



Cynulliad Cenedlaethol Cymru The National Assembly for Wales

Y Pwyllgor Cymunedau, Cydraddoldeb a Llywodraeth Leol The Communities, Equality and Local Government Committee

**Dydd Iau, 22 Ionawr 2015
Thursday, 22 January 2015**

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The proceedings are reported in the language in which they were spoken in the committee. In addition, a transcription of the simultaneous interpretation is included.

Aelodau'r pwyllgor yn bresennol
Committee members in attendance

Peter Black	Democratiaid Rhyddfrydol Cymru Welsh Liberal Democrats
Christine Chapman	Llafur (Cadeirydd y Pwyllgor) Labour (Committee Chair)
Alun Davies	Llafur Labour
Jocelyn Davies	Plaid Cymru The Party of Wales
Janet Finch-Saunders	Ceidwadwyr Cymreig Welsh Conservatives
Mike Hedges	Llafur Labour
Mark Isherwood	Ceidwadwyr Cymreig Welsh Conservatives
Sandy Mewies	Llafur (yn dirprwyo ar ran Gwenda Thomas) Labour (substitute for Gwenda Thomas)
Gwyn R. Price	Llafur Labour
Rhodri Glyn Thomas	Plaid Cymru The Party of Wales

Eraill yn bresennol
Others in attendance

Leighton Andrews	Aelod Cynulliad, Llafur (y Gweinidog Gwasanaethau Cyhoeddus) Assembly Member, Labour (the Minister for Public Services)
Rhys Davies	Cyfreithiwr, Llywodraeth Cymru Lawyer, Welsh Government
Sarah Rhodes	Rheolwr y Bil, Llywodraeth Cymru Bill Manager, Welsh Government

Swyddogion Cynulliad Cenedlaethol Cymru yn bresennol
National Assembly for Wales officials in attendance

Sarah Beasley	Clerc Clerk
Chloe Davies	Dirprwy Glerc Deputy Clerk
Matthew Richards	Uwch-gynghorydd Cyfreithiol Senior Legal Adviser
Elizabeth Wilkinson	Ail Glerc Second Clerk

*Dechreuodd y cyfarfod am 09:15.
The meeting began at 09:15.*

**Cyflwyniadau, Ymddiheuriadau a Dirprwyon
Introductions, Apologies and Substitutions**

[1] **Christine Chapman:** Good morning, everyone, and welcome to the National Assembly's Communities, Equality and Local Government Committee. We have received apologies today from Gwenda Thomas. I'm very pleased that Sandy Mewies will attend in her place, so welcome, Sandy.

**Bil Trais ar Sail Rhywedd, Cam-drin Domestig a Thrais Rhywiol (Cymru)—
Cyfnod 2: Trafod y Gwelliannau
Gender-based Violence, Domestic Abuse and Sexual Violence (Wales) Bill—
Stage 2: Consideration of Amendments**

[2] **Christine Chapman:** The purpose of this meeting is to consider amendments to the Gender-based Violence, Domestic Abuse and Sexual Violence (Wales) Bill. I would like to give a warm welcome to Leighton Andrews AM, the Minister for Public Services, and also his officials: Sarah Rhodes, Bill manager, Welsh Government; and Rhys Davies, lawyer, Welsh Government. So, can I welcome you all?

[3] Members should have before them a copy of the Bill, the marshalled list of amendments and the groupings of amendments for debate. As agreed by the committee on 11 December, the order in which we consider amendments will be sections 2-23; section 1; and then the long title.

[4] I just want to explain some of the procedures very briefly, so it's on the record. The amendments have been grouped to facilitate debate. There will be one debate on each group of amendments, but the order in which the amendments will be called and moved to a decision will be dictated by the marshalled list. Now, only committee members are able to move amendments. In accordance with the convention agreed by the Business Committee, as Chair, I will move the amendments tabled in the name of the Minister. Unless he indicates otherwise, I will assume the Minister wishes me to move all his amendments.

[5] The debate on each group will follow the same structure. I will invite the proposer of the lead amendments in the group to move and speak to that amendment and the other amendments in the group. I will then call other Members who wish to speak. Finally, I will call the Member with the lead amendment to reply to the debate. Now, in those groups where the Minister does not have the lead amendment in the group, I will call him as the penultimate speaker.

[6] Following each debate, I will ask the Member who moved the lead amendment to confirm whether they wish to press the amendment to a decision. If not, the Member may seek the agreement of the committee to withdraw the amendment. If it's not withdrawn, I will put the question on the lead amendment and ask whether any Member objects to the amendment being agreed. If no Member objects, the amendment will be deemed agreed in accordance with Standing Order 17.34. If any Member objects, I will call for a vote by show of hands. The vote will be recorded in the minutes. In accordance with Standing Orders 17.37 and 6.20, if there is a tied vote I will exercise the casting vote against the amendment.

[7] I will call on the proposers of other amendments in each group to move their amendments at the appropriate time, in accordance with the marshalled list. If you don't wish to move your amendment, you should say so clearly when your amendment is called.

[8] Due to the number of amendments, I have considered where it may be possible to dispose of amendments en bloc. Where en bloc voting is possible, I will ask Members whether they are content for the specified amendments to be disposed of together. If any Member objects to the disposal of the amendments in this way, we will dispose of the amendments individually.

[9] Now, can I just remind Members that in line with our established practice, advisers to the committee or the Minister are not expected to provide advice on the record? If Members wish to seek legal advice during proceedings, please do so by passing a note to the relevant adviser, or by requesting an adjournment to proceedings. So, are there any questions? No. Okay.

[10] We will now move to the consideration of amendments under item 3.

Grŵp 1: Dyletswydd i roi sylw i Drais yn erbyn Menywod a Merched (Gwelliant 1)
Group 1: Duty to have regard to Violence against Women and Girls (Amendment 1)

[11] **Christine Chapman:** Group 1 relates to the duty to have regard to violence against women and girls. The only amendment in the group is amendment 1 in the name of the Minister.

Cynigiwyd gwelliant 1 (Leighton Andrews).
Amendment 1 (Leighton Andrews) moved.

[12] **Christine Chapman:** I move amendment 1 and call on the Minister to speak to his amendment.

[13] **The Minister for Public Services (Leighton Andrews):** Thank you, Chair, and can I also place on record my thanks to all members of this committee for their scrutiny of the Bill? Can I start by saying that, obviously, a number of Members have tabled amendments and we have given great consideration to each of those amendments?

[14] This first group seeks to recognise the specific issue of violence against women and girls and how we respond to it. It therefore introduces a new section to the Bill specifically about violence against women and girls. This reflects the Welsh Government's recognition of the higher prevalence and disproportionate impact of violence against women and girls. The amendment will help to ensure that due regard is paid to the needs of women and girls affected by such violence and abuse, along with all other relevant matters. I think this amendment helps to meet recommendation 2 of the committee's Stage 1 report. So, I hope that Members will support this amendment. It provides a focus on violence against women and girls, whilst also recognising the need to take into account all other relevant matters, and ensures that the Bill extends to all victims of gender-based violence, domestic abuse and sexual violence.

[15] **Christine Chapman:** Thank you, Minister. Jocelyn?

[16] **Jocelyn Davies:** Yes, thank you. I'm very pleased that the Minister has tabled this amendment to the Bill, because we heard so much evidence of the importance of including gender specificity on the face of the Bill from so many of those who contributed to our deliberations. I think it's to the Minister's credit that he was willing to listen to that, because what we heard was: if the Bill is to successfully improve the prevention of gender-based violence, then it must acknowledge that it is women who are victims as a result of their gender. Women suffer violence because they are women, and that's an important thing to stress. We're not going to tackle the culture of violence against women unless we recognise

that.

[17] I'll be supporting this amendment, but I'd ask the Minister, perhaps, to consider adjusting the words at Stage 3 to include children, rather than girls, because this would recognise the significance and lasting impact being exposed to abuse and violence, both directly and indirectly, has on children, regardless of their gender.

[18] **Christine Chapman:** Okay, thank you. Peter?

[19] **Peter Black:** Yes, thank you, Chair. Can I also welcome this amendment? I think it's important that the Minister has listened to the committee's recommendation, and I very much welcome his open-mindedness in that regard and the fact that an amendment has been brought forward as a result of that. I would echo Jocelyn's plea in terms of Stage 3. I think, clearly, it's a massive improvement to the Bill to refer to violence against women and girls, but, of course, when violence takes place in the home, it's all children, irrespective of sex, who can suffer. So, I think 'women and children' is a more appropriate approach here. But, certainly, what we have in front of us, I think, significantly strengthens the Bill and, for that reason, I am happy to support it.

[20] **Christine Chapman:** Okay. Alun?

[21] **Alun Davies:** I think, like others, there's a very broad and wide welcome for this amendment. Certainly, I think, in the debate we had in the Assembly, there was agreement across the whole Chamber that the Bill needed to be strengthened in this way and, certainly, when I saw this amendment had been tabled by the Government, I think many of us were very pleased. I think the Government's been moving in this direction for some time and the words of the current Minister, when he appeared in front of us last term, were very clear in seeking to move in this direction. I'm very glad that the Minister has been able to do so and about the way in which it's been done. I don't share some of the concerns that have been expressed on the wording. I'm very pleased with what we've got here; I think it significantly strengthens the Bill and I think it goes a long way towards achieving the ambitions of the Bill as well. So, I'm very pleased and give a very warm welcome to this amendment.

[22] **Christine Chapman:** Okay, thank you. Mark?

[23] **Mark Isherwood:** Again, we support the amendment as it brings the title more in line with the true purpose of the Bill, but also endorse the comments by colleagues sitting to my left and right regarding the term 'girls' and the term 'children'. I am conscious that the cross-party group that Jocelyn chairs that I'm a member of is the cross-party group on violence against women and children. Originally, it was going to be 'violence against women and girls', but there was a discussion involving sponsor groups—Women's Aid and others—on reflecting the vulnerability of children as victims collectively and the consensus was that we move to using that term 'children'. I think it could be said it reflected the consensus of this committee as well, when we discussed it, when considering our report. So, I would endorse the call for you to consider, at Stage 3, replacing that one word with 'children'.

[24] **Christine Chapman:** Okay. Minister to reply.

[25] **Leighton Andrews:** Well, can I say that I'm very grateful for the support expressed by Members? I won't comment on the other issue that they have raised, which will come up, I think, later, on other amendments relating to the title.

[26] **Christine Chapman:** Okay, thank you. Minister, do you wish to proceed to a vote then?

[27] **Leighton Andrews:** Yes.

[28] **Christine Chapman:** Okay. The question is, then, that amendment 1 be agreed to. Does any Member object? No. Amendment 1 is agreed.

*Derbyniwyd gwelliant 1 yn unol â Rheol Sefydlog 17.34.
Amendment 1 agreed in accordance with Standing Order 17.34.*

**Grŵp 2: Hawliau Dioddefwyr (Gwelliant 106)
Group 2: Victims' Rights (Amendment 106)**

[29] **Christine Chapman:** Group 2 relates to victims' rights. The only amendment in the group is amendment 106 in the name of Jocelyn Davies. I call on Jocelyn to move amendment 106 and to speak to her amendment.

*Cynigiwyd gwelliant 106 (Jocelyn Davies).
Amendment 106 (Jocelyn Davies) moved.*

[30] **Jocelyn Davies:** Thank you, Chair. I based this amendment on the committee report on the Bill, which recommended that it provide for a rights-based framework to ensure a statutory right to services for victims. I think this is a necessary consequence of recognising that violence against women, domestic abuse and sexual violence are violations of human rights and that the state therefore has a duty to provide necessary support services and protection to victims. There is little precedent for exactly what a victims' rights approach in law should look like in the UK, but I believe this is an opportunity for us here in Wales to lead the way in putting the needs of victims at the heart of our legislation. We had strong evidence from the Equality and Human Rights Commission on this in their submission. My amendment is just a tentative first step, really, in establishing that all victims' needs must be adequately provided for, and this is in recognition of the fact that the White Paper recognised this but the Bill failed to achieve the same.

[31] **Christine Chapman:** Any other Members? No? Minister.

[32] **Leighton Andrews:** Thank you, Chair. I've listened to what Jocelyn has to say, but the delivery of such a wide-ranging duty would require considerable input from local authorities and local health boards. It would also impact on bodies such as the police and the courts. The White Paper did not propose such a duty, therefore no consultation with these bodies has been undertaken to consider the implications, including in particular the necessary resources for delivering these services. The amendment tabled does not provide for the mechanism by which such services would be delivered, how eligibility would be determined and how it would interact with existing legislation that provides for the same or similar service. For example, the Social Services and Well-being (Wales) Act 2014 reformed the system of social services in Wales and, in particular, provides for preventative services, assessment of persons in need for care and support and the eligibility criteria for services. The scope of things that can be provided or arranged for a person with needs for care and support under that Act extends to the provision of counselling and advocacy, and therefore the mechanism to deliver such services would be by way of that Act and regulations made under the Act.

[33] The issue of suitable and safe accommodation is also already being addressed. The Welsh Government's Supporting People programme, which runs the majority of refuges in Wales, will provide £9.9 million of funding in 2014-15 to provide domestic abuse support services, including safe and suitable accommodation. Further, provision in existing and future housing legislation, including the Housing (Wales) Act 2014 and the renting homes (Wales)

Bill will reduce the numbers of victims of domestic abuse having to leave their homes and provide accommodation to those in need. Equally, of course, there's also a system of legal aid in place in England and Wales. So, the provision that is being put forward by Jocelyn Davies would result in duplication. It would cause confusion over how the provision of services under existing legislation worked alongside the duty contained in the amendment.

[34] I've already previously outlined to this committee my intention to consult on and publish statutory guidance under section 12 of the Bill relating to the effective commissioning of specialist services. The commissioning guidance will seek to end the postcode lottery of service provision and standards and ensure that, no matter where a victim lives, there is a strong public and specialist service ready to help. So, I think that, linked to local needs assessment, the guidance will sit alongside a funding review of the domestic abuse services grant and the priority areas outlined within that. It will outline the key information that commissioners require when funding services and the spectrum of services required, the standards of provision victims should expect, an outcomes framework and capacity direction. Such guidance will support the formal decisions made through the needs assessment and the strategy, whilst allowing local areas the flexibility to plan provision based on local need. So, I think we've taken the relevant actions that are necessary and I therefore urge Members to resist this amendment.

[35] **Christine Chapman:** Okay, thank you. Jocelyn to reply.

09:30

[36] **Jocelyn Davies:** Yes, thanks. Well, we certainly felt as a committee that the evidence was strong enough to include it in the report, and my amendment, I hope, reflects the spirit of that. I mean, obviously, I wasn't expecting to put the details of that on the face of the Bill, as it is in other Bills, but I am pleased to hear that the guidance will give victims some redress, I hope, although we haven't seen the detail of that. But, I do hope that that guidance will give rights to victims that might not—. Until we see the detail of that, I don't know whether individuals will have rights under that guidance, but we'll have to wait and see. But, I'm certainly happy to take this to the vote.

[37] **Christine Chapman:** Okay. So, shall we move to the vote, then? The question is, then, that amendment 106 be agreed. Does any Member object? [*Objection.*] Okay, we'll take a show of hands. The question is that amendment 106 be agreed. Those in favour, please raise your hands. Those against. Those abstaining. Okay. Three in favour, five against and two abstentions. So, it's not agreed, then.

Gwelliant 106: O blaid 3, Ymatal 2, Yn erbyn 5.

Amendment 106: For 3, Abstain 2, Against 5.

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

Black, Peter
Davies, Jocelyn
Thomas, Rhodri Glyn

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

Chapman, Christine
Davies, Alun
Hedges, Mike
Mewies, Sandy
Price, Gwyn R.

Ymataliodd yr Aelodau canlynol:
The following Members abstained:

Finch-Saunders, Janet
Isherwood, Mark

*Gwrthodwyd gwelliant 106.
Amendment 106 not agreed.*

Grŵp 3: Dyletswydd i roi Sylw i'r Confensiwn ar Hawliau'r Plentyn (Gwelliannau 114 ac 121)

Group 3: Duty to have Regard to the Convention on the Rights of the Child (Amendments 114 and 121)

[38] **Christine Chapman:** Okay. Group 3 relates to the duty to have regard to the convention on the rights of the child. The lead amendment in the group is amendment 114, in the name of Peter Black. I call on Peter to move amendment 114 and speak to the amendments in this group.

*Cynigiwyd gwelliant 114 (Peter Black).
Amendment 114 (Peter Black) moved.*

[39] **Peter Black:** Thank you, Chair. I'm happy to move that amendment. The committee's report recommends that the Minister amends the Bill to make specific reference to the United Nations Convention on the Rights of the Child to ensure that authorities have regard to this in complying with their duties under the Bill. Early intervention for children and young people is a positive investment in the reduction of family and inter-partner violence in the long term, and I believe that a specific reference to the UNCRC on the face of the Bill will enable the extension of this duty to local personnel, ensuring all relevant bodies under the Bill will need to pay due regard to the UNCRC when developing the elements of their strategies that apply to children. It is an important part of ensuring the Bill includes a rights-based framework to ensure a statutory right to services for victims, and a specific reference is made to the direct and indirect impact that violence against women, domestic violence and sexual violence has on children, regardless of their gender. Therefore, I hope that the committee can support this amendment.

[40] **Christine Chapman:** Okay. Jocelyn.

[41] **Jocelyn Davies:** Yes, thank you. I support this amendment tabled by Peter Black. We've already heard that gender-based violence, domestic abuse and sexual violence have an enormous impact on children who are affected, either directly or indirectly, whether children are exposed to violence or abuse in their homes or families, or are victims of that abuse themselves. Strategies for supporting and protecting victims must take the impact that that abuse has on children into account in order to be effective.

[42] Now, following the passing of the Rights of Children and Young Persons (Wales) Measure 2011, perhaps the Government believes that a direct reference to the UN convention on the rights of the child on the face of the Bill is unnecessary, but, of course, not all the relevant agencies named in the Bill are bound by the Measure. I know that some local authorities have voluntarily ratified the convention on the rights, but not all of them have. So, I'm happy to support these amendments to ensure that all statutory guidance and strategies created following this Bill, coming into force, explicitly take children's rights into account.

[43] **Christine Chapman:** Okay, thank you. Mike, then Alun.

[44] **Mike Hedges:** Coming from a part of the country where the UNCRC is embedded within the education system, I'm not convinced that this is necessary. Welsh Ministers are already under a duty to have regard to the UNCRC when exercising their functions. My concern is that if we start putting it in some legislation and not in others, and that there'll be previous legislation that will not have it in, then people will feel that if it's not specifically in

that piece of legislation, therefore, it doesn't apply to that piece of legislation. So, it might be good for this, but there's a whole lot of other legislation that has been passed in the past that does not have any mention of the UNCRC, and I think if we start putting it into individual pieces of legislation, it'll undermine its general concept.

[45] **Christine Chapman:** Okay. Alun.

[46] **Alun Davies:** My point is very similar to Mike's. I was actually a member of the committee, Jocelyn, that passed that legislation. I was a member of that committee in the last Assembly that passed that legislation on bringing the UNCRC into Welsh law. It had unanimous support in that committee, as I remember, and it did impose a duty on Welsh Ministers to have regard, in a way that Peter is suggesting on this occasion. But, my concern is that if we pass this amendment today, it could have exactly the impact that Mike has outlined, in that, at the moment, that duty is all-encompassing. As soon as we start specifying where that duty applies, we could be undermining the legislation we passed in the last Assembly. So, on that basis, I would oppose this amendment, as well.

[47] **Christine Chapman:** Okay, there aren't any other Members to speak. Minister?

[48] **Leighton Andrews:** Yes. Can I say I've heard, obviously, what Peter Black has had to say and thought about it, but I am of the view that the amendments he's tabled are unnecessary? As both Mike Hedges and Alun Davies have said, Welsh Ministers are already under a duty to have regard to the UNCRC and would, therefore, already be considered as part of the development of the national strategy. And, under the Bill, authorities will have to pay due regard to the national strategy in preparing their own local strategies.

[49] Further, the Welsh Ministers would be required to have regard to the UNCRC in implementing the national strategy in preparing any guidance under section 12 of the Bill and in exercising their functions in relation to the ministerial adviser. I therefore urge Members to resist amendments 114 and 121.

[50] **Christine Chapman:** Thank you. Peter, to reply.

[51] **Peter Black:** Yes, thank you, Chair. I do intend to press this to a vote. I do feel that the argument of precedent is a bit of a red herring. This Bill specifically refers to children and the impact of domestic violence on children, and I think, in that regard, it is relevant to have the UNCRC referred to in the Bill for that reason. I don't think that because you put these in this Bill, it needs to go into every other Bill. I think maybe, if you have a Bill relating to children, clearly, it becomes relevant then. But, it certainly would not be relevant, for example, in a housing Bill unless it had specific clauses relating to children. So, I think there is no precedent being set here. We're putting this in here because this is a Bill about the impact of domestic violence on children, specifically on girls, as currently passed, but also boys as well.

[52] I think that the Minister is right: the Ministers are under a duty to have regard to the UNCRC. But, Jocelyn's point is also pertinent: that that duty does not necessarily apply to other agencies. Although that duty may permeate down through the statutory guidance, which the Minister issues, I think it is much stronger if it is in the Bill and it is much clearer, therefore, that every agency that carries out duties and functions under this Act are, clearly, subject to that and have to pay regard to the UNCRC. I think, for that reason, this amendment strengthens the Bill.

[53] **Christine Chapman:** Okay. Peter, do you wish to proceed to a vote?

[54] **Peter Black:** Yes, I do. I move.

[55] **Christine Chapman:** Okay. If amendment 114 is not agreed, amendment 121 will fall. The question is that amendment 114 be agreed. Does any Member object? [*Objection.*] Okay. I'll therefore take a vote by show of hands. The question is then that amendment 114 be agreed. Those in favour, please raise your hands. Those against, please raise your hands. Those abstaining, please raise your hands. Thank you. So, in relation to amendment 114: three in favour, five against, two abstained. Therefore, amendment 114 is not agreed.

*Gwelliant 114: O blaid 3, Ymatal 2, Yn erbyn 5.
Amendment 114: For 3, Abstain 2, Against 5.*

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

Black, Peter
Davies, Jocelyn
Thomas, Rhodri Glyn

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

Chapman, Christine
Davies, Alun
Hedges, Mike
Mewies, Sandy
Price, Gwyn R.

Ymataliodd yr Aelodau canlynol:
The following Members abstained:

Finch-Saunders, Janet
Isherwood, Mark

*Gwrthodwyd gwelliant 114.
Amendment 114 not agreed.*

*Methodd gwelliant 121.
Amendment 121 fell.*

Grŵp 4: Strategaethau Cenedlaethol a Lleol—Anghenion Rhywedd-benodol (Gwelliannau 124 ac 127)

Group 4: National and Local Strategies—Gender-specific Needs (Amendments 124 and 127)

[56] **Christine Chapman:** The amendments in group 4 relate to national and local strategies and gender-specific needs. The lead amendment in the group is amendment 124 in the name of Mark Isherwood. I call on Mark to move amendment 124 and speak to the amendments in this group. Mark?

*Cynigiwyd gwelliant 124 (Mark Isherwood).
Amendment 124 (Mark Isherwood) moved.*

[57] **Mark Isherwood:** Thank you. Well, this relates to meeting the 'specific'—key word—needs of both genders. Clearly, eliminating all forms of violence against women is a human rights issue and the act of perpetrating violence against women is a human rights violation. Clearly, in the overwhelming majority of crimes prosecuted across the UK, the overwhelming majority of defendants are men and victims are women, which requires a gender-specific approach and, hence, the support for amendment 1. But, this committee's Stage 1 report also recommended that this should ensure that services are tailored to the specific needs of men and women respectively.

[58] Welsh Women's Aid had previously highlighted research showing that male and female victims of domestic abuse have different levels of need, often requiring different kinds of services where gender-neutral responses are not helpful and it will be that, in order to

provide the best possible service and protection to all domestic abuse victims, we need to take into account context, consequences and different gendered need.

[59] However, we must also embrace the support provided to both male and female victims by organisations such as Flintshire's Domestic Abuse Safety Unit. They gave me a booklet—a men's health forum booklet—and drew my attention to a statement in it stating:

[60] 'It is important to recognise that men experience domestic violence, both as victims and perpetrators.'

[61] In its evidence to the committee, FNF Both Parents Matter said:

[62] 'changing the title from 'Ending Violence against women...'. to Gender based Violence is ill conceived and moves further away from the true purpose of the Bill'.

[63] We've addressed that, but, as they also said:

[64] 'In recognising that male victims of abuse exist and need specialist support, a separate strategy for male victims' to tackle discrimination against men'

[65] should be initiated immediately by the Welsh Government, and there is the opportunity to do that within this piece of legislation, I feel, with this simple addition of six or seven words.

[66] **Christine Chapman:** Okay. Thank you. Any other Members who wish to speak on this? No? Minister.

[67] **Leighton Andrews:** Thank you, Chair. I've listened to the arguments that Mark Isherwood has put forward and I will reflect on what he's said and consider it as we proceed to Stage 3. He brings forward valuable experience, let me say, of projects in Flintshire and I think it's interesting to hear those. However, I currently consider amendments 124 and 127 to be unnecessary. I do not wish to pre-empt the content of strategies; they should be based on evidence. Where the Welsh Ministers consider, with the advice of the ministerial adviser, that evidence at any given time supports a focus in strategies on particular matters, I consider this would be more appropriately set out in guidance to be issued under section 12. Section 12 enables Welsh Ministers to issue guidance on how relevant authorities should exercise their functions with a view to contributing to the pursuit of the purpose of the Bill and to which relevant authorities must follow. We fully intend to issue guidance to help shape the development of local strategies, and I can assure Members that requirements relating to how best to address the needs of both genders will be set out in this guidance. So, I consider that section 12 provides a more effective approach to providing a focus on particular issues. It enables Ministers to react in accordance with the latest available evidence requiring focus on particular issues in local strategies.

[68] Additionally, let me be clear—and I hope this will reassure Mark—the Bill as currently drafted does not prevent authorities providing gender-specific services. I believe strongly we must provide services that address the specific needs of those affected by gender-based violence, domestic abuse and sexual violence. The Equality Act 2010 already places the public sector under an equality duty. It sets out that public authorities must have regard to the need to advance equality of opportunity. This includes having regard to the need to take steps to meet gender-specific needs. Meeting the specific needs of both genders will therefore already be taken into consideration by authorities in the preparation and implementation of national and local strategies, and I expect authorities, in the preparation and implementation of their local strategies, to focus on the different needs of victims, recognise gender as an important consideration, and reflect that in the services that are provided. Where evidence

highlights the need for gender-specific services, this should be reflected in local strategies that acknowledge the differences in services these groups require and are proportionate to need. So, for these reasons, I do think these amendments are unnecessary and I urge Members to resist them.

[69] **Christine Chapman:** Mark to reply.

[70] **Mark Isherwood:** Thank you, yes. I obviously clearly welcome your recognition that this needs to be addressed for the reasons and in the manner you described. Notwithstanding that however, collectively, we've recognised the need for specificity to be introduced, rightly, for women and children, or women and girls, currently, and, in order to ensure that the specificity is met for all needs, for the same reasons, that this should at least referred to on the face of the Bill, with the detail, as you say, to follow in guidance.

[71] I would draw the Minister's attention—I'm sure that he's aware of it—to the evidence provided from Barnado's to this committee about their 'Hidden in Plain Sight' report into the sexual exploitation of boys and young men, and that report states, and I quote, that this begins to address a gap created by the focus on female victims with little attention given to males. It found that the sexual exploitation of boys and young men was a much bigger problem than previously thought, and said that this required a radical shift in professional attitudes and practice.

[72] We need, therefore, that radical shift, which would require more than the Equality Act 2010 and guidance. It also identified a number of barriers to disclosure specific to boys and men, and they included

[73] 'discriminatory social attitudes and stereotypes; expectations of 'masculine' behaviour; gender differences in educational initiatives; and gender differences in emotional responses.'

[74] So it's almost a mirror image of the specificity applying to female victims also. Therefore, whilst I welcome the Minister's recognition that this should be addressed, I urge Members to also acknowledge that this needs to be referred to as a specific issue, alongside the specificity of provision for women within this Bill.

09:45

[75] **Christine Chapman:** Okay, thank you. Mark, do you wish to proceed to a vote on amendment 124?

[76] **Mark Isherwood:** Yes, I do. Yes, please. Thank you.

[77] **Christine Chapman:** Okay. The question is, then, that amendment 124 be agreed. Does any Member object? [*Objection.*] Okay. We'll take a vote by show of hands. The question is, then, that amendment 124 be agreed. Those in favour, please raise your hands. Those against, please raise your hands. Those abstaining. Thank you. Amendment 124, the result is then two in favour, five against, three abstained. Therefore, amendment 124 is not agreed.

Gwelliant 124: O blaid 2, Ymatal 3, Yn erbyn 5.

Amendment 124: For 2, Abstain 3, Against 5.

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

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

Finch-Saunders, Janet
Isherwood, Mark

Chapman, Christine
Davies, Alun
Hedges, Mike
Mewies, Sandy
Price, Gwyn R.

Ymataliodd yr Aelodau canlynol:
The following Members abstained:

Black, Peter
Davies, Jocelyn
Thomas, Rhodri Glyn

Gwrthodwyd gwelliant 124.
Amendment 124 not agreed.

Grŵp 5: Strategaethau Cenedlaethol a Lleol—Ymgynghori a Chychwyn (Gwelliannau 83, 10, 2, 84 a 3)
Group 5: National and Local Strategies—Consultation and Commencement (Amendments 83, 10, 2, 84 and 3)

[78] **Christine Chapman:** The amendments in group 5 relate to consultation on national and local strategies and commencement of provision for the national strategy. The lead amendment in the group is amendment 83, in the name of Peter Black. I call on Peter to move amendment 83 and speak to the other amendments in this group.

Cynigiwyd gwelliant 83 (Peter Black).
Amendment 83 (Peter Black) moved.

[79] **Peter Black:** Yes, thank you, Chair. This amendment is an attempt to correct what seems to be an omission in section 2, which is the duty to consult, and I note the Minister has himself tabled an amendment in less specific terms along those lines as well. I think that, when preparing a national strategy, it's right that the Bill does specify some of the people who do need to be consulted in terms of that strategy: local authorities, police and crime commissioners, the National Probation Service, et cetera. And, of course, paragraph (e) of this amendment also provides for further consultation without specificity. So, I think, in those circumstances, I would hope the committee would agree to support this amendment, and 84, in terms of making sure there is a duty both on Welsh Ministers and local authorities to consult with the relevant service providers to ensure this when putting together their various local and national strategies.

[80] **Christine Chapman:** Jocelyn.

[81] **Jocelyn Davies:** Thank you. We'll be supporting Peter Black's amendment. I agree that a duty to consult with the relevant organisations before drafting national and local strategies will strengthen them and ensure that they draw on the wealth of experience of service provision and understanding the needs of victims that outside relevant organisations have. Now, my amendment in this group, amendment 10, changes the commencement date of the Bill. The timeline for the commencement of the Bill should, I think, be clear and immediate, and I think six months after the Act receives Royal Assent is enough time for Ministers and local authorities to prepare for the Act coming into force and to put strategies in place so that it can be put into action. I'm concerned that the commencement schedule currently on the face of the Bill unduly delays its coming into force.

[82] **Christine Chapman:** Okay, thank you. I have Alun, then Mark. Alun. Then Mike.

[83] **Alun Davies:** I disagree with the amendments that have just been introduced. I really

do believe strongly—and I think committees, in all of the time I’ve been a Member here, have usually accepted—that lists are not good things to put on the face of legislation, and that that is best left either to secondary legislation, or best left out of legislation completely. When I read the amendment that has been proposed by Peter Black, what screamed out at me was, once you put this on the face of legislation—primary legislation—you start leaving people out, and you limit the scope of consultations. So, I really don’t think it’s good practice to put these sorts of lists on legislation, except in a very closed manner—a very closed piece of legislation—which this is not. As a consequence, I think, if the Minister is minded to do so, or if the committee is minded to ask the Minister to do so, then this is best achieved through secondary legislation, not through primary legislation. On the point of the amendment 10, as I read that,

[84] ‘day on which this Act receives Royal Assent’,

[85] what I would prefer, Jocelyn—and I don’t disagree with your impatience, if you like, and I don’t disagree with your ambitions on this, but I believe it is best that we have a strategy that is in place that has been through the consultation that Peter Black has outlined and, I think, that all of us want to see, and that is fit for purpose and able to deliver. Rather than specifying the very precise deadline that you’ve done in this legislation, I hope that the Minister, in replying to this debate, will give an undertaking that the national strategy will be produced in a timely manner. I’ve no reason to believe that the Government would not wish to do this, and I’ve no reason to believe that the Government would seek, in any way, to either delay or postpone development of a strategy or implementation of that strategy. Certainly, the indications we’ve had from the Minister is that he shares your impatience, Jocelyn, to actually move ahead with this in a more profound way. So, I don’t necessarily disagree with what you’re seeking to achieve; I hope that we can do that without specifying that date on the face of legislation.

[86] **Christine Chapman:** Okay, thank you. Mark.

[87] **Mark Isherwood:** Yes. Again, while we’re generally sympathetic, there is always a danger of exclusivity versus inclusivity, and, if you have a list that can become a default position, it becomes a limiter, potentially. I note, for example, there’s no reference to health boards or health services in here, and restricting (e) to organisations ‘wholly or mainly’ providing

[88] ‘advice, support or representation to the victims of gender-based violence’,

[89] et cetera would, for instance, exclude health services and other providers who may not be wholly or exclusively providing those services, but, nonetheless, are providing key services in this area. So, for that reason, we have concerns with the wording as presented. Equally, I think, again, we’re sympathetic to the position that Alun outlines.

[90] **Christine Chapman:** Okay, thank you. Mike.

[91] **Mike Hedges:** Alun’s said most of what I was going to say; I just want to add two further points. We know that organisations merge. We know that the Welsh Government’s got a commitment to merging a whole range of organisations across the public sector, and we also know that voluntary organisations are merging. If you ended up with a voluntary organisation that mainly dealt with it, then merged it with an organisation that mainly didn’t, then that would actually take that voluntary organisation out. I think lists are bad things, because they embed a group as it is now, not as it may be even in three or four months’ time.

[92] On the second point, on Jocelyn’s amendment, I have a great deal of sympathy with it. I think it really comes down to: ‘Do we want to get it right, or do we want to get it out at a

certain time?’ My view is that we need to get it right, and, if we wait a month or months longer to get it right, I think it’s far more important than to try to get it out at a specific date. I think that the one thing that’s interesting about this is that the vast majority of us, if not all of us, in this room are all on the same side on this. All want the same things, and I think that it’s really about how we go about it. I think that trying to set lists and times is not the right way of going about it. If this was legislation the Government was not in favour of, and it hadn’t come from the Government, I could understand why we were trying to constrain them, but, actually, this is Government legislation, and they are very much in favour of it and tend, generally, to agree with the vast bulk of us in here.

[93] **Christine Chapman:** Okay. Rhodri Glyn.

[94] **Rhodri Glyn Thomas:** Rwyf wedi gwrandao ar yr hyn sydd wedi cael ei ddweud gan aelodau o’r pwyllgor. Rwy’n meddwl mai mater nawr i’r Gweinidog yw hyn i’n sicrhau ni ei fod yn rhoi ystyriaeth wirioneddol i’r materion yma, a bod modd i’w cynnwys nhw heb eu bod nhw ar wyneb y Bil ei hunan.

Rhodri Glyn Thomas: I’ve listened to comments made by committee members. I think that it is now a matter for the Minister to provide us with assurances that he is giving proper consideration to these important issues, and that they can be included without them being on the face of the Bill.

[95] **Christine Chapman:** Minister.

[96] **Leighton Andrews:** Chair, I’ve listened very carefully to the arguments put forward by Members. I am of the view that amendments 2 and 3, which I’ve tabled, ensure that all stakeholders are provided with an opportunity to comment on the draft national and local strategy. Those provisions will ensure that any persons considered appropriate must be consulted with, and I think those amendments address aspects of recommendation 6 of this committee’s Stage 1 report, with regard to consulting relevant bodies. I’m afraid that Jocelyn Davies’s amendment 10 is unworkable and does not fit with the other provisions in the Bill, because it compels a specific timescale to be imposed on the publication of the national strategy, and that would not allow for Welsh Ministers to give detailed consideration to the preparation of the national strategy before publication, or for any realistic consultation to be undertaken. It would also mean that the ministerial adviser would not have any input into the preparation of the strategy.

[97] In respect of amendments 83 and 84, I don’t consider them to be necessary. The Welsh Government amendments require the Welsh Ministers and local authorities to consult such persons as considered appropriate, which would include all those listed in amendments 83 and 84, and more. Amendments 83 and 84 seek to limit consultees and ignore wider stakeholders that the Welsh Ministers and local authorities consider appropriate. And, as Mark Isherwood has said, for example, the Welsh Ministers would expect to consult with local health boards before publication of a national strategy, especially as they must have regard to that strategy in preparing their local strategy. However, they are not included in the list of consultees in amendment 83. Additionally, providing a list of consultees time-limits the effectiveness and lifespan of this provision, as the list of appropriate consultees will inevitably change over time, as Mike Hedges has pointed out. Using the power to issue guidance under section 12 provides a more effective method of prescribing the persons that must be consulted, whilst recognising that local authorities and local health boards will be able to identify further relevant persons that should be consulted. So, I hope, Chair, that, in responding to this, I’ve addressed the issues raised by Alun Davies and Rhodri Glyn, amongst others. I do believe that these amendments are alternatively unworkable and unnecessary.

[98] **Christine Chapman:** Okay. Thank you. Peter to reply.

[99] **Peter Black:** Yes, thank you, Chair. First of all, in terms of Alun Davies's point about lists, I know that it is not always having lists on Bills, but that doesn't stop oppositions moving lists, of course; it's quite frequent. But in this particular instance, I don't think this list—. Although it says that it must consult with them, it doesn't mean it has to be an exhaustive list. There is a list there of organisations that do need to be consulted, and I suppose local authorities would want to consult more widely than that and it doesn't preclude them from doing so. However, I do take the Minister's point, and most probably his amendment is probably more relevant in this regard, so I most probably will not move amendments 83 and 84 in favour of the Minister's own amendments in that regard.

[100] **Leighton Andrews:** I'd be grateful.

[101] **Peter Black:** In terms of amendment 10, obviously Jocelyn is not able to respond, but it does seem to be a bit strange to object to amendment 10 on the grounds that it sets out a specific timescale, when the Bill itself sets out a specific timescale, which Jocelyn is seeking to amend in a different way. I find it a bit peculiar that we're talking about waiting until after the first general election before a first national strategy should be published, which means, effectively, that the first national strategy would not be published until, most probably, the end of 2016, which does seem to me to be a long time to wait for that strategy. I feel, in that case, that the amendment that Jocelyn's brought forward is far more pertinent, and certainly brings forward the publication of that national strategy and underlines the urgency of having one in place.

[102] **Christine Chapman:** Thanks. Does any Member object to the withdrawal of amendment 83? No. Okay, well, then the amendment is withdrawn.

*Tynnwyd gwelliant 83 yn ôl gyda chaniatâd y pwyllgor.
Amendment 83 withdrawn by leave of the committee.*

Grŵp 6: Strategaeth Genedlaethol—Rhaglenni i Dramgwyddwyr (Gwelliannau 125 a 126)
Group 6: National Strategy—Perpetrator Programmes (Amendments 125 and 126)

[103] **Christine Chapman:** The amendments in group 6 relate to provision in the national strategy for perpetrator programmes. The lead amendment in the group is amendment 125 in the name of Mark Isherwood and I call on Mark to move amendment 125 and speak to the amendments in the group.

*Cynigiwyd gwelliant 125 (Mark Isherwood).
Amendment 125 (Mark Isherwood) moved.*

[104] **Mark Isherwood:** Thank you very much indeed. It's a simple amendment, just the addition of the words:

[105] 'The national strategy must include the provision of at least one programme designed to assist and educate perpetrators which must be reasonably available to people throughout Wales.'

[106] The committee heard from respondents concerned about the omission of a reference to perpetrators and perpetrator programmes from the Bill as drafted. As Relate Cymru, perhaps the leading charge in the provision of these accredited programmes in Wales, told us, perpetrators

[107] 'are, generally speaking, the cause of this problem. So, we think that it is very important that specific mention and instructions are included in this Bill on working with

perpetrators.’

[108] They told us about their voluntary perpetrator programme, saying that 90% of the partners that they question sometime after the end of the programme say there’s been a complete stop in violence and intimidation by their partner. Nonetheless, I’m conscious that they have faced withdrawn funding from local funders for the programmes, which, certainly in my view, will lead to greater costs and pressures on public services further down the road and, rather than dealing with prevention, leads to the situation becoming worse and the greater likelihood of victims suffering violence and abuse. I am conscious that, when I raised this in the Chamber when we had the Stage 1 debate, the Minister did respond sympathetically, and I hope you will do so now as well.

[109] **Christine Chapman:** Thank you. Are there any other Members who wish to speak on this? No. Then I call on the Minister to speak.

[110] **Leighton Andrews:** Okay, thank you, Chair, and can I say that Mark Isherwood has been a tireless advocate of the importance of perpetrator programmes, and I understand very much the concerns that he raises? However, I am concerned about pre-empting the content of the national strategy. I do think the question of the evidence base for that national strategy is important, which is why I believe ultimately that the strategy should be developed through guidance issued under section 12, which I think provides a more effective approach to providing a focus on particular issues.

10:00

[111] I very much agree with Mark Isherwood that perpetrator programmes are an important element of prevention, and therefore, in preparing the national strategy, consideration will be given to steps that the Welsh Ministers could take in assisting the development of such programmes. And I’m happy certainly to reflect on these issues more as we approach Stage 3, and to have further conversations with Mark about this.

[112] The evidence base for perpetrator programmes, I think it’s fair to say, in relation to gender-based violence, domestic abuse and sexual violence is still developing in the UK. I think the general conclusion would be at this stage that no particular model stands out, so a range of perpetrator programmes may need to be tested. I think therefore having an amendment that would require provision of at least one Wales-wide perpetrator programme is actually inappropriate in that regard, because of the need to test and trial particular kinds of perpetrator programmes, and I think this is an area where further analysis is needed.

[113] I think that there are some innovative programmes under way in Wales at the moment. We know that the National Probation Service in Wales is content with the coverage of mandatory perpetrator programmes. But some of the innovative programmes we have from third sector organisations include, for example, ‘Atal y Fro’ in the Vale of Glamorgan, where the mandated integrated domestic abuse programme is run alongside a non-mandated whole-family programme, with joint funding from ourselves alongside the National Probation Service—. That has been valuable. We have a custody to community programme also being developed in south Wales, and I’ve recently agreed jointly to fund with National Probation Service Wales and the police forces a significant piece of research into the management of high-risk and serial perpetrators of gender-based violence, domestic abuse and sexual violence. That will help I think to inform future collaborative responses to perpetrators across the criminal and social justice sectors.

[114] We are also working with the National Probation Service to develop a publicity campaign specifically targeting perpetrators. I think this is pioneering work with potential to have a real and tangible impact.

[115] So, I think I'm demonstrating that we are taking the whole issue of perpetrator programmes seriously, but there is a developing evidence base. I hope I've persuaded Mark that, at this stage, there is no need for these amendments.

[116] **Christine Chapman:** Okay. Mark to reply.

[117] **Mark Isherwood:** I welcome the fact that the Minister recognises the need and that something will be done to recognise that, but I would still like to put this to the vote. I think, reflecting the evidence, and I quote again that it's important that specific mention is made in the Bill to working with perpetrators, which this seeks to do, that the term 'at least one programme' is not in the least bit limiting, and would allow for the testing and trialling of different perpetrator programmes. I welcome again the Minister's recognition of a spectrum of need. The Relate programme I referred to is a pre-custodial programme, but, clearly, according to the circumstance and stage of journey the perpetrator might be on, we need to address this at every stage of their journey through the system. So, the amendment as worded—

[118] 'at least one programme designed to assist and educate perpetrators... reasonably available to people throughout Wales'—

[119] I think addresses the Minister's concerns entirely and would allow Government subsequently to test and trial different approaches and implement them as appropriate.

[120] **Christine Chapman:** Thank you. As you want to proceed to the vote then, Mark, if amendment 125 is not agreed, amendment 126 will fall. The question is then that amendment 125 be agreed. Does any Member object? [*Objection.*] Okay, we'll take a vote by show of hands. The question is that amendment 125 be agreed. Those in favour, please raise your hands. Those against. Those abstaining. Thank you. Amendment 125, then: three in favour, five against, two abstentions. So, therefore, 125 is not agreed.

*Gwelliant 124: O blaid 3, Ymatal 2, Yn erbyn 5.
Amendment 124: For 3, Abstain 2, Against 5.*

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

Black, Peter
Finch-Saunders, Janet
Isherwood, Mark

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

Chapman, Christine
Davies, Alun
Hedges, Mike
Mewies, Sandy
Price, Gwyn R.

Ymataliodd yr Aelodau canlynol:
The following Members abstained:

Davies, Jocelyn
Thomas, Rhodri Glyn

*Gwrthodwyd gwelliant 125.
Amendment 125 not agreed.*

*Methodd gwelliant 126.
Amendment 126 fell.*

[121] **Christine Chapman:** Jocelyn, do you wish to move amendment 10?

[122] **Jocelyn Davies:** No, I don't.

Ni chynigiwyd gwelliant 10 (Jocelyn Davies).
Amendment 10 (Jocelyn Davies) not moved.

Cynigiwyd gwelliant 2 (Leighton Andrews).
Amendment 2 (Leighton Andrews) moved.

[123] **Christine Chapman:** Okay. I move amendment 2 in the name of the Minister. The question is that amendment 2 be agreed. Does any Member object? No. Amendment 2 is agreed, then.

Derbyniwyd gwelliant 2 yn unol â Rheol Sefydlog 17.34.
Amendment 2 agreed in accordance with Standing Order 17.34.

[124] **Christine Chapman:** Peter, do you wish to move amendment 84?

[125] **Peter Black:** No.

Ni chynigiwyd gwelliant 84 (Peter Black).
Amendment 84 (Peter Black) not moved.

Grŵp 7: Strategaethau Lleol—Cyflawni a Chydymffurfio (Gwelliannau 85, 86 ac 87)
Group 7: Local strategies—Delivery and Compliance (Amendments 85, 86 and 87)

[126] **Christine Chapman:** We move on now, then, to group 7. Amendments in group 7 relate to the delivery of and compliance with local strategies. The lead amendment in the group is amendment 85, in the name of Peter Black, and I call on Peter to move amendment 85 and to speak to the other amendments in this group.

Cynigiwyd gwelliant 85 (Peter Black).
Amendment 85 (Peter Black) moved.

[127] **Peter Black:** Yes, thank you, Chair. The amendments that are tabled in this section—85, 86 and 87—are there to try to seek some form of consistency across Wales and amongst local authorities in terms of how their local strategies are designed and also ensuring that every local authority should put in place a lead officer with responsibility for ensuring delivery of the local strategy. I think that one of the weaknesses in terms not just of this particular area but many areas is that local authorities do take a different approach to local strategies, which is acceptable in many instances, but the problem is, in some cases, that that different approach can lead to a lesser delivery and certainly a local strategy that isn't really fit for purpose. I accept the Minister, of course, does have powers to intervene when he considers a local strategy is not fit for purpose, but it does seem to me that, by setting out a template for what a local strategy should look like and by making sure there is a lead officer, that significantly strengthens the way that these strategies will be dealt with at a local level and ensures that the Minister's intervention will not be necessary as often as it may well otherwise be. Therefore, I would hope that the committee can support these three amendments.

[128] **Christine Chapman:** Thank you. Are there other Members who wish to speak? Jocelyn.

[129] **Jocelyn Davies:** Yes, just very briefly. I'm happy to support Peter's amendments in this group, because I agree with him that, in order to successfully improve service provision

for victims, the national strategy should include minimum requirements for local strategies because this would ensure a basic level in the design, implementation and monitoring of those local strategies. My concern, really, is, with local authorities now coming under increasing financial pressure, there's a danger that the implementation of local strategies might fall by the wayside. I agree with Peter that ensuring that having one officer in each local authority responsible for the implementation of the strategy will at least ensure that local strategies are put into action. So, I am supporting Peter's amendments.

[130] **Christine Chapman:** Thank you. Alun.

[131] **Alun Davies:** I'm not sure that having an officer responsible for something actually makes it happen, quite frankly. I think that's one of the issues we've seen in service delivery across Wales over a long period of time. I was actually very impressed by the Minister's response—I think in the debate we had on group 2 amendments—in terms of the provision of statutory guidance and the way that statutory guidance can actually deliver the design of local strategies. You know, I think one of the issues—I think we've all agreed, on different sides of the Chamber—over the last period has been that it is one thing to have a strategy and it's another thing to have that strategy implemented and delivered to a quality and a standard that we would anticipate, expect and desire. I hope that, through the sort of statutory guidance that the Minister outlined in the group 2 debate, we will actually be able to achieve far more than is actually outlined in these two amendments. I think it's a hope that, simply by saying somebody wears this hat and is responsible for this strategy, it will therefore be delivered to a quality that is acceptable, but I do not believe that that can be achieved without the sort of statutory guidance that the Minister has outlined. Therefore, I would say to Peter that perhaps we should withdraw these amendments and have the sort of statutory guidance and, perhaps, have a debate and discussion with the Minister when this legislation is on the statute book and work towards the sort of statutory guidance that is a far richer document than simply these amendments would provide for.

[132] **Christine Chapman:** Okay, thank you. Rhodri Glyn.

[133] **Rhodri Glyn Thomas:** Fe fyddwn i'n gofyn i'r Gweinidog roi ystyriaeth bellach i'r mater yma. Un peth yw dweud nad yw gosod y cyfrifoldeb ar ysgwyddau un swyddog yn sicrhau ei fod e'n digwydd, ond fe ellir dadlau os nad ydych chi'n rhoi'r cyfrifoldeb yna i unigolyn, nid yw'n mynd i ddigwydd o gwbl—mae'n mynd yn gyfrifoldeb i neb. Felly, os nad ydy'r Gweinidog yn gallu gweld ei ffordd yn glir i gefnogi'r gwelliant yma—fe fyddaf i'n cefnogi'r gwelliant oherwydd rwy'n credu ei fod e'n bwysig bod y cyfrifoldeb hwnnw yn cael ei osod yn benodol yn gyfrifoldeb i swyddog, ond os nad ydy'r Gweinidog yn gallu gwneud hynny heddiw—dylai fod yn ystyried sut y gellir sicrhau bod y mater yma yn cael y sylw dyladwy ac yn cael ei weithredu yn briodol ar lawr daear.

Rhodri Glyn Thomas: I would ask the Minister to give further consideration to this issue. It's one thing to say that placing responsibility on the shoulders of one officer ensures that it happens, but one could also argue that, if you don't actually give that responsibility to an individual, it won't happen at all—it becomes no-one's responsibility. Therefore, if the Minister can't see his way clear to supporting this amendment—I will support the amendment, because I think it's important that that responsibility is placed specifically as a responsibility for an officer, but if the Minister can't do that today—he should consider how he will ensure that this issue is given due attention and is implemented properly on the ground.

[134] **Christine Chapman:** Thank you. The Minister to speak.

[135] **Leighton Andrews:** Chair, thank you. I remain of the view, I'm afraid, that these amendments are unnecessary. They seek to provide for regulations on the design and

implementation of local strategies; well, the Bill already makes provision in section 12 for the Welsh Ministers to issue statutory guidance on any matter that promotes the purposes of the Bill. Let's remember that it's statutory guidance, so there will be a debate in the National Assembly and Members will have a full opportunity to engage in that.

[136] Amendment 87, I think, is also unnecessary. The Bill already includes provision under section 7(1) to require a local authority, in exercising its functions, to take all reasonable steps to achieve the objectives specified in the strategy. A local authority is, therefore, under a statutory duty to deliver the local strategy, so I don't think this amendment helps us particularly. I don't consider it necessary to prescribe further how a local authority operationally fulfils this statutory duty. I don't think we should be micromanaging to that extent. A failure to implement the strategy could be subject to legal challenge, so I think these things are taken very seriously already in the Bill. In addition, of course, the local strategy is the joint responsibility of both the local authority and the local health board. I don't think it makes sense overall to prescribe staffing requirements in legislation, but I don't think it makes sense to prescribe staffing requirements to one organisation and not the other when they are jointly responsible for the local strategy. So, I urge Members to resist.

[137] **Christine Chapman:** Thank you. Peter to reply.

[138] **Peter Black:** Thank you, Chair. Going back to our previous discussion about lists, of course, section 12(2) provides a list of matters that should be in a local strategy—six of them, in fact. So, I think the argument that adding an additional requirement is micromanaging really doesn't hold water, given the fact that the Minister is effectively micromanaging the local strategy in terms of section 12(2). I certainly am not proposing to remove that, because I support what is in that particular section.

[139] Alun asks whether having an officer responsible makes it happen; I would argue that it does, because local authorities have quite a lot of local strategies they have to implement, and when you have one person responsible for driving forward that strategy, then there is a much better chance of it being delivered properly than if you don't have anyone responsible. I think it's a matter of leadership, and that has been evident in a number of strategies on a whole range of different issues. I've just referred, for example, to the empty homes strategies that local authorities have; those councils that didn't have an empty homes officer significantly lagged behind those that did. I think that's the case in terms of most local strategies. So, I think that amendment 87 is absolutely essential if we are to make sure that local strategies are delivered.

[140] Amendments 85 and 86 don't replace the statutory guidance—they actually add to it and strengthen it. In that regard, the argument that we don't need it because we already have something and this is seeking to replace it is actually not true. We are seeking to strengthen the requirements that are already in the Bill, and I think in that regard I would certainly press both amendments 85, 86 and 87.

[141] **Christine Chapman:** Okay; thank you, Peter. If amendment 85 is not agreed, amendment 86 will fall. The question is that amendment 85 be agreed. Does any Member object? [*Objection.*] I'll therefore take a vote by show of hands. Those in favour; those against. Okay, amendment 85: five in favour, five against, no abstentions. As there is a tied vote, I use my casting vote in the negative. Therefore, amendment 85 is not agreed.

10:15

*Gwelliant 85: O blaid 5, Ymatal 0, Yn erbyn 5.
Amendment 85: For 5, Abstain 0, Against 5.*

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

Black, Peter
Davies, Jocelyn
Finch-Saunders, Janet
Isherwood, Mark
Thomas, Rhodri Glyn

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

Chapman, Christine
Davies, Alun
Hedges, Mike
Mewies, Sandy
Price, Gwyn R.

Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei phleidlais fwrw yn unol â Rheol Sefydlog 6.20(ii).

As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order 6.20(ii).

*Gwrthodwyd gwelliant 85.
Amendment 85 not agreed.*

*Methodd gwelliant 86.
Amendment 86 fell.*

[142] **Christine Chapman:** Mark, do you wish to move amendment 127?

*Cynigiwyd gwelliant 127 (Mark Isherwood).
Amendment 127 (Mark Isherwood) moved.*

[143] **Mark Isherwood:** Yes.

[144] **Christine Chapman:** Okay. The question is then that amendment 127 be agreed to. Does any Member object? [*Objection.*] Okay. I'll therefore take a vote by a show of hands. The question is that amendment 127 be agreed to. Those in favour; those against; those abstaining. Amendment 127 then: two in favour, five against and three abstentions. Therefore, amendment 127 is not agreed.

*Gwelliant 127: O blaid 2, Ymatal 3, Yn erbyn 5.
Amendment 127: For 2, Abstain 3, Against 5.*

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

Finch-Saunders, Janet
Isherwood, Mark

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

Chapman, Christine
Davies, Alun
Hedges, Mike
Mewies, Sandy
Price, Gwyn R.

Ymataliodd yr Aelodau canlynol:
The following Members abstained:

Black, Peter
Davies, Jocelyn
Thomas, Rhodri Glyn

*Gwrthodwyd gwelliant 127.
Amendment 127 not agreed.*

Grŵp 8: Strategaethau Lleol—Diogelu (Gwelliannau 115, 116, 117, 118 a 122)
Group 8: Local Strategies—Safeguarding (Amendments 115, 116, 117, 118 and 122)

[145] **Christine Chapman:** Okay. We move on now to group 8. Amendments in group 8 relate to local strategies and safeguarding. The lead amendment in the group is amendment 115 in the name of Peter Black, and I call on Peter to move amendment 115, and speak to the other amendments in the group.

Cynigiwyd gwelliant 115 (Peter Black).
Amendment 115 (Peter Black) moved.

[146] **Peter Black:** Thank you, Chair. The five amendments are, in fact, linked and they're seeking to ensure that there are adequate and clear linkages to child protection and safeguarding procedures, both into new duties on relevant authorities in the Bill. I believe that ensuring better multi-agency collaboration and partnership working should be a core aim of the Bill to make sure victims, perpetrators and children access appropriate support at as early a stage as possible. Historically, there has been a lack of co-ordination between legislation and policy to address domestic abuse and the approach to child protection, with responders operating in silos. I think that this Bill is a unique opportunity to overcome barriers to collaborative working between child protection and safeguarding and domestic violence. For that reason, I hope the committee's able to support these amendments.

[147] **Christine Chapman:** Okay, thank you, Peter. Are there other Members who wish to speak? No. Minister.

[148] **Leighton Andrews:** Thank you, Chair. I'm afraid, again, I believe these are unnecessary amendments. Listing consultees, as set out in amendment 117, time-limits the effectiveness and lifespan of the provision, as the list of appropriate consultees is likely to change over time. I also believe there is duplication with amendment 3, tabled in my name, and which we discussed as part of group 5, which requires local authorities and local health boards to consult such persons as considered appropriate, before publishing their first local strategy and before revising their strategy. That would, of course, include the relevant safeguarding boards. Guidance under section 12 would also be used to assist local authorities and local health boards in preparing their local strategies and, if necessary, this could include identifying relevant consultees, such as relevant safeguarding boards.

[149] Amendments 115, 116 and 118 are also unnecessary. Local authorities and local health boards will be partners in the safeguarding boards, which will be established under the Social Services and Well-being (Wales) Act 2014 for their areas. This will provide the necessary consultation and collaboration to ensure a consistent approach to these issues. Regulations under that Act will specify the areas for which a safeguarding board will be responsible, and the local authorities that will be partners of each board. Draft regulations to this effect are currently out to consultation. It's therefore necessary to seek a further power to designate a relevant safeguarding board for the purpose of the local strategy.

[150] **Christine Chapman:** Thank you. Peter to reply.

[151] **Peter Black:** Yes, thank you, Chair. I thought that last point was a bit bizarre, because if you are arguing that, because local authorities and health boards are partners in safeguarding boards, and, therefore, you don't to consult with them on safeguarding, then why have the safeguarding boards in the first place, when you can just rely on those two local authorities doing what they need to do? I think we've already made the case for why we have to have safeguarding boards, and they're there specifically to concentrate on safeguarding and making sure that local authorities and health boards work together in that regard.

[152] I think the Minister says that we are listing consultees again. In fact, this isn't, effectively, listing consultees; it's making sure that a specific consultee is included in the consultation, and it's doing so because it is not always obvious to a local authority that there is a linkage between safeguarding children and domestic abuse. It should be, and, certainly, I am sure the Minister will be making it very clear in guidance that it is, but, sometimes, it isn't always that clear to them, and, sometimes, it's possible that those safeguarding boards may be missed off, and I want to make sure that those safeguarding boards are included in that consultation by specifically stating in the Bill that they must be so, and specifically saying in the Bill that there is a clear linkage between safeguarding children and domestic abuse. For that reason, I will certainly be pressing these amendments.

[153] **Christine Chapman:** Okay; thank you, Peter. The question is, then, that amendment 115 be agreed to. Does any Member object? [*Objection.*] Okay, I'll take a vote by show of hands. The question is that amendment 115 be agreed to. Those in favour; those against. No abstentions. Therefore, amendment 115: five in favour, five against, no abstentions. As it is a tied vote, I use my casting vote in the negative. Therefore, amendment 115 is not agreed.

*Gwelliant 115: O blaid 5, Ymatal 0, Yn erbyn 5.
Amendment 115: For 5, Abstain 0, Against 5.*

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

Black, Peter
Davies, Jocelyn
Finch-Saunders, Janet
Isherwood, Mark
Thomas, Rhodri Glyn

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

Chapman, Christine
Davies, Alun
Hedges, Mike
Mewies, Sandy
Price, Gwyn R.

Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei bleidlais fwrw yn unol â Rheol Sefydlog 6.20(ii).

As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order 6.20(ii).

*Gwrthodwyd gwelliant 115.
Amendment 115 not agreed.*

*Cynigiwyd gwelliant 3 (Leighton Andrews).
Amendment 3 (Leighton Andrews) moved.*

[154] **Christine Chapman:** I move amendment 3 in the name of the Minister. The question is that amendment 3 be agreed to. Does any Member object? No. Then amendment 3 is agreed.

*Derbyniwyd gwelliant 3 yn unol â Rheol Sefydlog 17.34.
Amendment 3 agreed in accordance with Standing Order 17.34.*

[155] **Christine Chapman:** Peter, do you wish to move amendment 116?

*Cynigiwyd gwelliant 116 (Peter Black).
Amendment 116 (Peter Black) moved.*

[156] **Peter Black:** Yes, I move.

[157] **Christine Chapman:** Okay. The question is that amendment 116 be agreed to. Does any Member object? [*Objection.*] Okay. We'll take a vote by show of hands. Those in favour; those against. Any abstentions? No. Amendment 116: five in favour; five against; no

abstentions. As there is a tied vote, I use my casting vote against the amendment. Therefore, amendment 116 is not agreed.

*Gwelliant 116: O blaid 5, Ymatal 0, Yn erbyn 5.
Amendment 116: For 5, Abstain 0, Against 5.*

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

Black, Peter
Davies, Jocelyn
Finch-Saunders, Janet
Isherwood, Mark
Thomas, Rhodri Glyn

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

Chapman, Christine
Davies, Alun
Hedges, Mike
Mewies, Sandy
Price, Gwyn R.

Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei bleidlais fwrw yn unol â Rheol Sefydlog 6.20(ii).

As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order 6.20(ii).

*Gwrthodwyd gwelliant 116.
Amendment 116 not agreed.*

[158] **Christine Chapman:** Peter, do you wish to move amendment 117?

*Cynigiwyd gwelliant 117 (Peter Black).
Amendment 117 (Peter Black) moved.*

[159] **Peter Black:** I move.

[160] **Christine Chapman:** As amendments 115 and 116 were not agreed, if amendment 117 is not agreed, amendments 118 and 122 will fall. So, the question is that amendment 117 be agreed to. Does any Member object? [*Objection.*] Okay. We'll take a vote then by show of hands. Those in favour; those against. No abstentions. For amendment 117, we have five in favour, five against, no abstentions. There's a tied vote, so I use my casting vote against the amendment in accordance with Standing Order 6.20(ii). Therefore, amendment 117 is not agreed.

*Gwelliant 117: O blaid 5, Ymatal 0, Yn erbyn 5.
Amendment 117: For 5, Abstain 0, Against 5.*

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

Black, Peter
Davies, Jocelyn
Finch-Saunders, Janet
Isherwood, Mark
Thomas, Rhodri Glyn

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

Chapman, Christine
Davies, Alun
Hedges, Mike
Mewies, Sandy
Price, Gwyn R.

Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei bleidlais fwrw yn unol â Rheol Sefydlog 6.20(ii).

As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order 6.20(ii).

*Gwrthodwyd gwelliant 117.
Amendment 117 not agreed.*

*Methodd gwelliannau 118 ac 122.
Amendments 118 and 122 fell.*

[161] **Christine Chapman:** Peter, do you wish to move amendment 87?

*Cynigiwyd gwelliant 87 (Peter Black).
Amendment 87 (Peter Black) moved.*

[162] **Peter Black:** I move.

[163] **Christine Chapman:** Okay. The question is that amendment 87 be agreed to. Does any Member object? [*Objection.*] Okay, we'll take a vote by show of hands. Those in favour; those against. Any abstentions? No. For amendment 87: five in favour; five against; no abstentions. As this is a tied vote, I will use my casting vote against the amendment. Therefore, amendment 87 is not agreed.

*Gwelliant 87: O blaid 5, Ymatal 0, Yn erbyn 5.
Amendment 87: For 5, Abstain 0, Against 5.*

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

Black, Peter
Davies, Jocelyn
Finch-Saunders, Janet
Isherwood, Mark
Thomas, Rhodri Glyn

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

Chapman, Christine
Davies, Alun
Hedges, Mike
Mewies, Sandy
Price, Gwyn R.

Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei bleidlais fwrw yn unol â Rheol Sefydlog 6.20(ii).

As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order 6.20(ii).

*Gwrthodwyd gwelliant 87.
Amendment 87 not agreed.*

**Grŵp 9: Addysg (Gwelliannau 81, 95, 96, 97A, 97B, 97C, 97D, 97E, 97F, 97, 98 a 99)
Group 9: Education (Amendments 81, 95, 96, 97A, 97B, 97C, 97D, 97E, 97F, 97, 98 and 99)**

[164] **Christine Chapman:** Group 9 relates to education provisions. The lead amendment in the group is amendment 81 in the name of the Minister.

*Cynigiwyd gwelliant 81 (Leighton Andrews).
Amendment 81 (Leighton Andrews) moved.*

[165] **Christine Chapman:** I move amendment 81 and call on the Minister to speak to his amendment. Minister.

[166] **Leighton Andrews:** Thank you, Chair. Education in this field is important, and I'm pleased that the Welsh Government has been able to table our own amendment. Amendment 81 tabled in my name, we believe, will have a tangible and practical impact. In essence, the amendment will place a duty on local authorities to report on how they are addressing gender-based violence, domestic abuse and sexual violence within their education institutions, including schools. I've witnessed first-hand excellent practice in place in some schools across Wales. However, this is not consistent across the country. Local authorities reporting annually

on the action they are taking will provide us with a comprehensive picture of the interventions in place for the whole of Wales and the evidence on which to base any further future requirements. This is a broad amendment. It provides significant scope to have a real impact, including providing the ministerial adviser with a robust evidence base and ensuring that local authorities are fully held to account for action they take in this area, which will inevitably lead to improvements in the context of local strategies. Whilst I agree with Members on the importance of educating children and young people about healthy and respectful relationships and gender equality and remain committed to the proposals outlined in the Government's White Paper, which preceded this Bill, I'm strongly of the view that the Bill is not the right place for this and, as such, urge Members to resist amendments 95 to 99.

[167] In March 2014, the Minister for Education and Skills appointed Professor Graham Donaldson to undertake a review of curriculum and assessment arrangements in Wales, which includes the basic curriculum. The Welsh Government will be publishing Professor Donaldson's report at the end of February. It would be premature to make statutory changes to the curriculum until after the Welsh Government has had the opportunity to consider the implications of this in full. Therefore, it is not appropriate for curriculum matters to be included in this Bill. Such proposals need to be considered and delivered as part of the wider programme of work that will flow from the review. Chair, I will listen to arguments from other Members in respect of their amendments and respond at the end in more detail.

[168] **Christine Chapman:** Okay, thank you. Peter to speak first.

[169] **Peter Black:** Thank you. Can I start by welcoming the fact that the Minister has tabled an amendment on education, and recognised the committee's concern that this needs to be addressed as part of the Bill? However, I'm unhappy with the direction of the Minister's amendment, because I don't think it is strong enough. It gives the Government discretion to get schools and local education authorities to publish information, whereas the amendments that I've tabled—and I support Jocelyn Davies's amendments to mine, because I think they strengthen it—are much stronger in terms of the sort of approach that I'd like to see, and I think other people would like to see, in terms of how schools approach this particular issue.

[170] The amendment seeks to make provision for compulsory whole-school, age-appropriate education programmes on healthy relationships. Education is crucial in preventing violence against women and I think we're all disappointed to not see the promise of the White Paper carried through to the Bill. As I say, I'm pleased the Minister's taking the right steps, but many organisations have voiced their disappointment and concern at the lack of education provision, including the children's commissioner.

[171] What amendment 95 seeks to do is to ensure that every maintained school provides education about healthy relationships, which should be mandatory on the school curriculum. Before the Welsh Ministers make regulations regarding healthy relationships education, they must consult with those who have expertise in that issue, and all schools, maintained and not maintained, must provide this education for ages three through to 16. This amends the Bill to make provision for compulsory whole-school, age-appropriate education programmes on healthy relationships, taught from the perspective of gender equality and human rights.

[172] In terms of my other amendment, amendment 97, this ensures that there is one fully trained go-to staff member in each school, with expertise in violence against women and girls and the knowledge and confidence to assist pupils in seeking assistance and information. This one member can tackle difficult issues such as FGM, forced marriage and sexual violence, as well as having an understanding of domestic abuse. Although I understand the Minister's point in terms of the curriculum, I think the evidence that the committee received stressed how important it was to have somebody designated in each school who was going to be carrying forward this agenda, to make sure that it did happen.

[173] My amendment also seeks to ensure the provision of comprehensive violence-against-women-and-girls and healthy-relationships training for all related professionals. I think training, again, falls outside a curriculum issue. It also seeks to appoint a violence against women and girls champion amongst school governors and the student council. So, what we're talking about here is providing leadership in every school—who is going to be promoting this agenda—irrespective, I think, of what's in the curriculum, but also reinforcing, I think, whatever the Minister's curriculum review comes up with. Then, also, the amendment seeks to ensure that schools regularly collect data on all forms of violence against women and girls, including sexual harassment and bullying, and ensure that education on violence against women and unhealthy relationships is available to children and young people not engaged in the formal education system, i.e. those who are NEET. I think that is absolutely crucial to underscore the education provision, which is necessary as part of this particular Bill.

[174] Finally, amendment 98 says that, five years after the Act receives Royal Assent, a report on the implementation of healthy relationships education must be produced to the Assembly. So, as well as putting in place the leadership in each school, and suggesting that it should be as part of the curriculum, we are also saying that it should be monitored and the Assembly should have a chance to review how effective those provisions are. Therefore, I hope that the committee is able to support these.

[175] **Christine Chapman:** Thank you, Peter. Jocelyn.

[176] **Jocelyn Davies:** Thank you, Chair. I'm very pleased to see these particular amendments, because I think without education that teaches children and young people about healthy relationships, tolerance, respect and equality, we will not be able to make progress in eliminating violence and abuse from our homes and from our communities. Challenging gender stereotyping, discriminatory attitudes and unhealthy ideas about sex and relationships from a very young age lays the foundation for a more equal society. I think the exclusion of education from this Bill is a significant missed opportunity.

10:30

[177] Now, when the White Paper was published, the educational proposals in it were universally welcomed and celebrated. And, while I support the amendment from the Minister, I think it does fall short of the promise of a whole-school approach, providing compulsory healthy relationship education to all children and young people across the country.

[178] Unless we see the Bill amended to improve provisions, you know, about intimacy, relationships and so on, and education for all young people, I will seriously consider voting against this Bill, because I think this is the most important aspect of it if we hope to make the cultural shift that we want to make.

[179] Now, we know that if schools don't provide equality-based education on healthy relationships, children and young people will look for that information from somewhere else. About 75% of young women surveyed by the Institute for Public Policy Research say that pornography has led to pressure on girls or young women to look and act in a certain way, and almost half of young men surveyed agreed that pornography helps young people learn about sex. So, I don't think any of us would want to see porn being used as the source of young people's attitudes and understanding of healthy relationships.

[180] I fully support all of Peter's amendments to reintroduce that whole-school healthy relationship approach to the Bill, and would certainly have been tabling amendments along those lines myself. I'm glad that he appreciates that my amendments to his amendments are to strengthen those. I think we do need a statutory approach to sex and relationship education in

school. After all, we've had years of the current non-statutory system and it is failing to deliver, and I don't think anybody could argue differently. Young people who we've spoken to report the odd one-off lesson by a teacher who is uncomfortable with the subject, or perhaps a visiting expert, but they don't ever see them again.

[181] I think healthy relationship education for all people should be the backbone of this Bill. I think it is, as I said, the most important aspect and the Minister has demonstrated that he's willing to listen on other aspects of the Bill, so I hope that he'll listen to this at this stage and, hopefully, in time for the next one. So, healthy relationships, I think, should—. Education for children should take an equality-based approach that balances an acknowledgement that women disproportionately suffer gender-based violence with sensitivity and understanding that children of all genders are impacted by this behaviour. Those are my reasons for tabling my amendments to Peter's amendments, and I hope that my amendments then would reflect that equality-based approach. So, I will be supporting all the amendments in the group, but I do hope the Minister will give this further thought.

[182] **Christine Chapman:** Okay. Thank you, Jocelyn. Mark?

[183] **Mark Isherwood:** Again, I think for the reasons stated, we very much welcome the inclusion of education within the Bill, and are supportive of amendments 95 to 99. But, in terms of the Minister's amendment 81, my concern was to clarify, in section 29, '(6A) The Welsh Ministers may,' rather than 'must'. The rest of the paragraph provides flexibility for implementation, but why the word 'may', rather than 'must', given the opportunity for, not necessarily this Minister, but a Minister not to introduce regulations appropriate,

[184] 'at such times and in such manner as may be prescribed'?

[185] Finally, can I just clarify—I seek guidance from yourself, Chair—if 81 passes, does that impact on the other amendments in this section?

[186] **Christine Chapman:** No, it doesn't.

[187] **Mark Isherwood:** No, thank you.

[188] **Christine Chapman:** Okay. Alun?

[189] **Alun Davies:** Could I say, I agree very much with what's been said by both Jocelyn and Peter? I think, certainly, when we saw the Bill published, I think many of us found the omission of education to be a significant weakening of the Bill and a significant lost opportunity. I was very, very happy when the Minister, in responding to the debate in Plenary—I think it was—gave an undertaking that he would bring forward this amendment to strengthen the Bill in the way that was foreseen in the White Paper and which, I think, was anticipated and expected prior to the publication of the Bill. So, I think this amendment is of absolutely fundamental importance and I very much welcome amendment 81.

[190] But, in welcoming amendment 81, I do not either disagree with the points that have been made on amendments 95 to 99, because I think, in terms of delivering on the commitment made in amendment 81, I would be profoundly disappointed if the Welsh Government did not make regulations that reflected the demands of equality education, which I think is absolutely central and fundamental to achieving the ambitions here, and to do so in a way that has been outlined by Peter Black. I think, in terms of delivering on the commitment, I think you've outlined how that commitment will be delivered in practice. I hope that the Minister—and I know we've had this conversation at Plenary and before in this committee; I know that the Minister has reflected on the views of the committee and the views that have been expressed to him by stakeholders in debate since he took office—has reflected on that. I

believe that the regulations, when they will be set out—given the commitments that the Minister has given—will deliver on the demands and the expectations outlined in amendments 95 to 99, and for that reason, I'm content to vote for amendment 81 and to allow amendments 95 to 99 to rest, but to do so with the anticipation and expectation that the Government's regulations will actually deliver on the ambitions that have been set out in those amendments, and with which I don't think there's any real disagreement on any side of this chamber.

[191] **Christine Chapman:** Okay, thank you. Minister to reply.

[192] **Leighton Andrews:** Chair, thank you. I'm grateful to Members for their support for the Government amendment 81. I think it's an important amendment and we are pleased to have tabled it.

[193] If I can talk about the other amendments, the effect of amendment number 95 is to make healthy relationship education a compulsory part of the basic curriculum in Wales for all schools. This Bill is not the right vehicle for such a change, given the impending publication of the findings of the Donaldson review, but also in recognition of the Minister for Education and Skills' rationale for commissioning that review—specifically that a piecemeal approach to the curriculum is no longer appropriate and cannot be sustained, given how crowded the curriculum has become. A much more strategic approach to the curriculum must be taken.

[194] Amendments 96 and 97 are linked in at amendment 95 and provide statutory guidance and regulation-making powers in respect of healthy relationship education and wider whole-school approach principles. For the reasons I've outlined again, these amendments are not appropriate. Amendment 98 would require the Welsh Ministers to lay a report produced by Estyn on progress as regards healthy relationship education no later than five years from the date of Royal Assent. In fact, there is an existing power that enables the preparation of such a report. Indeed a thematic review by Estyn is being supported for inclusion in its annual remit, which is given to Estyn by Welsh Ministers during the 2016-17 academic year, by which time the reforms we're currently taken forward will have had time to bed in. So, again, I do not consider this amendment necessary or appropriate.

[195] Amendment 99 would place a requirement on Estyn routinely to inspect schools in relation to healthy relationship education. There is already legislation in place to meet this amendment. Estyn inspect and consider the delivery of the curriculum in Wales as part of its usual cycle of inspections. Additionally, as part of the common inspection framework, Estyn considers areas such as wellbeing, including attitudes to keeping healthy and safe, and reaches judgments on the care, support and guidance offered to learners. Her Majesty's Chief Inspector of Education also reports their views on key areas to the Welsh Ministers, in the form of Estyn's annual report. Additionally, requests are made for specific reviews to be undertaken as part of an annual remit given to Estyn by the Welsh Ministers. In any event, such a move would be inappropriate ahead of full consideration of the recommendations coming from the curriculum review.

[196] Amendments 97A, 97B, 97C, 97D, 97E, 97F relate to amendments 95 to 99. They would simply extend the issues covered in amendment 97, specifically from violence against women and girls for the most part, to domestic abuse and sexual violence also. Therefore, for the reasons I've already outlined, these amendments are inappropriate.

[197] I believe that Government amendment 81, tabled in my name, provides a much more appropriate solution to addressing education in this context and has the potential to deliver the outcomes sought by others in a more holistic and consistent way. As a result, I urge the committee to support amendment 81 and to resist the other amendment.

[198] **Christine Chapman:** Okay, thank you. The question is, then, that amendment 81 be agreed. Does any Member object? No. Then amendment 81 is agreed.

*Derbyniwyd gwelliant 81 yn unol â Rheol Sefydlog 17.34.
Amendment 81 agreed in accordance with Standing Order 17.34.*

[199] **Christine Chapman:** We're now going to take a short break. If you can come back at 10.50 a.m.—back here at 10.50 a.m. Thank you.

*Gohiriwyd y cyfarfod rhwng 10:40 a 10:50.
The meeting adjourned between 10:40 and 10:50.*

Grŵp 10: Dangosyddion Cenedlaethol (Gwelliannau 88, 89 a 90)
Group 10: National Indicators (Amendments 88, 89 and 90)

[200] **Christine Chapman:** Okay, we move on now to group 10. This group of amendments relates to national indicators. The lead amendment in the group is amendment 88 in the name of Peter Black. So, I call on Peter to move amendment 88 and speak to the other amendments in this group.

*Cynigiwyd gwelliant 88 (Peter Black).
Amendment 88 (Peter Black) moved.*

[201] **Peter Black:** Yes, thank you, Chair. This amendment effectively ensures that the affirmative procedure is applied to the making of national indicators, thus giving the Assembly the opportunity to comment and debate them.

[202] **Christine Chapman:** Okay. Thank you. Are there any other Members who wish to speak? No. So, I call on the Minister to speak.

[203] **Leighton Andrews:** Well, section 8 already requires Welsh Ministers to publish indicators and lay a copy before the Assembly. So, I think that this amendment is unnecessary. Establishing a formal procedure would remove the flexibility that we have established in section 8, and, I think, place unnecessary burdens on the Assembly in amending regulations each time the indicators change.

[204] **Christine Chapman:** Okay. Peter to reply.

[205] **Peter Black:** I think, Chair, that's the first time I've heard of the Assembly voting on regulations as being an unnecessary burden on Ministers.

[206] **Leighton Andrews:** On the Assembly.

[207] **Peter Black:** Or even on the Assembly. I'm sure the Assembly is very keen to actually vote on and discuss these issues. I accept that the Minister obviously has to publish them, but I think it's also right that the Assembly has an opportunity to debate them and to contribute to them in debate and to vote on them. I think that's only a reasonable and democratic process, and, therefore, I will be pressing this amendment.

[208] **Christine Chapman:** Okay. If amendment 88 is not agreed, amendment 90 will fall. So, the question is that amendment 88 be agreed. Does any Member object? [*Objection.*] Okay, we'll take a vote by show of hands. Those in favour. Those against. Okay, five in favour, five against, no abstentions. I use my casting vote, and amendment 88, then, is not

agreed.

*Gwelliant 88: O blaid 5, Ymatal 0, Yn erbyn 5.
Amendment 88: For 5, Abstain 0, Against 5.*

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

Black, Peter
Davies, Jocelyn
Finch-Saunders, Janet
Isherwood, Mark
Thomas, Rhodri Glyn

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

Chapman, Christine
Davies, Alun
Hedges, Mike
Mewies, Sandy
Price, Gwyn R.

*Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei pheidlais fwrw yn unol â Rheol Sefydlog Rhif 6.20(ii).
As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order No. 6.20(ii).*

*Gwrthodwyd gwelliant 88.
Amendment 88 not agreed.*

*Methodd gwelliant 90.
Amendment 90 fell.*

[210] **Christine Chapman:** Peter, do you wish to move amendment 89?

*Cynigiwyd gwelliant 89 (Peter Black).
Amendment 89 (Peter Black) moved.*

[211] **Peter Black:** Yeah. I move.

[212] **Christine Chapman:** Okay. The question is then that amendment 89 be agreed to? Does any Member object? [*Objection.*] Okay, we'll move to the vote then. Those in favour. Those against. No abstentions. I'm using my casting vote then. Five in favour, five against, casting vote then. Amendment 89 is not agreed.

*Gwelliant 89: O blaid 5, Ymatal 5, Yn erbyn 0.
Amendment 89: For 5, Abstain 5, Against 0.*

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

Black, Peter
Davies, Jocelyn
Finch-Saunders, Janet
Isherwood, Mark
Thomas, Rhodri Glyn

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

Chapman, Christine
Davies, Alun
Hedges, Mike
Mewies, Sandy
Price, Gwyn R.

*Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei pheidlais fwrw yn unol â Rheol Sefydlog Rhif 6.20(ii).
As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order No. 6.20(ii).*

*Gwrthodwyd gwelliant 89.
Amendment 89 not agreed.*

Grŵp 11: Adroddiadau Cynnydd Blynyddol (Gwelliannau 91 a 123)
Group 11: Annual Progress Reports (Amendments 91 and 123)

[213] **Christine Chapman:** Okay. We move now to group 11. This group of amendments relates to annual progress reports. The lead of amendment in the group is amendment 91 in the name of Peter Black, and I call on Peter to move 91 and speak to the other amendments in the group.

Cynigiwyd gwelliant 91 (Peter Black).
Amendment 91 (Peter Black) moved.

[214] **Peter Black:** Yes, thank you, Chair. This is an amendment that is seeking to ensure that the Minister publishes and makes the necessary arrangements to monitor the impact and effectiveness of the Bill, including the resources allocated and any increase in demand for services as a result of its implementation. I think this is a sensible proposal in the sense that the Minister, no doubt, will be doing that anyway, but I think we just need to make sure it's on the face of the Bill and that it does happen. I'm sure the present Minister fully intends to do that, but, of course, future Ministers may not feel so bound, and I would like to ensure that, if we're going to be passing these provisions, that report becomes a regular feature of the Welsh Government's approach to this issue.

[215] **Christine Chapman:** Thank you. I now call on Janet Finch-Saunders to speak.

[216] **Janet Finch-Saunders:** Okay, and I move amendment 123. This amendment makes an addition to section 9 of the Bill relating to annual progress reports by Welsh Ministers. It will require the Minister to publish a report each financial year on the financial resources made available to achieve the purposes of the Act. In addition, it will require the Minister to report on any increase or decrease in the cost of services provided by relevant authorities in complying with the Act. The purpose of this amendment is to ensure that the financial implications of this Bill can be effectively scrutinised by this Assembly. Evidence submitted to this committee during Stage 1 highlighted that there is likely to be an increase in demand for services as a result of this Bill's implementation. The Welsh Local Government Association noted that

[217] 'extra demand for services does not appear to have been taken into account in the Explanatory Memorandum, in light of this the costs of the Bill might need to be revised.'

[218] That is committee report, paragraph 223. In addition, the Violence Against Women Action Group also raised their concerns relating to the resources available to deliver the Bill's aims—paragraph 224. As a committee, we noted that it's important for arrangements to be made to monitor the financial commitment of implementing the Bill—paragraph 235. And I am confident that by placing the requirement on the face of the Bill to publish a report on the financial resources and implications of the Act, we can ensure that financial outgoings and demand can be effectively monitored and scrutinised. It will also assist when planning budgetary allocations, ensuring that there are appropriate levels of funding allocated to the Bill's future implementation. Thank you.

[219] **Christine Chapman:** Thank you. Are there any other Members who wish to speak on this? No? Then I call on the Minister to speak.

[220] **Leighton Andrews:** Very briefly, Chair, can I just say, in this group also is Welsh Government amendment 4, which is a technical amendment to improve the clarity of drafting in section 10, and I hope Members will support that?

[221] In respect of the other two amendments, information about the allocation of Welsh

Government resources is already publicly available and therefore these amendments are unnecessary.

[222] **Christine Chapman:** Okay, thank you. Peter, to reply.

[223] **Peter Black:** I think I'd only add, Chair, that although the Government does publish that, I think it's important that we do specify in the Bill that this is a requirement. As I said, the current Minister may well have that intention and future Ministers may too, but I think, unless this is explicitly set out in the Bill, it may well be in the future that those reports are not published. Therefore, I think it's required that we should say that it is necessary as part of this agenda.

[224] **Christine Chapman:** Okay, thank you. So, do you want to proceed to a vote then, Peter?

[225] **Peter Black:** Yes.

[226] **Christine Chapman:** Amendment 91. The question is then that amendment 91 be agreed. Does any Member object? [*Objection.*] Okay, I'll take a vote by show of hands. Those in favour. Those against. No abstentions. Therefore, amendment 91: three in favour, seven against. Amendment 91 is not agreed.

*Gwelliant 91: O blaid 3, Ymatal 0, Yn erbyn 7.
Amendment 91: For 3, Abstain 0, Against 7.*

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

Black, Peter
Davies, Jocelyn
Thomas, Rhodri Glyn

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

Chapman, Christine
Davies, Alun
Finch-Saunders, Janet
Hedges, Mike
Isherwood, Mark
Mewies, Sandy
Price, Gwyn R.

*Gwrthodwyd gwelliant 91.
Amendment 91 not agreed.*

[227] **Christine Chapman:** Janet, do you wish to move amendment 123?

*Cynigiwyd gwelliant 123 (Janet Finch-Saunders).
Amendment 123 (Janet Finch-Saunders) moved.*

[228] **Janet Finch-Saunders:** I move.

[229] **Christine Chapman:** Okay. The question is then that amendment 123 be agreed to. Does any Member object? [*Objection.*] Okay, we'll take a vote by show of hands. Those in favour. Those against. Any abstentions? Okay. Amendment 123: four in favour, five against, one abstention. Therefore, amendment 123 is not agreed.

*Gwelliant 123: O blaid 4, Ymatal 1, Yn erbyn 5.
Amendment 123: For 4, Abstain 1, Against 5.*

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

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

Black, Peter
Davies, Jocelyn
Finch-Saunders, Janet
Isherwood, Mark

Chapman, Christine
Davies, Alun
Hedges, Mike
Mewies, Sandy
Price, Gwyn R.

Ymataliodd yr Aelod canlynol:
The following Member abstained:

Thomas, Rhodri Glyn

*Gwrthodwyd gwelliant 123.
Amendment 123 not agreed.*

*Cynigiwyd gwelliant 4 (Leighton Andrews).
Amendment 4 (Leighton Andrews) moved.*

[230] **Christine Chapman:** I move amendment 4 in the name of the Minister. The question is that amendment 4 be agreed to. Does any Member object? No? Therefore, amendment 4 is agreed.

*Derbyniwyd gwelliant 4 yn unol â Rheol Sefydlog 17.34.
Amendment 4 agreed in accordance with Standing Order 17.34.*

Grŵp 12: Canllawiau Statudol (Gwelliannau 11, 119, 5, 6, 7, 12, 92, 120, 13 a 14)
Group 12: Statutory Guidance (Amendments 11, 119, 5, 6, 7, 12, 92, 120, 13 and 14)

[231] **Christine Chapman:** Moving on now to group 12, this relates to provision for statutory guidance. The lead amendment in the group is amendment 11 in the name of Jocelyn Davies, and I call on Jocelyn to move amendment 11 and speak to the other amendments in the group.

*Cynigiwyd gwelliant 11 (Jocelyn Davies).
Amendment 11 (Jocelyn Davies) moved.*

[232] **Jocelyn Davies:** Yes, I move that amendment; thank you, Chair.

[233] The police are often one of the first points of contact for victims of violence against women, domestic violence and sexual violence, so it is deeply concerning that there is evidence that some police forces in Wales are failing to respond sensitively and quickly to protect victims of violence. Obviously, this isn't the case with all police forces and we know of some excellent practice in responding to victims of abuse and violence. That's why this legislation is so important, and I want it to be effective in ending the postcode lottery for victims no matter which service they are interacting with.

[234] While police remains a non-devolved policy area, we are limited, of course, in what we can achieve in legislation. However, I have tabled amendment 11 because I believe that by including the police commissioners and the probation service in the list of relevant authorities covered by the Bill, we can have more of an impact in strengthening and regulating the services that all victims receive.

[235] I remain concerned about some of the 'mays' that appear throughout the Bill. Action an authority can take to increase awareness of and change attitudes towards gender-based violence, domestic abuse and sexual violence should be a core requirement of the statutory guidance issued by Welsh Ministers to local authorities, and I'm pleased to support Peter's amendment to give this strong statutory backing.

11:00

[236] A number of respondents to the committee's consultation on the Bill were concerned about the so-called 'opt-out clause' in section 14, where local authorities have the ability not to follow statutory guidance from the Welsh Government if they believe there's good reason not to do so. Without clarification of what a good reason might entail, many are worried that local authorities might use this clause to wriggle out of adequate service provision. This could undermine, of course, the entire purpose of the Bill. I don't want to see a situation arise where victims and others are having to challenge local authorities in courts and so on over their interpretation of the law as it is currently drafted. Now, I understand that there are a number of possible situations in which forcing the local authority to follow guidance may be counterproductive, and I accept that. Therefore, in this amendment, I'm suggesting rewording the clause so that it is in more familiar language that more clearly outlines the regard local authorities must have to the statutory guidance, and this rewording balances necessary flexibility with giving statutory guidance sufficient weight.

[237] **Christine Chapman:** Okay, thank you. Peter to speak.

[238] **Peter Black:** Yes, thank you, Chair. As Jocelyn said, I think there is some concern about the number 'mays', and this is an age-old discussion on all Government Bills, of course—should we have 'may' or should we have 'must'. In this particular instance, in terms of the powers to issue statutory guidance, I think Welsh Ministers must issue guidance and, irrespective of the intention of the Minister, it would be useful, I think, if that was set out clearly on the Bill.

[239] In terms of amendment 92—which I think is in this group, isn't it; yes—this maintains the current Bill's duty to follow statutory guidance, unless they can prove to the Minister that their work exceeds the statutory guidance. I think there has been concern throughout the discussion about this clause, whereby local councils can effectively opt-out of the statutory guidance under certain circumstances. I think that my amendment 92 makes the legislation less subject to interpretation and ensures that the only option to not follow statutory guidance is where they're able to provide evidence that their practice exceeds requirements. Demonstrating how they exceed requirements to Welsh Ministers may provide new best practice, of course, which the Welsh Ministers can then share with other authorities through their guidance.

[240] Amendment 120 is very much paired with 13 and 14, which Jocelyn has tabled, again, along these lines, and removes the need for an authority that has already proved to Welsh Ministers that they can exceed requirements to go through the process of producing additional policy and directions as directed by the current Bill.

[241] **Christine Chapman:** Okay, thank you. Any other Members who wish to speak? Alun.

[242] **Alun Davies:** I would like to welcome amendments 5, 6 and 7, which have strengthened the Bill again following the conversation we had here at committee last term. I very much welcome the fact that the sort of statutory guidance that's going to be issued has been strengthened. That's what this committee wanted, and it's what the Minister has agreed to. I think that's a further improvement to the legislation as a consequence of our Stage 1 scrutiny. With that, I very much welcome the fact that the Minister's taken note of that.

[243] **Christine Chapman:** Okay, thank you. The Minister to speak.

[244] **Leighton Andrews:** Chair, thank you. Can I welcome what Alun Davies has just said in respect of the Welsh Government amendments, which expand the list of examples of

guidance and, indeed, respond, as he said, to things that this committee has said, but also to issues that have been raised with us by organisations within the sector? The guidance we specify includes, obviously, that aimed at changing attitudes, the commissioning of services and, indeed, in respect of workplace policies.

[245] If I can comment on the other amendments, amendment 11 expands the definition of ‘relevant authority’ to include criminal justice agencies. However, the focus of this Bill is not on criminal justice matters or criminal justice agencies; its focus is on public sector bodies, which we would like to see playing a greater role in the early identification of victims to ensure earlier identification to reduce risk and harm.

[246] Amendments 12, 13 and 14 significantly weaken the Bill, as they remove the duty to follow the guidance and the power of ministerial direction and replace it with a duty to have regard to the guidance. As a result, a relevant authority need only demonstrate that it had taken the guidance into account in the exercise of its functions. This is a considerably weaker approach. Similarly, amendment 92 weakens the flexibility for a relevant authority to demonstrate innovation. The Bill as drafted enables the relevant authority to depart from the guidance if they are able to propose an alternative policy that the Welsh Ministers agree contributes to the purpose of the Bill, and a good reason not to follow the guidance. For example, they may already have an effective, multi-agency structure in place, and it would be counterproductive to dismantle it. If the Welsh Ministers are not satisfied with this alternative, under section 16 they can direct an authority to follow the guidance.

[247] Amendment 119 seeks to replace ‘may issue statutory guidance under section 12 of the Bill’ with ‘must issue statutory guidance’. This really is unnecessary. It is the Welsh Government’s intention to issue guidance, and we’ve already published three draft pieces of guidance. So, I do not consider this to be necessary as it would be satisfied by the publication of one piece of guidance. The operation of provisions contained in the Bill is not dependent on guidance being issued, and the scope of guidance that could be issued under this section is extremely broad. It is therefore unnecessary to use ‘must’ in this instance.

[248] Amendment 120 also weakens the guidance provisions in the Bill. It would in practice mean that relevant authorities must follow the guidance issued under the Act, unless they think there is good reason not to follow it, as in section 14(2)(a). The remainder of this section, which outlines what actions must be taken instead—for example, determining an alternative policy and issuing a policy statement—are therefore omitted. This amendment taken with amendments 13 and 14 have the effect of enabling a relevant authority to depart from the guidance where there is good reason, but do not require an authority to publish the alternative policy that they intend to follow. It also results in the Welsh Ministers not being able to direct compliance with the guidance. I therefore ask the committee to support amendments 5, 6 and 7 tabled in my name, and to resist the other amendments in this group, which significantly weaken the Bill.

[249] **Christine Chapman:** Jocelyn to reply.

[250] **Jocelyn Davies:** I’ve listened to what the Minister has said. Obviously, this is something that we will return to because regarding the explanation given by the Minister, I’m not sure how much weight to attach to it. I think he realises the thrust of what we were trying to achieve. There was absolutely no intention of wanting to weaken the position—in fact, we want to strengthen it. So, we may need to table further amendments at the third stage in order that we achieve that to the liking and style of the Government. I will be pushing these to the vote, but no doubt this is something that we will be returning to at a later stage.

[251] **Christine Chapman:** Thank you. So, the question is then that amendment 11 be agreed. Does any Member object? [*Objection.*] Okay, we’ll take a vote by show of hands.

Those in favour. Those against. Okay. Amendment 11: five in favour, five against and no abstentions. So, using my casting vote, amendment 11 is not agreed.

*Gwelliant 11: O blaid 5, Ymatal 0, Yn Erbyn 5.
Amendment 11: For 5, Abstain 0, Against 5.*

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

Black, Peter
Davies, Jocelyn
Finch-Saunders, Janet
Isherwood, Mark
Thomas, Rhodri Glyn

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

Chapman, Christine
Davies, Alun
Hedges, Mike
Mewies, Sandy
Price, Gwyn R.

Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei phleidlais fwrw yn unol â Rheol Sefydlog Rhif 6.20(ii).

As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order No. 6.20(ii).

*Gwrthodwyd gwelliant 11.
Amendment 11 not agreed.*

[252] **Christine Chapman:** Peter, do you wish to move amendment 119?

*Cynigiwyd gwelliant 119.
Amendment 119 moved.*

[253] **Peter Black:** Yes, I move.

[254] **Christine Chapman:** The question is that amendment 119 be agreed to. Does any Member object? [*Objection.*] Okay, we'll take a vote by show of hands. Those in favour. Those against. Any abstentions? No. So, that's five in favour, five against. Using my casting vote, then, amendment 119 is not agreed.

*Gwelliant 119: O blaid 5, Ymatal 0, Yn Erbyn 5
Amendment 119: For 5, Abstain 0, Against 5*

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

Black, Peter
Davies, Jocelyn
Finch-Saunders, Janet
Isherwood, Mark
Thomas, Rhodri Glyn

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

Black, Peter
Davies, Jocelyn
Finch-Saunders, Janet
Isherwood, Mark
Thomas, Rhodri Glyn

Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei phleidlais fwrw yn unol â Rheol Sefydlog Rhif 6.20(ii).

As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order No. 6.20(ii).

*Gwrthodwyd gwelliant 119.
Amendment 119 not agreed.*

*Cynigiwyd gwelliant 5.
Amendment 5 moved.*

[255] **Christine Chapman:** I move amendment 5 in the name of the Minister. The question is that amendment 5 be agreed to. Does any Member object? No. Amendment 5 is agreed.

*Derbyniwyd gwelliant 5 yn unol â Rheol Sefydlog 17.34.
Amendment 5 agreed in accordance with Standing Order 17.34.*

*Cynigiwyd gwelliant 6.
Amendment 6 moved.*

[256] **Christine Chapman:** I move amendment 6 in the name of the Minister. The question is that amendment 5 be agreed to. Does any Member object? No. Amendment 6 is agreed.

*Derbyniwyd gwelliant 6 yn unol â Rheol Sefydlog 17.34.
Amendment 6 agreed in accordance with Standing Order 17.34.*

*Cynigiwyd gwelliant 7.
Amendment 7 moved.*

[257] **Christine Chapman:** I also move amendment 7 in the name of the Minister. The question is that amendment 7 be agreed to. Does any Member object? No. Then amendment 7 is agreed.

*Derbyniwyd gwelliant 7 yn unol â Rheol Sefydlog 17.34.
Amendment 7 agreed in accordance with Standing Order 17.34.*

[258] **Christine Chapman:** Jocelyn, do you wish to move amendment 12?

*Cynigiwyd gwelliant 12.
Amendment 12 moved.*

[259] **Jocelyn Davies:** I move.

[260] **Christine Chapman:** Now, if amendment 12 is agreed, amendments 92 and 120 will fall. The question is then that amendment 12 be agreed to. Does any Member object? [*Objection.*] Okay, we'll take a vote by show of hands. Those in favour. Those against. Any abstentions? Okay. So amendment 12, then: five in favour, five against. Using my casting vote, amendment 12 is not agreed.

*Gwelliant 12: O blaid 5, Ymatal 0, Yn Erbyn 5
Amendment 12: For 5, Abstain 0, Against 5*

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

Black, Peter
Davies, Jocelyn
Finch-Saunders, Janet
Isherwood, Mark
Thomas, Rhodri Glyn

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

Chapman, Christine
Davies, Alun
Hedges, Mike
Mewies, Sandy
Price, Gwyn R.

*Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei phleidlais fwrw yn unol â Rheol Sefydlog Rhif 6.20(ii).
As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order No. 6.20(ii).*

Gwrthodwyd gwelliant 12.

Amendment 12 not agreed.

[261] **Christine Chapman:** Peter, do you wish to move amendment 92?

[262] **Peter Black:** Doesn't 92 fall if 12 is agreed?

[263] **Christine Chapman:** Sorry, it's—

[264] **Ms Beasley:** It's not agreed.

[265] **Christine Chapman:** It's not agreed.

[266] **Peter Black:** That's what I thought.

[267] **Christine Chapman:** Yes, it's not agreed. Sorry.

[268] **Ms Beasley:** It was if it was agreed.

[269] **Peter Black:** Yes. I was asked to move it.

[270] **Christine Chapman:** Right. So, it's fallen.

[271] **Ms Beasley:** It was not agreed.

[272] **Christine Chapman:** It wasn't agreed.

[273] **Peter Black:** Yeah, so, why am I—? So, I don't need to move it then, do I?

[274] **Christine Chapman:** Right, okay, sorry.

[275] **Ms Beasley:** No, you can vote on it.

[276] **Christine Chapman:** You can vote on it.

[277] **Peter Black:** Well, okay, I move it, then.

[278] **Christine Chapman:** If amendment 12 wasn't agreed—

[279] **Peter Black:** Okay, yeah. Sorry.

Cynigiwyd gwelliant 92 (Peter Black).

Amendment 92 (Peter Black) moved.

[280] **Peter Black:** I move, yes.

[281] **Christine Chapman:** Yes, okay.

[282] **Peter Black:** Sorry, I was confused by that.

[283] **Christine Chapman:** So, the question is that amendment 92 be agreed to. Does any Member object? [*Objection.*] Okay. We'll take a vote, then. So, those in favour? Those against? Okay, so, we've got five in favour and five against. Using my casting vote then, amendment 92 is not agreed.

Gwelliant 92: O blaid 5, Ymatal 0, Yn erbyn 5.

Amendment 92: For 5, Abstain 0, Against 5.

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

Black, Peter
Davies, Jocelyn
Finch-Saunders, Janet
Isherwood, Mark
Thomas, Rhodri Glyn

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

Chapman, Christine
Davies, Alun
Hedges, Mike
Mewies, Sandy
Price, Gwyn R.

Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei phleidlais fwrw yn unol â Rheol Sefydlog 6.20(ii).

As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order 6.20(ii).

*Gwrthodwyd gwelliant 92.
Amendment 92 not agreed.*

[284] **Christine Chapman:** Peter, do you want to move 120?

*Cynigiwyd gwelliant 120 (Peter Black).
Amendment 120 (Peter Black) moved.*

[285] **Peter Black:** I move.

[286] **Christine Chapman:** Right. The question is, then, that amendment 120 be agreed to. Does any Member object? [*Objection.*] Okay. We'll take a vote by show of hands. Those in favour. Those against. No abstentions. So, five in favour and five against. I use my casting vote. So, amendment 120 is not agreed.

*Gwelliant 120: O blaid 5, Ymatal 0, Yn erbyn 5.
Amendment 120: For 5, Abstain 0, Against 5.*

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

Black, Peter
Davies, Jocelyn
Finch-Saunders, Janet
Isherwood, Mark
Thomas, Rhodri Glyn

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

Chapman, Christine
Davies, Alun
Hedges, Mike
Mewies, Sandy
Price, Gwyn R.

Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei phleidlais fwrw yn unol â Rheol Sefydlog 6.20(ii).

As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order 6.20(ii).

*Gwrthodwyd gwelliant 120.
Amendment 120 not agreed.*

[287] **Christine Chapman:** Jocelyn, do you wish to move amendment 13?

*Cynigiwyd gwelliant 13 (Jocelyn Davies, gyda chefnogaeth Peter Black).
Amendment 13 (Jocelyn Davies, supported by Peter Black) moved.*

[288] **Jocelyn Davies:** Yes, please.

[289] **Christine Chapman:** So, the question is that amendment 13 be agreed to. Does any Member object? [*Objection.*] Okay. We'll move to the vote, then. Those in favour. Those against. Okay, we've got five in favour and five against, and, using my casting vote, amendment 13 is not agreed.

*Gwelliant 13: O blaid 5, Ymatal 0, Yn erbyn 5.
Amendment 13: For 5, Abstain 0, Against 5.*

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

Black, Peter
Davies, Jocelyn
Finch-Saunders, Janet
Isherwood, Mark
Thomas, Rhodri Glyn

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

Chapman, Christine
Davies, Alun
Hedges, Mike
Mewies, Sandy
Price, Gwyn R.

Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei phleidlais fwrw yn unol â Rheol Sefydlog 6.20(ii).

As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order 6.20(ii).

*Gwthodwyd gwelliant 13.
Amendment 13 not agreed.*

[290] **Christine Chapman:** Jocelyn, do you wish to move amendment 14?

Cynigiwyd gwelliant 14 (Jocelyn Davies, gyda chefnogaeth Peter Black).

Amendment 14 (Jocelyn Davies, supported by Peter Black) moved.

[291] **Jocelyn Davies:** I move.

[292] **Christine Chapman:** Right, the question is that amendment 14 be agreed to. Does any Member object? [*Objection.*] Okay. We'll take a vote. Those in favour. Those against. No abstentions. We have five in favour and five against. Using my casting vote, amendment 14 is not agreed.

*Gwelliant 14: O blaid 5, Ymatal 0, Yn erbyn 5.
Amendment 14: For 5, Abstain 0, Against 5.*

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

Black, Peter
Davies, Jocelyn
Finch-Saunders, Janet
Isherwood, Mark
Thomas, Rhodri Glyn

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

Chapman, Christine
Davies, Alun
Hedges, Mike
Mewies, Sandy
Price, Gwyn R.

Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei phleidlais fwrw yn unol â Rheol Sefydlog 6.20(ii).

As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order 6.20(ii).

*Gwrthodwyd gwelliant 14.
Amendment 14 not agreed.*

Grŵp 13: Canllawiau ar gyfer Cyrff Addysg Bellach ac Uwch (Gwelliannau 101, 102, 104 a 105)
Group 13: Guidance for Further and Higher Education Bodies (Amendments 101, 102, 104 and 105)

[293] **Christine Chapman:** We move on now to group 13, and this relates to guidance for further and higher education bodies. The lead amendment in the group is amendment 101 in the name of Peter Black, and I call on Peter to move amendment 101 and speak to the other amendments in this group.

Cynigiwyd gwelliant 101 (Peter Black).
Amendment 101 (Peter Black) moved.

[294] **Peter Black:** Yes, thank you, Chair. This group relates to further and higher education bodies, and the intention is to probe to see what we can do to try to place a duty on higher education and further education bodies to ensure that their educational provision includes education about domestic abuse and violence against women and children. I accept that there are legal difficulties around these amendments and, clearly, it may well be that we may have to come back to this at Stage 3, but, at this stage, I wanted to have the Minister's response on what his intentions are in this regard to see what is possible at Stage 3.

[295] My belief is the Bill should be strengthened to make a real change to the lives of young people in Wales, and that specific changes should be made in order to make a real difference for students enrolled in institutions in Wales. The concern is that, if the Bill passes in its current format, Wales will have missed an opportunity to educate and inform young people, to enhance safety, and to reduce the prevalence of violence against women and children. So, I think we are looking to have some form of duty on the face of the Bill for higher and further education institutions so that we can be confident that measures will be taken to tackle violence against women, domestic abuse and sexual violence by each university and college. NUS Wales, ColegauCymru and Universities Wales are generally supportive of this in principle, but, of course, the issue is around the language and the way this is put in place.

[296] These amendments relate to training for staff, workplace policies and annual reporting, and I'd envisage that staff training policies will ensure that a senior leader within each organisation receives specific training and is responsible across the institution for setting in train new approaches to tackling the issue. I'm happy for further specifics to be discussed as part of the guidance, rather than being included on the face of the Bill, but I feel strongly that this level of leadership can be replicated at campuses in Wales, with one member of staff responsible at board level and having received that special training. This individual will then be responsible for ensuring that the institution tackles the issue through challenging attitudes amongst staff and students, creating a safer physical environment, commissioning support and advice services for staff and students, and rolling out a workplace policy for staff who may be affected.

11:15

[297] **Peter Black:** Given the issues of independence and autonomy, the appropriate route in terms of higher education, I suspect, is through a duty on HEFCW, the Higher Education Funding Council for Wales, with the expectation that that body could then enquire of institutions the appropriate policy actions. Further education institutions have a different legal basis and can receive guidance direct from Ministers, but, again, there are issues because of previous legislation as to how that is implemented. So, with that explanation, I would hope that the Minister could at least accept the intent of these amendments in principle and suggest a way forward if he is supportive of them. Thank you, Chair.

[298] **Christine Chapman:** Okay, thank you. Jocelyn.

[299] **Jocelyn Davies:** Well, I agree with everything that Peter said there. I think the necessity of educating young people about healthy relationships doesn't stop when they leave school, and I think that further and higher education institutions must have a part to play. I think that, in recent years, there has been this increased awareness of the so-called lad culture that can exist in some colleges and universities, but, after seeing the briefing from Universities Wales, who take issue with the wording, I am reluctant to support these amendments, but only because it does appear that it needs further legal examination. I do hope that amendments with the same aim will be re-tabled at Stage 3, but at this time I will be abstaining on them if they go to the vote. But I do support the thrust of what they're trying to achieve.

[300] **Christine Chapman:** Okay, thank you. Mark.

[301] **Mark Isherwood:** Yes, again, I would endorse the comments made reflecting Universities Wales's submission. We fully support the intent of the amendments, as I'm sure will everybody else. The National Union of Students Wales has made it absolutely clear that this is a key issue for many on our campuses, but there are legal considerations and unintended consequences, which the Welsh Government has addressed in different legislative contexts previously for the same reason. I notice that the Universities Wales submission said that they discussed the consequences of the amendment as currently drafted with the National Union of Students Wales and emphasised commitment and keenness to work on an amendment that can be brought forward at Stage 3 with their support. So, I would again be interested to hear how the Minister responds to that.

[302] **Christine Chapman:** Okay. Mike.

[303] **Mike Hedges:** Just very briefly, I agree with what Jocelyn and Mark Isherwood have said. The principle of this is fine; I think the practicality is the problem. All I would add is a comment: wasn't it a lot easier when further education colleges and all the institutions of higher education were run by local authorities, under which this would actually be able to be done? Moving things out of local authority control does have unintended consequences at a later date.

[304] **Peter Black:** I think we've got legislation on that coming. [*Laughter.*]

[305] **Christine Chapman:** Okay. Minister.

[306] **Leighton Andrews:** Can I thank Members for their contributions? Can I start by commending the work of the National Union of Students Wales on these issues, certainly over the last seven or eight years, I would say? I think they've played a very important role in bringing these issues to the forefront. I think that members of this committee are well aware of the difficult legal situation that we would have if we were to pass these amendments. They're familiar, I think, with previous legislation in respect of FE governance and current legislation in respect of the Higher Education (Wales) Bill that we are currently discussing in the Assembly. I am sympathetic, obviously, to the aims behind the amendments. What I would suggest is that we seek to meet to discuss whether there are things that could be done at Stage 3.

[307] **Christine Chapman:** Okay. Peter to reply.

[308] **Peter Black:** Yes, I'm very happy with that response from the Minister and I'm happy to meet with him to discuss this, so I won't be moving these amendments.

[309] **Christine Chapman:** Okay. Does the committee agreed to withdraw this? Okay, thank you.

*Tynnwyd gwelliant 101 yn ôl gyda chaniatâd y pwyllgor.
Amendment 101 withdrawn by leave of the committee.*

[310] **Christine Chapman:** Peter, do you wish to move amendment 102?

[311] **Peter Black:** That's in this one, isn't it? No.

[312] **Christine Chapman:** You want to withdraw that one? Oh, it's not moved. Right. Okay.

*Ni chynigiwyd gwelliant 102.
Amendment 102 not moved.*

**Grŵp 14: Cyngorydd Gweinidogol (Gwelliannau 15, 8, 16, 17, 18, 93, 19, 20, 21, 22, 23, 24, 103, 25, 94, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39,40, 41, 42, 43, 44 a 45)
Group 14: Ministerial Adviser (Amendments 15, 8, 16, 17, 18, 93, 19, 20, 21, 22, 23, 24, 103, 25, 94, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39,40, 41, 42, 43, 44 and 45)**

[313] **Christine Chapman:** Right, we move on now then to group 14, and this relates to the ministerial adviser. The lead amendment in the group is amendment 15 in the name of Jocelyn Davies, and I call on Jocelyn to move amendment 15 and speak to the other amendments in this group.

*Cynigiwyd gwelliant 15 (Jocelyn Davies).
Amendment 15 (Jocelyn Davies) moved.*

[314] **Jocelyn Davies:** Thank you, Chair. I move amendment 15—[*Inaudible.*] I won't be supporting the Minister's amendment to change the title of the adviser's role to just the 'ministerial adviser'. I think this sends the wrong message about the scope and independence of the role, and there was almost universal concern about this issue from those we took evidence from that made comment on it. Instead, amendment 15 changes the adviser's title to the 'adviser on Gender-based Violence, Domestic Abuse and Sexual Violence', and this clearly signals the breadth of the adviser's role and their independence from Government.

[315] Amendment 25 ensures that the adviser does not have to ask Welsh Ministers for agreement before giving advice and other assistance to any person who is working to improve prevention, protection and support, and Welsh Ministers should not have to act as the official gatekeepers for assistance from the adviser. To require the adviser to ask Welsh Ministers for agreement before fulfilling this function would add a level of unnecessary bureaucracy and, I think, massively conflict with their independence from Government. I support Peter's amendment 103, which complements my own.

[316] I've also tabled amendment 18 to clarify that the adviser should not be a member of the civil service, for obvious reasons. If we are to establish the statutory role of an adviser, as I believe we should, they must be trusted to be independent and to undertake any work they believe will contribute to the eradication of violence against women and children.

[317] **Christine Chapman:** Okay. Peter to speak.

[318] **Peter Black:** Yes, thank you, Chair. There was, I think, universal concern about the way this post had been termed within the Bill and the way that that person should operate. I

fully accept the Minister's intentions that this person should be at arm's length from the Minister, but, obviously, accountable to the Minister, and I think that that needs to be reflected in the title. At the moment, the Minister has the power to appoint advisers to himself—ministerial advisers—and, in fact, has ministerial advisers on whole range of issues, who can offer advice and support. But I think the way that this role has been termed in the Bill does need to have an element of independence, so that people feel that that person is going to be operating at an arm's-length basis and is able to deal with issues without, effectively, just being an instrument of the Minister. Removing the word 'ministerial' from the title of that person, and specifying they're separate from the civil service and have resources to work with, I think will underline that particular fact.

[319] **Christine Chapman:** Okay. Thank you. Alun.

[320] **Alun Davies:** I really am not troubled at all by the title of the role. I don't think that's at all relevant to the functions that that person will carry out. I'm more troubled by the powers available to that adviser and the form of appointment and accountability for the adviser.

[321] In terms of—this is, again, a subject we debated at Stage 1—section 17 of the Bill, which I have in front of me, it does not make clear the process of appointment. Section 17(1) says that Welsh Ministers must appoint a person as the ministerial adviser. I'd be grateful if the Minister could outline the appointments process that will be used for appointment to this role. I'm concerned that it would be the public appointments process. I'd be grateful if the Minister could confirm that. I would be grateful if the Minister could give some consideration as to whether it would be useful—if I'm correct in that assumption—for that to be placed on the face of the Bill at Stage 3. I think that would provide Members with the sort of certainty that they're looking for in terms of independence.

[322] In terms of the other amendments that have been tabled in this section, the amendment that I do have some sympathy with is amendment 93, in Peter Black's name, which says that staff appointed by, or working for, the adviser are not to be members of the civil service. Now, I'm one of the lucky people who has had the opportunity to read the Minister's speech that he gave to the Institute of Welsh Affairs on Tuesday evening—

[323] **Peter Black:** You weren't there?

[324] **Alun Davies:** I wasn't there, no; I was debating industrial policy with the TUC. But I did take the opportunity to read his speech, and, if the Minister is able to create the single public service with the sort of culture and leadership that he outlined in that speech, then I would be content for the civil service to provide the secretariat for that. I would be less comfortable agreeing that if we are unable to create that sort of public service that the Minister foresaw in his speech on Tuesday evening. So, I would be grateful if the Minister could outline, perhaps, his thinking on that this morning. But, in terms of where we are today, the title, I don't believe is important, but the strength of independence, the office is important and the structure of that office and the appointments and accountability is important. At the moment, I'm content with what the Government is proposing with the exception of the points I've made about the secretariat.

[325] **Christine Chapman:** Thank you. Mike.

[326] **Mike Hedges:** Nothing to add to what Alun's just said.

[327] **Christine Chapman:** Okay, thanks. Mark.

[328] **Mark Isherwood:** It's clear that status, independence and direct accessibility of this person are the priority, should be the priority, and it is much more than the title. But

nonetheless, the term ‘ministerial adviser’ brings expectations with it, and possibly legal definitions with it, which I think we would seek to avoid. So, I think we’re supportive of the change of title. That doesn’t, I presume, limit the actual name that this person will ultimately be given in whatever role they were appointed to. But, for the purpose of this Bill, I think it is important to remove the word ‘ministerial’.

[329] I just wish to seek clarification from Peter, through yourself, Chair. Amendment 94, nonetheless, includes the term, ‘ministerial adviser’. Would we not, therefore, be inconsistent if we were to consider supporting that and not others that sought to remove the term?

[330] **Christine Chapman:** Okay, I’ll ask Peter to clarify.

[331] **Peter Black:** That’s because I have to work with the Bill as it is drafted, and clearly, if we took a decision to remove the word ‘ministerial’, we could then remove ‘ministerial’ from that at Stage 3.

[332] **Christine Chapman:** Okay. Minister, to speak.

[333] **Leighton Andrews:** Yes. Thank you, Chair. Can I start by saying that I’m perfectly happy to reflect further on the name of the post and give further consideration to that for Stage 3? I’m not wedded to the term ‘ministerial adviser’; if somebody can come up with a more appropriate name, then I’m happy to consider that. So far, I don’t think anybody has. So, you know, by all means, let’s have time for reflection on that in the period up to Stage 3 amendments.

[334] If I can just say a word about amendment 8, this removes the reference to gender-based violence, domestic abuse and sexual violence from the title of the adviser, in line with, you know, the later amendment, of course, to change the title of the Bill. It better reflects, I think, the functions of the postholder, which are to work towards the purposes of the Bill. Section 18, of course, sets out the functions of the adviser, which includes advising and assisting in relation to matters related directly or indirectly to inequality of any kind between people of a different gender, gender identity or sexual orientation.

[335] Amendment 18 seeks to clarify that the adviser is not to be a member of the civil service of the state and amendment 93 seeks to provide that the ministerial adviser is independent of Welsh Ministers. I think these are unnecessary amendments, as I’ve already set out to this committee. If I can clarify in response to what Alun Davies has said, the adviser would be appointed via a public appointments process and would be subject to the seven principles of public life, known as the Nolan principles. In appointing that person, of course, I will need to be satisfied that the person could meet those standards.

[336] Sections 19 and 20 govern the relationship between the Welsh Ministers and the ministerial adviser in respect of annual reports and plans. The provision that requires independence does not alter the role of the ministerial adviser. So, for the same reason, I think amendment 93 is unnecessary. I think amendment 25 is unnecessary; already, in section 18(1)(d), we say that the ministerial adviser is working within the strategic framework provided by the Welsh Ministers in the national strategy. If this amendment were to be passed, the ministerial adviser would be free to advise and give assistance to anybody, such as UK Government departments, even where, to do so, would clearly not be appropriate, and I think would divert the adviser’s focus from working with Welsh Ministers to achieve the aims of the Bill in Wales.

[337] Amendment 93 seeks to introduce a new subsection to section 17, to seek to ensure that the ministerial adviser is independent and supported by staff who are not members of the civil service. I think the difficulty with that is that I suspect we could only fulfil that by

creating a new quango, which I think has cost implications.

11:30

[338] I've already stated, in response to amendment 18, an amendment seeking the independence of the adviser is not necessary and would not alter its functions. I don't consider it necessary to have an amendment that provides for support outside the civil service. It seems that such staff would still be appointed by the Welsh Ministers, even though they could not be civil servants. I don't consider a strong case has been made for an independent administrative staff and my priority is to ensure that funding is used for the direct provision and improvement of services to support survivors of violence and abuse, rather than further bureaucracy.

[339] Amendment 94 requires a ministerial adviser to lay before the Assembly an annual report on their activity in the previous year. Well, section 20 in the Bill requires Welsh Ministers to publish every report sent to them by the ministerial adviser that was mentioned in an approved annual plan—that will include every annual report. This, of course, could be subject to debate within a National Assembly, as has been the case with previous reports on 'The Right to be Safe' strategy.

[340] Amendment 103 seeks to remove the Welsh Ministers' oversight of the functions of the ministerial adviser. I do not consider this amendment necessary, as I've previously outlined the importance of the Welsh Government setting the strategic oversight and leadership for tackling these important issues. I ask the committee to support amendment 8 and to resist the other amendments.

[341] **Christine Chapman:** Okay, thanks. I know Rhodri Glyn has a query of the Minister, so I will allow that.

[342] **Rhodri Glyn Thomas:** Dim ond i ofyn i'r Gweinidog, yng ngoleuni'r hyn y mae e wedi'i ddweud ynglŷn â theitl yn y fan hyn, a ydy e'n fwriad bellach ganddo fe felly i dynnu yn ôl gwelliant 8 sydd yn gosod teitl penodol.

Rhodri Glyn Thomas: Simply to ask the Minister, in light of what he has said on the title here, whether it's now his intention to withdraw amendment 8, which does put in place a specific title.

[343] **Leighton Andrews:** Well, no, it's not my intention to withdraw that. Amendment 8, I think, brings the title more in line with the current intent of the Bill, and a later amendment on the title that I have tabled. However, I am willing, as I said, to reflect further on the title for Stage 3.

[344] **Christine Chapman:** Okay, thank you. Jocelyn to reply.

[345] **Jocelyn Davies:** Yes, thank you, I think that's been very interesting. I mean, I agree with Peter that the independence of this role should be reflected in the Act, and certainly, if the adviser is to be viewed by others outside the Assembly as being independent—perhaps the title isn't important to us, but it has been important to those we have spoken to and those who have expressed their concerns to us.

[346] I'm glad that Alun asked the Minister about the appointments process, because I think getting that on the record is very useful, and I'm grateful that the Minister's said that, because that obviously will happen—and, regardless, that's the ministerial intention in bringing this forward. I'm afraid I didn't hear the Minister's speech and I haven't read it, so I'm not in the position, right this minute, to take it into account. I get the gist of what was being said, and I would fully support that. I'm not too concerned about civil service support to somebody,

because there's a civil service code that people have to abide by if they're part of the civil service, and I've certainly seen examples of secondments that have been very successful. If somebody's a civil servant, we wouldn't want them not to be able to work in other organisations and so on, and I don't think there was the intention to create another quango without saying so on the face of the Bill. So, I'm not too concerned about that, and even though I appreciate Peter's reluctance, I won't be supporting his particular amendment on that point.

[347] I am glad to hear that the Minister is reflecting on this, because it does appear to me that there were genuine concerns for good reasons, because what we want is this adviser to be able to fulfil the expectation, and we would want this adviser to get off to a very, very good start. The problem with the title, 'ministerial adviser', is it immediately conjures up someone who offers advice just to the Minister, and I think that we need to think about that. So, I think this is unfinished business, and I'm sure that we will return to it at Stage 3, but I'm pretty confident, from what I've heard today, that it will be improved at Stage 3, and I think many fears have already been allayed. But, I don't think that the legislation is finished yet on this point.

[348] **Christine Chapman:** Okay, so do you want wish—

[349] **Jocelyn Davies:** I do want to push my amendments to the vote, yes.

[350] **Christine Chapman:** Okay. If amendment 15 is not agreed, amendments 16, 17, 19 to 24 and 26 to 45 will fall. So, the question is, then, that amendment 15 be agreed. Does any Member object? [*Objection.*] Okay, I'll take a vote by show of hands. So, amendment 15, those in favour. Those against. No abstentions. Five in favour, five against. Using my casting vote, then, amendment 15 is not agreed.

*Gwelliant 15: O blaid 5, Ymatal 0, Yn erbyn 5.
Amendment 15: For 5, Abstain 0, Against 5.*

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

Black, Peter
Davies, Jocelyn
Finch-Saunders, Janet
Isherwood, Mark
Thomas, Rhodri Glyn

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

Chapman, Christine
Davies, Alun
Hedges, Mike
Mewies, Sandy
Price, Gwyn R.

Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei phleidlais fwrw yn unol â Rheol Sefydlog Rhif 6.20(ii).

As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order No. 6.20(ii).

*Gwrthodwyd gwelliant 15.
Amendment 15 not agreed.*

Methodd gwelliannau 16, 17, 19, 20, 21, 22, 23, 24, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44 a 45.

Amendments 16, 17, 19, 20, 21, 22, 23, 24, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44 and 45 fell.

*Cynigiwyd gwelliant 8 (Leighton Andrews).
Amendment 8 (Leighton Andrews) moved.*

[351] **Christine Chapman:** I move amendment 8 in the name of the Minister. If amendment 8 is agreed, amendment 16 will fall. So, the question is that amendment 8 be agreed to. Does any Member object? [*Objection.*] Okay, take a vote. Those in favour. Those against. Okay, we have seven in favour, three against and no abstentions; therefore, amendment 8 is agreed.

*Gwelliant 8: O blaid 7, Ymatal 0, Yn erbyn 3.
Amendment 8: For 7, Abstain 0, Against 3.*

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

Chapman, Christine
Davies, Alun
Finch-Saunders, Janet
Hedges, Mike
Isherwood, Mark
Mewies, Sandy
Price, Gwyn R.

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

Black, Peter
Davies, Jocelyn
Thomas, Rhodri Glyn

*Derbyniwyd gwelliant 8.
Amendment 8 agreed.*

[352] **Christine Chapman:** Jocelyn, do you wish to move amendment 18?

*Cynigiwyd gwelliant 18 (Jocelyn Davies).
Amendment 18 (Jocelyn Davies) moved.*

[353] **Jocelyn Davies:** I do.

[354] **Christine Chapman:** Okay, the question is, then, that amendment 18 be agreed to. Does any Member object? [*Objection.*] Okay, we'll take a vote by show of hands. Those in favour. Those in favour of—. Right; yes. Okay—half. [*Laughter.*] Those in favour—I'll do it again. Those against. For amendment 18: five in favour, five against, no abstentions. Therefore, using my casting vote, amendment 18 is not agreed.

*Gwelliant 18: O blaid 5, Ymatal 0, Yn erbyn 5.
Amendment 18: For 5, Abstain 0, Against 5.*

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

Black, Peter
Davies, Jocelyn
Finch-Saunders, Janet
Isherwood, Mark
Thomas, Rhodri Glyn

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

Chapman, Christine
Davies, Alun
Hedges, Mike
Mewies, Sandy
Price, Gwyn R.

*Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei phleidlais fwrw yn unol â Rheol Sefydlog Rhif 6.20(ii).
As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order No. 6.20(ii).*

Gwrthodwyd gwelliant 18.

Amendment 18 not agreed.

[355] **Christine Chapman:** Peter, do you wish to move amendment 93?

Cynigiwyd gwelliant 93 (Peter Black).
Amendment 93 (Peter Black) moved.

[356] **Peter Black:** Yes, I move.

[357] **Christine Chapman:** Okay, the question is, then, that amendment 93 be agreed to. Does any Member object? [*Objection.*] Okay, we'll take a vote by show of hands. Ninety-three, then—those in favour. Those against. Okay, we have three in favour, seven against, no abstentions; therefore, amendment 93 is not agreed.

Gwelliant 93: O blaid 3, Ymatal 0, Yn erbyn 7.
Amendment 93: For 3, Abstain 0, Against 7.

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

Black, Peter
Finch-Saunders, Janet
Isherwood, Mark

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

Chapman, Christine
Davies, Alun
Davies, Jocelyn
Hedges, Mike
Mewies, Sandy
Price, Gwyn R.
Thomas, Rhodri Glyn

Gwrthodwyd gwelliant 93.
Amendment 93 not agreed.

[358] **Christine Chapman:** Peter, do you wish to move amendment 103?

Cynigiwyd gwelliant 103 (Peter Black).
Amendment 103 (Peter Black) moved.

[359] **Peter Black:** Yes, I move.

[360] **Christine Chapman:** Okay, the question is, then, that amendment 103 be agreed to. Does any Member object? [*Objection.*] Okay, we'll take a vote by show of hands. Those in favour. Those against. Okay, we have five in favour, five against, no abstentions. Using my casting vote, then, amendment 103 is not agreed.

Gwelliant 103: O blaid 5, Ymatal 0, Yn erbyn 5.
Amendment 103: For 5, Abstain 0, Against 5.

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

Black, Peter
Davies, Jocelyn
Finch-Saunders, Janet
Isherwood, Mark
Thomas, Rhodri Glyn

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

Chapman, Christine
Davies, Alun
Hedges, Mike
Mewies, Sandy
Price, Gwyn R.

Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei phleidlais fwrw yn unol â Rheol Sefydlog Rhif 6.20(ii).

As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order No. 6.20(ii).

Gwrthodwyd gwelliant 103.

Amendment 103 not agreed.

[361] **Christine Chapman:** Jocelyn, do you wish to move amendment 25?

[362] **Jocelyn Davies:** No.

Ni chynigiwyd gwelliant 25 (Jocelyn Davies).

Amendment 25 (Jocelyn Davies) not moved.

[363] **Christine Chapman:** Okay; Peter, do you wish to move amendment 94?

Cynigiwyd gwelliant 94 (Peter Black).

Amendment 94 (Peter Black) moved.

[364] **Peter Black:** Yes—move.

[365] **Christine Chapman:** Okay, the question is, then, that amendment 94 is agreed to. Does any Member object? [*Objection.*] Okay, we'll take a vote by show of hands. Those in favour. Okay. Those against. We have five in favour, five against, no abstentions. Using my casting vote, then, amendment 94 is not agreed.

Gwelliant 94: O blaid 5, Ymatal 0, Yn erbyn 5.

Amendment 94: For 5, Abstain 0, Against 5.

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

Black, Peter
Davies, Jocelyn
Finch-Saunders, Janet
Isherwood, Mark
Thomas, Rhodri Glyn

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

Chapman, Christine
Davies, Alun
Hedges, Mike
Mewies, Sandy
Price, Gwyn R.

Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei phleidlais fwrw yn unol â Rheol Sefydlog Rhif 6.20(ii).

As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order No. 6.20(ii).

Gwrthodwyd gwelliant 94.

Amendment 94 not agreed.

Grŵp 15: Dileu'r Amddiffyniad Cosb Resymol (Gwelliannau 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 74, 75, 76, 77, 78, 79, 80 a 72)

Group 15: Removal of Reasonable Punishment Defence (Amendments 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 74, 75, 76, 77, 78, 79, 80 and 72)

[366] **Christine Chapman:** Okay, we now move to group 15, and this relates to the

removal of the defence of reasonable punishment. The leading amendment in the group is amendment 46, in the name of Jocelyn Davies. I call on Jocelyn to move amendment 46 and speak to the other amendments in this group.

Cynigiwyd gwelliant 46 (Jocelyn Davies).
Amendment 46 (Jocelyn Davies) moved.

[367] **Jocelyn Davies:** Yes, thank you, Chair. You'll notice that all of the amendments in this group are in my name. I don't intend to make different points about every single one, so it'll be one contribution. I hope Members will bear with me with the length of the contribution.

[368] Now, section 58 of the Children Act 2004 permits a defence of reasonable punishment where the defendant is charged with common assault where the victim is a child and the defendant is the parent or a person acting in loco parentis. Amending the Children Act to remove this defence is not a smacking ban; it will not criminalise hordes of parents; and it does not tell parents how they should look after their own children. What it does do, though, is give children equal protection with adults under the law. Now, if a partner does something that you don't like, there's not a legal defence if you hit them, and, if your sister or your brother—you know, your sibling—upsets you, there is no legal defence if you hit them, or, if your elderly parent, or a neighbour or even a complete stranger frustrates you, there's not a legal defence if you hit them, so why should children, who are much more vulnerable, not have equal protection from violence under the law, particularly given the unique position of power that parents and other carers have over children? Now, the removal of the reasonable punishment defence is only a small change in the law that will affect a tiny number of people. It means that the defence of reasonable punishment will no longer be available to the very few adults who end up in court because they've hurt children and they raise this as their defence.

[369] Three year after the Children Act 2004 came into force—so in 2007—a review of how it was working was carried out by the UK Government, and I would recommend that anybody interested in this area read that. In those three years, the reasonable punishment defence was only used in a minute number of cases. And, in fact, none of them involved smacking of the child. The child victims were alleged to have been slapped around the head, made to eat soap, smacked on the bottom by a non-relative, pinned down by the neck, bruised on the arm, punched and strangled. Now, clearly, in some of those cases, the adults involved were certainly wrongly charged, which is a good reason, of course, to ensure that this loophole in the law is finally closed in all cases.

[370] It's worth noting that there were no cases at all between 2007 and 2009, so the numbers involved here are incredibly small. I know that there are concerns about this, but there is no danger of a change in the law criminalising hordes of parents. The police and the Crown Prosecution Service will still have to follow the same guidelines as they do now when deciding whether or not to recommend pressing charges. The resulting report of the 2007 UK Government review states—and I am quoting now:

[371] 'in determining how to deal with a case, a great deal depends on the discretion of the police and the prosecutors, their judgment as to what is reasonable and what is best for the child, and all the other surrounding factors.'

[372] Now, police officers interviewed for that review said that they would usually respond to a reported assault on a child by talking to the parents about how their actions were unacceptable and referring them for further support from social services if that was appropriate. In deciding whether or not to recommend to the Crown Prosecution Service

about a charge, the public interest and the interests of the child must be taken into account. The often given example of, perhaps, the one-off panic slap to stop a child reaching out to touch a hot stove or something would not include criminal charges if the reasonable punishment defence was removed. Discretion, including, remember, the public and the child's interest test, must be applied to all police and prosecutors in all cases, and not just those related to section 58. So, while this is a modest change, it is an important one. The current law, I think, is confusing and misunderstood and that UK Government review into the Children's Act 2004 found that many people seem to think that section 58 explicitly condones physical punishment of children or, conversely, that it was already illegal to physically punish children. So, the law definitely needs clarification.

[373] Social workers report that, were the defence of reasonable punishment removed for charges of common assault, they would find it easier to work with parents. Save the Children argue that living in a culture in which hitting children appears to be condoned by the law is likely to be a significant factor inhibiting both victims and members of the public reporting abuse or taking action to prevent it.

11:45

[374] Now, removing the reasonable punishment defence I think will send a strong clear message. I think Government, perhaps, is at its best when it takes decisive action and chooses to lead a change in public opinion. Now, while it is often said that the public is against a legal reform on physical punishment of children, attitudes are changing pretty quickly. The majority of people in England and Wales would support a law reform if they were sure that parents would not be prosecuted for trivial smacks, and I've had those concerns myself. Behaviour, too, is changing. Younger parents are much less likely than older parents to use smacking as a method of discipline, and more likely to use alternative methods—for example, the naughty spot.

[375] The UK Government's review found that only 28% of those who say they've used or that they use physical punishment thought that it was an effective method of managing their children's behaviour. And when you took that into consideration of all parents, that equates to 7% of all parents. So, overall 7% of parents think that it's an effective method. So, parents are for some reason—and that needs to be explored—using a punishment that they do not feel is as effective as other methods of discipline.

[376] Children themselves recognise that while physical punishment hurts them physically, is upsetting and can be humiliating, it does not stop bad behaviour. And the cross-party group here in the Assembly invited two sixth formers who would survey their classmates on physical punishment to talk about their findings. And it was interesting to hear that many of those classmates already believed that physical punishment was illegal.

[377] Now, there's an international context to this, which I don't think that we should ignore. The UN Committee on the Rights of the Child advocates that countries must eliminate corporal punishment of children in order to be in compliance with international human rights standards. This opinion is shared by the Council of Europe, the European Committee of Social Rights and other international bodies. And legal reform to give children equal protection from violence is necessary under human rights law.

[378] The Council of Europe recommends that the approach to eliminating physical punishment of children has three strands: legal reform, which I'm suggesting here, policy reform and awareness-raising. Legal reform, obviously, as I said, is the starting point here, but it's on a longer path of engaging the public in discussion and education. And in Wales we already have many, many policy documents on this issue.

[379] We can also look to Sweden to see how effective legal reform can be a start to change public opinion and behaviour. In 1978, Sweden became the first country to explicitly ban all forms of corporal punishment of children, and the ban was intended—and I’m quoting here—

[380] ‘to be educational rather than punitive’.

[381] And it has been hugely successful. The rate of public acceptance of physical punishment of children began to decline almost immediately that the ban was enacted. And despite all those scare stories, the behaviour of children and young people of Sweden has improved since the ban. And following an awareness campaign, within just two years, over 99% of citizens knew and understood the law.

[382] Now, Members will be aware that I’ve not just tabled one amendment on this issue to the Bill; instead, I’ve tabled a menu of amendments to give the Government flexibility and choice on exactly how they could instigate the removal of this defence. Firstly, I’ve given the Government the choice when to set the commencement date for the removal. Until we started debating this Bill, I thought I knew what Government policy on the issue was; I thought that the Welsh Government policy, in fact, had been in favour of removal of the reasonable punishment defence for over 12 years, and I’ve good evidence, of course, to support that.

[383] In 2002 the then Minister for Health and Social Services affirmed that the Welsh Government believed—and I’m quoting again—

[384] ‘corporal punishment in families and all other contexts should be prohibited in law’

[385] and that:

[386] ‘action should be taken to promote non-violent forms of discipline and respect for children’s rights to human dignity’.

[387] In 2004—I’m not going to read every document, because, I tell you, even I would be bored with that; I’m not going to do that, but just to give you an idea, in 2004, the majority of Assembly Members voted in favour of the proposal that the National Assembly regretted the UK Government’s continuing use of the defence of reasonable chastisement and that it had taken no significant action towards prohibiting the physical punishment of children in the family. I have to say, I’ve been here since 1999, and I think I can only think of about twice that the Labour Government here criticised the Labour Government in Westminster in a vote in the Chamber, and this was one of them. That’s how important it was. I have a list here with me of those who voted that day, because it did, in effect, castigate the UK Government for its failure to act. Included, of course, are a number of people here now, including the Minister. I notice that because the list is in alphabetical order, and ‘Andrews’ is obvious to spot, but Mark Isherwood also voted for that. In fact, all members of the current cabinet bar one have, at one time or another, voted in favour of this policy.

[388] Perhaps more importantly, the Welsh Government have stated their policy to be in favour of the removal of this reasonable chastisement defence to those outside the Assembly on a number of occasions. Now, as I said, there exists a plethora of Welsh Government policy documents advocating an end to the physical punishment of children. In 2004, the policy document, ‘Children and Young People: Rights to Action’—some of us can remember that—supported the changing of the law. It reads—I do have a copy in my room if anybody doesn’t believe me, but you can look it up:

[389] ‘The Assembly Government believes that the current legal defence of “reasonable chastisement” should be ended. We wish to encourage respect for children’s rights to human dignity and nonviolent forms of discipline’.

[390] and it goes on to give the reasons why you should not smack a child.

[391] I'll skip then to 2007, when the Government published 'Rights in Action'—so, we've gone from 'rights to action' to 'rights in action' in that time—which proudly states that the Welsh Government has taken

[392] 'a principled stance against physical punishment of children, and agrees...that corporal punishment should be prohibited by law'.

[393] It boasts that the Assembly was, therefore,

[394] 'the first legislature in the UK to take this clear line'.

[395] I would be interested to know now exactly when that clear line got smudged, because I have to say that I no longer know what the Government's policy is on this.

[396] When the UN Committee on the Rights of the Child reviewed children's rights in the UK in 2008, and it does this periodically, its report welcomed this commitment by the Welsh Government while noting that, under the terms of devolution at the time, it was not possible for this Assembly to enact the necessary legislation. A year later, in 2009, the Welsh Government published 'Getting it right 2009', and this is the five-year action plan for Wales. That said, and I quote:

[397] 'Working to make physical punishment of children and young people illegal in all situations'

[398] remained a priority for the Government.

[399] Of course, now we have the power to change the law, and I can assure Members this is a small step and would affect tiny numbers of people, maybe nobody in Wales yet has ever raised this defence—I don't know; I'm not able to access that information. If the policy has changed, of course, and it's no longer a priority, I think the Welsh Government should, as a matter of principle, inform the UN Committee on the Rights of the Child rather than have the façade that we would do it if we could. And, of course, I, as an Assembly Member have a right to know what the Government's policy is, if it changed, and why it changed.

[400] Now I bring up the Government's long record of being in favour of the removal of the 'reasonable punishment' defence in order to highlight that there has been plenty of time, I think, to develop and build a strategy for implementation of the change. That's why I've tabled a series of amendments that offer a number of options for the date of that commencement. So, this would enable the Government to make a change they have long professed to be in favour of, but to control this implementation themselves, and have enough time to put in place programmes for information and education of parents. So, you've got commencement, you've got January 2016, 2017, 2018—but, in any case, the latest possible date envisaged in this legislation, then, is 2020—that's five years' time. So, that's five years to give a change in the law. Surely, this is enough time to do so with sensitivity and with real consideration of what it would mean, and, in particular, since we've been debating this and discussing this for so many years. I'd like to know what policy implementation has happened in the last decade or so.

[401] Of course, if the Government decides not to grant children full, equal protection under the law, which we in this room, as adults, enjoy, I have tabled a series of amendments to offer the opportunity to clarify under what circumstances the Welsh Government feels it necessary to retain the defence of reasonable punishment. I begin with a number of

amendments about the potential age for it to be removed, because evidence suggests—and there is loads of research into this, absolutely loads—that younger children, actually, between two and five, are the most likely to experience frequent physical punishment. But, surprisingly, the UK Government also found, when it did this review, that 9% of parents regularly smack babies, that is, children under one—9% of parents—and I'd like to hear the argument that defends that, that would maintain that you should have a defence of reasonable punishment for striking a baby.

[402] Now, we've also got a series of amendments here about how you carry out that punishment. Just to draw on some of the examples I gave you earlier about the past court cases where the defence was used—and, of course, to incorporate regularly used threats, I mean, when I was a child, having your mouth washed out with soap was not unusual. I'd be a bit shocked if I heard it today, but it was used as a defence. A child was forced to eat soap, and that was raised as a defence. Incidentally, that person got off, but I'm not sure if the defence was why.

[403] I think that we'd be a bit astonished now at a legal defence for the punishment of pinning a child down by the neck. Again, I think that we would be a bit shocked at that. No, I don't want to see a partial removal of the 'reasonable punishment' defence; so I would hate to see, 'Well, yes, we'll stop at this point, age 7, and smacking on the bare backside, the stripping of the child to smack'. I want to see a complete removal of this defence, and I'd like to see the Government follow through on this longstanding, much-debated policy, because it would lead to the way in sending a strong message to parents about positive methods; it would clarify the law, and that would benefit the police and social services, and everybody that works with children and who work with parents; it would act in accordance with the Government's stated commitment to protecting and promoting children's rights; and, for this institution, to finally meet international human rights obligations. So, I'm not expecting Members today to be won over by what I've said, but I do hope that Members think about what I've said, give it a little bit of research, and maybe at Stage 3 we can finally put this right. Thank you.

[404] **Christine Chapman:** Thank you, Jocelyn. Right, are there other Members who want to speak? I know Mike wants to speak, then Rhodri. Mike.

12:00

[405] **Mike Hedges:** I agree with banning the hitting of children. People have always opposed all change to punishment. In the nineteenth century, if flogging was stopped in the Navy, discipline would disappear in the Navy. Parents have moved on. When I was in school, which, before anyone says it, was a very long time ago, parents hit children. If a child misbehaved, it was expected the parent would hit the child. Parents were looked down on and thought they weren't looking after their children or teaching their children how to behave properly by not hitting them. If you are standing outside a school or go into a supermarket today, if a parent hits a child, however mildly, it would bring approbation from the others there. A girl can marry at 16, and may not be hit by her husband, but can still be hit by her father. I think that's an anomaly.

[406] Having said all that, I will not be voting for the amendments. I will not be voting for the amendments, not because I don't believe in the abolition of hitting children. I think the words are—. We are going round here talking of corporal punishment and smacking; it is actually hitting. That is what we are, in the main, talking about. I accept, however reluctantly, the Government's view that this Bill is not the appropriate vehicle for delivering the change in the law and that there needs to be significant consultation prior to these changes. I wonder if the Minister could tell us if there's any intention for the Government to start consulting on this, but because I think it is something—. It is going to happen. I mean, it may not happen in

this Assembly, but it will happen, because that's the way society is moving. So, I reluctantly will not support it today, but I believe that it is something that has a level of inevitability about it.

[407] **Christine Chapman:** Rhodri?

[408] **Rhodri Glyn Thomas:** Diolch yn fawr iawn, Gadeirydd. Rwy'n meddwl bod Jocelyn Davies wedi cyflwyno'r achos yma yn glir iawn ger ein bron ni. Yr unig beth y byddwn i'n anghytuno â hi amdano ydy y byddwn i'n disgwyl i aelodau o'r pwyllgor yma i gefnogi'r gwelliannau yma ar sail y dystiolaeth sydd wedi cael ei chyflwyno. Mae'r dystiolaeth yn glir. Os ydym ni'n edrych ar y dystiolaeth, nid oes dim math o amheuaeth y dylai'r pwyllgor yma gefnogi'r gwelliannau. Mae'n bosib bod Jocelyn Davies yn ystyried realpolitik a'r realiti gwleidyddol yn hytrach nag edrych ar y sefyllfa yng nghyd-destun beth ddylai aelodau o bwyllgor ei wneud pan mae'r dystiolaeth wedi cael ei chyflwyno ger eu bron.

[409] Rwy'n credu mai'r pwynt sylfaenol yn y fan hon ydy mai nid sôn ym ni yn y fan hon yn benodol am gosbi rhieni am daro eu plant, fel oedd Mike Hedges yn ei ddweud. Yr hyn rŷm ni'n sôn amdano fe ydy cynnig i blant yr un hawliau a'r un amddiffyniad ag sy'n bodoli i oedolion. Nawr, a all unrhyw un ar y pwyllgor yma esbonio i mi pam ddylai oedolion gael hawliau ac amddiffyniad a'n bod ni'n gwahardd hynny i blant?

[410] A gaf i gyfeirio at yr hyn mae comisiynydd pobl ifanc a phlant Cymru wedi ei ddweud? Rydym ni yn gyson, yn drawsbleidiol, yn y Cynulliad yn mawrygu'r ffaith ein bod ni wedi sefydlu'r swyddogaeth yma ac yn dweud pa mor bwysig yw hi. Mae comisiynydd plant a phobl ifanc Cymru yn glir iawn, iawn ynglŷn â'r angen am ddileu'r amddiffyniad yma o ran cosb resymol, ac mae e'n dweud bod y sefyllfa bresennol yn golygu:

[411] bod gweithwyr proffesiynol sy'n gweithio gyda theuluoedd yn methu cyflwyno negeseuon clir nad yw taro a niweidio plant yn cael ei ganiatáu.

[412] Mae e hefyd yn dweud:

Rhodri Glyn Thomas: Thank you very much, Chair. I think Jocelyn Davies has made this case very lucidly before us. The only thing I would disagree with her on is that I would expect members of this committee to support these amendments on the basis of the evidence that's been presented. The evidence is clear. If we look at the evidence, there is no sort of ambiguity that this committee should support these amendments. Now, perhaps Jocelyn Davies is considering realpolitik here and the political reality rather than looking at the situation in the context of what committee members should do when the evidence is presented to them.

I think the fundamental point here is that we are not talking here specifically about penalising parents for hitting or smacking their children, as Mike Hedges was saying. What we're talking about is affording children the same rights and the same protection as adults. Now, can anyone on this committee explain to me why adults should have certain rights and protections, but we refuse to provide those to children?

May I refer to what the children and young people's commissioner for Wales has said? We regularly, on a cross-party basis, in the Assembly take great pride in the fact that we established this function, and we emphasise its importance. The children and young people's commissioner for Wales is very clear on the need to remove this defence of reasonable punishment, and he states that the current situation means that

'professionals working with families are unable to deliver clear messages that hitting and hurting children is not allowed'.

He also says that

[413] bod y rhai sy'n dystio i drais yn erbyn plant yn ddihyder i ymyrryd eu hunain neu i roi gwybod i'r awdurdodau amdano 'those witnessing violence to children have no confidence in either intervening themselves or reporting it to the authorities'

[414] oherwydd hyn. because of this issue.

[415] Mae e hefyd yn dweud He also says that

[416] bod rhieni yn derbyn negeseuon dryslyd ynghylch cyfreithlonedd niweidio eu plant. 'parents are receiving confusing messages about the legitimacy of hurting their children'.

[417] Ac mae'n galw felly ar Lywodraeth Cymru i gefnogi a/neu ganiatáu diwygiad i'r Bil Trais ar Sail Rhywedd, Cam-drin Domestig a Thrais Rhywiol (Cymru) i ddileu'r amddiffyniad cosb resymol o dan y gyfraith fel bod plant Cymru yn gallu derbyn yr un amddiffyniad cyfreithiol rhag ymosodiad ag sydd gan oedolion eisoes. Therefore, he calls on the Welsh Government to support and/or allow an amendment to the Gender-based Violence, Domestic Abuse and Sexual Violence (Wales) Bill to remove reasonable punishment as a defence under the law so as that children in Wales can receive the same legal protection from assault as adults already have.

[418] Can I now turn to the position of the Government on this issue? Jocelyn Davies has already referred to a number of statements made by Government. Can I refer specifically to a letter written by Jane Hutt, who was at that time the Minister for Children, Education, Lifelong Learning and Skills on 10 August 2007 to the Rt Hon Beverley Hughes MP, who at the time was Minister of State at the Department for Children, Schools and Families? She was writing in terms of the review of section 58 of the Children Act 2004 and states quite clearly that, 'I am responding on behalf the Welsh Assembly Government to the review of section 58 of the Children Act 2004. Successive Assembly Governments have taken a clear line on physical punishment of children and young people. There has been majority cross-party support for measures to ban corporal punishment in all settings, including the home, as well as for the promotion of positive parenting. The National Assembly for Wales voted in principle against corporal punishment in a Plenary debate in October 2002. The present Assembly Government remains committed to this agenda. It is our view that the defence of reasonable punishment enshrined in section 58 ought to be removed so that children and young people enjoy the same level of protection in law as adults.'

[419] Now, for some reason, the Government has changed its position. It hasn't informed the National Assembly for Wales that it's changed its position, but it has clearly changed its position. Now, the view taken by some members of this committee is that this is not the appropriate Bill in order to create this change in legislation. So, let me quote further from Jane Hutt's letter: 'In the face of this growing consensus that corporal punishment breaches children's fundamental rights, we believe that it is both wrong and impractical to seek to maintain the status quo in the UK'. By opposing these amendments, what the committee will decide, what the Minister will decide, what the Government of Wales will decide, will be to retain the status quo in Wales, and that is a fundamental change from the position it took in 2007. I think the Assembly deserves at least an explanation as to why that has changed. It's changed quite clearly here. You can shake your head, but it states quite clearly here that the Government believes that it is both wrong and impractical to seek to maintain the status quo in the UK, which means that the Government believes that every opportunity should be taken to change the status quo, and today it seems to me that Members here are going to oppose that principle and seek to retain the status quo.

[420] **Christine Chapman:** Okay, thank you. I'm going to take Alun and then Peter. Alun.

[421] **Alun Davies:** I will just say a short word. I really don't accept the position that Rhodri Glyn has outlined. You know, we've moved as an institution from the days of a corporate body to a parliamentary institution, and it's clear to me that whatever Jane Hutt said in that letter she was writing on behalf of the Government that was in office in 2007. That is not the Government that is in office today, and whatever was written by any Minister at that time can't bind a successive Government. That's quite clear—

[422] **Rhodri Glyn Thomas:** She's still in Government.

[423] **Alun Davies:** Yes, but it's not the same Government. You were in Government at that time. It's not the same Government. It's a different Government. So, to simply quote a letter from a Minister in a different Government and say, 'This is a view of the present Government' is simply not a rational or a coherent argument; I don't accept that. I understand the points that Jocelyn made in her opening speech on this matter, and I recognise the force of her argument. I do not believe, quite bluntly, that the Welsh Government has covered itself in glory on this issue over the last few years. I do not believe it has acted in a particularly intelligent way, quite honestly, but I do believe that the current Minister, when he was appointed, gave a very clear indication of where the Government now stands on this, and I think everybody, wherever they happen to stand on the matter, is at least grateful to the current Minister for his clarity on the issue, even if that clarity is somewhat unwelcome in some quarters. So, at least we now understand where there is a clear position for the Government on this. There is also a clear position that I believe the Assembly has taken on this. I understand that a cross-party agreement has been reached in order to pursue the establishment of a—*[Interruption.]* That's certainly what's been reported to the National Assembly. If I'm wrong, Jocelyn, I'll take an intervention.

[424] **Jocelyn Davies:** You can take an intervention, but I'll be responding at the end.

[425] **Christine Chapman:** Right, Jocelyn will come in at the end. Rhodri, did you want clarification?

[426] **Rhodri Glyn Thomas:** No, I'll wait for Alun to finish first, and then—

[427] **Christine Chapman:** Right, okay. Alun.

[428] **Alun Davies:** So, I understand that the National Assembly has taken a position where it wishes to establish a cross-party committee in order to review this matter. My view is that that cross-party committee should be allowed to be established and to fulfil its function and that we should consider this matter when it's been able to do so. I actually think that, given the time and where we are in this Assembly, this matter now is properly the place for manifestos and to make commitments for the next Assembly.

[429] **Christine Chapman:** Okay. Peter.

[430] **Peter Black:** Yes, thank you—just a couple of questions. If Jane Hutt wrote that letter after the 2007 elections, then, of course, we were not a corporate body at that point. The separation had taken place between the Government and the Assembly. My understanding, in terms of the cross-party committee, is that it hasn't been tabled, I think because they haven't reached the agreement in Business Committee to table it. So, I think, in that instance, it doesn't look likely that that's going to happen.

[431] I'm going to support Jocelyn's amendments, because I think it's right that we do have a situation whereby—. This isn't about stopping smacking, but about someone who has been brought to trial because of the abuse of a child not being able to use as their defence that they have been smacking a child, or undertaking reasonable chastisement, if it is clear that that

punishment is over the top and exceptional and has damaged that child. I think it's important that we actually do that. I'm going to support it in this Bill, because—I know that the position of the Government is that this isn't the right instrument to use to bring forward that amendment—my position is that this is going to be our last opportunity before the 2016 election and, therefore, this is the last opportunity we've got. Irrespective of whether you think it's the right one, it's the only option we have at the moment to bring that in before 2016. Therefore, I'll be supporting these amendments.

[432] **Christine Chapman:** Okay. I'm going to bring Rhodri in, but I wanted to come in as a Member as well, and then I'll bring Rhodri in. I just want to make it clear that I'm speaking now as an individual Member, not as Chair. I do want to speak in favour of amendments 46 through to 50. I will be abstaining on the other amendments, because, again, 46 and the others, I think, are quite clear.

[433] I think these amendments will greatly strengthen this much-needed Bill and I'm pleased that the Government has brought forward this Bill. These amendments build on the commitment the Government and the National Assembly has given to this issue. As Jocelyn has said, since 2002, the Welsh Government has frequently and publicly committed to the complete removal of the reasonable punishment defence. Now, when this was debated under the Social Services and Well-being (Wales) Bill, during that procedure, the Welsh Government gave a commitment that there would be opportunities to examine this issue in forthcoming legislation in this Assembly term. Now, I believe that this is that opportunity and we must grasp it. We're in a very privileged position to be put in this place to try to make a difference to the lives of the people of Wales and I think we have to take every opportunity if we can.

[434] I don't agree with some Members. I think this Bill is absolutely the right vehicle for this, for a change, and if we vote for the principle today, I envisage, then, that over the next few years—we're not going to bring it in tomorrow—we could enter a period of preparation, as other countries have done, to implement the law, and we could have increased education programmes to prepare for the change. But, we are not starting from a blank piece of paper here. We've got a history behind us here with this and, as Mike Hedges has said, this change will come. I'm certain it will come. But, I am very disappointed that the Welsh Government, which has publicly supported and campaigned for this for many years, cannot yet do the right thing. I deeply, deeply regret that, but, believe you me, the change will come.

12:15

[435] It is worth noting that, at the time of the first Assembly debate on this issue in 2002, only 12 countries had prohibited the physical punishment of children, and, while we've simply talked about this and debated this, since then, 32 countries have followed suit, making a total of 44 countries worldwide. So, I feel very strongly about this. I don't vote against my Government lightly; I do this with a very heavy heart. We owe it to the children of Wales to give them the equal protection they deserve and, in doing so, I believe this will hugely strengthen the Bill. Rhodri.

[436] **Rhodri Glyn Thomas:** I just want to take issue with the point that Alun Davies was making. I understand that Members are struggling to justify voting against these amendments and changing the legislation, but to say that everything a Government has said in the past is totally irrelevant and has to be restated at the start of a new Government is a ridiculous statement to make. Unless a Government says that it has changed policy, we have every right to expect that that is the policy. Indeed, as Christine Chapman has said, we were given an undertaking as late as last year that we would have an opportunity in this Assembly to vote on this matter, and we are not being given that opportunity, or at least there's an attempt to stop us from having that opportunity. I say again: the evidence is quite clear and I would hope that

Members would vote on the basis of the evidence placed before them, rather than on anything else.

[437] **Christine Chapman:** Thank you. Minister?

[438] **Leighton Andrews:** Thank you, Chair. The Government has been clear that this Bill is not the right place to address this issue and I remain of that view. As has been stated from the outset, this Bill is not seeking to address criminal justice matters, but seeks to complement existing criminal law focusing on the social issues within the areas of prevention, protection and support.

[439] Prior to the introduction of this Bill, the Government undertook a comprehensive consultation on the proposals contained in the Bill. That consultation did not address the possible removal of the defence of reasonable punishment. No public consultation has been undertaken by the Government on this issue since the Bill's introduction. Mike Hedges asked me what the Government's approach to consultation would be and I can confirm the Government has been seeking to bring together an all-party committee—a cross-party committee—to discuss these issues, and some parties are willing to consider that and others appear not to be so willing.

[440] It is also important, I think, that the competence risk is recognised. Whatever the Welsh Government's view on competence, whatever the National Assembly's view on competence, the UK Government has, in the past, expressed the view that legislating to remove the defence of reasonable punishment would be outside the Assembly's legislative competence. The Attorney-General has the power to refer Assembly Bills to the Supreme Court if he considers they are outside the Assembly's competence. A referral to the Supreme Court could result in a significant delay to Royal Assent, therefore delaying the coming into force and implementation of the Bill. This would delay the appointment of the ministerial adviser and publication of the first national and local strategies.

[441] The effect of amendments 46 to 67 is not only to criminalise smacking, but also any other touching of a child in Wales by a parent for the purpose of administering discipline. The offence of a battery is committed where a person intentionally or recklessly inflicts unlawful violence on another. Any touching of another person, however slight, may amount to a battery. For example, a parent who forcibly lifts a misbehaving child would be guilty of battery. Amendments 74, 75, 78 and 80 also have the effect of criminalising normal parenting practices. For example, amendment 74 raises specific unintended consequences with reference to an implement. As such, a hairbrush or washing flannel could be considered an implement and unwanted hair brushing or washing by a parent would be criminalised. Amendment 75 raises specific unintended consequences with reference to forcing an object into a child's mouth. As such, the effect of this could be that forcing a child to brush their teeth by a parent would be criminalised.

[442] Similarly, amendment 78 could criminalise hair-brushing of a child by a parent where a child had particularly long hair or knots. Again, amendment 80 would have the effect of criminalising a parent who forcibly undresses their child to ensure they are changed to wear clean clothes or get ready for bed. Amendments 76, 77 and 79 are unnecessary as the behaviours listed are unlikely to constitute reasonable punishment as currently set out in law. Amendments 47 to 50 are identical to amendment 46, save for the variation in the commencement date of the provision. Amendment 72 is a consequential amendment to this series of amendments, and amendments 51 to 67 provide an age limit to the application of the provision.

[443] A number of the examples cited—many of the examples cited, indeed—by Jocelyn Davies are very unlikely to constitute reasonable punishment; for example, pinning down of a

child. I do not think these amendments are well considered and I urge the committee to reject them.

[444] **Christine Chapman:** Thank you. Jocelyn to reply.

[445] **Jocelyn Davies:** Yes. I'll start just with that last point, because the pinning down of a child—in fact, this was used as a defence and the person was acquitted, but we don't know whether the defence is what caused the acquittal—considering it's supposed to be a poor example, it is an actual example.

[446] Times have changed, as Mike said, but I'm afraid that the law hasn't, and I suppose it's taken literally hundreds of years for children to catch up with the equality that adults—. I know this is an issue that makes politicians very nervous, but it is the removal of this defence, and it only gives equality with adults—to protection from violence. It is that protection that all of us enjoy. Now, you all listened to my contribution and, of course, I didn't talk there about smacking; I was talking about the defence, about what actually is being proposed here, because, sometimes, the debate gets sidetracked a bit, and I'm certainly not doing this to cause trouble for the Government.

[447] It is some time ago now that I came to the conclusion that, you know, when the opportunity—when you see the right thing to do, you should do it; you ought to do it, and that's the conclusion that I came to. Alun is correct that the Welsh Government has not covered itself in glory, but, as for the clear position, the clear position is that Government don't want to do anything now. I don't know whether the Government supports this policy or not any more. I don't know, and I've been watching very carefully. I don't know. All I know is that they don't want to do—. I'm positive that they don't want to do it now, but I don't know whether it's their policy any more.

[448] There is no prospect of a cross-party committee. There has been a resolution to set one up, but there is no prospect of one because there's not enough support in the Chamber to set one up—quite simple. It's not a clear majority; it's two thirds, and there is not two-thirds support, so that's not going to happen. That's my reading of it.

[449] I agree with Chris that this is a very good Bill for this. This is about—. When we're talking about healthy relationships and respect for each other, I think it would send a very clear message that that starts with people not having this archaic defence that started in the common law. And, Chris, you're very brave to vote against your Government and I'm grateful for your support.

[450] The Minister must have stayed up a bit late looking at all those things and wondering why he could give a reason for not supporting those specific amendments, but, as I said, pinning down by the neck is one of those times when it has been used. Now, we were promised, when we were asked not to support the previous amendment at Stage 3 of the social services and well-being Bill, by the Minister then, we were promised, 'Don't vote for this amendment now, because you will get another opportunity in this Assembly term', and now we're told, 'Well, there's not been a public consultation'. I didn't hear the Minister say that there was any plan to have a public consultation or that there'd be one launched any time soon, and we are running out of time. So, I think the prospect of a public consultation and a standalone Bill on this is zilch—absolutely zilch. There will be no Government legislation this side of the next Assembly elections. So, I'm still not clear what the Government policy is other than, 'How do we kick this into the long grass and get us past the elections?', if I'm being completely honest on it.

[451] I think—I've taken up people's time. I'm very grateful that you all listened, because I think that you were listening to what I had to say. I hope that you ponder more on what I had

to say, and then come to the realisation that, actually, policy change, legal reform—and this is quite a small legal reform: taking away that defence—will help us, then, lead public opinion. Otherwise, you know, public opinion is in front of us, I think, a bit; certainly in front of the Government on this. I do understand people’s nervousness, but you’re all promising and comforting yourself that one day this will happen—‘It’s okay, it’s just not going to happen now; it’s not convenient now, but one day this is going to happen’. We’ve been saying that for over 10 years now, that one day this is going to happen, and were prepared 10 years ago to castigate the UK Government for failing to act by then. It’s 10 years on. So, as I say, Chair, I think we’d just as well move to the vote, and I intend voting on every single one of the amendments.

[452] **Christine Chapman:** Okay, thank you Jocelyn. So, we’ll proceed then to the first amendment, which is 46. If amendment 46 is agreed, amendments 47 to 67, 72, and 74 to 80 will fall. So, the question is that amendment 46 be agreed. Does any Member object? [*Objection.*] Okay, thanks. We will take a vote by show of hands. So, those in favour of 46, please raise your hands. Those against. Okay, no abstentions. So, four in favour, six against, no abstentions. So, amendment 46 is not agreed.

*Gwelliant 46: O blaid 4, Ymatal 0, Yn erbyn 6.
Amendment 46: For 4, Abstain 0, Against 6.*

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

Black, Peter
Chapman, Christine
Davies, Jocelyn
Thomas, Rhodri Glyn

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

Davies, Alun
Finch-Saunders, Janet
Hedges, Mike
Isherwood, Mark
Mewies, Sandy
Price, Gwyn R.

*Gwrthodwyd gwelliant 46.
Amendment 46 not agreed.*

[453] **Christine Chapman:** Jocelyn, do you wish to move amendment 47?

*Cynigiwyd gwelliant 47 (Jocelyn Davies).
Amendment 47 (Jocelyn Davies) moved.*

[454] **Jocelyn Davies:** Yes, I do. Move.

[455] **Christine Chapman:** Okay, if amendment 47 is agreed, amendments 48 to 67 and 74 to 80 will fall. The question is that amendment 47 be agreed to. Does any Member object? [*Objection.*] Okay, we’ll move to a vote. Those in favour. Those against. Any abstentions? Okay, we have four in favour, six against, no abstentions; therefore, amendment 47 is not agreed.

*Gwelliant 47: O blaid 4, Ymatal 0, Yn erbyn 6.
Amendment 47: For 4, Abstain 0, Against 6.*

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

Black, Peter
Chapman, Christine
Davies, Jocelyn
Thomas, Rhodri Glyn

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

Davies, Alun
Finch-Saunders, Janet
Hedges, Mike
Isherwood, Mark
Mewies, Sandy

Price, Gwyn R.

Gwrthodwyd gwelliant 47.
Amendment 47 not agreed.

Cynigiwyd gwelliant 48 (Jocelyn Davies).
Amendment 48 (Jocelyn Davies) moved.

[456] **Christine Chapman:** We move on to amendment 48. If this is agreed, amendments 49 to 67 and 74 to 80 will fall. The question is that amendment 48 be agreed to. Does any Member object? [*Objection.*] Okay, we'll take vote by show of hands. Those in favour. Those against. Any abstentions? No. Four in favour, six against, no abstentions. Amendment 48 is not agreed.

Gwelliant 48: O blaid 4, Ymatal 0, Yn erbyn 6.
Amendment 48: For 4, Abstain 0, Against 6.

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

Black, Peter
Chapman, Christine
Davies, Jocelyn
Thomas, Rhodri Glyn

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

Davies, Alun
Finch-Saunders, Janet
Hedges, Mike
Isherwood, Mark
Mewies, Sandy
Price, Gwyn R.

Gwrthodwyd gwelliant 48.
Amendment 48 not agreed.

Cynigiwyd gwelliant 49 (Jocelyn Davies).
Amendment 49 (Jocelyn Davies) moved.

[457] **Christine Chapman:** We move on to amendment 49. If this is agreed, amendments 50 to 67 and 74 to 80 will fall. The question is that amendment 49 be agreed to. Does any Member object? [*Objection.*] Okay. Move to the vote, then. Those in favour. Those against. Any abstentions? No. So, amendment 49: four in favour, six against. Amendment 49 is not agreed.

Gwelliant 49: O blaid 4, Ymatal 0, Yn erbyn 6.
Amendment 49: For 4, Abstain 0, Against 6.

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

Black, Peter
Chapman, Christine
Davies, Jocelyn
Thomas, Rhodri Glyn

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

Davies, Alun
Finch-Saunders, Janet
Hedges, Mike
Isherwood, Mark
Mewies, Sandy
Price, Gwyn R.

Gwrthodwyd gwelliant 49.
Amendment 49 not agreed.

Cynigiwyd gwelliant 50 (Jocelyn Davies).
Amendment 50 (Jocelyn Davies) moved.

[458] **Christine Chapman:** As amendments 47, 48 and 49 were not agreed, if amendment

50 is not agreed, amendment 72 will fall. If amendment 50 is agreed, amendments 51 to 67, and 74 to 80 will fall. The question is that amendment 50 be agreed. Does any Member object? [*Objection.*] Okay, we'll take a vote. Those in favour. Those against. Any abstentions? No. Four in favour, six against, no abstentions. So, therefore, amendment 50 is not agreed.

*Gwelliant 50: O blaid 4, Ymatal 0, Yn erbyn 6.
Amendment 50: For 4, Abstain 0, Against 6.*

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

Black, Peter
Chapman, Christine
Davies, Jocelyn
Thomas, Rhodri Glyn

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

Davies, Alun
Finch-Saunders, Janet
Hedges, Mike
Isherwood, Mark
Mewies, Sandy
Price, Gwyn R.

*Gwrthodwyd gwelliant 50.
Amendment 50 not agreed.*

*Methodd gwelliant 72.
Amendment 72 fell.*

[459] **Christine Chapman:** Jocelyn, do you wish to move amendment 51?

*Cynigiwyd gwelliant 51 (Jocelyn Davies).
Amendment 51 (Jocelyn Davies) moved.*

[460] **Jocelyn Davies:** I do.

[461] **Christine Chapman:** Right. If amendment 51 is agreed, amendments 52 to 67 and 74 to 80 will fall. So, the question is that amendment 51 be agreed to.

12:30

[462] Does any Member object? [*Objection.*] Okay, we'll take a—. So, those in favour. Those against. And abstaining. So, we have three in favour, six against, one abstaining. Amendment 51 is not agreed.

*Gwelliant 51: O blaid 3, Ymatal 1, Yn erbyn 6.
Amendment 51: For 3, Abstain 1, Against 6.*

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

Black, Peter
Davies, Jocelyn
Thomas, Rhodri Glyn

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

Davies, Alun
Finch-Saunders, Janet
Hedges, Mike
Isherwood, Mark
Mewies, Sandy
Price, Gwyn R.

Ymataliodd yr Aelod canlynol:
The following Member abstained:

Chapman, Christine

Gwrthodwyd gwelliant 51.
Amendment 51 not agreed.

Cynigiwyd gwelliant 52 (Jocelyn Davies).
Amendment 52 (Jocelyn Davies) moved.

[463] **Christine Chapman:** If amendment 52 is agreed, amendments 53 to 67 and 74 to 80 will fall. So, the question is that amendment 52 be agreed to. Does any Member object? [*Objection.*] Okay, we'll take a vote, then. Those in favour. Those against. Those abstaining. Three in favour, six against, one abstaining: so, amendment 52 is not agreed.

Gwelliant 52: O blaid 3, Ymatal 1, Yn erbyn 6.
Amendment 52: For 3, Abstain 1, Against 6.

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

Black, Peter
 Davies, Jocelyn
 Thomas, Rhodri Glyn

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

Davies, Alun
 Finch-Saunders, Janet
 Hedges, Mike
 Isherwood, Mark
 Mewies, Sandy
 Price, Gwyn R.

Ymataliodd yr Aelod canlynol:
 The following Member abstained:

Chapman, Christine

Gwrthodwyd gwelliant 52.
Amendment 52 not agreed.

Cynigiwyd gwelliant 53 (Jocelyn Davies).
Amendment 53 (Jocelyn Davies) moved.

[464] **Christine Chapman:** Fifty-three, then. If this is agreed, amendments 54 to 67 and 74 to 80 will fall. The question is that amendment 53 be agreed to. Does any Member object? [*Objection.*] Okay, we'll take a vote, then. Those in favour. Those against. Those abstaining. So, three in favour, six against, one abstaining: amendment 53 is not agreed.

Gwelliant 53: O blaid 3, Ymatal 1, Yn erbyn 6.
Amendment 53: For 3, Abstain 1, Against 6.

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

Black, Peter
 Davies, Jocelyn
 Thomas, Rhodri Glyn

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

Davies, Alun
 Finch-Saunders, Janet
 Hedges, Mike
 Isherwood, Mark
 Mewies, Sandy
 Price, Gwyn R.

Ymataliodd yr Aelod canlynol:
 The following Member abstained:

Chapman, Christine

*Gwrthodwyd gwelliant 53.
Amendment 53 not agreed.*

*Cynigiwyd gwelliant 54 (Jocelyn Davies).
Amendment 54 (Jocelyn Davies) moved.*

[465] **Christine Chapman:** Amendment 54. If this agreed, amendments 55 to 67 and 74 to 80 will fall. The question is that amendment 54 be agreed to. Does any Member object? [*Objection.*] Okay, we'll take a vote, then. In favour. Against. Abstaining. So, we have three in favour, six against and one abstention. So, amendment 54 is not agreed.

*Gwelliant 54: O blaid 3, Ymatal 1, Yn erbyn 6.
Amendment 54: For 3, Abstain 1, Against 6.*

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

Black, Peter
Davies, Jocelyn
Thomas, Rhodri Glyn

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

Davies, Alun
Finch-Saunders, Janet
Hedges, Mike
Isherwood, Mark
Mewies, Sandy
Price, Gwyn R.

Ymataliodd yr Aelod canlynol:
The following Member abstained:

Chapman, Christine

*Gwrthodwyd gwelliant 54.
Amendment 54 not agreed.*

*Cynigiwyd gwelliant 55 (Jocelyn Davies).
Amendment 55 (Jocelyn Davies) moved.*

[466] **Christine Chapman:** Amendment 55. If this is agreed, amendments 56 to 67 and 74 to 80 will fall. The question is that amendment 55 be agreed to. Does any Member object? [*Objection.*] Okay, we'll take a vote, then. In favour. Against. Abstaining. So, we've got three in favour, six against, one abstaining; so, amendment 55 is not agreed.

*Gwelliant 55: O blaid 3, Ymatal 1, Yn erbyn 6.
Amendment 55: For 3, Abstain 1, Against 6.*

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

Black, Peter
Davies, Jocelyn
Thomas, Rhodri Glyn

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

Davies, Alun
Finch-Saunders, Janet
Hedges, Mike
Isherwood, Mark
Mewies, Sandy
Price, Gwyn R.

Ymataliodd yr Aelod canlynol:
The following Member abstained:

Chapman, Christine

Gwrthodwyd gwelliant 55.
Amendment 55 not agreed.

Cynigiwyd gwelliant 56 (Jocelyn Davies).
Amendment 56 (Jocelyn Davies) moved.

[467] **Christine Chapman:** Amendment 56. If this is agreed, amendments 57 to 67 and 74 to 80 will fall. So, the question is that amendment 56 be agreed to. Does any Member object? [*Objection.*] Okay. Those in favour. Those against. Those abstaining. Three in favour, six against, one abstaining; therefore, amendment 56 is not agreed.

Gwelliant 56: O blaid 3, Ymatal 1, Yn erbyn 6.
Amendment 56: For 3, Abstain 1, Against 6.

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

Black, Peter
Davies, Jocelyn
Thomas, Rhodri Glyn

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

Davies, Alun
Finch-Saunders, Janet
Hedges, Mike
Isherwood, Mark
Mewies, Sandy
Price, Gwyn R.

Ymataliodd yr Aelod canlynol:
The following Member abstained:

Chapman, Christine

Gwrthodwyd gwelliant 56.
Amendment 56 not agreed.

Cynigiwyd gwelliant 57 (Jocelyn Davies).
Amendment 57 (Jocelyn Davies) moved.

[468] **Christine Chapman:** Fifty-seven, then. If this is agreed, amendments 58 to 67 and 74 to 80 will fall. The question is that amendment 57 be agreed to. Does any Member object? [*Objection.*] Okay, we'll take a vote. So, those in favour. Those against. Those abstaining. Again, we've three in favour, six against, one abstaining. So, amendment 57 is not agreed.

Gwelliant 57: O blaid 3, Ymatal 1, Yn erbyn 6.
Amendment 57: For 3, Abstain 1, Against 6.

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

Black, Peter
Davies, Jocelyn
Thomas, Rhodri Glyn

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

Davies, Alun
Finch-Saunders, Janet
Hedges, Mike
Isherwood, Mark
Mewies, Sandy
Price, Gwyn R.

Ymataliodd yr Aelod canlynol:
The following Member abstained:

Chapman, Christine

Gwrthodwyd gwelliant 57.
Amendment 57 not agreed.

Cynigiwyd gwelliant 58 (Jocelyn Davies).
Amendment 58 (Jocelyn Davies) moved.

[469] **Christine Chapman:** Amendment 58. If this is agreed, amendments 59 to 67 and 74 to 80 will fall. The question is that amendment 58 be agreed to. Does any Member object? [*Objection.*] Okay, we'll take a vote. Those in favour. Those against. Those abstaining. So, we have three in favour, six against, one abstaining; therefore, amendment 58 is not agreed.

Gwelliant 58: O blaid 3, Ymatal 1, Yn erbyn 6.
Amendment 58: For 3, Abstain 1, Against 6.

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

Black, Peter
Davies, Jocelyn
Thomas, Rhodri Glyn

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

Davies, Alun
Finch-Saunders, Janet
Hedges, Mike
Isherwood, Mark
Mewies, Sandy
Price, Gwyn R.

Ymataliodd yr Aelod canlynol:
The following Member abstained:

Chapman, Christine

Gwrthodwyd gwelliant 58.
Amendment 58 not agreed.

Cynigiwyd gwelliant 59 (Jocelyn Davies).
Amendment 59 (Jocelyn Davies) moved.

[470] **Christine Chapman:** If amendment 59 is agreed, amendments 60 to 67 and 74 to 80 will fall. The question is that amendment 59 be agreed to. Does any Member object? [*Objection.*] Okay, we'll take a vote, then. Those in favour. Those against. Those abstaining. Therefore, three in favour, six against, one abstaining; amendment 59 is not agreed.

Gwelliant 59: O blaid 3, Ymatal 1, Yn erbyn 6.
Amendment 59: For 3, Abstain 1, Against 6.

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

Black, Peter
Davies, Jocelyn
Thomas, Rhodri Glyn

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

Davies, Alun
Finch-Saunders, Janet
Hedges, Mike
Isherwood, Mark
Mewies, Sandy
Price, Gwyn R.

Ymataliodd yr Aelod canlynol:
The following Member abstained:

Chapman, Christine

Gwrthodwyd gwelliant 59.
Amendment 59 not agreed.

Cynigiwyd gwelliant 60 (Jocelyn Davies).
Amendment 60 (Jocelyn Davies) moved.

[471] **Christine Chapman:** Amendment 60. If this is agreed, amendments 61 to 67 and 74 to 80 will fall. The question is that amendment 60 be agreed to. Does any Member object? [*Objection.*] Okay, we'll take a vote, then. Those in favour. Those against. Those abstaining. Three in favour, six against, one abstaining; therefore, amendment 60 is not agreed.

Gwelliant 60: O blaid 3, Ymatal 1, Yn erbyn 6.
Amendment 60: For 3, Abstain 1, Against 6.

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

Black, Peter
Davies, Jocelyn
Thomas, Rhodri Glyn

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

Davies, Alun
Finch-Saunders, Janet
Hedges, Mike
Isherwood, Mark
Mewies, Sandy
Price, Gwyn R.

Ymataliodd yr Aelod canlynol:
The following Member abstained:

Chapman, Christine

Gwrthodwyd gwelliant 60.
Amendment 60 not agreed.

Cynigiwyd gwelliant 61 (Jocelyn Davies).
Amendment 61 (Jocelyn Davies) moved.

[472] **Christine Chapman:** If amendment 61 is agreed, amendments 62 to 67 and 74 to 80 will fall. The question is that amendment 61 be agreed to. Does any Member object? [*Objection.*] Okay, we'll take a vote, then. Those in favour. Those against. Those abstaining. So, we have three in favour, six against and one abstaining; therefore, amendment 61 is not agreed.

Gwelliant 61: O blaid 3, Ymatal 1, Yn erbyn 6.
Amendment 61: For 3, Abstain 1, Against 6.

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

Black, Peter
Davies, Jocelyn
Thomas, Rhodri Glyn

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

Davies, Alun
Finch-Saunders, Janet
Hedges, Mike

Isherwood, Mark
Mewies, Sandy
Price, Gwyn R.

Ymataliodd yr Aelod canlynol:
The following Member abstained:

Chapman, Christine

*Gwrthodwyd gwelliant 61.
Amendment 61 not agreed.*

*Cynigiwyd gwelliant 62 (Jocelyn Davies).
Amendment 62 (Jocelyn Davies) moved.*

[473] **Christine Chapman:** If amendment 62 is agreed, amendments 63 to 67 and 74 to 80 will fall. The question is that amendment 62 be agreed to. Does any Member object? [*Objection.*] Okay, we'll take a vote. Those in favour. Those against. Those abstaining. So, we have three in favour, six against and one abstaining, and amendment 62 is not agreed.

*Gwelliant 62: O blaid 3, Ymatal 1, Yn erbyn 6.
Amendment 62: For 3, Abstain 1, Against 6.*

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

Black, Peter
Davies, Jocelyn
Thomas, Rhodri Glyn

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

Davies, Alun
Finch-Saunders, Janet
Hedges, Mike
Isherwood, Mark
Mewies, Sandy
Price, Gwyn R.

Ymataliodd yr Aelod canlynol:
The following Member abstained:

Chapman, Christine

*Gwrthodwyd gwelliant 62.
Amendment 62 not agreed.*

*Cynigiwyd gwelliant 63 (Jocelyn Davies).
Amendment 63 (Jocelyn Davies) moved.*

[474] **Christine Chapman:** If amendment 63 is agreed, amendments 64 to 67 and 74 to 80 will fall. The question is that amendment 63 be agreed to. Does any Member object? [*Objection.*] Okay, we'll take a vote. Those in favour. Those against. Those abstaining. Three in favour, six against, one abstaining; therefore, amendment 63 is not agreed.

*Gwelliant 63: O blaid 3, Ymatal 1, Yn erbyn 6.
Amendment 63: For 3, Abstain 1, Against 6.*

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

Black, Peter
Davies, Jocelyn
Thomas, Rhodri Glyn

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

Davies, Alun
Finch-Saunders, Janet
Hedges, Mike
Isherwood, Mark

Mewies, Sandy
Price, Gwyn R.

Ymataliodd yr Aelod canlynol:
The following Member abstained:

Chapman, Christine

Gwrthodwyd gwelliant 63.
Amendment 63 not agreed.

Cynigiwyd gwelliant 64 (Jocelyn Davies).
Amendment 64 (Jocelyn Davies) moved.

[475] **Christine Chapman:** If amendment 64 is agreed, amendments 65 to 67 and 74 to 80 will fall. The question is that amendment 64 be agreed to. Does any Member object? [*Objection.*] Those in favour. Those against. Those abstaining. Three in favour, six against, one abstention; so, amendment 64 is not agreed.

Gwelliant 64: O blaid 3, Ymatal 1, Yn erbyn 6.
Amendment 64: For 3, Abstain 1, Against 6.

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

Black, Peter
Davies, Jocelyn
Thomas, Rhodri Glyn

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

Davies, Alun
Finch-Saunders, Janet
Hedges, Mike
Isherwood, Mark
Mewies, Sandy
Price, Gwyn R.

Ymataliodd yr Aelod canlynol:
The following Member abstained:

Chapman, Christine

Gwrthodwyd gwelliant 64.
Amendment 64 not agreed.

Cynigiwyd gwelliant 65 (Jocelyn Davies).
Amendment 65 (Jocelyn Davies) moved.

[476] **Christine Chapman:** We move on now to amendment 65. If amendment 65 is agreed, 66, 67 and 74 through to 80 will fall. So, the question is that amendment 65 be agreed to. Does any Member object? [*Objection.*] Okay. Those in favour. Those against. Those abstaining. Three in favour, six against, one abstention; therefore, amendment 65 is not agreed.

Gwelliant 65: O blaid 3, Ymatal 1, Yn erbyn 6.
Amendment 65: For 3, Abstain 1, Against 6.

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

Black, Peter
Davies, Jocelyn
Thomas, Rhodri Glyn

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

Davies, Alun
Finch-Saunders, Janet
Hedges, Mike
Isherwood, Mark

Mewies, Sandy
Price, Gwyn R.

Ymataliodd yr Aelod canlynol:
The following Member abstained:

Chapman, Christine

*Gwrthodwyd gwelliant 65.
Amendment 65 not agreed.*

*Cynigiwyd gwelliant 66 (Jocelyn Davies).
Amendment 66 (Jocelyn Davies) moved.*

[477] **Christine Chapman:** We move on now to amendment 66. If amendment 66 is agreed, amendments 67 and 74 to 80 will fall. So, the question is that amendment 66 be agreed to. Does any Member object? [*Objection.*] Okay, we'll take a vote, then. Those in favour. Those against. Those abstaining. There are three in favour, six against, one abstention, so amendment 66 is not agreed.

*Gwelliant 66: O blaid 3, Ymatal 1, Yn erbyn 6.
Amendment 66: For 3, Abstain 1, Against 6.*

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

Black, Peter
Davies, Jocelyn
Thomas, Rhodri Glyn

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

Davies, Alun
Finch-Saunders, Janet
Hedges, Mike
Isherwood, Mark
Mewies, Sandy
Price, Gwyn R.

Ymataliodd yr Aelod canlynol:
The following Member abstained:

Chapman, Christine

*Gwrthodwyd gwelliant 66.
Amendment 66 not agreed.*

*Cynigiwyd gwelliant 67 (Jocelyn Davies).
Amendment 67 (Jocelyn Davies) moved.*

[478] **Christine Chapman:** Just to save a little bit of time, I won't repeat the ones that will fall. Just stop me if there's an issue, but I think you know what will happen on this one. We're on amendment 67. The question is that amendment 67 be agreed to. Does any Member object? [*Objection.*] Okay, we'll move to a vote, then. Those in favour. Those against. Those abstaining. Three in favour, six against, one abstaining; therefore, amendment 67 is not agreed.

*Gwelliant 67: O blaid 3, Ymatal 1, Yn erbyn 6.
Amendment 67: For 3, Abstain 1, Against 6.*

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

Black, Peter

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

Davies, Alun

Davies, Jocelyn
Thomas, Rhodri Glyn

Finch-Saunders, Janet
Hedges, Mike
Isherwood, Mark
Mewies, Sandy
Price, Gwyn R.

Ymataliodd yr Aelod canlynol:
The following Member abstained:

Chapman, Christine

*Gwrthodwyd gwelliant 67.
Amendment 67 not agreed.*

*Cynigiwyd gwelliant 74 (Jocelyn Davies).
Amendment 74 (Jocelyn Davies) moved.*

[479] **Christine Chapman:** We move to amendment 74. Those in favour. Those against. Any abstentions? Okay. Three in favour, six against, one abstention; therefore, 74 is not agreed.

*Gwelliant 74: O blaid 3, Ymatal 1, Yn erbyn 6.
Amendment 74: For 3, Abstain 1, Against 6.*

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

Black, Peter
Davies, Jocelyn
Thomas, Rhodri Glyn

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

Davies, Alun
Finch-Saunders, Janet
Hedges, Mike
Isherwood, Mark
Mewies, Sandy
Price, Gwyn R.

Ymataliodd yr Aelod canlynol:
The following Member abstained:

Chapman, Christine

*Gwrthodwyd gwelliant 74.
Amendment 74 not agreed.*

*Cynigiwyd gwelliant 75 (Jocelyn Davies).
Amendment 75 (Jocelyn Davies) moved.*

[480] **Christine Chapman:** Amendment 75. Those in favour. Those against. Those abstaining. Three in favour, six against, one abstention; therefore, 75 is not agreed.

*Gwelliant 75: O blaid 3, Ymatal 1, Yn erbyn 6.
Amendment 75: For 3, Abstain 1, Against 6.*

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

Black, Peter
Davies, Jocelyn
Thomas, Rhodri Glyn

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

Davies, Alun
Finch-Saunders, Janet
Hedges, Mike
Isherwood, Mark
Mewies, Sandy
Price, Gwyn R.

Ymataliodd yr Aelod canlynol:
The following Member abstained:

Chapman, Christine

*Gwrthodwyd gwelliant 75.
Amendment 75 not agreed.*

*Cynigiwyd gwelliant 76 (Jocelyn Davies).
Amendment 76 (Jocelyn Davies) moved.*

[481] **Christine Chapman:** Amendment 76. Those in favour. Those against. Those abstaining. Amendment 76 is not agreed.

*Gwelliant 76: O blaid 3, Ymatal 1, Yn erbyn 6.
Amendment 76: For 3, Abstain 1, Against 6.*

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

Black, Peter
Davies, Jocelyn
Thomas, Rhodri Glyn

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

Davies, Alun
Finch-Saunders, Janet
Hedges, Mike
Isherwood, Mark
Mewies, Sandy
Price, Gwyn R.

Ymataliodd yr Aelod canlynol:
The following Member abstained:

Chapman, Christine

*Gwrthodwyd gwelliant 76.
Amendment 76 not agreed.*

*Cynigiwyd gwelliant 77 (Jocelyn Davies).
Amendment 77 (Jocelyn Davies) moved.*

[482] **Christine Chapman:** Amendment 77, then. The question is that amendment 77 be agreed to. Does any Member object? [*Objection.*] Okay, we'll take a vote. Those in favour. Those against. Those abstaining. So, three in favour, six against, one abstention; therefore, 77 is not agreed.

*Gwelliant 77: O blaid 3, Ymatal 1, Yn erbyn 6.
Amendment 76: For 3, Abstain 1, Against 6.*

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

Black, Peter
Davies, Jocelyn
Thomas, Rhodri Glyn

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

Davies, Alun
Finch-Saunders, Janet
Hedges, Mike
Isherwood, Mark
Mewies, Sandy
Price, Gwyn R.

Ymataliodd yr Aelod canlynol:
The following Member abstained:

Chapman, Christine

*Gwrthodwyd gwelliant 77.
Amendment 77 not agreed.*

*Cynigiwyd gwelliant 78 (Jocelyn Davies).
Amendment 78 (Jocelyn Davies) moved.*

[483] **Christine Chapman:** The question is that amendment 78 be agreed to. Does any Member object? [*Objection.*] Okay, we'll move to a vote, then. Those in favour. Those against. Those abstaining. Three in favour, six against, one abstention; therefore, 78 is not agreed.

*Gwelliant 78: O blaid 3, Ymatal 1, Yn erbyn 6.
Amendment 78: For 3, Abstain 1, Against 6.*

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

Black, Peter
Davies, Jocelyn
Thomas, Rhodri Glyn

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

Davies, Alun
Finch-Saunders, Janet
Hedges, Mike
Isherwood, Mark
Mewies, Sandy
Price, Gwyn R.

Ymataliodd yr Aelod canlynol:
The following Member abstained:

Chapman, Christine

*Gwrthodwyd gwelliant 78.
Amendment 78 not agreed.*

*Cynigiwyd gwelliant 79 (Jocelyn Davies).
Amendment 79 (Jocelyn Davies) moved.*

[484] **Christine Chapman:** Amendment 79. The question is that 79 be agreed to. Does any Member object? [*Objection.*] We move to the vote, then. So, those in favour. Those against. Those abstaining. So, three in favour, six against, one abstention; therefore, 79 is not agreed.

*Gwelliant 79: O blaid 3, Ymatal 1, Yn erbyn 6.
Amendment 79: For 3, Abstain 1, Against 6.*

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

Black, Peter
Davies, Jocelyn
Thomas, Rhodri Glyn

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

Davies, Alun
Finch-Saunders, Janet
Hedges, Mike
Isherwood, Mark
Mewies, Sandy
Price, Gwyn R.

Ymataliodd yr Aelod canlynol:
The following Member abstained:

Chapman, Christine

Gwrthodwyd gwelliant 79.
Amendment 79 not agreed.

Cynigiwyd gwelliant 80 (Jocelyn Davies).
Amendment 80 (Jocelyn Davies) moved.

Gwrthodwyd gwelliant 79.
Amendment 79 not agreed.

[485] **Christine Chapman:** The question is that amendment 80 be agreed to. Does any Member object? [*Objection.*] I'll take the vote then. Those in favour; those against; those abstaining. Therefore, three in favour, six against and one abstention. Therefore, 80 is not agreed.

Gwelliant 80: O blaid 3, Ymatal 1, Yn erbyn 6.
Amendment 80: For 3, Abstain 1, Against 6.

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

Black, Peter
Davies, Jocelyn
Thomas, Rhodri Glyn

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

Davies, Alun
Finch-Saunders, Janet
Hedges, Mike
Isherwood, Mark
Mewies, Sandy
Price, Gwyn R.

Ymataliodd yr Aelod canlynol:
The following Member abstained:

Chapman, Christine

Gwrthodwyd gwelliant 80.
Amendment 80 not agreed.

[486] **Christine Chapman:** Peter, do you wish to move amendment 95?

Cynigiwyd gwelliant 95 (Peter Black).
Amendment 95 (Peter Black) moved.

[487] **Peter Black:** I move.

[488] **Christine Chapman:** The question is that amendment 95 be agreed to. Does any Member object? [*Objection.*] Those in favour; those against. Okay, so five, five and no abstentions. Therefore, taking the casting vote I vote against that one.

Gwelliant 95: O blaid 5, Ymatal 0, Yn erbyn 5.
Amendment 85: For 5, Abstain 0, Against 5.

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

Black, Peter
Davies, Jocelyn
Finch-Saunders, Janet
Isherwood, Mark
Thomas, Rhodri Glyn

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

Chapman, Christine
Davies, Alun
Hedges, Mike
Mewies, Sandy
Price, Gwyn R.

Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei bleidlais fwrw yn unol â Rheol Sefydlog Rhif 6.20(ii).

As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order No. 6.20(ii).

Gwrthodwyd gwelliant 95.

Amendment 95 not agreed.

[489] **Christine Chapman:** Peter, do you wish to move amendment 96?

Cynigiwyd gwelliant 96 (Peter Black).

Amendment 96 (Peter Black) moved.

[490] **Peter Black:** I'd be happy to.

[491] **Christine Chapman:** We'll take the vote then, okay.

[492] **Peter Black:** Yes, that's fine.

[493] **Christine Chapman:** Does any Member object? [*Objection.*] Okay. We'll take the vote then. Those in favour; those against. Okay. So, we have five in favour, five against. With the casting vote then, 96 is not agreed.

Gwelliant 96: O blaid 5, Ymatal 0, Yn erbyn 5.

Amendment 96: For 5, Abstain 0, Against 5.

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

Black, Peter
Davies, Jocelyn
Finch-Saunders, Janet
Isherwood, Mark
Thomas, Rhodri Glyn

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

Chapman, Christine
Davies, Alun
Hedges, Mike
Mewies, Sandy
Price, Gwyn R.

Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei bleidlais fwrw yn unol â Rheol Sefydlog Rhif 6.20(ii).

As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order No. 6.20(ii).

Gwrthodwyd gwelliant 96.

Amendment 96 not agreed.

[494] **Christine Chapman:** Peter, do you wish to move amendment 97?

Cynigiwyd gwelliant 97 (Peter Black).

Amendment 97 (Peter Black) moved.

[495] **Peter Black:** I do.

[496] **Christine Chapman:** Okay. As there are a number of amendments to this amendment, we will dispose of those first. Jocelyn, do you wish to move amendment 97A?

Cynigiwyd gwelliant 97A (Jocelyn Davies).
Amendment 97A (Jocelyn Davies) moved.

[497] **Jocelyn Davies:** Yes.

[498] **Christine Chapman:** Okay. So the question is that amendment 97A be agreed to. Does any Member object? [*Objection.*] Okay, we'll take the vote then. Those in favour; those against. So, it's five in favour, five against, no abstentions. Using my casting vote then, 97A is not agreed.

Gwelliant 97A: O blaid 5, Ymatal 0, Yn erbyn 5.
Amendment 97A: For 5, Abstain 0, Against 5.

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

Black, Peter
 Davies, Jocelyn
 Finch-Saunders, Janet
 Isherwood, Mark
 Thomas, Rhodri Glyn

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

Chapman, Christine
 Davies, Alun
 Hedges, Mike
 Mewies, Sandy
 Price, Gwyn R.

Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei bleidlais fwrw yn unol â Rheol Sefydlog Rhif 6.20(ii).

As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order No. 6.20(ii).

Gwrthodwyd gwelliant 97A.
Amendment 97A not agreed.

[499] **Christine Chapman:** Jocelyn, do you wish to move amendment 97B?

Cynigiwyd gwelliant 97B (Jocelyn Davies).
Amendment 97B (Jocelyn Davies) moved.

[500] **Jocelyn Davies:** Yes, please.

[501] **Christine Chapman:** Okay. The question is that amendment 97B be agreed to. Does any Member object? [*Objection.*] Okay, we'll take the vote then. Those in favour; those against. Right, we've got five in favour, five against. With my casting vote, then, 97B is not agreed.

Gwelliant 97B: O blaid 5, Ymatal 0, Yn erbyn 5.
Amendment 97B: For 5, Abstain 0, Against 5.

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

Black, Peter
 Davies, Jocelyn
 Finch-Saunders, Janet
 Isherwood, Mark
 Thomas, Rhodri Glyn

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

Chapman, Christine
 Davies, Alun
 Hedges, Mike
 Mewies, Sandy
 Price, Gwyn R.

Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei bleidlais fwrw yn unol â

Rheol Sefydlog Rhif 6.20(ii).

As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order No. 6.20(ii).

Gwrthodwyd gwelliant 97B.

Amendment 97B not agreed.

[502] **Christine Chapman:** Jocelyn, do you wish to move amendment 97C?

Cynigiwyd gwelliant 97C (Jocelyn Davies).

Amendment 97C (Jocelyn Davies) moved.

[503] **Jocelyn Davies:** Yes.

[504] **Christine Chapman:** We'll take the vote. Sorry, does any Member object? [*Objection.*] Okay. Those in favour; those against. Okay, five in favour, five against. Therefore, using my casting vote—and just to remind people who may be watching this, in accordance with the Standing Order, my casting vote is in the negative; I think that's important for people to understand—under that Standing Order then, amendment 97C is not agreed.

Gwelliant 97C: O blaid 5, Ymatal 0, Yn erbyn 5.

Amendment 97C: For 5, Abstain 0, Against 5.

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

Black, Peter
Davies, Jocelyn
Finch-Saunders, Janet
Isherwood, Mark
Thomas, Rhodri Glyn

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

Chapman, Christine
Davies, Alun
Hedges, Mike
Mewies, Sandy
Price, Gwyn R.

Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei bleidlais fwrw yn unol â Rheol Sefydlog Rhif 6.20(ii).

As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order No. 6.20(ii).

Gwrthodwyd gwelliant 97C.

Amendment 97C not agreed.

[505] **Christine Chapman:** Jocelyn, do you wish to move amendment 97D?

Cynigiwyd gwelliant 97D (Jocelyn Davies).

Amendment 97D (Jocelyn Davies) moved.

[506] **Jocelyn Davies:** Yes.

[507] **Christine Chapman:** Right, the question is then that amendment 97D be agreed to. Does any Member object? [*Objection.*] Okay, we'll take a vote then. Those in favour; those against. Okay, that's five in favour, five against. Using my casting vote then, 97D is not agreed.

Gwelliant 97D: O blaid 5, Ymatal 0, Yn erbyn 5.

Amendment 97D: For 5, Abstain 0, Against 5.

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

Black, Peter
Davies, Jocelyn
Finch-Saunders, Janet
Isherwood, Mark
Thomas, Rhodri Glyn

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

Chapman, Christine
Davies, Alun
Hedges, Mike
Mewies, Sandy
Price, Gwyn R.

Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei bleidlais fwrw yn unol â Rheol Sefydlog Rhif 6.20(ii).

As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order No. 6.20(ii).

*Gwrthodwyd gwelliant 97D.
Amendment 97D not agreed.*

[508] **Christine Chapman:** Jocelyn, do you wish to move amendment 97E?

*Cynigiwyd gwelliant 97E (Jocelyn Davies).
Amendment 97E (Jocelyn Davies) moved.*

[509] **Jocelyn Davies:** Yes.

[510] **Christine Chapman:** The question is then that amendment 97E be agreed to. Does any Member object? [*Objection.*] Okay, we'll take the vote. Those in favour; those against. No abstentions. That's five in favour, five against. Using my casting vote then, I vote against that so 97E is not agreed.

*Gwelliant 97E: O blaid 5, Ymatal 0, Yn erbyn 5.
Amendment 97E: For 5, Abstain 0, Against 5.*

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

Black, Peter
Davies, Jocelyn
Finch-Saunders, Janet
Isherwood, Mark
Thomas, Rhodri Glyn

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

Chapman, Christine
Davies, Alun
Hedges, Mike
Mewies, Sandy
Price, Gwyn R.

Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei bleidlais fwrw yn unol â Rheol Sefydlog Rhif 6.20(ii).

As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order No. 6.20(ii).

*Gwrthodwyd gwelliant 97E.
Amendment 97E not agreed.*

[511] **Christine Chapman:** 97F, Jocelyn.

*Cynigiwyd gwelliant 97F (Jocelyn Davies).
Amendment 97F (Jocelyn Davies) moved.*

[512] **Jocelyn Davies:** I move.

[513] **Christine Chapman:** Okay, the question is then that amendment 97F be agreed to. Does any Member object? [*Objection.*] Okay, we'll take the vote. Those in favour; those against. No abstentions. That's five in favour, five against. So, using the casting vote, 97F is not agreed.

*Gwelliant 97F: O blaid 5, Ymatal 0, Yn erbyn 5.
Amendment 97F: For 5, Abstain 0, Against 5.*

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

Black, Peter
Davies, Jocelyn
Finch-Saunders, Janet
Isherwood, Mark
Thomas, Rhodri Glyn

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

Chapman, Christine
Davies, Alun
Hedges, Mike
Mewies, Sandy
Price, Gwyn R.

Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei bleidlais fwrw yn unol â Rheol Sefydlog Rhif 6.20(ii).

As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order No. 6.20(ii).

*Gwrthodwyd gwelliant 97F.
Amendment 97F not agreed.*

[514] **Christine Chapman:** We will now dispose of amendment 97. If amendment 97 is not agreed, amendment 99 will fall. The question is that amendment 97 be agreed to. Does any Member object? [*Objection.*] Okay, we'll take the vote then. Those in favour; those against. Okay, it's five in favour, five against. Using my casting vote then, 97 is not agreed.

*Gwelliant 97: O blaid 5, Ymatal 0, Yn erbyn 5.
Amendment 97: For 5, Abstain 0, Against 5.*

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

Black, Peter
Davies, Jocelyn
Finch-Saunders, Janet
Isherwood, Mark
Thomas, Rhodri Glyn

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

Chapman, Christine
Davies, Alun
Hedges, Mike
Mewies, Sandy
Price, Gwyn R.

Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei bleidlais fwrw yn unol â Rheol Sefydlog Rhif 6.20(ii).

As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order No. 6.20(ii).

*Gwrthodwyd gwelliant 97.
Amendment 97 not agreed.*

*Methodd gwelliant 99.
Amendment 99 fell.*

[515] **Christine Chapman:** Peter, do you wish to move amendment 98?

*Cynigiwyd gwelliant 98 (Peter Black).
Amendment 98 (Peter Black) moved.*

[516] **Peter Black:** I move.

[517] **Christine Chapman:** Okay, the question is, then, that amendment 98 be agreed to.

12:45

[518] Does any Member object? [*Objection.*] Okay. We'll take the vote. Those in favour; those against. No abstentions. So, using my casting vote, then, amendment 98 is not agreed.

*Gwelliant 98: O blaid 5, Ymatal 0, Yn erbyn 5.
Amendment 98: For 5, Abstain 0, Against 5.*

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

Black, Peter
Davies, Jocelyn
Finch-Saunders, Janet
Isherwood, Mark
Thomas, Rhodri Glyn

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

Chapman, Christine
Davies, Alun
Hedges, Mike
Mewies, Sandy
Price, Gwyn R.

Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei phleidlais fwrw yn unol â Rheol Sefydlog 6.20(ii).

As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order 6.20(ii).

*Gwrthodwyd gwelliant 98.
Amendment 98 not agreed.*

[519] **Christine Chapman:** Yes, okay, thank you. We've gone up to group 15. We've got group 16 and a few others. So, I want to confirm that we will now break for half an hour for lunch. So, we'll be back at a quarter past, here. Okay? Thank you.

*Gohiriwyd y cyfarfod rhwng 12:45 ac 13:16.
The meeting adjourned between 12:45 and 13:16.*

Grŵp 16: Dehongli cam-drin, Gan Gynnwys Cam-Drin Domestig a Cham-drin Ariannol (Gwelliannau 107, 108, 109, 110, 111, 112, 69, 70, 113 a 71)

Group 16: Interpretation of Abuse, including Domestic and Financial (Amendments 107, 108, 109, 110, 111, 112, 69, 70, 113 and 71)

[520] **Christine Chapman:** Welcome back, everyone. The next group of amendments relates to group 16, and these relate to the interpretation of abuse, including domestic and financial abuse. The lead amendment in the group is amendment 107 in the name of Jocelyn Davies, and I call on Jocelyn to move amendment 107 and speak to the other amendments in the group.

*Cynigiwyd gwelliant 107 (Jocelyn Davies).
Amendment 107 (Jocelyn Davies) moved.*

[521] **Jocelyn Davies:** Thank you. I move that amendment.

[522] The Government has created new definitions of gender-based violence, domestic abuse and sexual violence to be used in this Bill. I feel it would be more effective to use the existing definitions, so that there is consistency between the definitions used in the Bill and those used more widely. People who gave evidence to us were very clear on this. If the Government's definitions expanded the definitions to be more inclusive, or for a broader range of victims, I think I would be more supportive of their introduction. But what we heard was that the definitions used were narrower than those that are already in use, and I think that is regrettable. Therefore, to ensure consistency, I have tabled amendments 107 to 109 and 111, to include coercive, controlling and distressing behaviour.

[523] Amendment 110 adds the threat of violence to others to the definition of abuse, because abusers use threats to others, particularly to family members, children and pets, to frighten and control their victims. Of course, those other people never know that those threats were made, but certainly, in the evidence we had from speaking to people within the sector, a reason often cited for staying in an abusive relationship is fear for other people. Now, amendment 112 addresses the so-called revenge porn, which is an increasingly common way that abusers use to try to control and threaten their victims, and the wording of this amendment is consistent with the UK Government amendment to the Criminal Justice and Courts Bill that it currently making its way through Parliament.

[524] Finally, amendments 70 and 71 address the issue of financial abuse. Preventing someone from accessing their banking facilities, for example, is not necessarily covered by existing legislation in the way that other types of financial abuse are, like theft and fraud. It can seriously limit someone's freedom and ability to escape an abusive relationship if they don't have access to their own money. Now, amendment 71 is to ensure that the definition of financial abuse contained in the Bill doesn't prevent someone with parental responsibility from managing their child's financial affairs.

[525] **Christine Chapman:** Thank you. Are there Members who want to speak on this? No. Minister.

[526] **Leighton Andrews:** Thank you, Chair. Amendment 69 dilutes the focus of the Bill as it seeks to widen the definition of domestic abuse to include those with no intimate or family relationship with the person, such as others who may live on the same street, house sharers and students in halls of residence. This amendment therefore moves the focus to more general abuse, rather than domestic abuse, which is not the intention of the Bill.

[527] Amendment 70 seeks to add to the definition of financial abuse, by including reference to the prevention of accessing banking facilities. This is unnecessary as preventing someone accessing banking procedures without good reason is already captured by the definition of financial abuse within section 21 of the Bill. Amendment 71 is also unnecessary. In interpreting the definition of financial abuse, regard must be given to the ordinary meaning of the word 'abuse'. Reasonable steps taken by a parent managing a child's financial affairs, such as withholding pocket money for bad behaviour, could not therefore constitute financial abuse.

[528] Amendments 107 to 108 and 111 to 112 are also unnecessary. The current definition of abuse is very broad, and we capture controlling, coercive and threatening behaviour. Seeking to control or coerce another person requires some form of abuse, as defined in the Bill. I have previously undertaken to this committee to clarify this in the explanatory notes, which will be amended following the completion of Stage 2. Amendment 109 seeks to add 'causing distress to a person' to the definition of abuse. This amendment is unnecessary as it would already be captured within the definition of abuse. Again, to cause someone to feel

distressed will require some form of abuse, which, by virtue of the approach undertaken to the drafting of definitions in the Bill, will already be captured. This is an example of behaviour that will be set out within the explanatory notes.

[529] Amendment 110 proposes inclusion of ‘issuing a threat or threats to a person, to property or to domestic pets’. As noted, the current definition of abuse is sufficiently wide to include threatening behaviour. However, I will consider providing a reference to property and pets within the explanatory notes.

[530] Unfortunately, victims of domestic abuse suffer a broad range of abuse and sometimes it may be difficult for authorities to identify the range of abuse captured by the Bill. This is where the ministerial adviser will play an integral role, alongside both Welsh Ministers and authorities in helping to ensure that all victims of domestic abuse, regardless of its nature, are identified and receive the support that they need. Of course, I could issue further guidance under section 12 to assist authorities to identify behaviours that should be addressed within the local strategies.

[531] Amendment 113 is also unnecessary. The approach taken to drafting the definitions in the Bill ensures that all forms of domestic abuse could be addressed by the national strategy, local strategies and the ministerial adviser. Therefore, extending the definitions would not be necessary. I cannot imagine why it would be necessary to narrow the scope of the definitions. I would wish to ensure that steps could be taken to address the forms of abuse that evidence suggested required action, either nationally or locally, and, of course, where necessary, guidance under section 12 could be used to provide further focus. I urge Members to resist all of the amendments in this group.

[532] **Christine Chapman:** Jocelyn, to reply.

[533] **Jocelyn Davies:** It’s very pleasing to hear that the Minister is going to further consider some of the points that were made, but I would like to move all the amendments to a vote.

[534] **Christine Chapman:** Okay, we’ll do that then. If amendment 107 is not agreed, amendment 111 will fall. The question is then that amendment 107 be agreed. Does any Member object? [*Objection.*] Okay, we’ll take the vote then. In favour. Against. Any abstentions? Okay, three in favour, five against, two abstentions. Therefore, amendment 107 is not agreed.

*Gwelliant 107: O blaid 3, Ymatal 2, Yn erbyn 5.
Amendment 107: For 3, Abstain 2, Against 5.*

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

Black, Peter
Davies, Jocelyn
Thomas, Rhodri Glyn

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

Chapman, Christine
Davies, Alun
Hedges, Mike
Mewies, Sandy
Price, Gwyn R.

Ymataliodd yr Aelodau canlynol:
The following Members abstained:

Finch-Saunders, Janet
Isherwood, Mark

*Gwrthodwyd gwelliant 107.
Amendment 107 not agreed.*

*Methodd gwelliant 111.
Amendment 111 fell.*

[535] **Christine Chapman:** Jocelyn, we move to amendment 108.

*Cynigiwyd gwelliant 108 (Jocelyn Davies).
Amendment 108 (Jocelyn Davies) moved.*

[536] **Christine Chapman:** The question is that amendment 108 be agreed. Does any Member object? [*Objection.*] Okay, we'll take a vote then. Those in favour. Those against. Any abstentions? Okay, three in favour, five against, two abstentions. Therefore, amendment 108 is not agreed.

*Gwelliant 108: O blaid 3, Ymatal 2, Yn erbyn 5.
Amendment 108: For 3, Abstain 2, Against 5.*

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

Black, Peter
Davies, Jocelyn
Thomas, Rhodri Glyn

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

Chapman, Christine
Davies, Alun
Hedges, Mike
Mewies, Sandy
Price, Gwyn R.

Ymataliodd yr Aelodau canlynol:
The following Members abstained:

Finch-Saunders, Janet
Isherwood, Mark

*Gwrthodwyd gwelliant 108.
Amendment 108 not agreed.*

*Cynigiwyd gwelliant 109 (Jocelyn Davies).
Amendment 109 (Jocelyn Davies) moved.*

[537] **Christine Chapman:** The question is then that amendment 109 be agreed to. Does any Member object? [*Objection.*] Okay, we'll take a vote. Those in favour. Those against. Any abstentions? Okay, three in favour, five against, two abstentions. Therefore, amendment 109 is not agreed.

*Gwelliant 109: O blaid 3, Ymatal 2, Yn erbyn 5.
Amendment 109: For 3, Abstain 2, Against 5.*

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

Black, Peter
Davies, Jocelyn
Thomas, Rhodri Glyn

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

Chapman, Christine
Davies, Alun
Hedges, Mike
Mewies, Sandy
Price, Gwyn R.

Ymataliodd yr Aelodau canlynol:
The following Members abstained:

Finch-Saunders, Janet
Isherwood, Mark

Gwrthodwyd gwelliant 109.
Amendment 109 not agreed.

Cynigiwyd gwelliant 110 (Jocelyn Davies).
Amendment 110 (Jocelyn Davies) moved.

[538] **Christine Chapman:** The question is that amendment 110 be agreed to. Does any Member object? [*Objection.*] Okay. We'll take a vote. Those in favour. Those against. No abstentions. So, three in favour, seven against. Therefore, amendment 110 is not agreed.

Gwelliant 110: O blaid 3, Ymatal 0, Yn erbyn 7.
Amendment 110: For 3, Abstain 0, Against 7.

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

Black, Peter
Davies, Jocelyn
Thomas, Rhodri Glyn

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

Chapman, Christine
Davies, Alun
Finch-Saunders, Janet
Hedges, Mike
Isherwood, Mark
Mewies, Sandy
Price, Gwyn R.

Gwrthodwyd gwelliant 110.
Amendment 110 not agreed.

Cynigiwyd gwelliant 112 (Jocelyn Davies).
Amendment 112 (Jocelyn Davies) moved.

[539] **Christine Chapman:** We move now to amendment 112. So, the question is that amendment 112 be agreed to. Does any Member object? [*Objection.*] Okay. We'll take a vote. Those in favour. Those against. Any abstentions? So, three in favour, five against, two abstentions. Therefore, amendment 112 is not agreed.

Gwelliant 112: O blaid 3, Ymatal 2, Yn erbyn 5.
Amendment 112: For 3, Abstain 2, Against 5.

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

Black, Peter
Davies, Jocelyn
Thomas, Rhodri Glyn

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

Chapman, Christine
Davies, Alun
Hedges, Mike
Mewies, Sandy
Price, Gwyn R.

Ymataliodd yr Aelodau canlynol:
The following Members abstained:

Finch-Saunders, Janet
Isherwood, Mark

Gwrthodwyd gwelliant 112.
Amendment 112 not agreed.

[540] **Christine Chapman:** Peter, do you wish to move amendment 103?

[541] **Peter Black:** No. I'm not moving that one.

*Ni chynigiwyd gwelliant 104.
Amendment 104 not moved.*

[542] **Christine Chapman:** Okay. What about 105?

[543] **Peter Black:** I'm not moving that either.

*Ni chynigiwyd gwelliant 105.
Amendment 105 not moved.*

*Cynigiwyd gwelliant 69 (Jocelyn Davies).
Amendment 69 (Jocelyn Davies) moved.*

[544] **Christine Chapman:** Right. So, the question is that amendment 69 be agreed to? Does any Member object? [*Objection.*] Okay, we'll take the vote. Those in favour. Those against. Any abstentions? Okay, three in favour, five against, two abstentions. Therefore, amendment 69 is not agreed.

*Gwelliant 69: O blaid 3, Ymatal 2, Yn erbyn 5.
Amendment 69: For 3, Abstain 2, Against 5.*

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

Black, Peter
Davies, Jocelyn
Thomas, Rhodri Glyn

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

Chapman, Christine
Davies, Alun
Hedges, Mike
Mewies, Sandy
Price, Gwyn R.

Ymataliodd yr Aelodau canlynol:
The following Members abstained:

Finch-Saunders, Janet
Isherwood, Mark

*Gwrthodwyd gwelliant 69.
Amendment 69 not agreed.*

*Cynigiwyd gwelliant 70 (Jocelyn Davies).
Amendment 70 (Jocelyn Davies) moved.*

[545] **Christine Chapman:** The question is that amendment 70 be agreed to? Does any Member object? [*Objection.*] Okay, we'll take the vote. Those in favour. Those against. Any abstentions? Three in favour, five against, two abstentions. Therefore, amendment 70 is not agreed.

*Gwelliant 70: O blaid 3, Ymatal 2, Yn erbyn 5.
Amendment 70: For 3, Abstain 2, Against 5.*

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

Black, Peter
Davies, Jocelyn
Thomas, Rhodri Glyn

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

Chapman, Christine
Davies, Alun
Hedges, Mike
Mewies, Sandy
Price, Gwyn R.

Ymataliodd yr Aelodau canlynol:
The following Members abstained:

Finch-Saunders, Janet
Isherwood, Mark

Gwrthodwyd gwelliant 70.
Amendment 70 not agreed.

Cynigiwyd gwelliant 113 (Jocelyn Davies).
Amendment 113 (Jocelyn Davies) moved.

[546] **Christine Chapman:** The question is that amendment 113 be agreed to? Does any Member object? [*Objection.*] We'll take the vote then. Right, those in favour of amendment 113. Okay. Those against. Any abstentions? Three in favour, five against, two abstentions. Therefore, amendment 113 is not agreed.

Gwelliant 113: O blaid 3, Ymatal 2, Yn erbyn 5.
Amendment 113: For 3, Abstain 2, Against 5.

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

Black, Peter
Davies, Jocelyn
Thomas, Rhodri Glyn

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

Chapman, Christine
Davies, Alun
Hedges, Mike
Mewies, Sandy
Price, Gwyn R.

Ymataliodd yr Aelodau canlynol:
The following Members abstained:

Finch-Saunders, Janet
Isherwood, Mark

Gwrthodwyd gwelliant 113.
Amendment 113 not agreed.

Cynigiwyd gwelliant 71 (Jocelyn Davies).
Amendment 71 (Jocelyn Davies) moved.

[547] **Christine Chapman:** The question is that amendment 71 be agreed to? Does any Member object? [*Objection.*] Right. Those in favour. Those against. Any abstentions? Therefore, three in favour, five against, two abstentions. Therefore, amendment 71 is not agreed.

Gwelliant 71: O blaid 3, Ymatal 2, Yn erbyn 5.
Amendment 71: For 3, Abstain 2, Against 5.

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

Black, Peter
Davies, Jocelyn
Thomas, Rhodri Glyn

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

Chapman, Christine
Davies, Alun
Hedges, Mike
Mewies, Sandy
Price, Gwyn R.

Ymataliodd yr Aelodau canlynol:
The following Members abstained:

Finch-Saunders, Janet
Isherwood, Mark

Gwrthodwyd gwelliant 71.
Amendment 71 not agreed.

Grŵp 17: Enw Byr (Gwelliannau 82, 82A a 100)
Group 7: Short Title (Amendments 82, 82A and 100)

[548] **Christine Chapman:** The next group of amendments, group 17, relates to the short title. The lead amendment in the group is amendment 82, in the name of the Minister. So, I move amendment 82 and call on the Minister to speak to his amendment.

Cynigiwyd gwelliant 82 (Leighton Andrews).
Amendment 82 (Leighton Andrews) moved.

[549] **Leighton Andrews:** Thank you, Chair. I've listened carefully to the arguments from this committee and from others outside regarding the short title of the Bill, and I'm pleased we've been able to bring forward a Government amendment. I believe that Government amendment 82 provides the correct focus on the content of the Bill, taking into account the earlier amendment passed today on the new clause, while also reflecting the White Paper consultation and addressing the concerns raised by stakeholders. I do not believe, however, that amendment 82A is necessary, and I believe it may lead to confusion. Violence against children is not defined in the Bill and a generic reference in the title of the Bill may inaccurately suggest that the Bill extends to all forms of violence against children. The Bill does capture violence perpetrated against children, but to the extent to which it falls within the definitions of gender-based violence, domestic abuse and sexual violence. Similarly, I do not believe that amendment 100 properly reflects the content of the Bill, as it solely focuses on violence against women and girls and would therefore exclude men and boys entirely. I therefore ask Members to support amendment 82 and resist 82A and 100.

[550] **Christine Chapman:** Jocelyn, to speak.

[551] **Jocelyn Davies:** Thank you. I'm pleased that the Minister has decided to listen to the contributions of the many organisations that told the committee that the gender-neutral approach of the Bill was inadequate, and there is no conflict, of course, in providing gender-appropriate services for all victims, whatever their gender identity or sexuality, while recognising that women disproportionately suffer from abuse and violence because they are women, and, of course, this is part of the wider pattern of inequality, and the title of the Bill sends a strong message about the purpose and the scope, and I support that. However, I would like to amend the new proposed title of the Bill to include children in recognition of the huge impact that domestic abuse and sexual violence has on children, both those who are victimised directly and those who witness the abuse in their homes and in their families. This is very much supported by the children's commissioner.

[552] **Christine Chapman:** Okay. Peter.

[553] **Peter Black:** Thank you, Chair. I'm happy to support Jocelyn Davies's amendment. I think it's important to recognise that domestic violence against women does have an impact upon children. I think that was recognised in the Minister's very first amendment where he inserted a section referring to women and girls. So, clearly, I think the Minister recognises that that has an impact as well.

13:30

[554] My amendment is really to make the point, I think, that violence against women, domestic abuse and sexual violence can't just be separate, because they all amount to the same thing, which is violence against the person—violence against women, in this particular case—and I think that's the reason why I wanted to make that point. This isn't just different types of violence; it is violence, per se, against an individual, and as such, it is unacceptable. I felt that we should reflect that in its title.

[555] **Christine Chapman:** Okay. Alun?

[556] **Alun Davies:** Thank you very much. I welcome the Government amendment in this matter. I think it demonstrates that, as in the discussion when we started our conversation this morning, the Government has listened to not only the debates that took place in this committee, but the debate that took place in the country, as well. I think there is a very, very strong desire to see this change, which is important. I don't think it's just a textual amendment, as it happens; I think it's a fundamental amendment that addresses the direction of the Bill and what the Bill is trying to achieve, and I very much welcome amendment 82.

[557] **Christine Chapman:** Okay. Rhodri?

[558] **Rhodri Glyn Thomas:** Wel, rwyf yn meddwl ei bod hi'n bwysig i gynnwys cyfeiriad at blant yn nheitol y Bil, yn hytrach nag at ferched. Rwy'n derbyn y ddadl a gyflwynodd y Gweinidog ynglŷn â'r angen i sôn am drais yn erbyn menywod, oherwydd bod y traais yn erbyn menywod lawer iawn yn fwy na thraais yn erbyn dynion. Nid yw'n nacáu traais yn erbyn dynion, ond mae'r sefyllfa ynglŷn â phlant yn wahanol, oherwydd lle mae yna drais yn digwydd ar yr aelwyd, nid yw'n gwahaniaethu rhwng merched a bechgyn, ac mae'r teulu i gyd yn cael ei effeithio gan y traais hwnnw.

Rhodri Glyn Thomas: Well, I do think that it's important that we do include a reference to children in the title of the Bill, rather than a reference to girls. Now, I accept the case made by the Minister on the need to mention violence against women, because, clearly, violence against women is far more prevalent than violence against men. That is not to negate violence against men, of course, but, the situation with children is different, because where there is violence in the home, it doesn't differentiate between boys and girls, and the whole family is affected by that violence.

[559] Mae'r comisiynydd plant—a benodwyd, wrth gwrs, i amddiffyn hawliau plant a phobl ifanc—yn glir iawn yn ei farn. Ar ôl ystyried hyn, mae e'n dweud: rwy'n galw ar Lywodraeth Cymru i sicrhau bod pob plentyn a pherson ifanc yn cael mynediad cyfartal i'r ddarpariaeth ataliol, amddiffynnol a chefnogol a amlinellir yn y Bil, ac i newid y teitl o'r ddarpariaethau sy'n trafod traais yn erbyn menywod a merched i drais yn erbyn menywod a phlant.

The children's commissioner—who was, of course, appointed to safeguard the rights of children and young people—is very clear in his view. Having considered this issue, he has said that he calls on the Welsh Government to ensure that every child and young person has equal access to the preventative provision and support services outlined in the Bill, and that the title should be changed from referring to violence against women and girls to violence against women and children.

[560] Pan fydd y comisiynydd plant a phobl ifanc mor glir â hynny yn ei farn, yn rhinwedd ei rôl e yn amddiffyn hawliau plant, rwy'n credu bod rhaid inni roi ystyriaeth ddwys iawn i'r farn honno, ac rwy'n cytuno â'r comisiynydd ac yn gefnogol iawn i'w ddatganiad e.

When the children and young people's commissioner is as clear as that in his view on this issue, in the context of his role in safeguarding the rights of children, I think we do need to give that very serious consideration. I agree with the commissioner and I'm very supportive of his statement.

[561] **Christine Chapman:** Okay, thank you. Minister?

[562] **Leighton Andrews:** Well, I think I explained in my opening remarks, really, why we're not willing to support the change to violence against women and children. Just to repeat, the Bill captures violence perpetrated against children where it falls within the definitions of gender-based violence, domestic abuse and sexual violence, and we need to be very clear about that. It's not a generic reference that extends the Bill to all forms of violence against children.

[563] I am very pleased that we have, as a Government, been able to bring forward an amendment that will mean that this Bill will be called 'the Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Bill'. I think that gives, as others have said, a very clear indication of the commitment of this Government and this National Assembly on these issues, and I urge Members to support Government amendment 82 and to oppose the other two amendments.

[564] **Christine Chapman:** Thank you. Now, before disposing of amendment 82, we will deal with the amendments to that amendment. So, Jocelyn, do you wish to move amendment 82A?

*Cynigiwyd gwelliant 82A (Jocelyn Davies).
Amendment 82A (Jocelyn Davies) moved.*

[565] **Jocelyn Davies:** Yes, I do.

[566] **Christine Chapman:** Okay. The question is then that amendment 82A be agreed to. Does any Member object? [*Objection.*] Okay, we will take the vote, then. Those in favour? Those against? Okay, so that is five in favour, five against, no abstentions. Using my casting vote, I vote against that; therefore, amendment 82A is not agreed.

*Gwelliant 82A: O blaid 5, Ymatal 0, Yn erbyn 5.
Amendment 82A: For 5, Abstain 0, Against 5.*

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

Black, Peter
Davies, Jocelyn
Finch-Saunders, Janet
Isherwood, Mark
Thomas, Rhodri Glyn

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

Chapman, Christine
Davies, Alun
Hedges, Mike
Mewies, Sandy
Price, Gwyn R.

Gan fod nifer y pleidleisiau yn gyfartal, defnyddiodd y Cadeirydd ei phleidlais fwrw yn unol â Rheol Sefydlog Rhif 6.20(ii).

As there was an equality of votes, the Chair used her casting vote in accordance with Standing Order 6.20(ii).

*Gwrthodwyd gwelliant 82A.
Amendment 82A not agreed.*

[567] **Christine Chapman:** Minister, do you wish to proceed to a vote on amendment 82?

[568] **Leighton Andrews:** Yes, please.

[569] **Christine Chapman:** Okay. If amendment 82 is agreed, amendment 100 will fall. The question is that amendment 82 be agreed. Does any Member object? No? So, amendment

82 is agreed.

*Derbyniwyd gwelliant 82.
Amendment 82 agreed.*

*Methodd gwelliant 100.
Amendment 100 fell.*

**Grŵp 18: Diben y Ddeddf Hon (Gwelliant 9)
Group 18: Purpose of the Act (Amendment 9)**

[570] **Christine Chapman:** We now move on to the final group, group 18. This group of amendments relates to the purpose of the Act. The only amendment in the group is amendment 9 in the name of Jocelyn Davies. I call on Jocelyn to move and speak to amendment 9.

*Cynigiwyd gwelliant 9 (Jocelyn Davies).
Amendment 9 (Jocelyn Davies) moved.*

[571] **Jocelyn Davies:** Thank you very much. I mean, we've always said that this Bill has the potential to be a landmark piece of legislation and one that could play a vital role in transforming our society into one where people are safe from domestic abuse and sexual violence, and a more equal society in which no woman suffers violence because she's a woman, but, in order for it to succeed, I think this Bill needs to ask more of Welsh Ministers and of local government than improvement. In some cases, even improvement will not deliver services that are good enough and I want to see the Assembly pass ambitious legislation that can drive culture change and ensure that victims of domestic abuse and sexual violence receive appropriate protection and support. For these reasons, I want to amend the Bill so that its purpose is clearly stated and lays out an aspirational vision of a Wales in which victims of violence against women and children, domestic abuse and sexual violence are supported and protected.

[572] **Christine Chapman:** Okay. Thank you. Any other Members? Minister to speak?

[573] **Leighton Andrews:** Chair, can I first of all thank the committee for passing a number of amendments today that will comprehensively strengthen this Bill and set a very clear sense of direction as to the cultural changes we wish to initiate as a result of the Bill and the practical support that we want to give to survivors and other victims and the preventative support that we also want to put in place.

[574] The problem with amendment 9, essentially, is that it would actually limit the application of the Bill, and therefore all functions exercisable under the Bill, to violence against women and children and other domestic and sexual abuse, the definitions of which are not addressed by the amendment. By essentially removing all references to gender-based violence in the purpose of the Bill, amendment 9 would exclude male victims of gender-based violence as defined in the Bill: for example, male victims of honour-based violence would be excluded. The Bill as currently drafted enables the tackling of all gender-based violence. This amendment would result in any action necessary to tackle gender-based violence against men, such as homophobic attacks, not being addressed through national strategies and local strategies or the remit of the ministerial adviser. Additionally, amendment 9, in altering the purpose of the Bill, narrows its scope. For example, it limits the prevention limb solely to strategies, whereas, as currently drafted, the prevention element applies to all aspects of the Bill, including the ministerial adviser and guidance provisions. As such, I urge the committee to resist the amendment.

[575] **Christine Chapman:** Okay. Jocelyn to reply.

[576] **Jocelyn Davies:** Yes, thank you. Well, obviously, if that's the consequences of this amendment it certainly wasn't intended as you can tell from the contribution I made earlier when I introduced it, so I think I need to do a bit more work on this amendment, but I can certainly bring it, or something similar, back at stage 3, so I'd prefer not to vote on this amendment at this stage.

[577] **Christine Chapman:** Okay, so we will withdraw. Is the committee happy for the amendment to be withdrawn? Okay. Thank you.

*Tynnwyd gwelliant 9 yn ôl gyda chaniatâd y pwyllgor.
Amendment 9 withdrawn by leave of the committee.*

[578] **Christine Chapman:** Right. Just a few things now: now, I would like to thank the Minister and his officials for your attendance today. You will be sent a transcript of the meeting to check for factual accuracy. This completes Stage 2 proceedings.

*Barnwyd y cytunwyd ar bob adran o'r Bil.
All sections of the Bill deemed agreed.*

[579] **Christine Chapman:** Stage 3 begins tomorrow. The relevant dates for Stage 3 proceedings will be published in due course. Before we finish, Standing Orders make provision for the Minister to prepare a revised explanatory memorandum taking account of the amendments agreed today, and the revised memorandum will be laid at least five working days before Stage 3 proceedings. So can I thank all the Members, the Minister and his officials and I'd now like to close the meeting.

*Daeth y cyfarfod i ben am 13:39.
The meeting ended at 13:39.*