaining the child's wishes and feelings.
- Co-developing an age appropriate shared narrative for the child.
- Assessing the barriers to co-parenting post separation.

Practice Pathway: Assessing risk in high conflict private law proceedings

- Distinguishing between high conflict and domestic abuse.
- Assessing the impact of high conflict on the child.
- Severity of the parental behaviours (**Mild-Moderate-Severe**).
- Impact of these behaviours on the child (**Mild-Moderate-Severe**).
- A systemic approach to assessment.
- Integrating the practitioner's assessment (with the other pathways).

Practice Pathway: Assessing risk where the child may be alienated

- Children that resist or refuse post separation contact.
- Affinity, alignment, alienation (**Naïve, Active, Obsessive**).
- Hybrid cases (**Alienation, Appropriate rejection**).
- Assessing the impact on the child Mild-Moderate-Severe).
- Severity of the parental behaviours (Mild-Moderate-Severe).
- Applying a systemic approach to assessment.
- Integrating the practitioner's assessment (with the other pathways).

Practice Pathway: Assessing domestic abuse in private law proceedings

- Emphasises a systematic and structured professional judgement approach.
- Helps FCAs assess domestic violence and abuse in the context of separation and litigation.
- Addressing learning from SCR re 'getting off on the wrong foot'
- Helps to identify those cases which require particular attention and highlights those situations and behaviours by the perpetrator which exacerbate risk.

Child Impact Analysis

Recommendations

Comisiynydd Plant Cymru Children's Commissioner for Wales

Sally Holland

By e-mail only

To: David Rowlands AM, Chair, Petitions Committee, National Assembly for Wales

9 April 2018

Dear Chair,

Petition P-05-751 Recognition of Parental Alienation

Thank you for your letter on behalf of the Petitions Committee dated 16th March 2018, in relation to the above named petition.

The Petitioner had previously written to me regarding this matter in March 2017, prior to filing the petition, and I attach a copy of the response that was sent to the petitioner at that time for your information.

I note the specific actions proposed in the current Petition and would respond to each point in turn, as follows:

We propose the following action by Welsh Government:

Recognise 'Parental Alienation' as emotional abuse of children with a definition incorporating the one given by the Ministry of Justice (paragraph 1 here <https://petition.parliament.uk/petitions/164983>).

This point is addressed directly in the attached correspondence.

Commission and fund mandatory training for professionals including social work and Cafcass Cymru staff, in recognising Parental Alienation including pathways to protect children from harm.

In my previous response I suggested that the Petitioner contact Regional Safeguarding Boards as they are responsible for ongoing training of social workers and other staff. I would repeat this suggestion.

There may also be merit in the Welsh Government exploring the current training available to CAF/CASS staff in order to ensure that this is being actioned for them in addition.

As regards pathways, the current child protection processes and All Wales Child Protection Procedures would apply here so there is no requirement for additional pathways to be set out in my view.

Establish and fund a national campaign to inform children and families about Parental Alienation and the harm that it causes.

I would be concerned that a national campaign could be difficult as the topic is particularly sensitive and “*fraught with difficulties*”¹ as previously noted by Anthony Douglas of CAFCASS England. It is not the sort of topic that would lend itself easily to a public campaign in my view, as each case will be entirely unique to its own circumstances, and would need very careful and meticulous delivery if such a campaign was targeted at children and young people. In addition, even where parental alienation (or implacable hostility as it is often termed in the UK) is evident, the court and relevant professionals will still be under a mandatory duty to consider what action is in the child’s best interests in all of the circumstances. This is their right under current legislation and case law for England and Wales, as well as under Article 3 of the United Nations Convention on the Rights of the Child (UNCRC). It is not as straightforward as to say that one parent has acted inappropriately and therefore the child has suffered harm and should be removed from their care for instance; any response will need to meet the child’s best interests.

As Children’s Commissioner for Wales, I think that the views and voice of the child will always be important in family cases, as set out in the welfare checklist of the Children Act 1989, so for me it is clear that professionals should always be considering the child’s views in any such case.

Place a duty on Welsh Ministers to act to protect children from abuse and harm where Parental Alienation has been identified.

In adopting the UNCRC through the Rights of Children and Young Persons (Wales) Measure 2011, Welsh Ministers are under a duty to have due regard to the Convention when exercising their functions. The UNCRC contains a right for children to be kept safe from harm (Article 19) and also a duty on the state to take all appropriate legislative and administrative measures to ensure that this is the case. This would potentially include decisions in relation to CAFCASS such as funding and training, as noted above.

However, as noted in the petition’s cover letter, this is further complicated by family justice being reserved to the UK Government and not devolved to Wales. In that sense the child protection processes themselves have to be dealt with according to laws and processes that govern both England and Wales.

It is my understanding that discussions have taken place with senior judges and the Ministry of Justice on forming a protocol to the Family Procedure Rules that would cover parental alienation and how it should be dealt with through the court process. It is my view that this is the appropriate way for those discussions to take place. I would be happy to respond to any public consultation on the introduction of such a protocol.

In summary, I believe that the current guidance and processes, although presently subject to revision, remain able to encompass implacable hostility/parental alienation and ensure a response that is focused around the needs, views and best interests of the child. I think ongoing training around the issue may be of benefit for practitioners generally, but would be concerned about the potentially negative messaging of a public campaign – and therefore the negative impact one could have on children - if one were to take place.

¹ <http://www.telegraph.co.uk/news/2017/02/12/divorced-parents-pit-children-against-former-partners-guilty/>

I trust that the above evidence is useful as you and the Committee continue to consider the petition.

Yours sincerely,



Sally Holland
Children's Commissioner for Wales

Encl. *E-letter to Mr Apreda – 16 March 2017*

Comisiynydd Plant Cymru Children's Commissioner for Wales

Sally Holland

By e-mail only.

16th March 2017

Dear Mr Apreda

Thank you for your email raising awareness of your 'Call to Action in relation to Parental Alienation', and the current petition before the Welsh Assembly, seeking to influence the Welsh Government to formally recognise Parental Alienation as a form of emotional abuse.

I note that the petition refers to a 'definition' of Parental Alienation as given by the Ministry of Justice, but this wording appears in response to a petition to the UK Government and has not subsequently been replicated in any legislation or their statutory guidance "Working Together". The definition of emotional abuse in Working Together is very similar to the definition in the All Wales Child Protection Procedures. Neither definition is overly prescriptive so as to encompass any forms of harm or abuse that are having a negative and long term impact on a child and their development.

Whilst the quote from Anthony Douglas of CAFCASS contained in the petition information states that parental alienation is a form of neglect or abuse, in the Telegraph article¹ he goes on to note that it is "fraught with difficulty" and that removing a child from a parents' care in these circumstances is "a rocky road and a difficult process".

Article 3 of the UNCRC protects the best interests of children and Article 9 states the rights of children to retain contact with both parents unless doing so would cause them further harm. In any cases before the courts it is incumbent on the professionals and the judge or magistrates to treat the child's welfare as the paramount consideration and to apply the welfare checklist contained in section 1(3) of the Children Act 1989. The systems that are currently in place seem broad enough to encompass parental alienation as a form of abuse, to be taken into account as part of the balancing exercise being undertaken.

The All Wales Child Protection Procedures are to be updated to reflect the introduction of the Social Services and Well-being (Wales) Act 2014; this might create an opportunity to raise your concerns as part of that process. As these procedures belong to practitioners and are not a product of the Welsh Government, it might perhaps be prudent to approach the Regional Safeguarding Boards in relation to this matter. In addition, these boards are responsible for co-ordinating training across a range of agencies so again it may be a relevant issue to draw to their attention.

¹ <http://www.telegraph.co.uk/news/2017/02/12/divorced-parents-pit-children-against-former-partners-guilty/>

Comisiynydd Plant Cymru
Children's Commissioner for Wales
Sally Holland

There is also an ongoing Welsh Government consultation in relation to the Working Together to Safeguard Children guidance. The guidance throughout refers to “abuse, neglect or harm” so these are wide ranging definitions. I would encourage you to share any views you have through that formal consultation process, which can be found here -

https://consultations.gov.wales/sites/default/files/consultation_doc_files/170131guidance-childrenen.pdf

Yours sincerely



Sally Holland
Children's Commissioner for Wales



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David J Rowlands
Chair of the Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

12 April 2018

Dear David J Rowlands

Thank you for your letter asking for NSPCC Cymru/ Wales' views and further information regarding Petition P-05-751: Recognition of Parental Alienation.

We know that separations and family breakdowns can place significant emotional stress on children and temporarily impair parenting ability. In a small number of cases a child explicitly sides with one parent and rejects the other. There may be a number of reasons for this, including the impact of the behaviour of one or both parents that undermines the child's relationship with the other parent. There are a number of contributing factors to why a child may align with one parent and reject another:

- Justifiable estrangement- where a child's negative feelings towards a parent are justified as a result of abusive behaviour towards them or their other parent. In these cases reluctance or refusal to see this parent is a justifiable reaction are an attempt to keep themselves and their other parent safe.
- The pressure of a break down in family structure creates emotional pressures that undermine parenting capacity and negatively affects parent child relationships. This result is a breaking down of parental child boundaries as parents place requirements on children to provide emotional stability and security. This then negatively affects their relationships with one or both parents.
- Affinity or alignment with one parent over another based on the child individual characteristics, personality and stage of development
- Alienation by one or both parents, which can be naive or deliberate.

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National Society for the Prevention of Cruelty to Children (NSPCC). Noddwr Brenhinol: Ei Mawrhydi'r Frenhines. Llywydd: Ei Uchelder Brenhinol Iarllless Wessex. Sefydlwyd yn 1884. Ymgorfforwyd gan Siatr Frenhinol RC000374. Rhif elusen gofrestredig 216401 (Cymru a Lloegr) a SC037717 (Yr Alban).

National Society for the Prevention of Cruelty to Children (NSPCC). Royal patronage: Majesty The Queen. President: HRH The Countess of Wessex. Founded in 1884. Incorporated by Royal Charter RC000374. Registered charity number 216401 (England and Wales) and SC037717 (Scotland).

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Parental Alienation is a contested and controversial concept where one parent turns a child against the other parent and the child then rejects this parent with no legitimate justification.¹ It is mainly applied to cases of family separation where a child refuses to see one parent due to the activity of another, and has implications for how family courts make decisions about custody and contact.

The concept of Parental Alienation is particularly advocated by fathers' pressure groups who advocate on behalf of those who believe they have been victims of parental alienation. In addition some legal advocates who recognise the features of parental alienation in the cases in the family court system and mental health practitioners.

It is opposed by advocacy organisations for survivors of domestic abuse who view parental alienation as a means of discrediting allegations of domestic abuse, or allegations of child abuse made by the other parent of the child. It is also opposed by legal advocates and mental health practitioners and researchers who dismiss the validity of the theory.

NSPCC Cymru/ Wales position:

NSPCC Cymru/ Wales principal policy position is that the best interests of the individual child should always be the primary consideration when decisions are being made. This position is consistent with:

- Article 3 of the United Nations Convention on the Rights of the Child (UNCRC) states:

'In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration'²

- And the paramountcy principle as stated in the Children Act 1989: *'the child's welfare shall be the court's paramount consideration'³*

In response to the following proposed actions:

- *Recognise 'Parental Alienation' as emotional abuse of children with a definition incorporating the one given by the Ministry of Justice (paragraph 1 here <https://petition.parliament.uk/petitions/164983>).*
- *Commission and fund mandatory training for professionals including social work and Cafcass Cymru staff, in recognising Parental Alienation including pathways to protect children from harm.*

We believe that, in itself, a child being denied contact with a parent is not automatically abusive. It can be in the best interests of the child where contact with a parent would pose a risk to the child or it can be in response to the child's own wishes.

¹ C S Bruch, Parental Alienation Syndrome and Alienated Children- getting it wrong in child custody cases

² https://downloads.unicef.org/wp-content/uploads/2010/05/UNCRC_united_nations_convention_on_the_rights_of_the_child.pdf?_ga=2.203887760.123060488.9.1523451048-1234611693.1523451048

³ <https://www.legislation.gov.uk/ukpga/1989/41/section/1>



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Parental alienation occurs on a spectrum. Where there is evidence that alienating behaviour of a parent is causing a child severe distress, the current legal framework requires that professionals investigate concerns of emotional abuse and take appropriate action to safeguard the child. We believe a specific recognition of parental alienation is not required as the threshold for significant harm, as outlined in the Children Act 1989, is well understood and the basis for intervention by all agencies. The Social Services and Well-being (Wales) Act 2014 defines abuse and includes psychological and emotional abuse⁴, Section 130 makes clear the duty to report a child at risk of abuse, neglect or other forms of harm⁵ and the All Wales Child Protection Procedures provide clear guidance to professionals about how to respond.

Social workers and CAFCASS staff are used to working with families in conflict and already use their professional judgement to advise courts and make recommendations on the child's best interests. Therefore we do not see the need for mandatory training on parental alienation.

In response to the following proposed action:

- *Establish and fund a national campaign to inform children and families about Parental Alienation and the harm that it causes.*

There are no robust statistics regarding the prevalence of parental alienation, not least because there is no agreement about what constitutes parental alienation. We would not recommend a national campaign on a much contested and sensitive subject.

In response to the following proposed action:

- *Place a duty on Welsh Ministers to act to protect children from abuse and harm where Parental Alienation has been identified.*

⁴ http://www.legislation.gov.uk/anaw/2014/4/pdfs/anaw_20140004_en.pdf

⁵ *ibid*

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National Society for the Prevention of Cruelty to Children (NSPCC). Royal Children's Society. President: HRH The Countess of Wessex. Founded in 1884. Incorporated by Royal Charter RC000374. Registered charity number 216401 (England and Wales) and SC037717 (Scotland).

Welsh Ministers are already bound by the Rights of Children and Young Persons (Wales) Measure 2011⁶ to have due regard to the Convention on the Rights of the Child when exercising their functions. Article 19 of the UNCRC states that:

*'States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child'*⁷

Any such additional duty on Welsh Ministers would duplicate responsibilities they already have to protect children from abuse and harm.

I hope you find our views helpful as you further consider this petition

Yours sincerely

Des Mannion



National Head of Service for Wales and North West

Pennaeth cenedlaethol gwasanaethau yng Nghymru a'r Gogledd Orllewin

⁶ <http://www.legislation.gov.uk/mwa/2011/2/contents>

⁷ https://downloads.unicef.org.uk/wp-content/uploads/2010/05/UNCRC_united_nations_convention_on_the_rights_of_the_child.pdf?_ga=2.203887760.123060488.9.1523451048-1234611693.1523451048



13 April 2018

David Rowlands AM
Chair, Petitions Committee
National Assembly for Wales
Cardiff Bay
CF99 1NA

Dear David Rowlands AM

RE: Petition P-05-751 Recognition of Parental Alienation

Thank you for your recent letter dated 16 March 2018 regarding a request for the views of Welsh Women's Aid about the issues raised by this petition.

As the umbrella body for violence against women, domestic abuse and sexual violence specialist services in Wales, our work is informed by our national network of 23 specialist services, and we also collaborate closely with UK umbrella bodies and children's charities. As such, our concerns about this petition are informed by our work on domestic abuse and sexual violence, and our work for and with children and young people. Our concerns also align with the position of other organisations, such as NSPCC Cymru and Women's Aid Federation England.

Summary: our response to specific petition demands

- *Recognise 'Parental Alienation' as emotional abuse of children with a definition incorporating the one given by the Ministry of Justice (para. 1 <https://petition.parliament.uk/petitions/164983>).*
- *Commission and fund mandatory training for professionals including social work and Cafcass Cymru staff, in recognising Parental Alienation including pathways to protect children from harm.*
- *Establish and fund a national campaign to inform children and families about Parental Alienation and the harm that it causes.*

We recommend that the National Assembly **should not** 'persuade' the Welsh Government to formally recognise 'parental alienation' as a specific form of child abuse in Wales, **nor** should mandatory training for professionals be commissioned on 'parental alienation'. We also recommend that the National Assembly should **not** fund a national campaign to inform children and families about parental alienation and the harm it causes.

As evidenced below, 'parental alienation' as a concept it remains undefined, complex and contested and its scale is unclear. The Ministry of Justice definition is not a 'definition' as stated by "Families Need Fathers Both Parents Matter Cymru" in this petition. This is a reference to a response provided to another petition last year (which sought to recognise 'parental alienation' as a criminal offence¹) and has not been formalised or used elsewhere in publications or regulations by the Ministry. In responding to that petition, the Ministry of Justice argued that the Children Act 1989 contains adequate provisions to deal with these concerns citing that the family court has a range of powers to

¹ <https://petition.parliament.uk/archived/petitions/164983>

deal with such cases and therefore separate legislation is not needed to address ‘parental alienation’. The Ministry of Justice concluded that the current legal provision is fit for purpose and that practitioners have the capacity and specialist expertise to undertake this remit.

- *Place a duty on Welsh Ministers to act to protect children from abuse and harm where Parental Alienation has been identified.*

We recommend that the National Assembly should **not** place a further duty on Ministers to protect children where ‘parental alienation’ has been identified, because this would duplicate responsibilities and duties already in place.

In Wales, Ministers are already under a duty to have due regard to the United Nations Convention of the Rights of the Child (UNCRC) through the Rights of Children and Young Persons (Wales) Measure 2011, when exercising their functions and for states to ensure through legislation and policy that this is the case.. This includes the rights of children to retain contact with both parents *unless doing so would cause them further harm* (Article 9), the right for children to be kept safe from harm (Article 19) and protection of the best interests of children (Article 3).²

Professionals involved in court processes are also already bound by rules that govern that the child’s welfare should be of paramount consideration (welfare checklist under the 1989 Children Act). In Wales professionals are also bound by section 130 of the Social Services and Well-being (Wales) Act 2014 which defines abuse and includes psychological and emotional abuse and the duty to report, as well as by guidance in the All Wales Child Protection Procedures. The definition of emotional abuse in these Procedures is already wide-ranging and includes any forms of harm or abuse that has a negative and long term impact on a child and their development.

We urge all Petitions Committee members to consider our recommendations (above) and the following supporting evidence (below), when discussing the issues raised by this Petition.

Supporting evidence: ‘Parental alienation’ and domestic or sexual abuse

‘Parental alienation’ is commonly perceived to involve one parent turning a child against the other parent and the child then rejects this parent, yet as a concept it remains undefined, complex and contested and its scale is unclear. Recognition that there is a ‘syndrome’ of parental alienation is also highly disputed, and such a syndrome has not been recognised by the World Health Organisation or within family proceedings in our jurisdiction.

Although alienating behaviours can manifest in a number of ways with varying impact, it is generally accepted that when a child is rejecting or resisting one parent, this can involve a combination of child and adult behaviours and attitudes associated with separation or family breakdown. CAFCASS reports, for example, that extreme examples of ‘parental alienation’ are a very small percentage of those cases that come before family courts.³

In cases of domestic abuse, we know that often perpetrators engage in overt or more subtle alienating and abusive behaviours with their children to try to turn them against the non-abusive parent (usually mothers). We also know that children are harmed by coercive controlling tactics, including continual

² https://downloads.unicef.org.uk/wp-content/uploads/2010/05/UNCRC_united_nations_convention_on_the_rights_of_the_child.pdf?ga=2.203887760.1230604889.1523451048-1234611693.1523451048

³ <https://www.cafcass.gov.uk/grown-ups/parents-and-carers/divorce-and-separation/parental-alienation/>

monitoring, isolation and verbal/emotional/psychological and financial abuses, perpetrated by fathers/father-figures against mothers. So victims of domestic abuse have legitimate concerns about the parenting capacity of the abusive parent and, following separation (which is the most dangerous time for victims of domestic abuse)⁴, many request safe/supervised/indirect contact to safeguard their children, because their children consider the abusive parent as threatening or frightening.

Research suggests it is a mistake to assume that a child's reluctance to have contact with the non-resident parent is simply due to brainwashing or 'alienation' by the resident parent, and that even relatively young children may have very clear reasons for resistance to contact.⁵ When a child has been abused by a parent, including when they live with a parent who is physically, emotionally and/or sexually abusing the other parent, then rejection of the abusive parent is often an adaptive coping strategy, and a child's refusal to have a continuing direct relationship with the abusive parent is justifiable estrangement, an attempt to keep themselves and their other parent safe.

Nevertheless, fathers' pressure groups commonly accuse non-abusive parents (overwhelmingly mothers) of being 'implacably hostile', of emotionally manipulating and alienating their children from contact with their fathers following separation. Yet our experience, supported by evidence, shows that the reverse is true, and that mothers who have experienced domestic abuse frequently try various ways to promote contact if it is safe and in the child's best interests to do so.⁶ Worryingly, there is a growing public perception that mothers are flouting contact orders and courts are failing to uphold compliance, but research (e.g. by the Nuffield Foundation) shows this is inaccurate: such cases constitute a minority of enforcement cases, most of which arise because of unresolvable parental conflict, serious welfare concerns, or the children's own wishes (as outlined above).⁷

'Parental alienation' is being used by perpetrators, in our experience, to discredit allegations of domestic abuse made by mothers and to explain a child's anxiety and fear about contact with that parent, often despite the presence of welfare concerns which are far more likely to be the reasons for the child's reaction. We are concerned that during family proceedings, more weight can be given to this than to domestic abuse itself, because of the incorrect assumption made by some professionals that once a relationship has ended, the abuse has also ended.

Research by Women's Aid Federation England with Queen Mary University London (forthcoming) evidences that family justice professionals increasingly accept 'parental alienation' as a credible and common 'syndrome' in the absence of scientific validity. In some cases, this research shows, women who raised domestic abuse as a safety concern in relation to child contact were accused by their abusive partner of 'parental alienation' and of making up the experiences of domestic and child abuse, and women lost residency and contact with their children as a result.

⁴ According to the *Femicide Census* 77.4% of women killed by their ex-partner or ex-spouse were killed within the first year that followed that separation. *The Femicide Census: 2016 findings* p.5 <https://1q7dqy2unor827bqjls0c4rn-wpengine.netdna-ssl.com/wp-content/uploads/2017/12/The-Femicide-Census-Report-published-2017.pdf> [accessed 03.04.18].

⁵ Fortin, Hunt and Scanlon (2012) "Taking a longer view of contact: The perspectives of young adults who experienced parental separation in their youth"

⁶ For example, Hunt, J. and McLeod, A. (2008) *Outcomes of Applications to Court for Contact Orders After Parental Separation or Divorce*, London, Ministry of Justice; Thiara, R.K. and Gill, A. (2012) *Domestic Violence, Child Contact and Post Separation Violence: Issues for South Asian and African-Caribbean Women and Children; A Report of Findings*, London, NSPCC; Morrison, F. (2015) "All over now? The ongoing relational consequences of domestic abuse through children's contact arrangements", *Child Abuse Review*, 24 (4), 274-284.

⁷ <https://www.nuffieldfoundation.org/sites/default/files/files/enforcement%20briefing%20paper%20final.pdf>

Our concerns about the way ‘parental alienation’ is being used, are reinforced by research which shows family courts have frequently minimised the impact of domestic abuse which leads to contact arrangements that are often unsafe.⁸ For example, analysis of serious case reviews from England and Wales published between January 2005 and August 2015 concluded that there have been significant failings in family courts and child contact arrangements that actively minimised the possibility of further harm to children/young people and the non-abusive parent. This research outlined the stories of 19 children and 2 mothers who were killed by a parent or partner who was a perpetrator of domestic abuse, in circumstances relating to child contact (formally or informally arranged).⁹

In Wales, consultation undertaken by an independent facilitator for Welsh Women’s Aid¹⁰ with 69 survivors of violence and abuse, raised significant concerns in this area:

- Survivors spoke of their experience of perpetrators using the family court system to continue to abuse and control them, and of the family justice system prolonging and reinforcing the abuse they had experienced by perpetrators;
- Survivors told us they felt the abusive parent’s right to see their children overrides the safety and well-being of children during family court proceedings, despite the intent of the law to put the child’s safety, wishes and feelings first;
- Survivors spoke of their concerns about their children being subject to ongoing emotional and other forms of abuse, as a result of family court decisions that allow unsafe contact with the abusive partner/parent.
- Survivors felt that, unlike improvements in the criminal justice system, the family justice system did not appear to understand domestic abuse, its impact on mothers and children, and their need for support.

This consultation specifically recommended that Welsh Government prioritise *“Improved awareness of and response to violence against women, domestic abuse and sexual violence by professionals involved in the family justice system (CAFCASS Cymru, judges and court personnel, contact centres), and safe child contact with parents/carers following separation, in cases of domestic abuse and sexual violence.”*

Supporting evidence: *Changes to guidance for family courts and social work practice*

The Ministry of Justice and the President of the Family Division recently issued a revision to guidance for judges and magistrates for child arrangements proceedings where there are allegations, risks associated with, or admissions of domestic abuse – Practice Direction 12J.¹¹ This applies to any family proceedings in the family or high courts. Courts will be required to follow the revised guidance at all stages of the proceedings and specifically at the first hearing, and must consider whether domestic abuse is raised as an issue. This guidance came into force on 2nd October 2017 and shows the extent and seriousness with which domestic abuse needs to be considered in these circumstances.

⁸ Harrison, 2008; Bagshaw et al., 2011; Caffrey, 2015; Morrison, 2015.

⁹ Women’s Aid England published research in 2016 as part of the Child First campaign, which Welsh Women’s Aid participated in, - “Nineteen Child Homicides” (Bristol: Women’s Aid, 2016) <https://1q7dqy2unor827bgjls0c4rn-wpengine.netdna-ssl.com/wp-content/uploads/2016/01/Child-First-Nineteen-Child-Homicides-Report.pdf> (accessed Oct 2017)

¹⁰ Y. Rehman, ‘Are you listening and am I being heard? Survivor Consultation: A report of the recommendations made by survivors of violence against women, domestic abuse and sexual violence, to inform the National Strategy in Wales’, <http://www.rhianbowendavies.com/wp-content/uploads/2016/09/Are-you-listening-and-am-I-being-heard-FINAL-July-2016.pdf>, Welsh Women’s Aid, 2016.

¹¹ Practice Direction 12J - Child Arrangements & Contact Order: Domestic Violence and Harm https://www.justice.gov.uk/courts/procedure-rules/family/practice_directions/pd_part_12j

CAFCASS Cymru has already undertaken a programme of training to improve their understanding on the dynamics of domestic abuse, in particular on new legislation regarding coercive controlling behaviour, so that they can effectively identify and take action in cases where such abuse exists. Nationally, ‘Ask and Act’ training is also being rolled out for social workers in Wales, under the National Training Framework to help professionals earlier identify and respond to domestic abuse, sexual violence and other forms of violence against women.¹²

CAFCASS (in England) is also reviewing its practice, by piloting a ‘High Conflict Practice Pathway’, a practice framework being developed to help practitioners systematically assess cases which feature adult behaviours associated with high conflict, which includes, but is not limited to, ‘parental alienation’. It supports the accurate and early identification of exactly what is happening for each child, and aims to distinguish between parental alienation and the justified rejection of a parent by a child due to inappropriate, abusive or harmful behaviour.

Welsh Women’s Aid welcomes this revised Practice Direction 12J guidance and further improvements in practice and training undertaken by CAFCASS Cymru, as it is hoped that this will improve the rights of children and young people and survivors of domestic abuse to live free from abuse and violence in Wales.

In summary, these petition demands would not be in the best interests of children and young people and their safety, and would also be replicating much of the legislation and policy already in place concerning the emotional abuse of children:

- The most likely reason that a child becomes estranged from a parent is that parent’s own behaviour, and the use of ‘parental alienation’ label against the other parent only services to deflect attention away from those behaviours.
- More dangerously, parental alienation can mask domestic violence and child abuse (physical, emotional, sexual or neglect). Indeed, it is in the perpetrators’ own interests to blur the distinction between abused children and ‘alienated children’, and to reframe the behaviour of fearful abused women as ‘alienating’, so that professionals question, for example, whether gathering evidence of abuse (interviews with psychologists, medical examinations or discussions with the child) is gathering proof or further evidence of alienating behaviour.
- There is already a great deal of work underway to safeguard and support children in Wales, and to better identify and respond to domestic abuse and sexual violence. Labelling the concerns of victims of domestic abuse as ‘parental alienation’ or the responses of sexually abused children as ‘alienated’ will only serve to further endanger children, who may already be deeply traumatised after living with violence and abuse and who need access to protection, safety and support. ***If any resources are to be allocated to improve the lives of children, we would recommend this be allocated to supporting children and young people directly who are impacted by domestic and sexual abuse.***

¹² Part of the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015.

Thank you for this opportunity to contribute our expertise to this area as the umbrella organisation for violence against women, domestic abuse and sexual violence specialist services in Wales.

If you require any further information or evidence, around this or any other related matter, please do not hesitate to get in touch.

Yours sincerely,



Eleri Butler MBE

Chief Executive Officer,
Welsh Women's Aid

**P-05-751 Recognition of Parental Alienation –
Correspondence from the Chief Executive of Children in Wales to Chair,
16.04.18**

David Rowlands AM
Chair
Petitions Committee
National Assembly for Wales

Dear David

re : Petition P-05-751 Recognition of Parental Alienation

Thank you for asking our views about the above petition. This is a complex matter for a variety of reasons. As an organisation we are totally committed to promoting emotional well-being and good mental health for all children and young people in Wales. In particular this has been a top priority for children and young people themselves as we have heard through our Young Wales programme which actively engages their views from across Wales through collaboration with youth forums, schools and organisations that support vulnerable and marginalised groups.

Within this context they are very concerned about healthy relationships which includes relationships within families of all shapes and sizes, whether birth parents or not. For a significant number of children in Wales their parents have never married. The impact on children of relationship breakdown between parents who are not married is no different to that which occurs when a marriage breaks down, but these conflictual cases do not end up in private law proceedings. We therefore recommend that there should be more of a focus on child development and co-parenting in such situations as the petition refers to, from the point of view of a child's right to family life under the United Nations Convention on the Rights of the Child. Family breakdown is a major issue for very large numbers of children and so Welsh Government should invest in its general parenting work, public education and services that recognise the importance of healthy relationships within families including when separation happens.

It is well established that in the main, a child's interests are best served if resolutions are found outside of the court either between the parents themselves or through mediation. It also has to be remembered that *Private Law (Section 16.4 Children Act)* only deals with a minority of children in those marital breakdown cases which are the most extreme and where the adults involved are behaving in a way which is entrenched and unlikely to change to resolve matters for the child without court intervention. High levels of conflict are typical in these cases and there may also be situations of domestic violence, substance misuse etc. CAF/CASS appoints guardians to provide the court with reports on the child's behalf and the child also has legal representation in their own right.

In particularly entrenched cases the court also has the power to issue a *Family Assistance Order* and can require CAF/CASS Cymru to conduct a risk assessment to be done if it is felt that the child is at risk. A key reservation we have is that since the changes to legal aid, parents are less likely to have helpful early advice such as sign-posting to mediation or at least realistic guidance about the prospects of the outcome they are looking for through court proceedings. The Ministry of Justice should be required to consider the impact on children of the changes to legal aid in such circumstances. It can't be good for children to have their parents representing themselves in adversarial court situations.

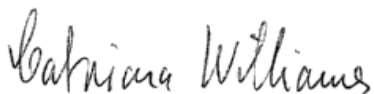
Regarding 'Parental Alienation' there is no definition of what it actually is despite its use in various published articles. We know that there are many situations where the parent with whom the child resides may be obstructive to promoting a positive relationship with the other parent. However, we do not believe that focussing on one aspect of a child's emotional health is the correct way of looking at it. The child may have other worries as well during these difficult times such as a change in school, loss of friends, loss of grandparents, new family members such as a parents new partner etc etc.

The complexities of separation and the impact on children are common place and it should currently be part of the development or training of social workers and CAF/CASS staff to recognise parental behaviours that aim to make the child feel negatively towards the other parent. Considering the complex work that social workers and CAF/CASS staff carry out in cases of public law cases which may lead to the removal of children for their own safety, it would be surprising to us that they did not have the skills to make such an assessment to inform the court. However time may be an issue for both them and for the solicitors.

Regarding acting on emotional abuse, we believe that there is sufficient legislation and multi-agency procedures to be able to protect any child who is suffering emotional abuse. In the *All Wales Child Protection Procedures* there are clear definitions of Abuse and Neglect. Under 1.1.2 Emotional Abuse is defined as *'the persistent emotional ill treatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate or valued only in so far as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on children. It may involve causing children frequently to feel frightened or in danger, for example by witnessing domestic abuse within the home or being bullied, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of ill treatment of a child though it may occur alone.'*

We do not believe that creating a new law as suggested by the petitioner is the answer although we would like to encourage Welsh Government to recognise the needs of children in separating families, especially their emotional needs and to invest in services that create a supportive environment for the children.

Yours sincerely



Catriona Williams OBE
Chief Executive

Catriona Williams OBE
Chief Executive / Prif Weithredydd

National Assembly's Petitions Committee:

Parental Alienation (P-05-751)

Contribution by ADSS Cymru

Authority	Jenny Williams, President
Completed by	Paul Pavia, Policy and Research Lead
Date	12 April 2017

General Comment

The Association of Directors of Social Services (ADSS Cymru) is the professional and strategic leadership organisation for social services in Wales and is composed of statutory Directors of Social Services and the Heads of Service who support them in delivering social services responsibilities and accountabilities; a group of more than 80 social services leaders across the 22 local authorities in Wales.

As the national leadership organisation for social services in Wales, the role of ADSS Cymru is to represent the collective, authoritative voice of Directors of Social Services, Heads of Adult Services, Children's Services and Business Services, together with professionals who support vulnerable children and adults, their families and communities, on a range of national and regional issues of social care policy, practice and resourcing. It is the only national body that can articulate the view of those professionals who lead our social care services.

As a member-led organisation, it is uniquely placed as the professional and strategic leadership organisation for social services in Wales, to lead on national service development initiatives to ensure a consistent efficient and high standard of delivery for people who access care services across Wales.

ADSS Cymru is committed to using the wealth of its members' experience and expertise, working in partnership with other agencies, to influence important decisions around social care to the benefit of the people it supports and the people who work within care services.

Therefore, ADSS Cymru welcomes the opportunity to comment on the Recognition of Parental Alienation Petition that is currently before the Committee for consideration.

The angry alienation of a child from a parent following separation and divorce has drawn considerable attention in custody disputes for nearly three decades and only more recently, has generated considerable legal, psychological and media-based controversy. The debate about the tangible, medical existence of initially, Parental Alienation Syndrome (PAS), then, Parent Alienation Disorder (PAD) and more recently, Parent Alienation, is very complex. The concepts and theory behind the lexicon of each of the perceived conditions, have been played out in family courts and amongst clinical psychologists and psychiatrists for many years. Yet, there has and continues to be, a broad skepticism of the concept of PAS and a clear cause for caution in relation to the concept of parental alienation by both mental health practitioners and legal professionals.

What are the definitions of 'Parent Alienation Syndrome', Parent Alienation Disorder' and 'Parent Alienation'?

The term, '**Parent Alienation Syndrome (PAS)**', was a label originally devised by American child psychiatrist, Prof. Richard Gardener, in the mid 1980s. Gardener coined the term to describe a diagnosable disorder in the child occurring in the context of a custody dispute and it is this entity that has generated both enthusiastic acceptance and a strong negative response. Gardner described PAS as a child's campaign of denigration against a parent that has no justification and that results from the combination of two contributing factors: the programming or brainwashing by one parent and the child's own contributions to the vilification of the target parent.ⁱ He identified eight fundamental behaviors or characteristics:

1. Campaign of denigration against the target parent;
2. Inconsistent, illogical, weak, or absurd rationalizations given by the child for rejecting the target parent;
3. Child's use of phrases, terms, or scenarios that do not reflect the child's experiences or are developmentally inappropriate;
4. Child's lack of ambivalence towards either parent;
5. Contention that the decision to reject the target parent is the child's;
6. Child's unconditional, automatic support of the alienating parent;
7. Child's significant lack of guilt over exploitation of the targeted parent; and
8. Spread of animosity and danger to include the extended family of the target parent.

There have been several key criticisms of PAS, which has discredited any attempt to formally adopt the concept as a diagnosable medical condition.

- First and foremost, PAS focuses almost exclusively on the alienating parent as the ethological agent of the child's alienation. This is not supported by considerable clinical research that shows that in high-conflict divorce, many parents engage in indoctrinating behaviors but only a very small proportion of children become alienated.ⁱⁱ
- In other cases, it can be shown that some children, especially adolescents, develop unjustified animosity, negative beliefs and fears of a parent in the absence of alienating behaviors by a parent. Hence, alienating behavior by a parent is neither a sufficient or necessary condition for a child to become alienated.ⁱⁱⁱ
- As there is no commonly recognised, or empirically verified pathogenesis, course, familial pattern, or treatment selection of the problem of PAS, it cannot be properly considered as a diagnostic syndrome as defined by the American Psychiatric Association in its *Diagnostic and Statistical Manual of Mental Disorders* (5th Ed. (DSM-5)), seen globally as the 'Psychiatrists Bible' and the benchmark by which all mental disorders are measured against.

The term, '**Parent Alienation Disorder (PAD)**', was a suggested modern replacement or reformulation of PAS promulgated by Dr. William Bernet, an American forensic psychiatrist. He was a proponent of having a defined medical model for the collection of symptoms displayed by a child experiencing acrimonious family breakdown and separation. He claimed that children who reject parenting time with one parent during separation or divorce, have a specific mental health problem that comes as a result of the non-rejected parent's alienating behaviors toward the rejected parent.^{iv}

He set out a diagnostic criteria table for PAD:

- A. The child, usually one whose parents are engaged in a high-conflict divorce, allies himself or herself strongly with one parent and rejects a relationship with the other; thus, alienating one parent without legitimate justification.

The child resists or refuses contact or parenting time with the alienated parent.

- B. The child maintains the following behaviours:
 - 1. A persistent rejection or denigration of a parent that reaches the level of a campaign;
 - 2. Weak, frivolous, and absurd rationalizations for the child's persistent criticism of the rejected parent.
- C. The child manifests two or more of the following six attitudes and behaviours:
 - 1. lack of ambivalence;
 - 2. independent-thinker phenomenon;
 - 3. reflexive support of one parent against the other;
 - 4. absence of guilt over exploitation of the rejected parent;
 - 5. presence of borrowed scenarios; and,
 - 6. spread of animosity to the extended family of the rejected parent.
- D. The duration of the disturbance is at least 2 months.
- E. The disturbance causes clinically significant distress or impairment in social, academic (occupational), or other important areas of functioning.
- F. The child's refusal to have contact with the rejected parent is without legitimate justification. That is, **parental alienation disorder** is not diagnosed if the rejected parent maltreated the child.

For Bernet, the child's alignment with the non-reject parent, along with the irrational fear and anxiety of the rejected parent was done so without any legitimate justification.

Critics who opposed this drive to designate a medical model, stated that the first and fundamental problem was the systematic labeling of children with a mental disorder, who may just simply be reacting with anger to the changes in their lives from the separation and divorce of their parents by rejecting one parent and aligning with the other.^v They felt it was not appropriate to diagnose a child with a mental illness based on the parent's behaviour. Moreover, there were three other key reasons why it should be incorporated into DSM-5:

- 1. Insufficient empirical data to support the benefits of adding a new childhood disorder;
- 2. Insufficient data to differentiate the symptoms from trauma, specifically child abuse and domestic violence from PAD; and
- 3. Insufficient data to demonstrate the necessity of the court's using PAD to force reunification of children with an alienated parent in order for them to grow up healthy.

The term, '**Parent Alienation**', again is the most current reformulation of PAS, put forward by American psychologist, Dr. Douglas Darnell. Darnell used many of Gardner's ideas but avoided the term syndrome, simply referring to the concept as Parental Alienation (PA). Darnall defined PA as any constellation of conscious or unconscious behaviors that might induce a disturbance in the relationship between the child and the target parent. He distinguished PA from PAS, noting that PA focuses on the parent's behavior whereas PAS focuses on the child's behavior.^{vi}

What is ADSS Cymru's view of recognising PA?

ADSS Cymru members, as professional social care practitioners, do not judge who is right or wrong after a relationship breaks down. Their role is firstly about ensuring child safeguarding measures are in place and then to establish the impact of what has happened, working with the affected child, their families and other relevant partners, to evidence a recommend to the courts, as to what should be done to end or lessen any harmful impact.

While the definition of PA itself, as a concept, continues to be debated, there is still a lack of credible and clear research data to understand the scale and impact of what in some quarters is perceived as a real problem. Despite differing views on the terminology, there is general consensus that alienating behaviours, displayed both parents and children, sit on a continuum of mild to severe with varying impact. ADSS Cymru believes that alienating attitudes and behaviours do not exist in isolation but form part of a complex, dynamic mix that require closer examination and understanding.

It is the job of social care professionals to work with families in crisis through a range of different, challenging behaviours, to find the most positive outcome, both for the child and the parents involved. Through our members work, we try to help parents understand the impact of their behaviour on the child and what they need to do to recover. This requires the support of both parents, who sometimes need help to exercise their parental responsibility.

For the child, even a child displaying the most alienating behaviours against a parent, will hold strong views of their own, in addition to those they may potentially have been coached to hold. ADSS Cymru is very clear that where there is a perception of PA, it is usually in the child's best interests to use the authority of the court to restore the relationship with the non-aligned parent. It is for the court to carefully balance its decisions to ensure that both children and adults are kept safe and ensure that children are able to maintain relationships with both parents where this is safe and in the child's best interests.

In relation to safeguarding, ADSS Cymru believe that there is sufficient legislation in place to allow social care practitioners to take action to protect the child of parents displaying difficult and challenging behaviours.

In conclusion, while we understand the call from some quarters to formally recognise PA, as service leaders in Wales, ADSS Cymru is confident that our professional members are fully aware of the complex behaviours and tensions on family relationships that can occur during separation and divorce. Our members look to positively manage such relationships to obtain the best possible outcome for the whole family, both children and parents; and we are confident that the appropriate training, guidance and legislation is in place to allow our members to do that.

Jenny Williams
President
ADSS Cymru

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- ^{vi} Walker L. E. & Shapiro D. L., 2010.

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Eitem 8

Yn rhinwedd paragraff(au) vi o Reol Sefydlog 17.42

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