

Agenda – Petitions Committee

Meeting Venue:

Video Conference – Via Zoom

Meeting date: 26 January 2021

Meeting time: 09.00

For further information contact:

Graeme Francis – Committee Clerk

Kayleigh Imperato – Deputy Clerk

0300 200 6373

Petitions@senedd.wales

In accordance with Standing Order 34.19, the Chair has determined that the public are excluded from the Committee's meeting in order to protect public health. This meeting will be broadcast live on www.senedd.tv

- 1 Introduction, apologies, substitutions and declarations of interest
(Pages 1 – 52)
- 2 New COVID-19 petitions
 - 2.1 P-05-1067 Allow all non-essential retail shops to continue to trade whilst under the 17 day lockdown
(Page 53)
 - 2.2 P-05-1068 Allow socially distanced meets in private gardens to follow science and avoid isolation
(Pages 54 – 57)
 - 2.3 P-05-1082 Allow choirs to rehearse indoors if they produce a full risk assessment to prevent C-19 infection
(Pages 58 – 60)
 - 2.4 P-05-1101 Allow fans to attend sporting events in Wales
(Pages 61 – 63)
 - 2.5 P-05-1102 Allow a minimum of one parent or guardian to watch children's organised football matches
(Pages 64 – 66)



2.6 P-05-1117 Give Police Officers the Covid Vaccination as a priority
(Pages 67 – 70)

2.7 P-05-1119 Prioritise teachers, school and childcare staff for COVID-19
vaccination
(Pages 71 – 73)

Other new petitions

2.8 P-05-1078 Increase funding for mental health services and improve waiting
times for people needing help in crisis. We need a change!
(Pages 74 – 81)

2.9 P-05-1079 Safeguard Kenfig Nature Reserve using compulsory purchase
powers
(Pages 82 – 92)

2.10 P-05-1083 Protect leaseholders in Wales from paying for cladding remedial
works
(Pages 93 – 102)

2.11 P-05-1088 Trigger by-election for members wishing to change party
affiliation
(Pages 103 – 109)

2.12 P-05-1089 Wales should lead on bringing NHS pay back in line with inflation
costs over the last 10 years
(Pages 110 – 112)

2.13 P-05-1091 Remove compulsory Welsh Bac for students looking to go to
University
(Pages 113 – 120)

2.14 P-05-1093 Establish a Wales wide Environmental and Wildlife Enforcement
Service to tackle environmental crime
(Pages 121 – 132)

2.15 P-05-1096 Remove RSE from the mandatory element of the Curriculum Bill
2020
(Pages 133 – 145)

2.16 P-05-1097 Ban game bird cages

(Pages 146 – 157)

2.17 P-05-1115 Stop giant Solar farm which will destroy ancient meadows near
Abergavenny

(Pages 158 – 163)

3 Updates to previous petitions

Education

3.1 P-04-522 Asbestos in Schools

(Pages 164 – 166)

Health and Social Services

3.2 P-05-812 We call for the Welsh Government to encourage trusts to
implement the NICE guidelines for Borderline Personality Disorder or justify
why they do not do so

(Pages 167 – 171)

3.3 P-05-960 Fund the funeral costs of all NHS staff who die from or with Covid-
19

(Pages 172 – 175)

Economy and Transport

3.4 P-05-943 We call on the Welsh Government to take urgent action to secure
improvements to the A487 between Gellilydan and Maentwrog

(Pages 176 – 179)

3.5 P-05-993 Make retail in Wales fully accessible to disabled people

(Pages 180 – 189)

Environment, Energy and Rural Affairs

- 3.6 P-05-895 Rosa's Legacy: Introduce a scheme to help people access veterinary care for their companion animals

(Pages 190 – 196)

The following three items will be grouped together for consideration

- 3.7 P-05-856 Ban the sale of puppies by pet shops and all commercial 3rd party dealers in Wales

(Pages 197 – 198)

- 3.8 P-05-915 Call for better enforcement of puppy farms in Wales

(Page 199)

- 3.9 P-05-939 Immediate embargo on new dog breeding licences, licence renewals and planning applications until regulations are fit for purpose and enforceable

(Pages 200 – 204)

First Minister

- 3.10 P-05-996 To call on the Welsh Government not to remove, damage or destroy any historical symbols in Wales

(Pages 205 – 207)

- 4 Motion under Standing Order 17.42 to resolve to exclude the public from the meeting for the following business:**

Item 5.

- 5 Preparations for the end of the 5th Senedd**

(Pages 208 – 213)

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Agenda Item 2.1

P-05-1067 Allow all non-essential retail shops to continue to trade whilst under the 17 day lockdown

This petition was submitted by Martin Obbard having collected a total of 56 signatures.

Text of Petition:

The Welsh Government, as part of its 17 day "firebreak" lockdown, is banning the selling of non-essential goods.

As a review of supermarkets shops is being undertaken of the sale of non-essential goods then all non-essential retail shops should be allowed to remain open if they choose to. We do not agree that this is a prudent or rational measure, and will create more harm than good.

Senedd Constituency and Region

- Montgomeryshire
- Mid and West Wales

Agenda Item 2.2

P-05-1068 Allow socially distanced meets in private gardens to follow science and avoid isolation

This petition was submitted by Rachel Emma Ovetts having collected a total of 273 signatures.

Text of Petition:

Many people in Wales who were shielding or in care homes with strict measures that were forced upon residents were left in isolation for months at huge cost to mental and physical wellbeing. The government promised this would not happen again. Meeting loved ones outdoors in a controlled private garden is a safe way to avoid isolation for anyone not allowed or too afraid to go to public spaces. This plunges thousands of vulnerable people back into isolation through no fault of theirs.

Additional Information:

The vast majority of compliant careful citizens would meet in private gardens without breaking the regulations. There is no evidence to suggest there have been more breaches in private homes than in public spaces. There is no evidence to suggest that those who disregard the Covid rules will behave better or be more compliant in public spaces as opposed to private gardens. The virus spreads more easily inside. The argument about going inside if we allow meets in private gardens is flawed, as the government are allowing indoor meeting in any case.

The virus spreads more easily in spaces where people have to move around and come and go, e.g. pubs. Alcohol inhibits judgment so people may not be able to effectively social distance after drinking. Public spaces, streets and parks are hard to control, with lots of people coming and going in different directions, making it hard to control keeping a distance, through no fault of your own, whereas private spaces can be controlled.

Senedd Constituency and Region

- Cardiff North
- South Wales Central



Janet Finch-Saunders MS
Chair
Petitions Committee
Senedd Cymru
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CF99 1SN

Seneddpetitions@senedd.wales

13 January 2021

Dear Chair

I am writing in response to your letter of 6 November regarding a petition about allowing socially distanced meetings in private gardens. The petition mentions care home visits, shielding, as well as general gatherings in gardens.

Care home visits are permitted under alert level four for compassionate reasons, but should be restricted to outdoor visits, or visits within visitor pods or similar enclosed spaces. These visits will be suspended in the event of an outbreak at the home.

Indoor visits in care homes are permitted in exceptional circumstances including, but not restricted to end-of-life, as they have been throughout the pandemic.

The ultimate decision on whether, and in what circumstances care home visits take place, rests with the individual provider. In each case, the provider needs to put in place appropriate risk assessments, social distancing and safety measures before allowing visits, and people are asked to contact them before travelling.

Please see a link to the care home visiting guidance: <https://gov.wales/visits-care-homes-guidance> and a guide to the alert levels for social care, published by the Deputy Minister for Health and Social Services: <https://gov.wales/coronavirus-control-plan-alert-levels-in-wales-for-social-care-services-for-adults-and-children>

Shielding was advised between March and August 2020. The Chief Medical Officer has updated the guidance to support people who are clinically extremely vulnerable to protect themselves from exposure to coronavirus as Wales is now at alert level four. The advice is now that clinically extremely vulnerable people should not attend work or school outside the home.

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


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

We know long periods of isolation can be harmful for mental and physical health, therefore extremely clinically vulnerable people can remain part of a support bubble, as long as they take appropriate precautions. They are encouraged to continue going outside to exercise and attend medical appointments.

Everyone in Wales is currently subject to regulations in place at alert level four and therefore must stay at home. People are not able to meet anybody indoors or outdoors socially unless they are part of an exclusive support bubble.

Coronavirus is a highly infectious virus – it thrives on contact between people. The new variant in the UK is even more contagious. To keep each other safe we need to reduce the number of people we have contact with and the amount of time we spend with them. This means reducing all social contacts as far as possible.

Best wishes

A handwritten signature in black ink that reads "Mark Drakeford". The signature is written in a cursive, slightly slanted style.

MARK DRAKEFORD

Agenda Item 2.3

P-05-1082 Allow choirs to rehearse indoors if they produce a full risk assessment to prevent C-19 infection

This petition was submitted by Jon Wilks having collected a total of 498 signatures.

Text of Petition:

Choirs in Wales are prevented from rehearsing indoors by current Welsh Government C19 guidance which discourages singing indoors. The guidance takes no account of measures which choirs can apply such as face shields, distancing, limiting singing volume, surface & hand sanitising and ventilation. Choirs cannot continue to rehearse outdoors during the winter. The guidance should be changed to allow organised singing indoors if a risk assessment and plan is devised & implemented.

Additional Information:

Cowbridge Male Voice Choir is a vibrant, growing and successful Male Voice Choir which has been rehearsing outdoors in line with Welsh Government rules. Current Government rules allow up to 15 people to meet indoors, but not to sing. This guidance appears to be based on a limited research experiment (<https://academic.oup.com/cid/advance-article/doi/10.1093/cid/ciaa1241/5908276>) involving measuring exhaled droplets produced during singing. The research took no account of sensible measures which can be used to reduce risk and which Cowbridge and other choirs can apply.

Research by Lund University published Sept 2020 (<https://www.sciencedaily.com/releases/2020/09/200908101621.htm>) showed particle emission when singing was reduced to ordinary speech levels by prevention measures.

Choirs like Cowbridge cannot continue to rehearse outdoors during the coming winter months and should be allowed to rehearse indoors in groups of 15 if infection prevention measures are applied.

Senedd Constituency and Region

- Vale of Glamorgan
- South Wales Central



Eich cyf/Your ref P-05-1082
Ein cyf/Our ref DET/03338/20

Janet Finch-Saunders MS
Chair, Petitions Committee

1 December 2020

Dear Janet,

Thank you for your correspondence of 27 November about the petition to allow choristers to rehearse indoors in Wales. Under the new coronavirus regulations announced by the First Minister on 9 November, groups of no more than fifteen people can gather for an indoor activity at any one time.

Earlier in the summer, the Welsh Government published guidance for a phased return for culture and heritage venues and destinations. As part of that work, we asked the Arts Council of Wales to work with our cultural sectors to develop additional guidance covering rehearsal, performance and participation. That work is now complete and the guidance, which should be considered carefully by all arts organisations across Wales, can be found here: <https://gov.wales/rehearsing-performing-and-taking-part-performing-arts-guidance-phased-return>. Particular attention should be given to the section *Singing, chanting and the use of musical instruments*.

Yours sincerely,

Yr Arglwydd Elis-Thomas AS/MS
Y Dirprwy Weinidog Diwylliant, Chwaraeon a Thwristiaeth
Deputy Minister for Culture, Sport and Tourism

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

Agenda Item 2.4

P-05-1101 Allow fans to attend sporting events in Wales

This petition was submitted by Dylan Llewelyn Morgan having collected a total of 105 signatures.

Text of Petition:

Football and rugby fans in England are now being allowed to attend grounds to support their clubs whereas Wales are not allowing it. Cardiff City, Swansea City, Newport County and Wrexham FC along with rugby clubs here in Wales are desparate for fans to return, financially clubs are struggling and so are the fans, including myself who is very much lost without going to watch a football match. Please allow fans of up to 2000 people like England are doing back in to grounds in Wales – it's needed

Senedd Constituency and Region

- Aberavon
- South Wales West



Eich cyf/Your ref P-05-1101
Ein cyf/Our ref DET/03722/20

Janet Finch-Saunders MS
Chair, Petitions Committee

8 January 2020

Dear Janet,

Thank you for your correspondence regarding petition P-05-1101 allow fans to attend sporting events in Wales.

The Welsh Government's approach to easing restrictions is always in the context of the public health conditions. A series of test events were held in September with the expectation that the lessons learned, together with a wider series of test events, would help us plan for the eventual safe return of spectators to events. These events have since been put on hold due to the recent rise in the virus once again.

We are working closely with stakeholders, including an events industry group, to inform our decisions on when we might relax the measures around events and spectators. Subject to the public health position in the New Year, we are hoping to run further test events towards the spring. This will only be allowed when it is safe to do so, and when we are able to move into tiers 1 and 2 of the alert programme.

The regulations in England only allow spectators to events in areas that sit in their own tiers 1 and 2. As you know, many areas in England are now moving into its tiers 3 and 4, where spectators are not allowed, as cases of coronavirus are rising. Wales has a similar public health system and we are currently in our own alert level 4, which essentially means 'stay at home', whilst our level 3 requires the public to keep contact with others to an absolute minimum. Allowing spectators in Wales to return to venues at this critical time would go against these important messages and place public health at risk.

Further information on what each of the alert level means, what is allowed, and why and when we move between levels can be found [here](#) and [here](#). Frequently Asked Questions and answers regarding the regulations can be found [here](#) and [here](#).

The Welsh Government's approach to restrictions has been based the latest data and science relevant to Wales, and based on the latest advice from our own scientific and medical advisors. This is in order to limit the people we come into contact with, and reduce

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

the speed of the transmission of the virus. Through these rules, we are trying to balance the importance of people's mental and physical well-being, and our economy, with the need to keep people safe and protect the NHS.

At the moment, the situation in Wales is very serious – the virus is present in all our local communities and is accelerating. Our NHS is under pressure. We need strong measures to bring the virus under control and to protect public health. We also need everyone to help, not just by following the rules but by making small changes to their daily routines and lives and reducing the contact they have with other people. This virus thrives on human contact – whenever we spend time with or near others there is a risk we will either catch or pass on coronavirus.

Doing activities outdoors, while safer, is not risk free and still requires people to leave their homes when it is not essential. As it becomes colder, darker and wetter the conditions for the virus improve. The Welsh approach during 'stay home' restrictions, based on expert behavioural advice, requires that people should be travelling as little as possible. Every exception to these rules or concessions in one area weakens that message and leads to misunderstandings amongst the population and places lives at risk.

As ever, we fully recognise the enormous efforts and sacrifices the Welsh public and businesses have made to keep Wales safe. The Welsh Government will continue to provide regular updates via the Covid19 Press Conferences over the coming days and weeks.

I hope this clarifies the current position regarding the regulations.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Y. Elis-Thomas'.

Yr Arglwydd Elis-Thomas AS/MS

Y Dirprwy Weinidog Diwylliant, Chwaraeon a Thwristiaeth
Deputy Minister for Culture, Sport and Tourism

Agenda Item 2.5

P-05-1102 Allow a minimum of one parent or guardian to watch children's organised football matches

This petition was submitted by John Horn having collected a total of 52 signatures.

Text of Petition:

Currently parents are allowed to watch children's football training sessions in an outdoor environment. However, parents are not allowed to watch any organised matches.

This seems to be contradictory and excessive when other precautionary measures are available and viable. For example England allow parents to spectate from a distance of 3m away from pitch side. It would be a sensible option to introduce this along with all adults to wear a face covering and observe a 2m rule.

Senedd Constituency and Region

- Vale of Glamorgan
- South Wales Central



Eich cyf/Your ref P-05-1102
Ein cyf/Our ref DET/03732/20

Janet Finch-Saunders MS
Chair
Petitions Committee

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30 December 2020

Dear Janet

Thank you for your letter of 16 December on behalf of the petitions committee regarding petition P-05-1102 Allow a minimum of one parent or guardian to watch children's organised football matches.

As you'll be aware the Welsh Government's approach to all Covid restrictions has been and will continue to be cautious, based the latest data and science relevant to Wales, and based on the latest advice from our own scientific and medical advisors. All in order to limit the people we come into contact with, and reduce the speed of the transmission of the virus.

Through the national rules, we are trying to balance the importance of sport and exercise to people's mental and physical well-being, with the need to keep people safe and protect the NHS.

While we fully understand the importance of sport and exercise to children and adults alike, we must also accept that the virus is still present within our communities and there are large numbers of people requiring the support of NHS services. We have worked alongside all of our national governing bodies throughout the pandemic, in this instance Sports Wales and the FAW. The decision not to allow spectators at junior football matches is in order to limit the opportunities for gathering, and the risks posed to volunteers to enforce to the 2 metre rule. While we understand most parents would respect the rule, this cannot be guaranteed for all, and this is not a risk we can take at this current time. Any adults that may be present during these activities, but who are not directly participating in or facilitating the activities, should not stay in the area where the activity is taking place. Supporters and spectators of organised activities should be limited to only those who absolutely need to attend, for example, parents or guardians of children who require their attendance for health or safeguarding reasons.

Any future decisions regarding the coronavirus regulations in Wales will be based on the latest scientific and medical data, and the need to protect public health.

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

At the moment, the situation in Wales is very serious – coronavirus is present in all our local communities and is accelerating. Our NHS is under pressure. We need strong measures to bring the virus under control and to protect public health. We also need everyone to help by not just following the rules but by making small changes to their daily routines and lives and reducing the contact they have with other people. This virus thrives on human contact – whenever we spend time with others there is a risk we will either catch or pass on coronavirus.

Since the petition was submitted, the situation has now changed, and as highlighted by the First Minister on [19 December](#), as of 20 December, Wales has been placed in alert level 4 restrictions. Further information on what each of the alert level means, what is allowed, and why and when we move between levels can be found [here](#) and [here](#). Frequently Asked Questions and answers regarding the regulations can be found [here](#) and [here](#).

The revised tier plan puts in place four alert levels, aligned to the measures we will need to have in place to control the spread of the virus through the difficult winter months ahead of us and to protect people's health.

It also sets out how and when Wales will move between these alert levels. The all-Wales measures are designed to be as simple, fair and clear as possible and they will provide greater certainty for people and businesses about what legal restrictions will be put in place, depending on the level of risk, helping them to plan for the future.

Alert level 4 regulations state that we must all 'stay home' unless for essential reasons. Organised children's sport will not be allowed whilst Wales remains at this Alert Level. Doing such activities outdoors, while safer, is not risk free and still requires people to leave their homes when it is not essential. As it becomes colder, darker and wetter the conditions for the virus improve. The Welsh approach during 'stay home' restrictions based on expert behavioural advice requires that people should be travelling as little as possible. Every exception to these rules or concessions in one area weakens that message and leads to misunderstandings amongst the population and places lives at risk.

The Alert Level will be reviewed every three weeks, and should Wales move to the lower Alert Level Three (High Risk) following the review, indoor and outdoor sporting activity will be allowed, however, these will still need to be organised in accordance to the Welsh Government's guidance, and include measures to reduce the spread of the virus.

We fully recognise the enormous efforts and sacrifices the Welsh public and businesses have made to keep Wales safe and to save lives. The Welsh Government will continue to provide regular updates via the Covid19 press conferences and our social media channels over the coming weeks.

I hope this is helpful.

Yours sincerely,



Yr Arglwydd Elis-Thomas AS/MS

Y Dirprwy Weinidog Diwylliant, Chwaraeon a Thwristiaeth
Deputy Minister for Culture, Sport and Tourism

Agenda Item 2.6

P-05-1117 Give Police Officers the Covid Vaccination as a priority

This petition was submitted by Graham Bishop, having collected a total of 10,879 signatures.

Text of Petition:

Police officers are not on the priority list to receive the Covid-19 vaccination, even though they are in a high risk jobs.

Additional Information:

My son is a police officer who contracted Covid whilst arresting a member of the public. At present he has been off work for 4 weeks and is signed off until the end of December. He passed the virus to his heavily pregnant wife who ended up in the Covid ward in hospital. She had to have an emergency CS with the twins born a month early. Not only are police at high risk to themselves every day, they also risk their families. Additionally the loss of policing time is a great strain on the force when officers are off sick with Covid.

Senedd Constituency and Region

- Vale of Glamorgan
- South Wales Central

**P-05-1117 Give Police Officers the Covid Vaccination as a priority,
Correspondence – Petitioner to Committee, 12.01.21**

Petition: Give Police Officers the Covid Vaccination as a priority.

Police officers are not on the priority list to receive the Covid-19 vaccination, even though they are in a high risk job. My son is a police officer who contracted Covid whilst arresting a member of the public. At present he has been off work for 4 weeks and is signed off until the end of December. He passed the virus to his heavily pregnant wife who ended up in the Covid ward in hospital. She had to have an emergency CS with the twins born a month early. Not only are police at high risk to themselves every day, they also risk their families. Additionally the loss of policing time is a great strain on the force when officers are off sick with Covid.

Since placing the above Petition on line, my son was signed off sick again with Long Covid until the 21st January 2021. Subject to him being fit to return then, he would have been away from his duties for over 10 weeks as he has not worked since 10th November. This situation is placing a huge strain on the police when officers are unfit due to Covid.

The signing of the Petition was rather slow to start with; however I understand from my son that the Police Federation came across the Petition and put a link to it on their Facebook Page, urging Offices to sign it. This Facebook Page is not a public site, so can only be viewed by the police employees. Over a couple of days there were up to 4000 signatures in a day following this link on the Police Federation's Facebook Page. I think it fair to assume this surge in signatures was primarily a result of police officers signing it as they are worried for their health and that of their families.

On the 5th January 2021, BBC Wales and Powys County Time websites drew attention to the Petition which was strongly supported by the Police. Extracts enclosed.

I am 74 and I would happily give up my immunisation to a police officer. I keep myself safe and am unlikely to contract Covid; unlike the police who have to deal with those who put the majority of the public at risk.

Graham Bishop

Extract from Powys County Times 5th January 2021

Police and Crime Commissioner Dafydd Llywelyn is calling for the Welsh Government to include police officers on the Covid-19 Vaccination priority list so that they can be protected from the virus as a matter of urgency.

A petition calling for this to take place was recently set-up by a father of a police officer who fell ill following arresting a man who was infected by the virus.

More than 6,000 signatures already on the [petition](#), there is support from Unison, the NPCC along with the Police Federation of England and Wales, and now Dyfed-Powys Police and Crime Commissioner.

Graham Bishop, who launched the petition, explained that his son passed on the virus to his heavily pregnant wife who ended up in a coronavirus ward in hospital. He said: "She had to have an emergency Caesarean section with the twins born a month early. Not only are police at high risk to themselves every day, they also risk their families. Additionally, the loss of policing time is a great strain on the force when officers are off sick with Covid."

Dyfed-Powys Police and Crime Commissioner Dafydd Llywelyn is calling on the Welsh Government to ensure that front line officers are vaccinated as a priority.

PCC Llywelyn said: "Like all other first responders and NHS staff, police officers risk their lives every day to keep the public safe, and are at a higher risk of contracting and transmitting Covid-19 due to their increased level of exposure with the general public and lack of regular testing.

"We have a situation at the Police Headquarters in Llangunnor, Carmarthen where we are providing resources to support the Welsh Ambulance Service to facilitate the vaccination process of their staff who are based at HQ, which is fantastic. But, I find it frustrating that while we are putting resources in place to carry out the vaccination process at HQ, it is still unclear, when the vaccination will become available to us to roll out to our officers.

"Police officers are essential workers, they are in face to face contact with the general public on a daily basis, dealing with difficult and complex situations, and as a result it is essential that they are included on the priority list like other first respondents.

"I'm now calling on the Welsh Government for some clarity on the roll-out schedule, and that police officers are given the same priority as other emergency services so that the public are confident that they are safe when they come in to contact with the Police."

Roger Webb, secretary of Dyfed Powys Police Federation, said officers are putting their health at risk as they go about their duties.

He said: "While I clearly understand the need for the most vulnerable people in our communities, frontline health service staff and those working in care homes to be right at the top of the list for the new vaccines, I also believe that police officers should be prioritised too.

"I would urge people to sign this petition so that this issue can be discussed in the Welsh Parliament."

<https://www.countytimes.co.uk/news/18987580.calls-police-included-coronavirus-vaccine-priority-list/>

Extract from BBC Wales Website 5th January 2021

Police officers must be prioritised for the coronavirus vaccine as they "risk their safety" to enforce lockdown rules, a police federation has warned.

Hundreds have been off work with Covid-19, including one whose heavily pregnant wife then became infected.

NHS and careworkers are among those first in line for the vaccines, but police are not on the priority list.

The Welsh Government said it was following guidance to determine priority groups.

Other key workers, including teachers and police officers, are not under the priority category and have to wait to be immunised depending on the age group and risk category they fall into.

Those representing officers in Wales' four police forces said they were repeatedly putting their own safety and that of their loved ones at risk in order to protect the public.

Scores of officers have been spat at and coughed on while on duty, federation officials said.

In North Wales officers were called to break up an incident involving two women who were self isolating on Christmas Day, having to arrest one of them who was waiting for a test result.

Officers 'seriously ill' Mark Jones, of the North Wales Police Federation, said the officers had to decontaminate their uniforms afterwards.

"These officers finish their shifts and have to go home to their loved ones and families, having come into high risk of contracting Covid," he said.

He stressed that a number of officers had also ended up seriously ill in hospital after contracting the virus.

A petition, launched by the father of a South Wales Police officer who contracted Covid-19 while on duty, calls for the Welsh Government to immunise frontline officers.

Graham Bishop said his son passed on the virus to his heavily pregnant wife, who ended up on a Covid ward. He said: "She had to have an emergency caesarean section with the twins born a month early.

"Not only are police at high risk to themselves every day, they also risk their families. Additionally, the loss of policing time is a great strain on the force when officers are off sick with Covid."

Wales has been under the highest level of lockdown - level four - since before Christmas, with people being told to stay home and only go out for essential reasons.

But officers have been breaking up house parties, illegal gatherings and barring visitors trying to visit beauty spots across Wales.

Chief Constable of South Wales Police Jeremy Vaughan said the force was handing out a lot of fines for people blatantly breaching lockdown laws.

In December alone the force issued 500 fixed penalty notices, Mr Vaughan said.

"Every week I'm sending cards and letters to police officers who are getting spat at in the face by people who say that they've got Covid," he told BBC Radio Wales.

"Police officers are putting themselves in harms way."

'Not unfair prioritising'

Roger Webb, secretary of Dyfed Powys Police Federation, said even trying to stop people visiting beauty spots was a risk to officers' safety, let alone dealing with emergencies and volatile situations.

"It is not about unfairly prioritising police officers over everyone else, we understand the need for the most vulnerable and frontline health service staff to be right at the top of the list for the new vaccines," Mr Webb said.

"But the reality is that the police come into contact with every part of society, the good and the bad. "To not prioritise police officers is a mistake made in vain of protecting the public."

<https://www.bbc.co.uk/news/uk-wales-55546072>

Agenda Item 2.7

P-05-1119 Prioritise teachers, school and childcare staff for COVID-19 vaccination

This petition was submitted by Jonathan Môn Hughes having collected a total of 16,288 signatures.

Text of Petition:

Due to many children who contract COVID-19 being asymptomatic, the spread in schools is often unnoticed until a staff member develops symptoms.

NHS staff will be vaccinated as they risk their lives. School and childcare staff are also risking their lives but are not prioritised for a vaccine.

Additional Information:

Since September:

- more than 2,120 members of school staff have tested positive for COVID-19.
- more than 3,030 pupils have tested positive for COVID-19.
- more than 1,570 schools have reported at least one case of coronavirus.

Senedd Constituency and Region

- Ynys Môn
- North Wales

P-05-1119 Prioritise teachers, school and childcare staff for COVID-19 vaccination, Correspondence – Petitioner to Committee, 17.01.21

Dyma wybodaeth i gefnogi fy neiseb:

This is a statement by UNICEF Executive Director Henrietta Fore:

15th December, 2020: “The COVID-19 pandemic has wreaked havoc on children’s education around the globe. Vaccinating teachers is a critical step towards putting it back on track.

“At their peak in late April 2020, nationwide school closures disrupted the learning of almost 90 per cent of students worldwide. While that number has dropped since, there continues to be an unsupported assumption that closing schools may slow the spread of the disease, despite increasing evidence that schools are not a main driver of community transmission. As a result, as cases are skyrocketing in many countries around the world, communities are again closing schools. As of 1 December, classrooms are closed for nearly 1 in 5 schoolchildren globally – or 320 million children.

“UNICEF is calling for teachers to be prioritized to receive the COVID-19 vaccine, once frontline health personnel and high-risk populations are vaccinated. This will help protect teachers from the virus, allow them to teach in person, and ultimately keep schools open.

“While decisions about vaccine allocation ultimately rest with governments, the consequences of extended missed or impaired education are steep, especially for the most marginalized. The longer children remain out of school, the less likely they are to return, and the more difficult it is for their parents to resume work.

“These are difficult decisions that force difficult tradeoffs. But what should not be difficult is the decision to do everything in our power to safeguard the future of the next generation. This begins by safeguarding those responsible for opening that future up for them.”

A statement like this from a lady of such power should instantly change the minds of world leaders. I do hope that the AMs see worth in this petition and this statement, but if not, I hope that Kirsty Williams stands up and fights for the workers of the sector she is responsible for.

I am appalled that Kirsty Williams is not fighting for the education and childcare workforce to be safe in their workplace by being prioritised for a vaccine. There is immense pressure on school and childcare staff at the

moment and the government seem to be fully aware of that, but we still aren't eligible to be prioritised for a vaccine.

I can speak more strongly on behalf of education staff as I myself am a teacher. My current concerns include:

- Having to teach in a new and different way online that many aren't used to
- Having to worry about catching a virus at my workplace that could not only be deadly to me, but to my family members
- Knowing a new curriculum is being rolled out from September 2022 and no postponement of that operation
- Knowing that the Education Minister is [stepping down at the election]
- Being aware that school children are significantly behind regarding where they should be in regards to skills development

There is one concern that can be addressed easily here. It can be resolved by prioritising teachers, school and childcare staff for the COVID-19 vaccination. Once we feel safe in our workplace, we can work on getting children back on track and we can prepare for the new curriculum.

Kirsty Williams thanks school staff in her videos online, but if she really was that grateful for our "hard work and dedication", she would stand up to safeguard the sector she is liable for.

Thank you.

Agenda Item 2.8

P-05-1078 Increase funding for mental health services and improve waiting times for people needing help in crisis. We need a change!

This petition was submitted by Laura Williams having collected a total of 5,159 signatures.

Text of Petition:

Since covid 19 and lockdown people have been stuck inside for months on end, many of these people were suffering before lockdown and during lockdown. I for one suffered myself because of lockdown, and I am concerned about the number of suicides in my area since before lockdown and during. Lockdown has made people's mental health worse and has put mental health services under severe pressure, young children are suffering adults and the elderly are suffering due to lockdown.

Our Welsh Parliament should be taking action on mental health and funding more services people are waiting a long time to be seen or given help. Many local doctors and nurses are not trained in mental health.

The percentage of people reporting mental health problems increased from 23.3% in 2017-2019 to 36.8% in April 2020 (UK Household Longitudinal Study). If this doesn't scream how lockdown is drastically changing the way we live our lives and fights the battles we have to fight on a daily basis, then I'm not sure what will?

Additional Information:

My name is Laura and I suffer with multiple mental health issues; those being ptsd, ocd, depression, anxiety and panic disorder. I created a petition which was also stating the fact that mental health is in dire straits and acquires extra support. The petition was successful and since my last petition I have decided that the best way to make a change was to start with myself. This pushed me to successfully complete my ptsd therapy.

Senedd Constituency and Region

- Cardiff West
- South Wales Central

P-05-1078 Increase funding for mental health services and improve waiting times for people needing help in crisis.

Y Pwyllgor Deisebau | 12 Ionawr 2021
Petitions Committee | 12 January 2021

Reference: RS20/14837

Introduction

Petition number: P-05-1078

Petition title: Increase funding for mental health services and improve waiting times for people needing help in crisis. We need a change!

Text of petition: Since covid 19 and lockdown people have been stuck inside for months on end, many of these people were suffering before lockdown and during lockdown. I for one suffered myself because of lockdown, and I am concerned about the number of suicides in my area since before lockdown and during. Lockdown has made people's mental health worse and has put mental health services under severe pressure, young children are suffering adults and the elderly are suffering due to lockdown.

Our Welsh Parliament should be taking action on mental health and funding more services people are waiting a long time to be seen or given help. Many local doctors and nurses are not trained in mental health.



The percentage of people reporting mental health problems increased from 23.3% in 2017-2019 to 36.8% in April 2020 (UK Household Longitudinal Study). If this doesn't scream how lockdown is drastically changing the way we live our lives and fights the battles we have to fight on a daily basis, then I'm not sure what will?

Background

In a written statement issued by the Minister for Mental Health, Well-being and Welsh Language, following her appointment on 8 October 2020, Eluned Morgan MS explained that **mental health services were classified as an 'essential service'** during the early stages of the coronavirus pandemic and states that people have been able to access mental health services when they've needed them. However, mental health charities such as a Mind Cymru say that access to mental health support has been difficult during the pandemic, with nearly a quarter of people being unable to get the help they need.

In written evidence to the Senedd's Health, Social Care and Sport Committee on 4 November 2020, the Minister for Mental Health, Well-being and Welsh Language identified a number of priority areas for mental health for the next 3 years, including "**Further improvements to crisis and out-of-hours provision** for children, working age and older adults – moving to a common, multiagency offer across Wales including ensuring appropriate support and conveyancing for crisis care".

The Welsh Government updated its Together for Mental Health Delivery Plan 2019-22 in response to the coronavirus pandemic on 9 October 2020.

The Welsh Government's Winter Protection Plan 2020-21, published in September 2020 set out the priorities for health and social care until March 2021, including the need to continue to position mental health as an 'essential service'.

The Minister's written statement sets out Welsh Government investment in mental health services, stating; "We invest around £700m every year in NHS mental health services and protect that investment through the mental health ring-fence".

The Welsh Government published its Draft Budget for 2021/22 on 21 December 2020. The Draft Budget document sets out how the Welsh Government intends to invest in mental health and well-being (see page 28). It states that "**protecting**

mental health services in 2021-22 remains a priority". The Welsh Government states in its Draft Budget document that;

Recognising the impact that the pandemic has had on many people's mental health and wellbeing, we are allocating an additional £20m within Health and Social Services to increase support across a range of areas. We will raise our commitment under A Healthier Wales for the Mental Health Service Improvement Fund through doubling our funding from £7m to £14m, and providing increased support for frontline non-clinical services, all age crisis support and memory assessment services.

It goes on to say;

Taken together with the increase in the NHS Mental Health ring fence for pay and inflation, this translates to more than £42m of additional investment supporting mental health services in 2021-22. Further investment in mental health can be seen across government, in line with our approach to prevention and protection of mental health and well-being, including employment support, debt advice, housing support, sports and access to green spaces, as set out in Together for Mental Health Delivery Plan.

Two Senedd Committees – the Health, Social Care and Sport Committee and the Children, Young People and Education Committee will be scrutinising the Minister for Mental Health, Well-being and the Welsh Language on the Welsh Government's Draft Budget for 2021-22 in relation to mental health and well-being in January 2020.

Welsh Parliament action

The Senedd's Health, Social Care and Sport Committee published its report 'Inquiry into the impact of the Covid-19 outbreak, and its management, on health and social care in Wales: Report 2 – Impact on mental health and wellbeing' on 17 December 2020. The report contains 15 recommendations for improving mental health and well-being support for people in Wales.

The Children, Young People and Education Committee published its report 'Mind over matter: Two years on' on 9 October 2020. The report calls on the Welsh Government to do more to support children and young people with mental health needs. Senedd Research published a blog 'mental health, young people

and the pandemic' ahead of a **Plenary debate** on the report on 11 December 2020.

The Welsh Youth Parliament also published its report '**Let's Talk About Mental Health**' on 9 October 2020.

In October 2019, the Health, Social Care and Sport Committee published a report on mental health crisis care, '**Mental health in policing and police custody**' which the Welsh Government **responded to** on 10 December 2019.

Welsh Government response

The Welsh Government has not yet provided a response on this Petition.

Every effort is made to ensure that the information contained in this briefing is correct at the time of publication. Readers should be aware that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.

P-05-1078 Increase funding for mental health services and improve waiting times for people needing help in crisis. We need a change!, Correspondence – Petitioner to Committee, 12.01.21

I have received an email to write about any comments I would like to add a few things towards my petition,

So since the first lockdown there has been a 50% increase in mental health as we are all aware there is a pandemic which is effecting a lot of things, I have recently since every lockdown since a massive increase in lockdown, in my area alone there has been about 30 suicides because of lockdowns.

I know we have to be put into lockdowns due to coronavirus but these lockdowns are not helping peoples mental health what so ever instead it's having the reverse effect and people who are not coping with lockdown are asking for help and being let down resulting in suicide.

I have seen a few stories and one in particular which caught my attention was a lady presented herself to a&e due to mental health and was turned away which resulted in her committing suicide on a bridge near the hospital, now this situation could of been a better outcome if she wasn't turned away from the hospital, a&e in uhw has no in mental health team which I've experienced this myself.

I presented myself to a&e regarding chest pains and because I was suffering disassociation as well when I went too have my blood pressure done in a side room in a&e I asked "is there anyone I can talk to regarding my mental health" which I got a reply of "there's no one here to talk to you about mental health we don't have them services up here" when I spoke to another nurse she said they don't have an in a&e mental health team they have to get a mental health team from outside the hospital to come in and see that said patient but because I wasn't presenting in a bad way they didn't do anything when I was discharged I was then asked after being discharged will I be going home and I'm not feeling suicidal which I replied with no I'm not and I will be going home, I then made a complaint with health board regarding this appalling experience I had and they suggested they would get someone from mental health services within uwh to contact me to discuss about mental health in a&e haven't received a phone call or anything else from the Health board either. Lockdown has effected a lot of people and I find services are appalling and are letting a lot of people down, everything is now online or filling out forms online just to see a doctor instead of ringing this causes delays in people receiving help.

Not everyone has access to internet so can't virtually have appointments or arrange appointments which then makes them feel isolated.

A lot of people are feeling isolated and peoples mental health is being effected more and more due to lockdown.

A change needs to happen within mental health services, we need more crisis teams uo and running instead of going through 247 cav as I find cav isn't as helpful as crisis teams would

be, we need more services open and we need more mental health building opening to cover a bigger range of places as I find more and more services are being underfunded or closed down.

A change is needed whether big or small, something needs to be done mental health has been under funded for years and there's people like me who has been let down in the past and hasn't had much confidence in these services due to the government cutting funding. It's time the Welsh government made a difference and helped people all across wales to better access these services and get the right amount of support and help they need.

Agenda Item 2.9

P-05-1079 Safeguard Kenfig Nature Reserve using compulsory purchase powers

This petition was submitted by Steven Preddy having collected a total of 8,435 signatures.

Text of Petition:

One of the finest nature reserves in Wales is under threat.

The internationally important sand-dune habitats at Kenfig need to be managed, otherwise they will lose their exceptional value. Bridgend council carried out this work for many years but has had to withdraw due to financial pressures.

The site's owner, a secretive and unaccountable body called the Kenfig Corporation, has not been prepared to agree any future plans. Compulsory purchase may be the only option left.

Additional Information:

Kenfig's sand-dunes are recognised as a Special Area of Conservation, Europe's highest nature conservation designation.

The Kenfig Corporation has charitable status and so is required by law to take decisions in the public interest. Natural Resources Wales, the country's public nature conservation agency, has been trying to negotiate with the corporation to secure the site's future but these discussions have reached an impasse. The corporation has not been willing to agree to any of the proposed options, for reasons that are unclear. It is time for the decision to be taken out of their hands.

In exceptional cases, where there is a clear public interest, the Welsh Government has the power to undertake compulsory purchase to protect a site like Kenfig. Compulsory purchase need not be costly: the site has no commercial value and so there is no reason why the Kenfig Corporation could not sell it to the Welsh Government for a nominal sum.

Senedd Constituency and Region

- Newport East
- South Wales East

P-05-1079 Safeguard Kenfig Nature Reserve using compulsory purchase powers

Y Pwyllgor Deisebau | 26 Ionawr 2021
Petitions Committee | 26 January 2021

Reference: RS20/14837-3

Petition Number: P-05-1079

Petition title: Safeguard Kenfig Nature Reserve using compulsory purchase powers

Text of petition:

One of the finest nature reserves in Wales is under threat.

The internationally important sand-dune habitats at Kenfig need to be managed, otherwise they will lose their exceptional value. Bridgend council carried out this work for many years but has had to withdraw due to financial pressures.

The site's owner, a secretive and unaccountable body called the Kenfig Corporation, has not been prepared to agree any future plans. Compulsory purchase may be the only option left.

Kenfig's sand-dunes are recognised as a Special Area of Conservation, Europe's highest nature conservation designation.



The Kenfig Corporation has charitable status and so is required by law to take decisions in the public interest. Natural Resources Wales, the country's public nature conservation agency, has been trying to negotiate with the corporation to secure the site's future but these discussions have reached an impasse. The corporation has not been willing to agree to any of the proposed options, for reasons that are unclear. It is time for the decision to be taken out of their hands.

In exceptional cases, where there is a clear public interest, the Welsh Government has the power to undertake compulsory purchase to protect a site like Kenfig. Compulsory purchase need not be costly: the site has no commercial value and so there is no reason why the Kenfig Corporation could not sell it to the Welsh Government for a nominal sum.

1. Background

Kenfig Nature Reserve is a designated Site of Special Scientific Interest (SSSI). Natural Resources Wales (NRW) states that SSSIs are "the most important sites for Wales' natural heritage".

The sand dunes located on the site are also designated as a Special Area of Conservation (SAC).

Bridgend County Borough Council's website highlights that:

...the area is managed to ensure the dunes aren't overcome by dense grassland and scrub woodland losing important and diverse wildlife.

It also states that the site is no longer managed by the Council, and is instead managed by Kenfig Corporation Trust (the Trust), which owns the land.

The petitioners argue that the Trust has not been forthcoming in its plans for the future management of the site and are calling for the Welsh Government to compulsorily purchase the land.

Site management

NRW publishes information concerning **the responsibilities of owners and occupiers of SSSIs**.

Each SSSI has a site management statement which sets out why a site is special and how it should be managed. The **site management statement** (PDF, 24KB) for Kenfig Nature Reserve was published in 2003 by the then Countryside Council for Wales. This sets out an “opinion of the way in which the SSSI should be managed in order to maintain its special interest”.

An **statement published on the Trust’s website** says that the Trust and NRW had been in “in negotiations about the potential of NRW taking on the long-term lease” of the site, however both parties agreed this could not proceed.

On 24 October 2020 the Trust **published a statement** outlining that:

To support the delivery of conservation work required at the reserve Kenfig Corporation Trust have decided to employ the services of a specialist who can manage the reserve with NRW providing help and support in recruiting the right candidate to the post.

NRW will work with the Trust to have a management agreement in place that will direct the working practices to support the rich variety of wildlife at Kenfig Nature Reserve.

At the time of preparing this briefing a **job advert** for a warden for the site was live.

Compulsory Purchase Orders

A Compulsory Purchase Order (CPO) allows certain bodies, ‘the acquiring authority’, which need to obtain land or property, to do so without the consent of the owner. The acquiring authority must be able to demonstrate that taking the land is necessary and that there is a ‘compelling case in the public interest’. The acquiring authority does not have the powers to compulsorily acquire land until the ‘confirming authority’ approves the CPO. In Wales the confirming authority is the Welsh Government.

Compulsory purchase powers exist in many different pieces of legislation and are often specialised to the purpose for which an authority is seeking to acquire land. NRW has certain CPO powers, as does the Welsh Government. The Welsh Government has recently updated its **guidance on CPOs** (PDF, 2MB) which includes a table (page 24) showing the various powers bodies such as NRW hold.

The Research Service has produced a quick guide which provides more background on the CPO process.

2. Welsh Government action

In her letter to the Chair, dated 23 December 2020, the Minister for Environment, Energy and Rural Affairs, Lesley Griffiths MS, provides more information regarding the issues of land management at the site. The Minister states that:

The greatest risk for degradation to this site is likely to be inappropriate (over or under) grazing, therefore the management of the site is intrinsically linked to the control of the grazing rights.

The letter highlights that a resolution between the Trust and NRW over the grazing rights could not be found, and is the reason why a lease between the parties could not be agreed.

However, as per the statement made by the Trust outlined earlier in this brief, NRW will help the Trust appoint a warden and then issue an annual management agreement to the Trust to undertake specific management activities in return for payment.

The Minister states that the Welsh Government

... can be reasonably confident that by the New Year we will have a solution in place negating the need to consider the compulsory purchase of the site.

3. Welsh Parliament action

In October 2020, Dai Lloyd MS tabled a written question asking what action the Welsh Government was taking to ensure the nature reserve is managed. The Minister's response highlighted that discussions were ongoing between the Trust and NRW. The response also suggested that Welsh Government funded projects taking place at Kenfig would help ensure its National Nature Reserve status is maintained.

Also in October 2020, Suzy Davies MS tabled a written question asking whether the Welsh Government "has powers to compel landowners to preserve significant national landscapes and engage with the relevant authorities". The Minister responded saying that:

... although the Welsh Government does not have direct powers to compel landowners to preserve such landscapes it does, through NRW, have powers with regard to the enforcement of the UK and EU designations afforded to the site.

Every effort is made to ensure that the information contained in this briefing is correct at the time of publication. Readers should be aware that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.



Eich cyf/Your ref P-05-1079
Ein cyf/Our ref LG/02826/20

Janet Finch-Saunders MS
Chair of the Petitions Committee

23rd December 2020

Dear Janet,

Thank you for your letter of 27 November 2020 regarding the petition to safeguard Kenfig Nature Reserve using compulsory purchase powers.

Unfortunately, Natural Resources Wales (NRW) were not able to come to an agreement with the Kenfig Corporation Trust (KCT) on a long term lease as resolution could not be found over the grazing rights. The grazing rights are part of the Trusts constitution and potentially have significant monetary value, and they were not willing to move their position on this. This meant that the Trust retained exclusive rights on the appointment of any grazier as well as retaining rights to exercise the rights themselves. NRW would therefore not have had control over a crucial aspect of the required management of the site. The greatest risk for degradation to this site is likely to be inappropriate (over or under) grazing, therefore the management of the site is intrinsically linked to the control of the grazing rights.

Following further discussion between both parties KCT have decided to manage the site itself with the support of NRW and NRW recently issued the following statement via social media: :

"A meeting was recently held at Kenfig National Nature Reserve between Natural Resources Wales and Kenfig Corporation Trust to discuss what arrangements need to be in place to ensure the special features at Kenfig National Nature Reserve are protected."

To support the delivery of conservation work required at the reserve Kenfig Corporation Trust have decided to employ the services of a specialist who can manage the reserve, with Natural Resources Wales providing help and support in recruiting the right candidate to the post.

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

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

Gohebiaeth.Lesley.Griffiths@llyw.cymru
Correspondence.Lesley.Griffiths@gov.wales

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

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

Natural Resources Wales will work with the Trust to have a management agreement in place that will direct the working practices to support the rich variety of wildlife at Kenfig Nature Reserve."

As the owners of the site, KCT are entitled to manage it themselves and the current position suggests they are willing to do so under an agreement with NRW that secures the outcomes needed. Essentially NRW will help KCT appoint a warden and then issue an annual management agreement to KCT to undertake specific management activities in return for payment.

Whilst there is still some negotiation to go, and the details remain commercially confidential, at present we can be reasonably confident that by the New Year we will have a solution in place negating the need to consider the compulsory purchase of the site.

Yours sincerely,



Lesley Griffiths AS/MS

Gweinidog yr Amgylchedd, Ynni a Materion Gwledig
Minister for Environment, Energy and Rural Affairs

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

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

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

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

To the Senedd Petitions Committee

Thank you for scheduling a discussion at your forthcoming meeting on the petition to safeguard Kenfig Nature Reserve. This letter provides some additional background information and proposes a way forward that will address the issues raised by the petition.

Kenfig National Nature Reserve

The reserve is part of a wider estate under the custodianship of the Kenfig Corporation Trust (KCT), a private corporation registered with the Charities Commission. The committee has received several petitions over the years asking it to intervene to protect threatened sites, and petitioners will naturally wish to talk up the importance of those sites. With Kenfig we don't need to: it is in the top flight of nature reserves in Wales and its international importance for biodiversity is reflected in the number of conservation designations it has.

The nature of the habitats at Kenfig means that they require ongoing management to prevent the rare species they support from declining and disappearing, as has happened at other South Wales dune systems. The high level of recreational use of the site brings additional pressures. Bridgend council managed the reserve very successfully over many years, but the site is now in a state of limbo; even after protracted discussions between KCT and conservation bodies, no suitable arrangement for the future management of the site is yet in place.

The petition

The petition was conceived by a group of naturalists in south Wales. The co-ordinating group for the petition includes people working in nature conservation in professional and voluntary capacities. The petition has gained over 8,000 signatures, including over 5,000 from Wales. A large number of signatures are from the immediate environs of Kenfig, but all Welsh constituencies are represented. The international importance of Kenfig is reflected in the large number of signatures from other countries. The petition was still attracting over a hundred signatures a day with over three months to go until its end date, and so we are confident that it would have reached the new threshold of 10,000 signatures, which was introduced part-way through the signing period, but we agreed to close the petition early to allow the committee to consider it now rather than allowing it to run for the full six months.

Compulsory Purchase

The Welsh government has the powers to make a compulsory purchase order for a site such as this, given its strategic importance for nature conservation and the threats that it is facing. Although some local residents believe that the land cannot be sold, there are no legal restrictions which would prevent this. The low commercial value of the site means that this solution need not be cost-prohibitive.

Attempts to reach a settlement with Kenfig Corporation Trust

Discussions have been underway for several years with Kenfig Corporation Trust to reach an agreement on how the site should be managed. Several options have been considered, including the involvement of the Wildlife Trusts and the RSPB, but all of these options were ruled out by KCT.

The latest proposal, that KCT itself manages the site, is of concern. KCT is a small village charity, run by voluntary trustees, with no skills or expertise in managing internationally important nature conservation sites, or with the many other complex logistical issues associated with managing a site of this nature. Although a job advertisement for a reserve manager has been issued, the proposed salary for this is well below that for comparable roles with similar responsibilities, and this poses the risk that no suitable candidates will apply, which could lead to Natural Resources Wales having to provide a considerable level of ongoing support. There will also be significant non-staff costs (e.g. for premises and equipment) which KCT may not have budgeted for.

In addition, during the period that this petition has been open, a number of individuals, including both those supportive of the petition and those who did not feel able to support it, raised concerns with us about the culture of KCT.

This letter is not the place to go into detail about those, but these concerns have prompted a group of local residents (unconnected with the petition) to make a formal request to the Charities Commission to undertake an investigation into the activities of the trust. As a petition co-ordinating group, we do not have any direct knowledge of the issues raised, but we feel the committee should be aware of this situation: the Charities Commission has a number of sanctions available to it, and some of these could have a significant impact on the ability of KCT to meet the commitments associated with any agreement it might reach for the management of the site.

While an agreement between KCT and Natural Resources Wales to manage the site should not automatically be ruled out as a solution, there are a number of issues which need to be resolved before we can have confidence in any proposal. Crucially, there is no such agreement yet, merely the intention to create one. And an agreement on paper will not be enough; there will need to be a high level of confidence in KCT's ability to deliver on the agreement such that the site will not become threatened again in a few years' time.

What we would like to happen next

At this stage, we would like to propose to the committee that the following approach is taken:

- i) the committee keeps open the option of a debate on compulsory purchase, pending further information from the Welsh government on the position of the discussions with KCT, and
- ii) the committee requests that the Welsh government (or Natural Resources Wales) engages directly with the petition co-ordinating group with the aim of agreeing how the suitability of any proposed agreement with KCT should be evaluated.

Steven Preddy, on behalf of the Kenfig Campaign Co-ordinating Group

21 January 2021

Agenda Item 2.10

P-05-1083 Protect leaseholders in Wales from paying for cladding remedial works

This petition was submitted by Carl Tubbs having collected a total of 133 signatures.

Text of Petition:

Thousands of flat leaseholders in Wales are facing huge bills to pay for cladding remedial work, after the Government ruled that all flat buildings, regardless of height, need an EWS1 form to confirm that not only is there no ACM cladding (like Grenfell) but also no 'combustible material', regardless of whether the buildings had previously passed regulations.

The costs should be covered by the Government and councils as many leaseholders can't afford to pay for these repairs.

Additional Information:

Leaseholders shouldn't be the ones having to pay for these repairs, as they were up to the correct standard before the Government's new ruling in January 2020. We cannot sell our flats, or remortgage, until the work is complete, as mortgage lenders are providing a NIL value as our homes are now viewed as 'unsafe'.

In England, the Building Safety Fund is being utilised to help the repairs for buildings over 18m, the Welsh Government are using this money for COVID-19 instead. The fund should be used for its correct purpose in Wales and for all flat buildings – as the new regulations aren't just for buildings over 18m. While the Pandemic is important, leaseholders need to be safe in the homes.

<https://www.gov.uk/government/news/new-1-billion-building-safety-fund-to-remove-dangerous-cladding-from-high-rise-buildings>

<https://medium.com/never-fear/the-grenfell-fire-that-continues-to-burn-7325ca87788c>

<https://www.walesonline.co.uk/news/politics/cardiff-bay-flats-victoria-wharf-18935612>

Senedd Constituency and Region

- Cardiff South and Penarth
- South Wales Central

Petition: Protect leaseholders in Wales from paying for cladding remedial works

Y Pwyllgor Deisebau | 26 Ionawr 2020
Petitions Committee | 26 January 2020

Reference: RS20/14886-1

Petition Number: P-05-1083

Petition title: Protect leaseholders in Wales from paying for cladding remedial works

Text of petition:

Thousands of flat leaseholders in Wales are facing huge bills to pay for cladding remedial work and an EWS1 form to confirm that not only is there no ACM cladding (like Grenfell) but also no 'combustible material', regardless of whether the buildings had previously passed regulations.

The costs should be covered by the Government and councils as many leaseholders can't afford to pay for these repairs.

Leaseholders shouldn't be the ones having to pay for these repairs, as they were up to the correct standard before the UK Government's new advice in January 2020. We cannot sell our flats, or remortgage, until the work is complete, as mortgage lenders are providing a NIL value as our homes are now viewed as 'unsafe'.

In England, the Building Safety Fund is being utilised to help the repairs for buildings over 18m, the Welsh Government are using this money for COVID-19



instead. Welsh Government money should be used for the same purpose in Wales and for all flat buildings - as the new advice isn't just for buildings over 18m. While the Pandemic is important, leaseholders need to be safe in their homes.

<https://www.gov.uk/government/news/new-1-billion-building-safety-fund-to-remove-dangerous-cladding-from-high-rise-buildings>

<https://medium.com/never-fear/the-grenfell-fire-that-continues-to-burn-7325ca87788c>

<https://www.walesonline.co.uk/news/politics/cardiff-bay-flats-victoria-wharf-18935612>

1. Background

Following the fire at Grenfell Tower, governments across the UK have taken steps to address fire safety. While the focus was initially on cladding and high rise residential developments, the scope of this work has widened significantly.

This petition focuses specifically on cladding, the ESW1 form and costs to leaseholders. The EWS1 (External Wall Systems 1) form is not a statutory requirement. It was designed by stakeholders (including lenders) led by the Royal Institution of Chartered Surveyors. The RICS [website](#) notes that the form was developed “...following [UK] Government advice regarding external wall systems on buildings above 18m and was created to ensure buildings over 18m tall could be assessed for safety to allow lenders to offer mortgages” Further information is available on the RICS [website](#).

The Welsh Government notes the use of the ESW1 form in a letter to the Chair:

Whilst the EWS1 form is not currently part of any legislative requirement, it is being used by lenders to obtain assurance when lending against

high rise residential buildings. We are aware that there are a number of problems with this process.

The letter also provides some detail of funding arrangements in England.

2. Welsh Government action

The *Building (Amendment) (Wales) Regulations 2019* amend the *Building Regulations 2010* and took effect on 29 January 2020. They prohibit the use of combustible materials in the external walls of certain buildings over 18m in height.

In June 2020, the Welsh Government published its *position statement* on building safety. That set out the Welsh Government's plan to reform regulations and address fire safety in high rise buildings.

In a *letter* to the Senedd's Equality, Local Government and Communities Committee dated 27 November 2020, the Minister for Housing and Local Government noted:

I have repeatedly made clear that building owners and developers should face up to their responsibilities and put right these faults at their own cost, or risk their professional reputation.

In the same letter, the Minister also referred to an *open letter* that she wrote to developers on 23 October 2020. In the letter, the Minister noted:

I do not believe that responsibility for remedying these issues should lie with the residents of these buildings. People purchased their properties in good faith, believing they met all relevant safety standards. They are now being put in a position where they face significant financial costs to put right faults that should never have occurred.

Some developers have already demonstrated that they can do the right thing. Steps have already been taken, and are ongoing, to remediate non-compliant ACM cladding. However, I am disappointed that in some of these buildings further defects beyond the cladding have been identified and these issues are being left to the residents to resolve. I believe that where developers have clearly failed to build to required standards, they should step up to their responsibility and put these faults right. Without excuse, and without delay.

The Minister invited developers to set out their approach to engaging with residents of affected buildings.

The Welsh Government outlined difficulties faced by leaseholders in written evidence to the Senedd's Equality, Local Government and Communities Committee as part of its scrutiny of the draft budget on 21 January 2021:

Under existing leasehold contracts it is most likely that, in the eyes of the law, the leaseholder is duty-bound to fund remediation. But without financial support remediation is unlikely to happen at pace as the financial burden would be significant for leaseholders potentially resulting in bankruptcy, or significant financial hardship, for many. Working estimates indicate a cost to leaseholders of between £12k and £79k depending on the severity of defects. The problem is compounded by related issues regarding mortgages and insurance preventing borrowing against properties with identified cladding issues, leaving people feeling trapped in their own homes.

In the Welsh Government's draft budget for 2021-22, £32million capital is allocated to help address building safety concerns. The draft Budget says 'this investment will provide a solid foundation through remediating building defects, and supporting the installation of sprinklers and evacuation alert systems in a number of affected high rise buildings'. The draft budget narrative document also says:

We remain clearly of the view that individual leaseholders should not have to pay for defects and deficiencies in build quality where there is a clear failure to build to standards, and we will continue to press developers to meet their moral obligations and remediate these buildings.

However, where it is right for government to provide support to ensure the safety of people's homes we are committed to doing so, and doing so now. We recognise the significant mental health concerns and potential for people living in these properties to require additional financial and wider support. Therefore, building on the £10.6m that we have provided in this current financial year, in 2021-22 we are making available £32m (£20m general capital and £12m financial transactions capital) to help address building safety concerns. Given the scale of this issue, this investment will provide a solid foundation through remediating building defects, and supporting the installation of

sprinklers and evacuation alert systems in a number of affected high rise buildings.

The Welsh Government launched a building safety White Paper, *Safer buildings in Wales*, on 12 January 2021. The consultation will be open for 12 weeks.

3. Welsh Parliament action

The Senedd agreed a Legislative Consent Motion in relation to the UK Government's *Fire Safety Bill* on 6 October 2020. The provisions for which consent was sought include clarification that the *Regulatory Reform (Fire Safety) Order 2005* applies to the building's structure and external walls, as well as any common parts and also to the doors between domestic premises and common parts.

The Senedd's Equality, Local Government and Communities Committee has scrutinised the response of the Welsh Government to fire safety in high rise residential blocks since the fire at Grenfell Tower. It published **two reports** and has continued to correspond with the Welsh Government on this issue.

The Equality, Local Government and Communities Committee's **forward work programme** indicates it intends to look at matters relating to building safety in the spring term of 2021.

Every effort is made to ensure that the information contained in this briefing is correct at the time of publication. Readers should be aware that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.



Eich cyf/Your ref
Ein cyf/Our ref JJ/03050/20

Janet Finch-Saunders MS
Chair, Petitions Committee
Ty Hywel
Cardiff Bay
Cardiff
CF99 1NA
petitions@senedd.wales

8 January 2021

Dear Janet,

Thank you for your letter of 27 November regarding the petition from Carl Tubbs.

This is a very important issue and I have engaged in a number of meetings with residents of buildings with safety defects. I have also received a large volume of correspondence where residents share the financial and emotional impact this is having on them. I strongly believe people should feel safe in their homes and that is why my officials have been working with partners, including local authorities and the Fire and Rescue Services, to ensure immediate fire protections are in place. I know that this does not solve this hugely complex issue and Welsh Government is committed to finding a way forward that is right for people living in Wales.

I have repeatedly made clear that building owners and developers should face up to their responsibilities and put right these faults at their own cost, or risk their professional reputation. Welsh Government has taken a clear stance that it does not believe leaseholders should have to pay to rectify issues that constitute failure to build to appropriate quality standards or where matters are in breach of building regulations; neither does Welsh Government think it is right that the Welsh taxpayer should do so.

The UK Government announced funding for the removal of unsafe cladding from residential buildings taller than 18 metres and has established two grant schemes in relation to Building Safety. The grant for ACM cladding was announced in July 2019. The fund will meet the capital costs of removing and replacing unsafe non-compliant ACM cladding systems on high-rise residential buildings. 456 buildings were identified in England with this type of cladding. A total of £600m was set aside for this fund (£200m for the private sector and £400m for the public sector).

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

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

The National Audit Office (NAO) recently reported that as at the end of April 2020, the Government had paid out £1.4m to the private sector and £133m to the public sector.¹ No consequential funding was provided to the Welsh Government.

The second fund is for the remediation of non-ACM cladding and was announced in March 2020. A total of £1bn has been set aside for this fund. As at 17 December 2020 there have been 2820 total registrations to the fund, of which 294 proceeded to an application for funding.² Whilst the Welsh Government received some consequential funding from this fund, at that time Welsh Ministers were taking very difficult decisions about how money would be spent in Wales in the face of the coronavirus pandemic.³ We remain committed to financial support to help fund remediation in a way that is fair to leaseholders and tax payers.

I am now in a position to consider how any funding might work and which defects funding could cover and I have recently issued a statement detailing the current position on funding and setting out next steps <https://gov.wales/written-statement-building-safety-funding-wales>.

This is a complex matter and it is this complexity that is dictating the pace of driving this work forward; it is not a reflection of any lack of commitment to supporting those affected.

With regard to the stated nil valuations in the background of the petition, this is referring to the EWS1 process and issues that have arisen with it. The EWS1 form is not a Welsh Government regulation but was designed following UK Government advice regarding external wall systems to ensure buildings over 18m tall could be assessed for safety to allow lenders to offer mortgages. The process is designed to raise awareness of safety-critical elements to a high-rise building and not to create a system where it is difficult to sell, buy, or move.

Whilst the EWS1 form is not currently part of any legislative requirement, it is being used by lenders to obtain assurance when lending against high rise residential buildings. We are aware that there are a number of problems with this process. This is primarily about providing information and assurance to financial bodies to inform lending decisions, and as such requires UK Government to lead on addressing these issues. There have been some recent developments which aim to address some of these problems.

The UK Government has confirmed that owners of flats in buildings without cladding do not need a EWS1 form to sell or re-mortgage their property. The Royal Institution of Chartered Surveyors (RICS) is working with lenders, valuers and fire safety bodies to develop new advice for surveyors to encourage a more proportionate approach to assessing buildings and to ensure that any additional investigations are focused on the most at risk buildings.

In addition to this, there is funding being provided to train more assessors to address capacity issues so that there are more qualified assessors available for buildings where a EWS1 form is required.

Whilst these are positive steps, we are aware that some issues with the process remain and we continue to engage with the UK Government and the other devolved administrations to ensure the issues affecting Wales are understood and addressed.

¹ <https://www.nao.org.uk/wp-content/uploads/2020/06/Investigation-into-remediating-dangerous-cladding-on-high-rise-buildings.pdf>

²

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/945445/BSF_Data_Release_171220_Final.pdf

³ Welsh Government received consequential funding amounting to £58.873m in capital and £1.177m in revenue. Money received as consequential from the UK Budget is not ring fenced to be spent for the same purpose in Wales. Once the consequential is received it is for Welsh Ministers to decide how the money is spent.

There is further information on the EWS process via the following links on the RICS website:

<https://www.rics.org/uk/news-insight/latest-news/fire-safety/new-industry-wide-process-agreed-for-valuation-of-high-rise-buildings/>

Cladding Q&A - <https://www.rics.org/uk/news-insight/latest-news/fire-safety/cladding-qa/>

In terms of work we are engaged in the longer term to improve protections for leaseholders, from a building safety perspective, we are engaged in a major programme of work to significantly reform our approach to building safety in order to prevent problems such as these occurring in the future. We published a Position Statement in the summer setting out proposals for a new building safety regime that puts the safety and wellbeing of residents at its heart to ensure people feel safe in their homes. We will share our vision for the proposed new regime in a White Paper on 12 January. In the interim, we continue to work with our partners, stakeholders and, crucially, residents with lived experience, to ensure their perspectives inform this important work as it progresses.

Beyond building safety, I am also committed to making leasehold fairer. Officials have been collecting evidence of the issues and options for change, which includes the [report from the independent Task and Finish group for Residential Leasehold Reform](#), as well as research into the issues in relation to leasehold in Wales, which is due for publication later this term. Alongside the [Law Commission's reports on leasehold reform](#), this will give us a strong evidence base from which to consider what changes are required.

The response to the Covid-19 pandemic, and dealing with EU Exit mean that it is not possible to bring forward legislation to enact the recommendations of the Law Commission reports during this Assembly term. I am able to set out the direction of travel I would like to take to tackle these issues, including using legislative measures available, and intend to do so shortly.

I hope this information provides you and committee members with a useful overview of the significant efforts we are dedicating to resolving these matters.

Yours sincerely,



Julie James AS/MS

Y Gweinidog Tai a Llywodraeth Leol
Minister for Housing and Local Government

P-05-1088 Trigger by-election for members wishing to change party affiliation

This petition was submitted by Bleddyn Rhys Williams having collected a total of 372 signatures.

Text of Petition:

In the most recent term of the Senedd, a large number of MSs have changed their political affiliation. This is an undemocratic way for members to further their own political careers, against the parties they were elected to represent. When any member wishes to change their political affiliation, this should be taken to the people of their constituency. This isn't democracy, and can lead to dangerous ideas/parties being introduced to the Senedd.

Senedd Constituency and Region

- Vale of Clwyd
- North Wales

P05-1088: Trigger by-election for Members wishing to change party affiliation

Y Pwyllgor Deisebau | 26 Ionawr 2021
Petitions Committee | 26 January 2020

Reference: RS20/14886

Petition Number: P-05-1088

Petition title: Trigger by-election for Members wishing to change party affiliation

Text of petition: In the most recent term of the Senedd, a large number of MSs have changed their political affiliation. This is an undemocratic way for members to further their own political careers, against the parties they were elected to represent. When any member wishes to change their political affiliation, this should be taken to the people of their constituency. This isn't democracy, and can lead to dangerous ideas/parties being introduced to the Senedd.

1. Background

The Government of Wales Act 2006, as amended by the Wales Act 2017, gives the Senedd power to make provisions about Senedd and local government elections. The Senedd's Standing Orders make provision about political groups. Changes to the Government of Wales Act would require primary legislation, while changes to Standing Orders would require two-thirds of Members voting to vote in favour.



1.1. Political groups

Section 24(5) of the Government of Wales Act 2006 requires the Senedd to make provision in Standing Orders for the determination of whether any Member belongs to a political group, and if so, to which political group.

Standing Orders set out that:

1.3 For the purposes of the Act, a political group is:

- (i) a group of Members belonging to the same registered political party having at least three Members in the Senedd; or
- (ii) three or more Members who, not being members of a registered political party included in Standing Order 1.3(i), have notified the Presiding Officer of their wish to be regarded as a political group.

1.4 The Presiding Officer must decide any question as to whether any Member belongs to a political group or as to which political group he or she belongs.

Members who are not in political groups may form political groupings for the purpose of Business Committee (SO11.3).

1.2. Disqualification

Section 16 and schedule 1A of the Government of Wales Act set out rules for when a person is disqualified from being a Member of the Senedd. This includes being under 18, not meeting citizenship requirements, or being sentenced to imprisonment. It does not include changes of political affiliation.

If a Member of the Senedd is disqualified, that person ceases to be a Member and their seat becomes vacant (section 18). For constituency vacancies, by-elections are held (section 10). If a Member of the Senedd vacating a regional list seat was elected from a party list, the Member who fills the seat must be from that list (section 11).

2. Welsh Parliament action

Since 1999, a number of Members have voluntarily changed their membership of political parties, groups or both. Up to the end of the fourth Senedd, three

Members changed their group or party. During the course of the fifth Senedd to date, ten Members have changed group or party, some more than once.

2.1. Senedd Commission

The Llywydd responded to this petition on 8 January. She confirmed that the Senedd Commission does not have a formal position on this matter and that any new legislation would be for the Senedd to consider.

2.2. Business Committee

On 20 May 2019, Mick Antoniw MS wrote to the Llywydd on behalf of a group of Members, proposing to amend Standing Orders to provide that any regional Member would only be able to be a formal member of the political group in the name of the party to which they were elected.

On 4 June 2019, Business Committee decided not to take forward the proposed change, but to review the relevant Standing Orders in time for the Sixth Senedd. Business Managers noted concerns about the ‘unprecedented fluidity of group membership.’

Business Committee considered the issue further on 8 December 2020 and agreed to seek views from their political groups.

2.3. Petitions Committee

On 9 July 2019, the Petitions Committee considered a petition to ‘stop regional AMs elected to represent specific parties from defecting’ (P-05-887). The petition proposed that if a Member elected from the regional list decided to change their political affiliation, the next candidate from the list should replace them. It proposed that the Senedd and Elections (Wales) Bill should be amended to this effect. The petition gathered 1301 signatures.

In a letter to the Chair of the Petitions Committee on 13 June 2019, the Llywydd confirmed the Commission did not plan to amend the Bill to this effect. The Committee closed the petition on 25 February 2020.

3. UK and international practice

3.1. UK

Members of the House of Commons cannot be disqualified in the same way as Members of the Senedd. However, under the Recall of MPs Act 2015, the Speaker can give notice to the returning officer for a constituency to open a recall petition for an MP if they have been:

- sentenced to imprisonment;
- suspended after a Standards Committee report; or
- convicted of providing false information in support of an expenses claim.

For a petition to succeed, it must be signed by 10% of registered voters in the constituency.

In 2020, Anthony Mangnall MP (Conservative) introduced the Recall of MPs (Change of Party Affiliation) Bill 2019-21. This aims 'to enable the recall of Members of the House of Commons who voluntarily change their political party affiliation'. The Bill was proposed under the 'ten-minute rule' for Private Members' Bills.

3.2. International

Some countries impose penalties on elected representatives who change party, including disqualification. Notably:

- In **New Zealand**, the Electoral (Integrity) Amendment Act 2018 provides for a Member to vacate their seat if they choose to give notice to the Speaker that they are leaving the party for which they were elected. It also allows a vacancy to be created if the party leader gives notice that they believe the Member's actions have distorted the proportionality of party representation determined at the previous election.
- The tenth schedule to the Indian Constitution (1985) provides that a Member of Parliament or a state legislature is disqualified if they have voluntarily given up membership of their party.

Every effort is made to ensure that the information contained in this briefing is correct at the time of publication. Readers should be aware that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.

Janet Finch-Saunders MS
Chair
Petitions Committee
Welsh Parliament
Cardiff Bay
CF99 1SN

8 January 2021

Dear Chair,

Petition P-05-1088 Trigger by-election for Members wishing to change party affiliation

Thank you for your letter dated 9 December 2020.

Primary legislation would be required in order for a Member's change of party affiliation to result in the triggering of a by-election. Such a change is primarily a matter for the Senedd, rather than the Senedd Commission.

There are a number of routes to make such a change. A Bill (a draft law) to make such a change would need to be introduced either by the Government, a Senedd Committee, an individual Member or the Senedd Commission.

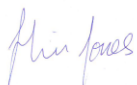
The Senedd Commission did introduce the Senedd and Elections Wales Act which amongst other things extended the right to vote to 16 year olds. This followed the report of the Expert Panel on Electoral Reform to advise and report, to the Commission, as well as a mandate from the Senedd to introduce such a Bill. However, this legislation did not cover the specific issue of changes to party affiliation and no amendments were made to the legislation to include these matters.

It is worth noting, as set out in the Expert Panel report, that the system for filing vacancies is different for Regional Members and Constituency Member.

The Senedd Commission has no formal position on this matter. Any proposal to introduce a Bill on this issue would require considerations relating to mandate.

I trust this provides you with the information you need to be able to respond to the petitioner.

Kind regards,





Elin Jones MS



Llywydd and Chair of the Senedd Commission



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Agenda Item 2.12

P-05-1089 Wales should lead on bringing NHS pay back in line with inflation costs over the last 10 years

This petition was submitted by Dyfan Roberts having collected a total of 190 signatures.

Text of Petition:

Since April 2010 some NHS staff have had their pay decreased by as much as 20.51% in line with inflation.

It's time the Welsh assembly discuss about forming a new pay deal that will be taking place in 2021 and drastically reduce or eliminate the loss front line workers have been subject to over the last 10 years.

Last time we were given a pay rise it was a replica of Westminster's deal! It's time WAG acted first and gave the NHS a deal it deserves.

Senedd Constituency and Region

- Clwyd West
- North Wales



Eich cyf/Your ref P-05-1089
Ein cyf/Our ref VG/09363/20

Janet Finch-Saunders MS
Chair, Petitions Committee

22 December 2020

Dear Janet,

Thank you for your letter of 30 November regarding a petition on bringing NHS pay in line with inflation.

I recognise and appreciate the challenges and immense pressure facing all of our dedicated health and social care workforce in Wales, at all times but particularly during this unprecedented time.

It was a UK Government decision to enter into a policy of austerity in 2010 following the financial crisis and to freeze public sector pay. As UK Government had taken this approach, we as Welsh Government did not receive any consequential to fund any pay rises, as per the Barnett formula. As a result of this, it would not have been a financially viable option to fund such a large increase without central funding from UK Government.

In 2018 the current three year agreement for agenda for change staff in the NHS was reached in partnership with Employers and Trade Unions. This agreement included three years of agreed pay rises, higher starting pay, removal of overlapping pay points and shorter pay scale. For staff who are covered under the doctors and dentists pay review body, I implemented this year's recommendation in full by implementing a 2.8% pay rise.

As the three year pay deal comes to an end we are committed to working with our NHS union and employer partners through the independent NHS pay body review process to ensure the best possible reward package. I have asked for the pay review round to be brought forward as soon as possible, but the timelines are set by UK Government and there needs to be UK Government support to fund any increased pay settlement.

I hope you find this information helpful.

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

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

Yours sincerely,

A handwritten signature in dark ink, reading "Vaughan Gething". The signature is fluid and cursive, with the first name "Vaughan" and the last name "Gething" clearly distinguishable.

Vaughan Gething AS/MS

Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol
Minister for Health and Social Services

Agenda Item 2.13

P-05-1091 Remove compulsory Welsh Bac for students looking to go to University

This petition was submitted by Amber Penquet having collected a total of 63 signatures.

Text of Petition:

Although Welsh Bac provides many important employability skills, and is good for those going straight into a profession after college, it only holds students who wish to go to University back.

Previously students could take up to 4 A-levels, even 5 for the best students, but Welsh Bac limits them to 3, in some schools even limits them to 2, stopping students from getting a broad education.

Additional Information:

Stopping the Welsh Bac for those who wish to go to University would allow Welsh students to not only go to the top universities, but get a better education. Welsh Bac is full of topics that educated students already know, and is on par with General Studies for a lot of universities. Abolishing it for those who know they wish to go to University would allow students to be more educated, and thus allow us to achieve a more educated workforce and help the Welsh economy.

Another option I'd like to put across to be considered is creating an AS qualification, and only having AS level Welsh Bac be compulsory, therefore allowing students to have more time towards their exams and still be able to do 4 subjects. Schools could choose whether this is done over a 2 year period or in one year.

Welsh students are constantly looked down upon, and having a better attitude to education (like what was done with maintaining the AS's) would allow us to be stronger and more respected as Welsh people.

Senedd Constituency and Region

- Gower
- South Wales West

Remove compulsory Welsh Bac for students looking to go to University

Y Pwyllgor Deisebau | 26 Ionawr 2020
Petitions Committee | 26 January 2020

Reference: RS20/14886

Petition Number: P-05-1091

Petition title: Remove compulsory Welsh Bac for students looking to go to University

Text of petition: Although Welsh Bac provides many important employability skills, and is good for those going straight into a profession after college, it only holds students who wish to go to University back.

Previously students could take up to 4 A-levels, even 5 for the best students, but Welsh Bac limits them to 3, in some schools even limits them to 2, stopping students from getting a broad education.

Stopping the Welsh Bac for those who wish to go to University would allow Welsh students to not only go to the top universities, but get a better education. Welsh Bac is full of topics that educated students already know, and is on par with General Studies for a lot of universities. Abolishing it for those who know they wish to go to University would allow students to be more educated, and thus allow us to achieve a more educated workforce and help the Welsh economy.

Another option I'd like to put across to be considered is creating an AS qualification, and only having AS level Welsh Bac be compulsory, therefore allowing students to have more time towards their exams and still be able to do 4 subjects. Schools could choose whether this is done over a 2 year period or in one year.



Welsh students are constantly looked down upon, and having a better attitude to education (like what was done with maintaining the AS's) would allow us to be stronger and more respected as Welsh people.

1. Background

The original Welsh Baccalaureate Qualification (Welsh Bacc) was first piloted in September 2003 and made available to all schools and colleges in Wales in September 2007. The Welsh Bacc was revised following the Welsh Government's Review of Qualifications for 14 to 19-year-olds in Wales (2012) and a new Welsh Bacc was introduced in September 2015.

The Welsh Bacc is currently awarded at three levels, Foundation (level 1) at key stage 4; National (level 2) at key stage 4; and Advanced (level 3). The Welsh Bacc comprises:

- The Skills Challenge Certificate (SCC). This is central to the Welsh Bacc and has four components: the Individual Project; the Enterprise and Employability Challenge; the Global Citizenship Challenge; and the Community Challenge
- GCSEs in English or Welsh Language, and Mathematics or Mathematics-Numeracy. The literacy and numeracy components of the Essential Skills Wales qualification can also be used; and
- A choice of supporting qualifications - GCSEs, A levels or vocational.

At Foundation and National levels, the SCC is the same size as a GCSE, and at Advanced level the SCC is the same size as an A level. The Advanced SCC carries UCAS tariff points. To be awarded the Welsh Bacc, learners must achieve the SCC and the other qualifications that it specifies. The SCC is a standalone qualification which can be achieved and awarded without the other qualifications that make up the Welsh Bacc.

2. Welsh Government action

There are no statutory requirements for a learner to take any external examination. However, the Welsh Government has a policy of 'universal adoption' of the Welsh Bacc by schools and colleges.

3. Welsh Parliament action

3.1. Children, Young People and Education Committee

In September 2018 the Children, Young People and Education (CYPE) Committee began an inquiry into the status of the Welsh Bacc qualification. The Committee found that 'there is a lack of clarity about the meaning and implementation of the Welsh Government's universal adoption policy' and recommended that, as a matter of priority, the Welsh Government should issue more detailed guidance on the policy of universal adoption which should set out clearly the circumstances in which learners may be exempt from studying the SCC.

The Welsh Government published guidance in October 2019. It states:

We encourage sixth forms and colleges to ensure that their young people follow two or three A Levels (or equivalents) according to the requirements of higher education course they intend to pursue, in addition to the Advanced SCC, universities are generally supportive of this view.

It also states:

For some learners, undertaking the SCC may not be the right choice, and we therefore need some flexibility. Schools and colleges should be providing opportunities that are in the best interests of their learners. We expect schools and colleges to use their professional judgement, by giving due consideration to each young person's wellbeing and their ability to reach their full potential, in determining whether an individual learner can be exempt for taking the Welsh Bacc and the SCC.

3.2. Petitions Committee

The Committee has considered a number of previous petitions in relation to the Welsh Bacc:

- Remove the compulsory aspect of Welsh Baccalaureate (2019). The Petition was closed in light of the removal of the specific exercise referred to in the petition, the scrutiny of the Welsh Bacc carried out by the CYPE Committee, and the Minister for Education's commitment to publish updated guidance.
- Remove the Welsh Baccalaureate Qualification (2016). The Petition was closed due to absence of contact with the Petitioner.
- Make Welsh universities consider the Welsh Baccalaureate as an A Level (2020). The Petition was closed in light of the Minister for Education's position that it is for universities to establish the entry requirements for their courses and the work underway respond to recommendations made previously by the CYPE Committee.

Every effort is made to ensure that the information contained in this briefing is correct at the time of publication. Readers should be aware that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.



Ein cyf/Our ref KW/06828/20
Janet Finch-Saunders MS
Chair, Petitions Committee

15 December 2020

Dear Janet,

Thank you for your letter regarding petition P-05-1091, which asks to remove compulsory Welsh Bac for students looking to go to University.

There are no statutory requirements for learners to undertake any qualification. Therefore, undertaking the Advanced Skills Challenge Certificate (SCC) (which forms part of the Advanced Welsh Baccalaureate) is not compulsory. However, Welsh Government policy is that we want all learners to benefit from the Welsh Baccalaureate, and achieve the SCC. By adding essential personal development and employability skills to academic study or vocational qualifications, the Welsh Baccalaureate helps young people to be better prepared for further/higher education, employment and life. It provides an opportunity for our learners to develop the wider skills and knowledge that align with, and build upon, the four purposes of the new curriculum.

Our policy is to encourage all schools and colleges to offer the SCC as part of their learning programmes. Welsh Government post-16 funding policy continues to allow learners to take up to four A Levels or equivalent and the SCC. For some learners, undertaking the SCC may not be the right choice, and we therefore need some flexibility. The advice to schools and colleges is that they should be providing opportunities that are in the best interests of their learners. We expect them to use their professional judgement, by giving due consideration to each young person's wellbeing and their ability to reach their full potential, in determining whether an individual learner can be exempt for taking the Welsh Baccalaureate and the SCC. Further information is available on our website <https://gov.wales/welsh-baccalaureate>.

Many universities now include the SCC in offers and the individual project frequently provides good, relevant evidence in supporting statements and interviews even if it isn't accepted as part of the grade offer. The SCC is recognised as comparable in challenge to an A level and receives the same number of UCAS points. Welsh universities, and a

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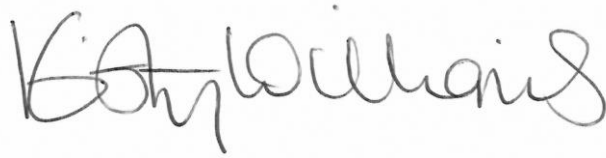
We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

number of Russell Group universities, are clear that they value the Certificate and are taking an increasingly flexible approach to recognising it in their offers.

Within the additional information provided with the petition, the petitioner suggests the development of an AS qualification. Qualifications Wales is responsible for setting high-level requirements for key qualifications, including the Advanced Welsh Baccalaureate, and recently consulted on proposals for a new Advanced SCC. The consultation has now closed, and I hope to receive information on future proposals in the spring.

Welsh Government is working with consortia, WJEC, Qualifications Wales and Colegau Cymru to improve how we communicate the benefits of the Welsh Baccalaureate and how it can support learners to develop their wider skills and confidence, enabling and empowering them to take their place as responsible and active citizens within a diverse society.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Kirsty Williams', written in a cursive style.

Kirsty Williams AS/MS
Y Gweinidog Addysg
Minister for Education

P-05-1093 Establish a Wales wide Environmental and Wildlife Enforcement Service to tackle environmental crime

This petition was submitted by Robert Curtis having collected a total of 207 signatures.

Text of Petition:

Following the appalling scenes of littering, fly tipping and wildlife crime during and following the easing of the Covid-19 lockdown, we call on the Welsh Government to create a Wales wide Environmental and Wildlife Enforcement Agency whose aim would be to tackle environmental crimes such as littering, dog fouling, fly-tipping and the illegal poisoning and shooting of wildlife.

These officers need to be funded and accountable to the public sector via a tax on single use plastics and fines.

Additional Information:

This petition for action has been jointly launched by Barry Action for Nature and Friends of Barry Beaches, who are two Barry based voluntary environmental groups, whose aims are to create a safer environment for both people and wildlife.

They strongly believe that education must be behind the main thrust to tackle the growing menace of environmental and wildlife crime but also realise that some form of enforcement is urgently needed.

We cannot rely on individual cash strapped local authorities to deliver this vital service by themselves. This force needs to be consistent throughout Wales and would demonstrate the growing public concern about environmental and wildlife crime.

We should not have to rely on private companies to provide this service whose core objective is profit.

Fixed penalties or stronger sanction can provide effective enforcement against this growing problem and act as a deterrent. We believe that the Welsh population would welcome strong and effective enforcement.

Senedd Constituency and Region

- Vale of Glamorgan
- South Wales Central

P-05-1093 Environmental and Wildlife Enforcement Service

Y Pwyllgor Deisebau | 26 Ionawr 2021
Petitions Committee | 26 January 2021

Reference: RS20/14886-8

Petition Number: P-05-1093

Petition title: Establish a Wales wide Environmental and Wildlife Enforcement Service to tackle environmental crime

Text of petition:

Following the appalling scenes of littering, fly tipping and wildlife crime during and following the easing of the Covid-19 lockdown, we call on the Welsh Government to create a Wales wide Environmental and Wildlife Enforcement Agency whose aim would be to tackle environmental crimes such as littering, dog fouling, fly-tipping and the illegal poisoning and shooting of wildlife.

These officers need to be funded and accountable to the public sector via a tax on single use plastics and fines.

This petition for action has been jointly launched by Barry Action for Nature and Friends of Barry Beaches, who are two Barry based voluntary environmental groups, whose aims are to create a safer environment for both people and wildlife.

They strongly believe that education must be behind the main thrust to tackle the growing menace of environmental and wildlife crime but also



realise that some form of enforcement is urgently needed. We cannot rely on individual cash strapped local authorities to deliver this vital service by themselves. This force needs to be consistent throughout Wales and would demonstrate the growing public concern about environmental and wildlife crime.

We should not have to rely on private companies to provide this service whose core objective is profit.

Fixed penalties or stronger sanction can provide effective enforcement against this growing problem and act as a deterrent. We believe that the Welsh population would welcome strong and effective enforcement.

1. Background

1.1. Littering and fly tipping

Under Section 89 of the *Environmental Protection Act 1990* (EPA 1990), local authorities have a statutory duty to ensure (as far as is practicable) that their land is kept clear of litter and refuse, and that public roads for which they are responsible are kept clean. This duty also extends to other bodies, including transport operators, Crown Authorities and educational institutions.

How the bodies comply with the duty is set out in the Code of Practice on Litter and Refuse (CoPLAR). The first CoPLAR was published in January 1991 by the Secretary of State under Section 89(7) of the EPA 1990. The code was revised in June 1999 by the Department for Environment, Transport and the Regions. The first two versions were both applicable to England, Scotland and Wales. The latest edition (March 2006 which was updated in September 2019) applies to England only.

The Research Service has been unable to find a version of CoPLAR on the Welsh Government website.

Under the EPA 1990, both littering and fly tipping (sections 87 and 33 respectively) are criminal offences. This means that local authorities and Natural Resources Wales (NRW) can undertake a range of enforcement actions to deal with those

who have committed an offence. This includes issuing fixed penalties and taking them to court if the matter is deemed severe enough, or is a repeat offence.

In 2015 the Welsh Government published its [Fly Tipping Strategy](#). The strategy is based on 4 strategic areas to reduce fly-tipping:

- Education: ensuring the effects of fly-tipping are understood and considered socially unacceptable;
- Enabling: helping local authorities, partner organisations and the public to reduce fly-tipping;
- Evidence: identifying what influences fly-tipping and the areas and communities most affected; and
- Enforcement: helping enforcement authorities to identify and punish anyone who fly-tips.

1.2. Wildlife crime

Wildlife crime includes offences such as poaching, killing or disturbing protected species or damaging their breeding and resting places, and illegally trading in endangered species. The [Wales Wildlife and Rural Crime Group](#) investigates and prevents rural and wildlife crime.

The National Police Chiefs' Council sets out how they police wildlife and rural crime:

- [Rural Affairs Strategy and Wildlife 2018-2021](#); and
- [Wildlife Crime Policing Strategy 2018-2021](#)

The three Welsh Police forces also police these crimes:

- [Dyfed Powys Police: Rural Crime strategy](#);
- [North Wales Police: rural crime team](#); and
- [Gwent Police: rural crime team](#).

In 2017 the Welsh Government funded 'A Review of the Prevention and Investigation of Wildlife Crime in Wales'. The Review was undertaken by the National Wildlife Crime Unit and included 21 recommendations. The review is not publicly available.

2. Welsh Government action

The Minister's letter to the Committee sets out the action the Welsh Government has taken to address fly tipping, littering and wildlife crime. It states:

The Welsh Government is committed to dealing robustly with environmental crimes. These anti-social activities are unacceptable and there is no excuse for this type of behaviour. Whilst these problems are not exclusive to Wales, I am determined we become not only a cleaner nation but also an exemplar nation. Our ambition is for Wales free of litter and fly-tipping, and for our natural habitats and rich wildlife to be protected and preserved.

In relation to litter and fly tipping the Minister states the Welsh Government is:

- Developing a new litter and fly tipping prevention plan, which will be published for consultation in January 2021;
- Aiming for enforcement activity to be applied consistently and fairly across Wales;
- Continuing to support **Fly Tipping Action Wales** (FtAW), an initiative co-ordinated by NRW to deliver communication campaigns, community engagement and sharing best practice. As part of the development of the new litter and fly tipping plan the Welsh Government intends to review FtAW programme, and explore potential strengthening of the current enforcement support it provides to local authorities;
- Reviewing existing enforcement capabilities and the current fixed penalty amounts available for littering offences, and considering increasing levels if needed; and
- Gathering evidence on current prosecution outcomes for fly tipping offences to determine whether further changes to sentencing guidelines are needed.

In relation to wildlife crime, her letter states there is well-established partnership working between the Welsh Government, NRW, the Police, Fire Service, Government Agency Intelligence Network and the Crown Prosecution Service. She says this plays a fundamental role in the prevention, detection and investigation of offences and enforcement of the law. She also outlines that her officials work closely with the four Welsh police forces, NRW and other enforcement bodies through the Wales Wildlife and Rural Crime Group. The group identifies regional wildlife and rural crime priorities, and ensures Welsh interests are represented at a UK level. She says:

There are currently three police officers in Wales seconded to NRW and embedded in the Rural Crime Teams in North Wales, Dyfed-Powys and Gwent Force areas. We will continue to support NRW's collaboration with Welsh police forces through continued funding of the seconded police officers who are essential to the delivery of this work. We are also directly responsible for the Wildlife Incident Investigation Scheme in Wales which investigates and provides analysis services for wildlife, companion animals and honey bees suspected of being poisoned by pesticides.

3. Welsh Parliament action

The Committee has considered a number of related petitions including:

- [P-05-852](#) Introduce a "Licence to manage land for game bird shooting" in an attempt to end raptor persecution;
- [P-05-1071](#) Print the vehicle registration on all drive through fast food packaging; and
- [P-05-803](#) Our natural world is being poisoned by single use plastics...it's time to introduce a tax!

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Eich cyf/Your ref P-05-1093
Ein cyf/Our ref LG/02830/20

Janet Finch-Saunders MS
Chair of the Petitions Committee

23rd December 2020

Dear Janet,

Thank you for your letter of 30 November, regarding a petition from Robert Curtis calling for the creation of a Welsh Environmental and Wildlife Enforcement Agency which would tackle environmental crimes such as littering, dog fouling, fly tipping and the illegal killing of wildlife.

The Welsh Government is committed to dealing robustly with environmental crimes. These anti-social activities are unacceptable and there is no excuse for this type of behaviour. Whilst these problems are not exclusive to Wales, I am determined we become not only a cleaner nation but also an exemplar nation. Our ambition is for Wales free of litter and fly-tipping, and for our natural habitats and rich wildlife to be protected and preserved.

Local Authorities have a statutory duty under Section 89 of the Environmental Protection Act 1990 (EPA 1990) to ensure, so as far as practicable, their land is kept clear of litter and refuse and public roads for which they are responsible are kept clean. This duty also extends to other bodies which include educational institutions, certain Crown Authorities and transport operators. How these bodies comply with this duty is established in our Code of Practice on Litter and Refuse (CoPLAR) guidance.

Under the EPA 1990, both littering (Section 87) and fly-tipping (Section 33) are criminal offences. This means Local Authorities and Natural Resources Wales (NRW) are able to undertake a range of enforcement actions to deal with those who have committed an offence, including the issuing of fixed penalties and taking them to court if the matter is deemed severe enough or it is a repeat offence.

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

Local Authority fly-tipping figures published for 2018/19 reported 35,076 fly-tipping incidents across Wales. This is 1 per cent less than 2017/18 and the lowest figure reported since 2014/15. However, we are not complacent about the current position and we are currently developing a new Litter and Fly-tipping Prevention Plan.

Improving enforcement activity in Wales will be a key priority area in the plan. Our aim is for enforcement activity to be applied consistently and fairly across Wales, deterring and reducing littering and fly-tipping offences. While recognising the need for vigorous enforcement action, I believe it needs to be part of a more holistic approach that integrates prevention, collaboration and partnership working.

This is why we continue to support programmes such as Fly-tipping Action Wales (FtAW), an initiative co-ordinated by NRW which delivers communication campaigns, community engagement and shares best practice. As part of the Litter & Fly-tipping Prevention Plan we intend to review the current functions of FtAW programme and explore the potential of strengthening the current enforcement support they provide to Local Authorities in Wales. We will be consulting on the draft plan in January.

Work is also underway to review existing enforcement capabilities across Wales and the current fixed penalty amounts available for littering offences. We will look to increase levels if needed. We are also gathering evidence on current prosecution outcomes for fly-tipping offences in Wales to determine whether further changes to sentencing guidelines are required.

On wildlife crime, well-established partnership working between the Welsh Government, NRW, the Police, Fire Service, Government Agency Intelligence Network and the Crown Prosecution Service plays a fundamental role in the prevention, detection and investigation of offences and the enforcement of the law. My officials work closely with the four Welsh police forces, NRW and other enforcement bodies through the Wales Wildlife and Rural Crime Group. The group identifies regional wildlife and rural crime priorities and ensures Welsh interests are represented at UK level.

There are currently three police officers in Wales seconded to NRW and embedded in the Rural Crime Teams in North Wales, Dyfed-Powys and Gwent Force areas. We will continue to support NRW's collaboration with Welsh police forces through continued funding of the seconded police officers who are essential to the delivery of this work. We are also directly responsible for the Wildlife Incident Investigation Scheme in Wales which investigates and provides analysis services for wildlife, companion animals and honey bees suspected of being poisoned by pesticides.

I announced last year I would be a species champion for raptors. As part of the role I hosted a meeting in February on raptor persecution in Wales. We have agreed to fully fund the continuation of the RSPB Hen Harrier tagging work started in 2015 as part of an EU LIFE project and we have also agreed to fund a Raptor Project Officer post for Wales jointly with RSPB.

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

In summary, our approach is seen by many across the UK as an exemplar of how to deal effectively with rural and wildlife crime. We initiated a review in 2017 which highlighted the success of both seconding police officers to NRW and setting up dedicated rural crime teams within the Welsh forces, giving more resources and a much higher profile to an area which had previously often been seen as a lower priority.

Yours sincerely,



Lesley Griffiths AS/MS

Gweinidog yr Amgylchedd, Ynni a Materion Gwledig
Minister for Environment, Energy and Rural Affairs

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

P-05-1093 Establish a Wales wide Environmental and Wildlife Enforcement Service to tackle environmental crime, Correspondence – Petitioner to Committee, 16.01.21

We welcome the work currently being carried out by the Welsh Government towards tackling fly tipping/wildlife crime/littering but we strongly believe that this work could be made so much more effective if coordinated by one single organisation funded by a tax on single use plastics and fines.

If we are going to become a "exemplar nation" and effectively tackle the ecological crises facing us then we must take further actions.

The number of organisations responsible for this area of policy in the ministers reply is an example of how lines of responsibility can be confused or even hidden.

We believe that one Welsh Environment and Wildlife Enforcement Agency would be a clear and effective organisation which would be much more effective in tackling environmental crimes such as fly tipping, littering, dog fouling and the illegal killing of wildlife.

Regards

Agenda Item 2.15

P-05-1096 Remove RSE from the mandatory element of the Curriculum Bill 2020

This petition was submitted by Kimberley Isherwood having collected a total of 5,307 signatures.

Text of Petition:

Relationships and Sexuality Education (RSE) is part of a Global Roll out of Sexuality Education which is not appropriate for this country. It sexualises children, fails to safeguard, read's like models of offending, has barriers to disclosure, and the local authority departments involved lack adequate training to spot the signs of Child Sexual Abuse, Exploitation, Harmful Sexual Behaviour, And much, more! In addition to that we have evidence those involved in the Welsh Curriculum lack knowledge of this global roll out.

Additional Information:

We are fighting the legislation not an education. No safeguarding measures in place. The research is wholly inadequate throughout. Here are some links to articles, websites and some suggested research topics which are about sexuality education:

"World Health Organisation– Standards in sexuality Education 2010 "

<https://www.euro.who.int/en/health-topics/Life-stages/sexual-and-reproductive-health/news/news/2010/12/standards-for-sexuality-education-in-europe-start-their-way-to-countries-of-eastern-europe-and-central-asia>

"UNESCO– International technical guidance on sexuality education 2018".

<https://unesdoc.unesco.org/ark:/48223/pf0000260770>

<https://gov.wales/draft-guidance-relationships-and-sexuality-education>

(PAGE 4 IS THE DIRECT LINK)

Others who campaign against sexuality education in schools are:

- The Scottish Family Party
- Family Watch
- School gate campaign, England

Senedd Constituency and Region

- Aberavon
- South Wales West

Relationships and Sexuality Education (RSE) in the Curriculum for Wales

Y Pwyllgor Deisebau | 26 Ionawr 2021
Petitions Committee | 26 January 2021

Reference: RS21/14886-10

Petition Number: P-05-1096

Petition title: Remove RSE from the mandatory element of the Curriculum Bill 2020

Text of petition: Relationships and Sexuality Education (RSE) is part of a Global Roll out of Sexuality Education which is not appropriate for this country. It sexualises children, fails to safeguard, read's like models of offending, has barriers to disclosure, and the local authority departments involved lack adequate training to spot the signs of Child Sexual Abuse, Exploitation, Harmful Sexual Behaviour, And much, more! In addition to that we have evidence those involved in the Welsh Curriculum lack knowledge of this global roll out.

Additional information submitted alongside the petition:

We are fighting the legislation not an education. No safeguarding measures in place. The research is wholly inadequate throughout. Here are some links to articles, websites and some suggested research topics which are about sexuality education:

- World Health Organisation- Standards in sexuality Education 2010
- UNESCO- International technical guidance on sexuality education 2018

Others who campaign against sexuality education in schools are:



- The Scottish Family Party
- Family Watch
- School gate campaign, England

1. Summary

- RSE will be a mandatory element of the new Curriculum for Wales, subject to the passage of primary legislation currently under consideration by the Senedd.
- It will be required to be taught to 3 to 16 year olds in a way that is 'developmentally appropriate'.
- The Welsh Government states that the purpose of RSE will be to educate and safeguard children and young people. It has accepted a recommendation by the Senedd's Children, Young People and Education Committee to explain clearly the purpose of RSE, reassure parents that it will be developmentally appropriate and challenge what both have referred to as 'misinformation' which is currently circulating.

2. The Curriculum and Assessment Bill

Under the Curriculum and Assessment (Wales) Bill, currently proceeding through the Senedd's legislative process, Relationships and Sexuality Education (RSE) will be a mandatory element of the new Curriculum for Wales. Subject to the successful passage of the Bill, the new curriculum will be phased in from September 2022 under the Welsh Government's current timescale for implementation. The Bill is currently at Stage 2.

Provision of RSE will be guided by a **statutory code** which the Welsh Ministers will be required to issue under the Bill. The Welsh Government consulted in February 2019 on draft guidance for schools on provision of RSE.

At present, parents have the right to withdraw their child from sex education that is not part of a national curriculum subject. There is **no equivalent parental right of withdrawal** in the Bill. The Welsh Government consulted in autumn 2019 on the implications of not including a parental right of withdrawal under an approach to 'ensure full access to the curriculum'.

3. The Welsh Government's rationale for RSE

RSE will replace sex education. At present, sex education is a compulsory part of the basic curriculum in secondary schools, while primary schools have the opportunity to teach it but are not obliged to. The Welsh Government issues non-statutory guidance on how 'sex and relationships' education should be taught.

A review by the Sex and Relationships Education Expert Panel, published in 2017, found that the current law and guidance was outdated and that provision under existing arrangements was limited, unrepresentative and inconsistent. Following the review, the Minister for Education announced in 2018 that the **current requirement to teach sex education in secondary schools would be extended to primary schools** but that this be 'age-appropriate' and under the revised focus on 'Relationships and Sexuality Education'.

The Welsh Government's intention is that, through RSE, learners will learn about more than sex in a biological sense but a broader concept of sexuality and what constitutes a healthy (and an unhealthy) relationship. The Curriculum and Assessment Bill requires that RSE must be taught in a way that is '**developmentally appropriate**' for pupils and children. The Welsh Government's intention is that RSE will gradually educate children and young people to protect themselves against abuse and harm, thereby **increasing safeguarding, health and well-being**.

RSE will be taught across the whole curriculum and is described by the Welsh Government as 'an important element in creating a whole school approach to supporting overall physical, mental and emotional health and well-being' (para 352, Explanatory Memorandum to the Bill).

4. Senedd Committee recommendations

In its Stage 1 report on the general principles of the Curriculum and Assessment Bill, the Children, Young People and Education (CYPE) Committee highlighted the importance of the draft RSE Code being made available as soon as possible to provide clear details of what RSE will cover. The Committee also highlighted the importance of professional learning for teachers.

In its response to the Committee's report, the Welsh Government accepted the Committee's recommendation that the Welsh Government, as a matter of

urgency, launch a ‘**myth-busting campaign**’ about the RSE that will be delivered as a result of this Bill’, in order to:

- ‘**challenge the misinformation**’ currently circulating about RSE;
- seek to **reassure parents** about RSE’s developmentally appropriate content and approach; and
- explain **why it is important** for all children and young people to be taught RSE.

The Welsh Government also accepted the Committee’s recommendation that the Code be made under the Senedd’s affirmative procedure for subordinate legislation rather than the negative procedure, to provide for greater scrutiny.

Every effort is made to ensure that the information contained in this briefing is correct at the time of publication. Readers should be aware that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.



Eich cyf/Your ref P-05-1096
Ein cyf/Our ref KW/06811/20

Janet Finch-Saunders MS
Chair, Petitions Committee

15 December 2020

Dear Janet,

Thank you for your letter dated 30 November to inform me about a petition the Committee received which is currently collecting signatures regarding Relationships and Sexuality Education (RSE) in which it is claimed "...that *RSE is part of a Global Roll out of Sexuality Education which is not appropriate for this country.*".

I can confirm that this claim is wholly inaccurate and false. As you will no doubt be aware, the Curriculum for Wales has at its heart our aspiration for every child and young person in Wales as defined by the four purposes of the curriculum. Two of these purposes are 'healthy, confident individuals, ready to lead fulfilling lives as valued members of society' and 'ethical, informed citizens who are ready to be citizens of Wales and the world.' Mandatory RSE will enable learners to embody these purposes at 16.

Relationships and sexuality education plays an important role for the **safeguarding** and **protection** of all learners in Wales. Parents, of course, have a central role to play in this, but there is also a crucial role for schools - and a role which is now more important than it has ever been. Schools will have the potential to create **safe** and **empowering** environments that build upon learners' own formal and informal learning and experiences, offline and online. This is why Welsh Government is making RSE a statutory requirement in the new curriculum in Wales, which will be introduced from 2022.

RSE will include the development of healthy relationships. Children begin to learn about relationships long before they start school. At a young age, learners will be focussing on developing positive relationships with their friends and family. The aim is to gradually empower learners (at developmentally appropriate stages) to build the knowledge, skills and ethical values to equip them with the tools to be able to understand how relationships, sex, gender and sexuality shape their own and other people's lives. It seeks to support learners' rights to enjoy equitable, safe, healthy and fulfilling relationships throughout their lives.

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This includes the ability for learners to recognise, understand and speak out about discrimination and violence and know how and where to seek support and advice on a range of issues. At the age of five, the RSE guidance may well acknowledge learners' understanding appropriate and inappropriate touch, but not sexual consent.

Statutory guidance for RSE is currently being co-constructed to ensure that learning is developmentally appropriate, drawing on a range of evidence and expertise such as the UNESCO International Technical Guidance. This document is being referred to during the co-construction phase, however, I would like to reassure you that decisions about the content of RSE are being taken in Wales in collaboration with teachers who are making their judgements in view of their extensive experience of the learner at different development stages. We are not involved in any international co-ordination of Relationships and Sexuality Education. We are also engaging with a diverse range of perspectives such as learners, parents, schools and wider stakeholders.

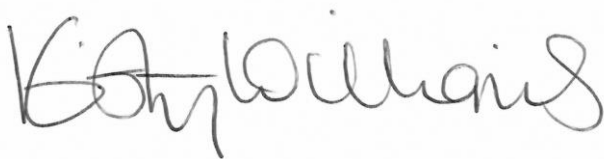
All the steps we have and will take to develop the statutory guidance and approach will be consulted on publically and transparently in order to ensure that people, particularly parents, are comfortable and confident that this provides a valuable contribution to their child's social, emotional, and physical development at the appropriate time

Going forward we are working with communities and all interested parties in co-constructing the learning and teaching for RSE, developing a shared understanding of the issues and the sensitivities. This is vital to enable everyone to have trust in how this will be implemented.

Finally, I have become increasingly aware of the misinformation circulating about RSE over recent months, and I recognise the need to urgently develop accurate and positive messaging highlighting the importance of RSE to counter this damaging misinformation.

I have committed to develop communication material and messages which will ensure that accurate information on RSE will be made available to schools, parents and communities across Wales to highlight the importance of RSE for the safeguarding and protection of children and young people.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Kirsty Williams', written in a cursive style.

Kirsty Williams AS/MS
Y Gweinidog Addysg
Minister for Education

P-05-1096 Remove RSE from the mandatory element of the Curriculum Bill 2020, Correspondence – Petitioner to Committee, 18.01.21

Dear Committee,

First, I would like to make clear this is **not** a campaign against **Biology, Sexual Safeguarding** (we are campaigning for a more robust package, starting with the adults), nor **Children's Rights**, we represent the opposite. This is a campaign against an inclusive Global Sex Education (we have researched since 2013) which is based on unethical studies and sexual philosophies, it fails to safeguard, and is not a representation of a devolved Government, which Welsh children should remain central to the research and decisions in policy making, to meet our needs here in Wales- the same way we propose and implement other areas of devolved policy. We want RSE removed from the mandatory element of the Curriculum Bill; to reclaim full control of our children's education and safeguarding procedures from all global, unelected institutes. We want a wholesome approach, not a "closed door" approach.

Addressing the Minister of Education response to; *"that RSE is part of a Global Rollout of Sexuality Education which is not appropriate for this country"*; the minister replied *"I can confirm that this claim is wholly inaccurate and false"*, she then went on to reference said roll out in paragraph five, *"Statutory guidance for RSE is currently being co-constructed to ensure that learning is developmentally appropriate, drawing on a range of evidence and expertise such as the UNESCO International Technical Guidance."* Does the Minister not know this is a Global roll out? I put it to you, it is evident she has not properly scrutinised any proposal for RSE (despite reaching out to her July 2020 for reassurance on this matter) hence why she cannot provide an evidence-based response for something she wishes to legislate against parental and public wishes. That alone should be enough to remove RSE and replace it with Science- emphasis on **Biology**. Relationships align perfectly with Religion, Values, (Relationships) & Ethics (RVRE instead of RVE).

[UNESCO](#), as referenced by; the Minister, the [RSE Draft 2019 \(pg 4\)](#) and in the [Curriculum Report 2020 \(pg134\)](#) is part of a global roll out of sex education, it is common knowledge and well documented, it is currently in fifty-two countries, and this is the reason why the lesson contents is so readily available. There are worldwide campaigns against it, with well-educated and experienced people at the forefront. The UK has been under pressure to adopt this education for many years until it conceded in, March 2017, [\(Sexuality education in Europe and Central Asia \(2017\), page8 & 174 onwards\)](#) the same time the sex education panel for Wales had these discussions (as confirmed in the Curriculum Report). The document used to convince politicians, the Children's commissioners and other agencies, is the [WHO/BZgA: Standards For Sexuality Education Europe \(2010\)](#) . This document is just 68 pages, I urge you to read every word slowly, not only does this document discuss sex education from **birth** and Sexual Rights, but it encourages mutual sexual activity from any age it feels pleasurable to the child (a **biological** reaction). The matrix table which starts from page 38; Age 0-4 early childhood masturbation, age 4-6 appropriate sexual language, use sexual language in a non-offensive way, age 6-9 starts discussing sexual intercourse with age 9 onwards being an age where intercourse is always consensual- **this does not fall in line with law or UK definitions of Child sex Abuse and Exploitation, children cannot consent**. Abortions, birth control and consent are all targeted at infant age children. I have discussed with professionals' statements such as "differentiate between good and bad secrets" if you could provide evidence to back this in children younger than four then that would help but the professionals in the fields of abuse seem to have a wealth of evidence suggesting otherwise.

This education has been rolled out in fifty-two countries; A simple google search provides examples of materials used worldwide, I read articles going back to 2014 where books about bondage was on a Kindergarten shelf in California, a year of campaigning it took to remove that, it has since appeared in Canada. Children are widely encouraged to research many genres of porn. I can provide you with extensive lists and footage of this sex education and the lesson contents but a simple web search of the words “controversial sex education..... (and name most states of America, European countries and developing countries) you will see a pattern emerge, each place all at different stages of implementation and legislating. Here is a snapshot of California: The guidance has prompted protest among parents, conservative groups and teachers — most notably around some of the books that were suggested as resources, including “S.E.X.: The All-You-Need-to-Know Sexuality Guide to Get You Through Your Teens and Twenties,” which includes descriptions of anal sex and bondage; and “Changing You,” which includes cartoon illustrations of female and male genitalia. Both books were recommended for removal.

UNESCO has a rights-based approach which sounds far better than the WHO document but statement 1.3 tells us it is a revised version of WHO (2010), their partner; it also tells us it is part of a “global movement”. Pleasure and consent feature in this document, as does arranged marriage which in this country is forced marriage. Children are always encouraged to exercise rights over their parents, which includes sexual rights, just two years ago we were operating solely under WHO (2010), how long before we go back to that age and that direct? Sexual rights are a worry especially for young children, children are vulnerable and have a right to be protected, these policies fail to safeguard and sexualise children, we challenge government to provide evidence to pinpoint and evidence where I am wrong because there is a lot of evidence to support and pinpoint our claim. A quote from the Education Minister in the consultation report (2020) puts her number one safeguarding point as “*the change of name*”.

An example of these policies in practice is the “All About Me” [241 schools in England](#), this commissioned by the UN, it was removed overnight after much criticism of parents, the Curriculum Bill not so easily done. The highlighted sections were concerning for many parents but there is a sentence which concerns us, it not only talks of sexual stimulation to children as young as six, but it blocks a spontaneous avenue to disclosure, meaning a child has lost an opportunity to disclose, we are yet to find a teacher in the UK or Wales that can spot it. It begs the question as to how it safeguards when only a trained eye can see, shouldn’t every eye working with children be able to spot this barrier to spontaneous disclosure? Furthermore, England has made the headlines with its [dice game](#) and [hardcore Porn research](#) (I am providing you with entire searches of literature, I spent hours going into each article and following the hyperlinks to further sources of evidence). Its Dice Game replicates something from an adult sex store. The game tells the teacher to “hold their nerve”, they clearly suspect teachers will feel uncomfortable introducing that game to a classroom full of children (we know 68% of teachers aren’t comfortable delivering the old content, the new is a step way too far for teachers, parents and most important the children), we must remember that every person in the UK under the age of eighteen is still a child. It is illegal to show pornography to a child under the age of eighteen, but we see this creeping into their homework from time to time, this cannot possibly be coincidence. The most recent being a Comprehensive school in Hull whereby a teenage boy just happened to catch his younger teenage sister searching this pornography on the web. The school gave a feeble excuse which has been echoed around the globe, isn’t this something the Welsh Government is keen to avoid?

If the evidence to the global connection were not enough to dissolve the argument that our “education” is devolved, we have an email regarding RSE which was recently sent out by a school in South Wales, its link takes us to England’s resources. This is not a mistake, we had confirmation from the secretary, in writing, that the email is solely for and from that school. This email has been sent to several Ministers- as has most of the evidence.

The SNP have not legislated for such education yet but there are similarities appearing in their documents, for instance the name changes to RSE. The Scottish people suspect the announcement will come after the election nevertheless lessons are well underway with over 100 lesson plans published online. Children are encouraged to masturbate, have consensual sex, anal sex, [hard porn](#), [facial ejaculation](#), [threesomes and bondage](#). Please watch the videos on these slides (some Ministers have seen this already but choose to ignore), These videos do discuss some dangers of porn and brush on the law but it gives off the message that in moderation it is fine, it also tells children that if it exists there is porn on it, some of my constituents had to search terms such as “feltching”. Children aged 3 to 5 [identify these parts on a diagram](#). 1. Arm 2. Bottom 3. Ears 4. Eyes 5. Hand 6. Head 7. Knees 8. Leg 9. Mouth 10. Nose 11. Nipples 12. Penis 13. Scrotum and Testicles 14. Toes 15. Vulva. Why do children as young as this need to know about scrotum and vulva? [Consent](#) is another thing repeated throughout all documents (Global and UK), children cannot under any circumstance consent, nor do they choose what feels good, because to reiterate these are excuses perpetrators use for abusing children. People over the age of consent are still considered children until eighteen years old; those people are recognised as vulnerable hence the definition of Child Sexual Exploitation covering those over the age of consent and who have consented’ exploitation is recognised. [Age 9-12 sex](#); note just one slide on age of consent, nothing on the law or definitions or what emotional impact you can get from having sexual intercourse with another person, a lot of adult talk for preteens (however WHO documents believe sexual intercourse is perfectly fine from age 9), these slides and images are part of the [SNP Second Level](#) lesson plans, which is a bit close for comfort. [Age 12-15](#) have the right to have illegal underage sex? [Sexual Rights](#) has become a concern for many in Wales, something they feel Members of the Senedd are keen to avoid addressing. Removal of this link for our petition highlights this claim.

An important note here: pleasure and consent are paedophile policies, PIE paedophile information exchange is the most public display of evidence for this, people with in-depth knowledge of perpetrators of abuse will recognise this as a key element of offending behaviour. In addition to that and despite school closures this year; the months September to December 2020, The Education Council Wales sat 24 Fitness to Practice panels, nine are of a sexual nature, 2 years struck off the teaching register seems to be the norm for these kinds of offences in Wales, have we learned nothing from Bryn Estyn? We hear the advocacy is in place because of the Waterhouse Report yet no one we speak to under the age of 18 knows such service exist. We have problems here which need addressing, we address these by first educating the **adults**.

As you can see this evidence is overwhelming, with each link taking you to many more, it is UK wide and Global. The legislating against parents does not sit well. This education is already in fifty-two countries, it is only a matter of time before it gets heavy here too, it all originates from the same source. Going back to the Education Minister verbal statement, 15/12/20, on this being produced in Wales by the practitioners of Wales, for the Children of Wales, there is nothing in the Bill to support this, it simply mandates from age three to sixteen with no parental opt out. The reference to the global

roll out should not be in there to begin with but as it is, we take it as confirmation that RSE is not going to be tailored to the children of Wales, we know this because a third of the studies were carried out in third world countries and over a third was carried out in states of America. Can you guarantee this education will not be as heavy handed as it is elsewhere, in 5-10 years' time? This is part of a global rollout; you cannot hide from this, Wales has rejected this idea in overwhelming numbers without knowledge of a global existence, I feel this will be a grave mistake for the Government of Wales if this element of the Bill continues to process. The last time we had a change of legislation in education was 20 years ago, look at the WHO document our lobbyist groups pushed for, is this what we stand for here in Wales?

There are no clear boundaries or evidence of emotional support; I have spoken to professors in economics and many other fields, who have provided me reports regarding the dangers of no parental opt out as well as serious case reviews (England, we share the same CJS). I invite the minister to provide credible evidence (not opinion) which supports the reasoning behind these decisions. We can then compare and properly scrutinize. If this is not an option available to the people of Wales, then I feel the best thing for the Senedd is to pull it from the Bill immediately because the evidence against every aspect of this is overwhelming. I must point out Biology, Safeguarding and Sex are three different subjects, one of which has been removed from the mandatory element of the Curriculum Bill (Science).

The Education Minister has provided conflicting information (as well as proven her lack of knowledge on this issue) throughout this entire process. A letter states she had 5000 civil servants on this, an FOI claims solely Welsh Government and no researchers and contractors, with a further FOI unable to give details on who sat these meetings for this global sex education. Furthermore, our parental opt out was removed between publication of RSE Draft 2019 and publication of Curriculum Bill 2020, the Government has not been transparent with the public.

We are happy and willing to commit our entire lives to assisting Welsh Government in ensuring our safeguarding and standards of training is world class. We can lead by example (just as we are with Youth Justice Policies), using our own way, local solutions for local problems. Research conducted in Wales, solely for the Children of Wales. We are committed to the Children of Wales and offer our skills and expertise out of love, the Minister implementing this is leaving before it has been designed. The people of Wales are showing conviction and it the devolved administrations duty to provide this on-going working partnership. We will not support this element of the Bill and will fight to repeal if it passes, we will hold minister solely responsible for this cost as they all would have been forewarned, we do not want part in this no parent opt-out education, we certainly do not want part of any global, unelected entity.

Please note, document is hyperlinked throughout.

Kind Regards

Kim Isherwood

Public Child Protection Wales

Education our say, our way!

Agenda Item 2.16

P-05-1097 Ban game bird cages

This petition was submitted by The League Against Cruel Sports having collected a total of 5,287 signatures.

Text of Petition:

Millions of pheasants and partridges are estimated to be factory farmed in Wales each year so that they can be shot for 'sport'. To breed them, tens of thousands of parent birds are confined to cages, often for much of their breeding lives. Cages are cruel and cause animals to suffer. The Welsh Government has previously indicated support for Wales to become a cage-free nation. We call for the Welsh Government to ban the use of cages to produce game birds.

Additional Information:

Life in a cage can lead to distress and injury, and doesn't fully allow for birds' needs or natural behaviour. Their suffering can include painful open foot sores, stress-induced attacks and injury from repeated attempts to escape. To reduce problem behaviours linked to their captivity, such as pecking other birds, devices such as plastic bits forced into their nostrils can also be used.

Pheasants and partridges are semi-wild by nature, making the impact of cages all the greater. Yet they're not even covered by the basic regulations granted to other farmed animals or routinely inspected. Investigations have revealed breaches of guidance such as repeated use of barren cages and dead pheasants left long enough in cages to be cannibalised. Even in cages described as 'enriched', there could be as little as a single shared perch, a plastic curtain and some astroturf.

Whether confined to barren or 'enriched' cages, game birds suffer. The Welsh Government has the power to end this practice.

Senedd Constituency and Region

- Cardiff North
- South Wales Central

P-05-1097 Ban game bird cages

Y Pwyllgor Deisebau | 26 Ionawr 2020
Petitions Committee | 26 January 2020

Reference: RS20/14886-1

Petition Number: P-05-1097

Petition title: Ban game bird cages

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Whether confined to barren or 'enriched' cages, game birds suffer. The Welsh Government has the power to end this practice.



This petition was submitted by The League Against Cruel Sports having collected a total of 5,287 signatures.

1. Background

There is no specific legislation regulating the breeding and rearing of birds for sporting purposes.

However, all gamebird breeders must comply with the relevant laws relating to their operation. In particular, the keeping of live birds in captivity falls within the scope of, and protection conferred by, the *Animal Welfare Act 2006* (the 2006 Act). The 2006 Act contains several provisions which are of particular relevance:

- Section 4 provides that animals must be protected from unnecessary suffering; and
- Section 9 requires that if a person is responsible for an animal that the animal's needs are met. This includes its need:
 - for a suitable environment;
 - for a suitable diet;
 - to be able to exhibit normal behaviour patterns;
 - to be housed with, or apart from, other animals (as required); and
 - to be protected from pain, suffering, injury and disease.

The Welsh Government published a Code of Practice for the Welfare of Gamebirds Reared for Sporting Purposes (2011) ('the Code of Practice' hereafter). It provides guidance in relation to Section 9 of the 2006 Act (discussed below).

Concerns about a specific gamebird rearing premises can be reported to the Animal and Plant Health Agency (APHA) or the relevant Local Authority as they are responsible for the delivery and enforcement of animal health and welfare provisions on behalf of the Welsh Government. A freedom of information request showed the number of APHA visits to pheasant shooting premises in Wales: 1 in 2014; 0 in 2015; and 0 in 2016 (out of 359, 167 and 190 registered pheasant premises in the respective years).

Other laws, including those relating to planning, registration, medicine controls, disposal of animal by-products and animal transport also apply and are outlined in Annex 1 of the Code of Practice.

The Welsh Government could legislate to regulate the breeding of birds for sporting purposes, if the purpose of such legislation was the promotion of animal welfare.

2. Welsh Government action

Code of Practice

The Welsh Government published its Code of Practice for the Welfare of Gamebirds Reared for Sporting Purposes in 2011. The Welsh Government's letter to the Committee on this petition states that the Code of Practice was developed in consultation with stakeholders including representatives from the shooting industry and welfare organisations.

The Code of Practice states that when birds are housed or penned, the accommodation should be well constructed and managed, and of sufficient size to ensure good health and welfare. It also states that barren raised cages for breeding pheasants and small barren cages for breeding partridges should not be used. All laying systems used for the housing of birds should be designed and managed to ensure the welfare of the birds and any system should be appropriately enriched.

The Welsh Government's paper to the Committee states that any future changes made to the Code of Practice or welfare legislation will be made with due consideration given to all stakeholder feedback, along with relevant research, analysis and evidence.

Natural Resources Wales review of shooting activity

In 2016 Natural Resources Wales (NRW) began a review of shooting activity on its land. The (then) Minister for Environment, Hannah Blythyn MS, wrote to NRW in 2018 stating that the Welsh Government does not support pheasant shooting, the breeding of gamebirds, or the birds being kept in holding pens, on the Welsh Government Estate. NRW took the decision to stop the leasing of pheasant shooting rights on the Welsh Government Woodland Estate (WGWE) with effect from March 2019, when the existing leases expired.

In terms of rearing the birds NRW concluded:

The evidence indicates that the rearing and release in pens of gamebirds can, if not well managed, impact on the welfare of the birds. The WG [Welsh Government] Code of Practice provides a statement of best practice to address the issue.

3. Welsh Parliament action

The Petitions Committee has previously considered petition P-05-816 'Say NO to pheasant shooting on Welsh public land.'

The League Against Cruel Sports provided a letter to the Committee during its consideration of that petition in 2018. It referred to the rearing of game birds for shooting and the Welsh Government's Code of Practice:

...there are no independent checks undertaken to assess whether the Code is being followed by game bird breeders, so in practice, compliance with the Code is voluntary. There are no inspections of game bird rearing sites carried out by the Animal and Plant Health Agency. Any inspection of a game bird rearing site would only be carried out in response to a welfare concern raised directly with APHA or the local authority but given that game bird rearing facilities are private businesses, it is highly unlikely that any welfare breaches would be detected and reported.

In addition, the Code itself is eight years old and is insufficient to guarantee the welfare of the birds as it lacks even a basic minimum space requirement per bird. Animal Aid's investigations over a number of years have revealed that this Code is often disregarded with no consequences for the game bird producer.

This petition was closed in January 2019 in light of the NRW Board's decision not to offer any extension to the leases for pheasant shooting rights once they expired in March 2019, following the Welsh Government's intervention.

In June 2018 Bethan Sayed, MS, raised the question in Plenary (para 332) as to when the Code of Practice might be reviewed saying 'in conversations that I've had with the League Against Cruel Sports, this is not monitored at the moment.'

The Minister for Environment, Energy and Rural Affairs, Lesley Griffiths MS, responded (para 337) that she had agreed with the UK Department for Environment, Energy and Rural Affairs (DEFRA) and the other devolved administrations that they will work together to review and revise the Code of Practice. A timeline was not given.

Every effort is made to ensure that the information contained in this briefing is correct at the time of publication. Readers should be aware that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.



Ein cyf/Our ref LG/02835/20

Janet Finch-Saunders MS
Chair of the Petitions Committee

8th December 2020

Dear Janet,

Thank you for your letter of 30 November, regarding the Ban on Game Bird Cages.

The Welsh Government has published a Code of Practice for the Welfare of Gamebirds Reared for Sporting Purposes.

<https://gov.wales/sites/default/files/publications/2020-11/gamebirds-reared-for-sporting-purposes-welfare-code-of-practice.pdf>

The Code was developed in consultation with stakeholders including representatives from the shooting industry and welfare organisations. The purpose of the Code is to provide practical guidance in relation to Section 9 of the Animal Welfare Act 2006.

Whilst raised cages are permitted by law, it is important to note that the welfare of gamebirds is covered by the Animal Welfare Act 2006. The Act makes it an offence to cause unnecessary suffering to an animal and also contains a duty of care so those responsible for an animal must take reasonable steps to ensure its welfare.

Our Code of Practice states that when birds are housed or penned, the accommodation should be well constructed and managed and of sufficient size to ensure good health and welfare. The code also states that barren raised cages for breeding pheasants and small barren cages for breeding partridges should not be used. All laying systems used for the housing of birds should be designed and managed to ensure the welfare of the birds and any system should be appropriately enriched.

Bae Caerdydd • Cardiff Bay
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0300 0604400

Gohebiaeth.Lesley.Griffiths@llyw.cymru
Correspondence.Lesley.Griffiths@gov.wales

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

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

Any future changes made to the current Code of Practice for the Welfare of Gamebirds or welfare legislation will be made with due consideration given to all stakeholder feedback along with relevant research, analysis and evidence.

Any concerns about a specific gamebird rearing premises should be reported to the Animal and Plant Health Agency (APHA) or the relevant Local Authority as they are responsible for the delivery and enforcement of animal health and welfare provisions on behalf of the Welsh Government.

Yours Sincerely,



Lesley Griffiths AS/MS

Gweinidog yr Amgylchedd, Ynni a Materion Gwledig
Minister for Environment, Energy and Rural Affairs

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Gohebiaeth.Lesley.Griffiths@llyw.cymru
Correspondence.Lesley.Griffiths@gov.wales

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

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



Petitions Committee
Welsh Parliament
Cardiff Bay
Cardiff
CF99 1SN

By email

18 January 2021

Dear Petitions Committee,

The League Against Cruel Sports welcomes your consideration of the petition to *Ban Game Bird Cages* and thank you for the opportunity to respond to correspondence on the issue from the Minister for Environment, Energy and Rural Affairs (LG/02835/20).

Whilst glad to see the matter discussed, we do not believe that the Government response addresses the significant welfare concerns over the use of cages for the breeding of 'game' birds and the case for a ban supported by the petition. It does however highlight the inadequacies of the current system which would be best addressed by a ban on such cages.

While a *Code of Practice for the Welfare of Gamebirds Reared for Sporting Purposes* exists, it does not rule out the use of cages, which are of heightened concern due to the semi-wild nature of the birds, or set specific conditions such as minimum space requirements, merely recommending housing of "appropriate size, stocking densities and facilities". Birds intensively farmed for shooting are therefore not afforded even the basic legal standards which apply to birds farmed for food and are set in law.

The existence of the current Code therefore does not sufficiently address the cruelty of breeding game birds in cages simply for them to be released to be shot for 'sport'. Nor does the present situation reflect the level of public support for a ban – 82% of the Welsh public are opposed to the use of cages for this purpose, according to nationally representative opinion polling conducted by YouGov in 2018¹.

While the Code specifies that appropriate enrichment should be provided, research published by the Department for Environment, Food and Rural Affairs shows that this brings little welfare improvements for pheasants compared to barren cages, and catalogues the suffering of caged birds seen through indicators such as feather damage caused by pecking, foot injuries and jump

¹ YouGov/League Against Cruel Sports (2018). [https://d25d2506sfb94s.cloudfront.net/cumulus_uploads/document/1qaemiv24u/YG-Archive-230418-League AgainstCruelSports.pdf](https://d25d2506sfb94s.cloudfront.net/cumulus_uploads/document/1qaemiv24u/YG-Archive-230418-League%20AgainstCruelSports.pdf)

escape behaviour². It is little surprise that enrichment, which in practice can amount to as little as a single shared perch, a plastic curtain and some astroturf, offers little relief – it is cages themselves that are inherently cruel, offering so little space that birds are denied the ability to express their natural behaviour.

It is also important to note that the Code functions as guidance and breach of the Code is not an offence, in stark contrast to the position of laying hens, for which conditions such as minimum space requirements are set in the Welfare of Farmed Animals (Wales) Regulations 2007, made under Section 12 of the Animal Welfare Act 2006. The fact that raised laying cages are currently permitted by law demonstrates that the Act and existing Code do not protect game birds from the cruelty inherent in their use, which is all the greater due to their semi-wild nature, as summarised in the petition.

In common with the signatories to the petition and the majority of the Welsh public, we believe that action is required to end the use of cages to breed gamebirds, which would be in line with the Minister's stated ambition for Wales to become a cage-free nation.

Additionally, a review of the Code was initiated in 2019, in which the League has participated as a stakeholder. Prior to this, calls were made in the Senedd for a review of the regulatory framework, specifically to address the "overcrowded, battery-like conditions" endured by game birds under a Code which "doesn't even require a minimum space for the birds" and a system with no regular inspections. It was suggested by the Minister at that time that the review of the Code would be the opportunity to make any necessary changes in the regulations³.

However, the review has been disappointingly narrow in scope and, on the basis of the draft updated Code most recently provided to us, a sadly wasted opportunity to address many of its weaknesses and improve welfare requirements. Over a year has passed since the draft update was shared with the League and other stakeholders and we have had no substantive update on its progress since last year.

We were able to identify no changes of substance in the draft with the majority of the changes being made only to the preface of the Code. It has been suggested to us by officials that ending the use of cages was outside of the scope of the review and would not be possible within the framework of the Code. While the League's strong preference is towards a ban on by means of regulation (such as through powers available under Section 12 of the Animal Welfare Act), we maintain that it was nevertheless possible to consider strengthening the guidance contained in the Code, such as through minimum space requirements or ruling out the use of cages outright. An example is the updated Code for England introduced by the then Labour Government in March 2010 which was withdrawn soon after by the coalition government.

² Defra (2015). Evidence Project Final Report - AW1303.

<http://sciencesearch.defra.gov.uk/Default.aspx?Menu=Menu&Module=More&Location=None&Completed=0&ProjectID=17541>

³ Questions to the Cabinet Secretary for Energy, Planning and Rural Affairs, 17/01/2018;

<https://record.assembly.wales/Plenary/4897#C51205>

We would therefore welcome clarity on the progress and outcome of the review, as well as any update on the Government's consideration of the possibility of new research into the issue⁴.

We do not believe that the inspection regime alluded to in the correspondence, which forms part of the delivery and enforcement of animal health and welfare provisions referred to by the Minister, is adequate protection for the welfare of game birds farmed at breeding sites. While the Animal and Plant Health Agency (APHA) and local authorities are responsible for inspections, there is no system of routine or unannounced inspections of game bird establishments and very few inspections take place each year.

As indicated by a recent written answer in the Senedd⁵, the Welsh Government does not appear to collate or monitor data on the inspection of game bird breeding sites by statutory agencies. However, a written question to the UK Government in 2019 revealed that only 2 inspections were carried out by APHA in Wales in 2018, and only 23 in the whole of Great Britain during that time⁶. A recent Freedom of Information request made by the League in December 2020 to Powys County Council, where the overwhelming majority of gamebirds in Wales are bred, for information on inspections of gamebird breeding sites in the local authority area, returned details of only one inspection since 2015.

The present system relies on the reporting of specific welfare issues in order to initiate an inspection of a breeding site. Given that the breeding of game birds takes place at private sites away from the public gaze, it is often incumbent on animal protection organisations to carry out investigations to expose suffering and apparent breaches of welfare guidance. Even then, in cases where serious concerns have been raised about welfare and breaches of the Code after such investigations, no action appears to have been taken following visits by APHA. For example, respected campaign group Animal Aid have documented welfare concerns and apparent breaches of the Code in multiple successive investigations at a breeding site in Wales, including exposure of extremes to temperature, use of barren cages and presence of dead, cannibalised birds, with apparently no action taken as a result.

Taking into consideration these points, not least the severe welfare impacts inherent to the use of cages to breed game birds, we would welcome the Committee's further exploration of the request of the petition to ban game bird cages.

Yours faithfully,

Bethan Collins
Senior Public Affairs Officer, Wales

⁴ WQ81201; <https://record.assembly.wales/WrittenQuestion/81201>

⁵ WQ81272; <https://record.senedd.wales/WrittenQuestion/81272>

⁶ UIN 247715; <https://questions-statements.parliament.uk/written-questions/detail/2019-04-25/247715>

Agenda Item 2.17

P-05-1115 Stop giant Solar farm which will destroy ancient meadows near Abergavenny

This petition was submitted by John Sullivan having collected a total of 258 signatures.

Text of Petition:

103 acres at Penpergwm on prime farmland in Monmouthshire.

It is almost as big as the three existing solar arrays in the area combined.
Where will the next be?

Due to its size and prominence any planning application will be determined by the Welsh Government not Monmouthshire County Council, who have refused the Environmental Screening Application made by the developers for Great House Energy.

The Welsh Government have accepted it despite there being many questionable findings.

Additional Information:

Three public footpaths and a bridle way cross these beautiful historic meadows with native hedgerows, flora and fauna.

Its elevation and prominence make it visible for miles around, from Clytha hill, the Bloreng and surrounding areas some major tourist attractions.

It will compromise ancient farmsteads and houses, almost surround two Grade 2 listed buildings and close to recent archaeological digs.

Proposed access roads were built for horses and carts and are used by walkers and horse riders – totally unsuitable for HGV traffic.

How green is solar power? Rare earth and heavy metals used to produce panels and batteries (Which at present cannot be recycled) are often mined by exploited low paid workers in poor countries and then transported vast distances.

We all want green energy but we don't have to destroy the green to get it.
There are many alternatives.

We respectfully ask the Welsh Government to refuse any future planning applications associated with this development.

Senedd Constituency and Region

- Monmouth
- South Wales East



Eich cyf/Your ref P-05-1115
Ein cyf/Our ref JJ/03225/20

Janet Finch-Saunders MS
Chair, Petitions Committee
Ty Hywel
Cardiff Bay
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29 December 2020

Dear Janet,

Thank you for your letter of 16 December regarding Petition P-05-1115: 'Stop giant Solar farm which will destroy ancient meadows near Abergavenny'. The petition asks the Welsh Ministers to refuse any future planning application associated with the development.

The development, referred to as Penpergwm Solar Farm, is a proposed 45MW solar farm with associated battery storage at Penpergwm, near Abergavenny, Monmouthshire. As it has an expected installed generating capacity of over 10MW, it is a Development of National Significance ("DNS") and planning applications for such development must be made directly to the Welsh Ministers.

Due to the Welsh Ministers' statutory role in deciding DNS planning applications, I cannot comment on the merits of individual proposals as to do so may prejudice any decision to may make in relation to it. However, I can clarify events to date.

The petition suggests Monmouthshire County Council ("MCC") has 'refused' a screening request from the developer. As MCC is not the determining authority, it cannot issue such decisions in relation DNS planning applications.

The petition also suggests the Welsh Government has 'accepted' a screening request. The applicant submitted a request on 14 October for the Welsh Ministers to make a direction to decide whether the development requires an Environmental Impact Assessment ("EIA"), within the meaning of the Town and Country Planning (EIA) (Wales) Regulations 2017, to supplement any prospective DNS planning application.

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

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

The Planning Inspectorate, acting on behalf of the Welsh Ministers, decided on 12 November no EIA is required. The full reasoning behind the direction is contained at the following address:

<https://dns.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/DNS/3252305/DNS-3252305-000009-2020-11-12%20-%20Screening%20Direction%20w%20Appendices.pdf>

While this is the case, the prospective applicant must undertake a period of statutory pre-application consultation in advance of submitting a DNS planning application. In doing so, the prospective applicant must produce a report which gives particulars of the account taken of all responses to the consultation, as part of its submission of a DNS planning application. It is encouraged those who support this petition engages with the pre-application process when it commences.

Yours sincerely,



Julie James AS/MS

Y Gweinidog Tai a Llywodraeth Leol
Minister for Housing and Local Government

P-05-1115 Stop giant Solar farm which will destroy ancient meadows near Abergavenny, Correspondence – Petitioner to Committee, 13.01.21

Petitions Committee

Subject: P-05-1115 Petitions Committee 26.01.21

I have read the response from Julie James and would comment thus:

I first became aware of this proposed development on 14th October 2020 when a screening application was posted on the Welsh Government's planning website prepared by Neo Environmental on behalf of Great House Energy Ltd. The size and location of the proposal was, I felt, completely inappropriate – a view shared by residents in the neighbourhood and surrounding areas. On further scrutiny of this (largely cut and paste) document I could not believe some of the conclusions. I am convinced that there were (are) many omissions and errors which to my mind call into question both the impartiality and competence of the authors.

In the meantime the Welsh Planning Inspectorate requested in a letter dated 16th October 2020 that Monmouthshire County Council provide assistance as they (Welsh Planning Inspectorate) had and I quote **“limited information before us as to the potential environmental issues related to this site”**.

Monmouthshire County Council's reply dated 5th November 2020 was by way of an 18 page highly detailed document which put forward many doubts with regard to ecology, visual intrusion and significant landscape changes. Part of its conclusion stated **“the scale of this development is insensitive to the pattern and character of the Monmouthshire landscape failing to harmonise with or enhance the land form and landscape of this unspoilt landscape”** and **“creates an urbanising presence within a rural and unspoilt landscape on a scale which is incompatible with the character”**.

Monmouthshire County Council stated that **“a full environmental impact assessment should be undertaken to inform any future application”**.

This response by Monmouthshire County Council took the form of a screening report. Welsh Planning Inspectorate were quick to inform Monmouthshire County Council that such a screening opinion was not within the remit of the local authority and would be placed on register. Shortly afterwards the Welsh Planning Inspectorate agreed to accept Neo Environmental's screening application. Whilst the Welsh Planning Inspectorate make reference to some of Monmouthshire County Council's concerns, the preponderance of the phrase **“unlikely significant**

effects” throughout their screening assessment surely demonstrates the Welsh Planning Inspectorate is clearly more comfortable with the findings of Neo Environmental (an organisation based more than 300 miles away) than Monmouthshire County Council’s opinions. This beggars belief. Am I to conclude that this whole process is at risk of becoming nothing more than a “rubber stamping” exercise?

Taking into account all of the above on the 1st December 2020 – 18 days after the Welsh Planning Inspectorate agreed to allow the screening request I decided to launch the petition. Of the 247 signatures collected so far some 25% are from people who live outside the area. I have been contacted by regular tourists to this area who have all expressed dismay at the proposal. News like this travels fast and it is reasonable to expect a decline in visitors. There are a number of holiday venues in the area, the owners of which are worried at the prospect of a huge blot on the landscape. It is this very beautiful landscape that attracts the tourists.

I feel it should send an important message to the Welsh Planning Inspectorate that their high handed approach to this matter has not gone unnoticed. I anticipate further representations at the consultation and application stages.

John Sullivan

Petition Organiser

Footnote: I am a founder member of **H.U.S.T.L.E (Help Us Stop The Looming Eyesore)** a local protest group formed to organise legal representation to fight any application associated with this development.

[REDACTED]

Agenda Item 3.1

P-04-522 Asbestos in Schools

This petition was submitted by Cenric Clement-Evans and was first considered in December 2013, having collected 448 signatures.

Petition Text

We call on the National Assembly for Wales to urge the Welsh Government to put measures in place to ensure that parents and guardians of children across Wales can easily access information about the presence and management of asbestos in all school buildings.

Given the health risks associated with the presence of asbestos in public buildings, we believe parents and guardians across Wales have the right;

- to know if asbestos is located in their school;
- to know whether, where asbestos is present, it is being managed in line with the Control of Asbestos Regulations 2012;
- to access that information easily online

Assembly Constituency and Region

- Cardiff Central
- South Wales Central



Eich cyf/Your ref P-04-522
Ein cyf/Our ref KW/07174/20

Janet Finch-Saunders MS
Chair, Petitions Committee

7 January 2021

Dear Janet,

Thank you for your email of 16 December in which you asked for an update in relation to the publication of high level information about asbestos management in schools.

Collation of high level information is now complete and the data overleaf will be published before the end of January.

I would like you to please note that the information provided is as current as possible, and as highlighted previously, not Welsh Government data but a compilation of validated data returns by local authorities across Wales. It also does not reflect the level of asbestos present in each school, which can range from minimal to more widespread.

As part of this return all local authorities have confirmed that all schools with asbestos present have an asbestos management plan in place. We understand that this is reviewed on a regular basis by the duty holder to ensure it is an accurate record of the asbestos present. Such plans are readily available to all staff, visitors and contractors.

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

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

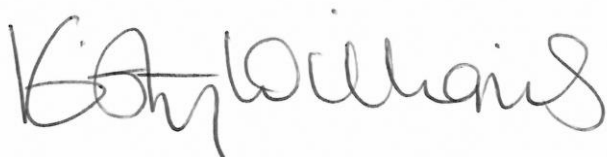
Local authority	Total number of schools	Schools with asbestos
Anglesey	41	37
Blaenau Gwent	28	20
Bridgend	48	26
Cardiff (2018)	111	91
Carmarthenshire	109	97
Caerphilly (2017)	87	78
Ceredigion (2018)	50	42
Conwy	60	52
Denbighshire	54	42
Flintshire	75	66
Gwynedd (2018)	105	98
Monmouthshire (2017/18)	34	32
Merthyr Tydfil	28	23
Newport	51	45
NPT	63	51
Pembrokeshire	65	44
Powys	101	88
RCT	121	99
Swansea	97	92
Torfaen	43	30
Vale of Glamorgan	58	48
Wrexham	68	51
Totals	1497	1252

I am pleased to see that over 15% of our schools do not have asbestos, which is a reflection of the significant part our 21st Century Schools and Colleges Programme has played since 2014. This will continue as we now move forward with our second wave of programme funding. I believe that it is important that we continue to monitor the impact that investment is having on eradicating asbestos in our schools estate.

Given the unprecedented situation over the last year, especially for officials in local authorities, I took the decision to reduce the number of requests to them. This included the annual condition survey return which captures the asbestos information. However, moving forward, I have asked my officials to plan for the distribution of this year's condition survey request in early summer, so that published information can be updated accordingly.

Please be assured that we continue to support the duty holders with appropriate and up to date guidance to help them fulfil their responsibilities of managing, monitoring and, if necessary, removing asbestos from their buildings.

Yours sincerely



Kirsty Williams AS/MS
Y Gweinidog Addysg
Minister for Education

Agenda Item 3.2

P-05-812 We call for the Welsh Government to encourage trusts to implement the NICE guidelines for Borderline Personality Disorder or justify why they do not do so

This petition was submitted by Keir Harding and was first considered by the Committee in May 2018, having collected 137 signatures.

Text of Petition

No Longer A Diagnosis of Exclusion, a document that highlighted the mistreatment of those diagnosed with personality disorder was published in 2003.

The NICE guidelines for Borderline Personality Disorder were published in 2009. 9 years on less than half of Welsh trusts provide services that comply with the guidelines. This compares to 84% of trusts in England.

People with this diagnosis have frequently come from backgrounds of maltreatment, neglect and abuse.

1 in 10 people with this diagnosis will die by suicide.

The National Confidential Inquiry into Suicide and Homicide found that of the 1 in 10 people who ended their lives over the period of their study, none were receiving NICE recommended care.

Experts in the field warn that trusts without specialist services will be over reliant on out of area private treatment. This view was supported by representatives of trusts without specialist services at the Personality Disorder Cymru conference in Cardiff in 2016.

We must do more to support the survivors of abuse who have been let down enough already.

We must do more to protect the Welsh tax payer by providing effective community services rather than expensive out of area placements.

We call for the Welsh Government to direct trusts to implement the NICE guidelines for Borderline Personality Disorder or justify why they do not do so.

Assembly Constituency and Region

- Wrexham

- North Wales



Ein cyf/Our ref VG/01445/20

Janet Finch-Saunders MS
Chair, Petitions Committee

11 January 2021

Dear Janet,

Thank you for your letter of 24 March requesting further information following my previous response related to Petition P-05-812 and the implementation of NICE guidelines for Borderline Personality Disorder. I apologise for the delay in my response.

In respect of the recommendations included within the Royal College of Psychiatry's Position Statement on Personality Disorders, we have asked the NHS Mental Health Network to review the statement and consider if there are any additional specific actions required in Wales.

NICE clinical guidelines are purely guidelines and as such are not mandatory for implementation by NHS organisations in Wales. Having said that we would expect all organisations to take account of relevant NICE guidelines in the planning and provision of NHS services and reflect this as part of their integrated plans. The Welsh Government also works with the NICE Implementation Facilitator for Wales whose role involves supporting teams in Wales to make the best use of NICE products to deliver high quality services alongside other relevant standards when planning services for their populations.

In addition, NICE and Healthcare Inspectorate Wales (HIW) have recently signed a Memorandum of Understanding and are exploring options to consider the implementation of NICE guidelines more systematically as part of the inspection process.

Yours sincerely,

Vaughan Gething AS/MS
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol
Minister for Health and Social Services

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

P-05-812 Implement the NICE guidelines for Borderline Personality Disorder, Correspondence – Petitioner to Committee, 13.01.21

I would like to thank the committee for their ongoing interest in this area and repeatedly bringing this matter to the attention of the Health Secretary.

I think the conflict that the health secretary and have in this area is that while I believe that a group who are universally recognised as being stigmatised in healthcare are stigmatised in Wales, the Health Secretary believes that the answers are the agencies and organisations that have traditionally excluded these people. My significant concern is that without specific guidance and instruction from the Welsh Government, what has happened in the past will continue to happen in future.

I find myself wondering if there is some conflict between the Health Secretary's assertion in his letter that "NICE clinical guidelines are purely guidelines and as such are not mandatory for implementation by NHS organisations in Wales." and "All NICE guidelines and quality standards apply to Wales and are subject to Welsh legislation" (<https://gov.wales/national-institute-health-and-care-excellence-nice-guidelines>)

I wish that I could give detailed statistics that illustrate the extent of the difficulties faced by people who are given this diagnosis. The difficulty is that in Wales, they traditionally have not been thought about. While Ireland, Scotland and England have all put together papers on how to respond to the needs of those diagnosed with personality disorder, Wales has not. It could be argued that we haven't given this population much thought because it is not an issue in Wales, however it could equally be argued that the lack of a document addressing the needs of these people reflects our attitude towards them.

I would remind the health minister and petitions committee of the PD Cymru conference in Cardiff in 2016 where people talked of "the privatisation of PD" - the sense that people with this diagnosis were exported to the private sector.

This news story highlights the extent to which patients from Wales are placed in private units, often in England <https://www.bbc.co.uk/news/uk-wales-48599970>

The story states: "The Welsh Government said the number was decreasing with only "very specialist centres in England" used". Since this story was published the Welsh Government has had to publicly stated it is no longer using one major provider due to concerns about the poor quality of what was provided. This was reflected in the units 'inadequate' CQC rating.

This piece below was published in the Lancet last year by myself and other authors based in Wales. We argue that, like the unit the Welsh Government has stopped using, providers that claim to be 'specialist' in this area have little basis to make these claims.

<https://secure.jbs.elsevierhealth.com/action/getSharedSiteSession?redirect=https%3A%2F%2Fwww.thelancet.com%2Fjournals%2Flanpsy%2Farticle%2FPIS2215-0366%2820%2930148-6%2Ffulltext&rc=0>

While I have attempted to discover how many people Wales is paying £250k a year for who either have a personality disorder diagnosis or issues with self harm and suicidality, I was told we do not hold this information. My experience of outsourced mental health care is that this patient group will make up a significant chunk of the 50-60 million it is estimated we spend on private mental health care. Care we argue in that paper, that is significantly worse than what could be provided in the community.

Doing what we usually do has not worked for this client group. England, Ireland and Scotland have need the need to draw special attention to the plight of those who receive this diagnosis. While there is no direction to do something different, those who have been marginalised will stay marginalised.

While there is no direction to do something different, organisations who choose to export complex cases to private facilities in England will continue to do so.

While there is no direction to do something different the Welsh health budget will continue to be transferred to private providers in England. We will never provide effective community services in Wales while we spend millions funding inadequate care in another country.

The Health Secretary has previously stated that part of his role is to hold health boards to account. I urge him to do so.

Again, many thanks for your ongoing pursuit of this issue,

Agenda Item 3.3

P-05-960 Fund the funeral costs of all NHS staff who die from or with Covid-19

This petition was submitted by Profs Jane Henderson & Karin Wahl-Jorgensen having collected a total of 414 signatures.

Text of Petition

They gave their lives to save ours. We call on the Welsh Government to fund the funeral costs of all NHS staff who die from or with Covid-19. The average simple funeral costs £4000. We ask the Welsh Government to ensure that bereaved families immediately have access to the funds to pay for funeral costs.

Additional Information

Source for funeral cost

<https://www.moneyadviceservice.org.uk/en/articles/help-paying-for-a-funeral>

Senedd Constituency and Region

- Cardiff West
- South Wales Central

Vaughan Gething AS/MS
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol
Minister for Health and Social Services



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-05-960
Ein cyf/Our ref VG/09644/20

Janet Finch-Saunders MS
Chair, Petitions Committee

11 January 2021

Dear Janet,

Thank you for your further letter of 8 December on behalf of the Petition Committee requesting further information on the funding of funeral costs for all NHS staff who died of COVID-19.

We can confirm that consideration was given to a range of options to assess the feasibility of paying funeral costs for NHS workers who have sadly lost their lives to COVID-19, unfortunately due to a number of issues none were deemed to be practical, workable or timely solutions.

I hope this information is helpful.

Yours sincerely,

Vaughan Gething AS/MS
Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol
Minister for Health and Social Services

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

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

P-05-960 Fund the funeral costs of all NHS staff who die from or with Covid-19, Correspondence – Petitioner to Committee, 19.01.21

Dear Petitions Committee

Thank you once again for taking your time to consider this petition. I'm restating the core premise of the petition because I'm so disappointed with the minister's response of the 11th of January which I read as dismissive.

As you may remember I started this petition in April 2020 in response to being asked to contribute to the Crowdfunder for the funeral of someone working for the NHS who died from COVID-19. Of course many of us supported the family with their funeral costs (as most people would) but recognised this was a terrible way to manage in a pandemic. The members of the petition committee have made it clear repeatedly (May, July, September and November) that they recognise that the cost of a funeral is urgent and significant for many families. Although the UK government have agreed a compensation payment of £60,000 this does not remove the urgent financial pressure from the family at a time of great upset and sadness. As a society we owe a debt of gratitude that cannot be measured to those members of staff who have returned to work day in day out, during a pandemic to protect our health.

This petition has been supported by all of the panel on every consideration, because this is a question of basic humanity. For the minister to write that support would not be 'timely' reflects poorly on his office given the timeline of the petition, it appears as if the minister is content to run down the clock on this issue to save some money. The petition committee asked the minister to justify his statements that providing funds for funeral costs for NHS staff was not a balanced cost and would add additional burden to NHS employers. I find the lack of any substantive answer to the question on the basis of the costs calculation intensely disrespectful. It is disrespectful to the families of NHS staff who lose their lives, disrespectful to those of us who created and signed the petition, disrespectful to the petitions committee and indeed disrespectful to the entire petition process.

Whenever someone says that something is too expensive what they mean is that they're not prepared to pay that price. So the question here is what price are we asking NHS staff to pay and what price The Welsh Government? We have asked specifically to see costings but have not been offered any. The Welsh Government has set up and run other funding schemes during the course of the pandemic so they will have costings. As stated with the original submission, a funding scheme exists for the funeral costs of military service personnel and for the child burial scheme and we know that there is a UK national fund for NHS staff meaning that the process of identifying who works with the NHS must already be in place. It must therefore be possible to put a figure on what the minister considers unworkable. If a family

member dies suddenly and you don't have enough to pay for a funeral that is certainly unworkable.

I ask the petition committee to agree with my conclusion that the minister for health and social services has concluded that paying for the funeral costs for NHS staff is not worth it. I therefore called on the committee to either take this to a debate in the Senedd or to appeal to Mark Drakeford to take an overview on this process and provide clear and evidence based response, or better still simply put resources in place for the funerals.

The Welsh Government has the petitions procedure for the very reason of allowing constituents to share their concerns. I believe the vast majority of people in Wales, like the petitions committee themselves, would see funding the costs of funerals for NHS staff who died in the pandemic as entirely reasonable. It falls to Vaughan Gethin to justify why he considers this too expensive if necessary during a discussion in the Senedd. We can do better than this.

Yours sincerely

Jane Henderson on behalf of the petitioners

Agenda Item 3.4

P-05-943 We call on the Welsh Government to take urgent action to secure improvements to the A487 between Gellilydan and Maentwrog

This petition was submitted by Carron Jones having collected 2,595 signatures online and 2,855 on paper, a total of 5,450 signatures.

Text of Petition

We are asking the Welsh Government to take urgent action to ensure that tangible improvements are made to the A487 between Gellilydan and Maentwrog following the tragic and devastating accidents that have occurred there in the last two years.

We must make sure that a definite change is made to the road so that such disasters do not happen again.

Assembly Constituency and Region

- Dwyfor Meirionnydd
- Mid and West Wales



Ein Cyf / Our ref: KS/322/20

Members of the Senedd

24 September 2020

Dear Member,

Safety and Speed Limit Review

In 2019/20, we reviewed speed limits across the trunk road network in line with guidance on Setting Local Speed Limits in Wales which sets criteria for different speed limits such as collision rates, road geometry and function, and use by vulnerable road users (<https://gov.wales/sites/default/files/publications/2017-10/setting-local-speed-limits-in-wales.pdf>). The Review considered all complaints and issues raised by the public to Welsh Government since 2016 as well as increases in collision and speed data to identify sites for detailed review. This resulted in 413 sections of trunk road being assessed in detail and all evidence and comments from stakeholders (including local authorities, police, Trunk Road Agents and Sustrans) were considered alongside work already planned, to identify the need for further road safety measures.

The Review recommends work at 114 locations across Wales, which have been added to a 5 year programme of work with other similar projects from previous speed limit reviews and information has been published on the Welsh Government website: <http://trunkroadsafety.maps.gov.wales/>. The publication of this information has been delayed during the Coronavirus pandemic and I apologise for any concerns this delay may have caused.

The experience from this review will be fed in to the forthcoming update of the Setting Local Speed Limits in Wales guidance to ensure the outcome of future reviews maximises the potential for Active Travel.

Yours sincerely,

Ken Skates AS/MS
Gweinidog yr Economi, Trafnidiaeth a Gogledd Cymru
Minister for Economy, Transport and North Wales

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

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

P-05-943 Rydym yn galw ar Lywodraeth Cymru i gymryd camau brys i sicrhau gwelliannau i'r A487 rhwng Gellilydan a Maentwrog, Gohebiaeth – Deisebydd i'r Pwyllgor, 18.01.21

Does genym ni ddim rhagor o gwestiynau. Ond Mae ein cais mor bwysig, I ni, I bawb yn ein cymuned, ac I bawb sydd yn trafailio ar yr ffordd yma. Mae yna gormod o ddamweiniau, ac gormod o fywydau wedi ei golli arno. Mae ein deiseb angen ei gymeryd o ddifri! Plis, plis meddyliwch I gonsidro yr 'average speed cameras'.

Diolch
Sioned Wyn Williams.

Rwyf yn deallt bod y pwyllgor yn eistedd diwedd mis yma, fellu hoffwn erfyn ar bawb gefnogi y cais am gamerâu cyflymder ar y darn ffordd rhwng Gellilydan a Maentwrog. Rhaid gwneud bob dim yn ein gallu i wneud y darn ffor yma yn saffach i drafeilio arno, Yn erfyn am eich cefnogaeth.

Diolch Elfed Roberts

By virtue of paragraph(s) vi of Standing Order 17.42

Document is Restricted

Agenda Item 3.5

P-05-993 Make retail in Wales fully accessible to disabled people

This petition was submitted by Angharad Paget-Jones having collected a total of 173 signatures.

Text of Petition:

During the Covid-19 pandemic, many essential stores have used methods of safety that have excluded many disabled people. Visually impaired people were not counted to the priority shopping slots before late May. All the signs and floor markings are purely visual which is useless if you have low/no vision. One way systems in stores not being wide enough for wheelchair users and disabled bays being used for a place for people to queue.

Additional Information

As we're coming out of lockdown disabled people are facing more challenges. Buses and trains have sealed off disabled bays, the deaf can't lip read with people wearing facemasks and with the opening of bars, cafes and restaurants, more outdoor seating is going to be made possible this poses an increased risk to disabled people as most of the time outdoor seating spills over on to public space and causes hazard and obstruction.

Senedd Constituency and Region

- Aberavon
- South Wales West

Extracts from the Welsh Government's response to the report by the Equality, Local Government and Communities Committee on inequality during the Covid-19 pandemic.

Recommendation 35 – The Welsh Government should provide swift guidance to reopening businesses on physical and communication accessibility.

Welsh Government response to recommendation:
Accept

The Welsh Government has developed guidance that aims to help businesses and employers and provided practical considerations on how they could operate. The guidance is based on five principles for workplace safety:

- Care: Our health and well-being comes first
- Comply: The laws that keep us safe must be obeyed
- Involve: We all share the responsibility for safe work

- Adapt: We will all need to change how we work
- Communicate: We must all understand what to do

The Welsh Retail Consortium (WRC) has informed us that in April, they highlighted the steps retailers had taken to accommodate disabled consumers to the Equalities and Human Rights Commission. We understand that in these discussions, they were able to explain the reasonable steps retailers had taken to accommodate disabled consumers within the constraints of social distancing protocols.

Members of the WRC have had regular contact with disability charities and organisations. As a sector, there have been three teleconferences from the middle of May, between all major retailers and the charities. The WRC report that these have been a great opportunity to explain steps retailers have taken and refine communications to staff in stores and communication for disabled consumers. They note that feedback from the charities, including Age UK, Alzheimers Society and the RNIB has been

very positive and have welcomed a regular opportunity to raise issues on behalf of their members.

The WRC have also reported that members have thought carefully about the operation of their stores during the crisis and refined their practices in liaison with the major charities. The key steps they have taken are: many retailers offering dedicated hours for elderly and vulnerable consumers as well as NHS staff and carers who look after them; retailers understanding queueing was not appropriate for all consumers and briefed their greeters and queue marshals to prioritise disabled consumers; from the start of social distancing, allowing carers to shop with vulnerable consumers, even where they were restricting numbers; they are being careful to ensure signage in store on social distancing is legible for all consumers; and being careful when redesigning stores to ensure social distancing was possible for all consumers.

Retailers have also implemented additional training for colleagues, supported by regular internal communications, to ensure all store workers were aware of the spectrum of impairments and available to help where required.

As the economy reopens the Welsh Government expects the accessibility needs of the public to be fully met wherever possible, and where 2 metre distancing makes that difficult, adequate alternative arrangements to allow access should be put in place.

Recommendation 36 – The Welsh Government should establish a priority grocery delivery scheme for disabled people who are not shielding (similar to Defra/RNIB scheme in England).

Welsh Government response to recommendation:
Accept in principle

The Welsh Government welcomes the effort retailers have made to expand their on-line

ordering and home delivery operation, especially where they are offering this service to a wider group than those shielding. They are also voluntarily introducing initiatives such as prepayment cards to facilitate shopping on another's behalf and several provide food box schemes which can be delivered directly to people's homes. If people need practical help and do not have family or friends locally to provide this, the Welsh Government suggest they contact their local authority or local voluntary council for practical support.

We are also pleased that retailers have committed to supplying priority online slots for those advised to shield once after the shielding period ended.

Recommendation 37 – The Welsh Government should appoint an accessibility lead within the Welsh Government to oversee the production of all key public health and other information in accessible formats

Welsh Government response to recommendation:
Accept

The Welsh Government is committed to ensuring that all Welsh citizens are informed and aware of how to follow rules and stay safe during Covid-19. That is why we ensure the presence of a British Sign Language (BSL) interpreter at each of our Covid-19 news conferences and ensure that large print and braille are available on request alongside other accessible formats on key products, such as the shielding letters from the Chief Medical Officer.

We have set up an Accessible Communication Group, which met for the first time in June, to discuss and overcome the barriers stopping people from accessing information during this time. This Group includes a wide range of organisations, who have testified to the difficulties that those who are deaf or hard of hearing, blind or visually impaired, with learning difficulties or are autistic experience when trying to access clear and concise information during the coronavirus pandemic. The

Group also includes organisations who represent refugees, children and the Gypsy, Roma Traveller community.

Although having a live interpreter at public broadcasts is a good starting point, we know that there is much more that needs to be done.

Providing more information in plain English and Welsh, producing content in BSL and in an 'Easy Watch' format, and making better use of videos and QR codes are all suggestions currently being considered or implemented by the Welsh Government. We are also aware of the need to produce easy read versions of guidance and avoid too many idioms, metaphors and technical terms that may cause confusion for those with learning difficulties.

The need to consider offline modes of information sharing has also been raised at meetings of the Accessible Communications Group, as well as the need for producing braille, audio and large print resources for blind or visually impaired people.

Taking this feedback into consideration, we have made an active effort to improve the accessibility of our Covid-19 communications, which can be seen in the suite of accessible materials available for resources such as our Test, Trace, Protect campaign.

A proposal for future accessible communication policy is also currently being developed, which will ensure all Welsh citizens receive clear and comprehensible information.

As well as the immediate improvements we have made, we are also working on a document which will set out the standards that Welsh Government will meet in the future to make sure that communications are accessible and meet the needs of people across Wales.

**P-05-993 Make retail in Wales fully accessible to disabled people,
Correspondence – Petitioner to Committee, 18.01.21**

These changes are critical to ensuring access for all is met.

Point 1: As the restrictions begin to ease, businesses need to ensure that they are complying with the regulations and have access for disabled people and to allow them to ease back into society as we navigate our way through new ways of living.

Point 2: Due to Covid-19 restrictions, some elements of going to a shop are quite restrictive for people and would mean the use of public transport and at times that can be problematic for them. Through ensuring that they are able to access priority delivery schemes through the supermarkets along with other people.

Point 3: To have a lead within the Welsh Govt will better represent disabled people across society better and ensure that policies that are implemented are made accessible for everyone.

This will allow people who have a disability/visual impairment to have equal access to information and letters/content sent by the Welsh Govt.

Agenda Item 3.6

P-05-895 Rosa's Legacy: Introduce a scheme to help people access veterinary care for their companion animals

This petition was submitted by Linda Joyce Jones having collected a total of 95 signatures.

Text of Petition

We call on the National Assembly for Wales to urge Welsh Government to regulate commercial bus operators and give powers and funding to Local Authorities to run services that best meet the needs of local people. As well as providing access to employment and education, public transport is a social, health and wellbeing issue which is growing as bus services are being rapidly reduced, affecting the mental and physical health and well being of many residents who will become socially isolated and unable to get to basic services.

Additional Information

Bus operators are cutting many core services which were previously operating with little or no subsidy. Operators are not tendering for new contracts and some are requesting 6 figure sums as a subsidy to continue which is unaffordable for Local Authorities who are facing budget pressures. Local Authorities cannot run services in competition with operators.

Passenger journey times for those accessing employment take too long as direct services are being cut if still exist at all and some are overcrowded. The majority of residents attending the many public meetings we have held are older people who are concerned about accessing services, attending health appointments and becoming isolated. Loneliness is a huge issue in our society. It is our aim to enable older people to live in their own homes longer. It is our aim for them to stay mentally and physically fit and active. Public bus transport is now a huge urgent issue that needs addressing quickly.

Senedd Constituency and Region

- Arfon
- North Wales

Mrs Janet Finch-Saunders
By email: petitions@senedd.wales

Ref: Exec Office/P-05-895
E-mail: b.myring@rcvs.org.uk
Website: www.rcvs.org.uk

20 July 2020

Dear Mrs Finch-Saunders,

Re: P-05-895 Correspondence from the Chair of the Petitions Committee

Thank you for the opportunity to comment on the Petition P-05-895, proposing a scheme to help people access veterinary care for their companion animals.

The Royal College of Veterinary Surgeons (RCVS) is the regulator of veterinary surgeons and veterinary nurses in the United Kingdom, with responsibility for setting and upholding standards of conduct and education. The RCVS has no specific jurisdiction under the Veterinary Surgeons Act 1966 over the level of fees charged by veterinary practices. There are no statutory charges and fees are essentially a matter for negotiation between veterinary surgeon and client. Nor is the RCVS responsible for regulating the ownership of veterinary businesses, including questions of individual or corporate ownership. These are matters for the Competition and Markets Authority and, where appropriate, the courts. Therefore, questions of whether the UK or devolved governments should provide additional financial support to animal owners fall outside of our purview and it is not appropriate for us comment on the petition.

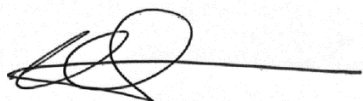
We note that the petitioner states, in their separate comments, that *"the setting of fees by private veterinary practice's is a business decision. But this is a matter the RCVS (Royal College of Veterinary Surgeons) as the body who claims to regulate the profession in the UK can act on if they choose to do so"*. However, this is not the case; we have no powers under the Veterinary Surgeons Act 1996 or our Royal Charter to set fees.

The petitioner mentions our 'under care' review and expresses concerns that the appropriate authorities will not be consulted. We would like to note that the under care review is not directly related to veterinary fees, and that it will include an open consultation that any stakeholder may respond to.

I hope that this response has been useful; please let me know if there are any areas in which we can provide clarification.

Yours sincerely

Mandisa Greene



President, Royal College of Veterinary Surgeons

P-05-895 Rosa's Legacy: Introduce a scheme to help people access veterinary care for their companion animals, Correspondence – Petitioner to Committee, 19.01.21

To the Chair and Members of the Petitions Committee of Senedd Cymru.

P-05-895 Rosas Legacy: Introduce a scheme to help people access veterinary care for their Companion Animals.

Thank you for having my petition as an agenda item today and for asking me to comment on the correspondence you have received from Dr Mandisa Greene President of the Royal College of Veterinary Surgeons (RCVS). May I offer my thanks to Dr Greene for her response.

The Mission Statement of RCVS.

“To enhance society through improved animal health and welfare by setting, upholding and advancing the educational, ethical and clinical standards of veterinary surgeons and veterinary nurses”.

The Veterinary Surgeons Act 1966.

This act predates the Animal Welfare Act (England and Wales) 2006 by over half a century. In an House of Commons report in 2008 by DERFA they stated:

" The profession is regulated under the Veterinary Surgeons Act 1966. There appears to be general agreement, within the profession and beyond, that aspects of the Act require modernisation, the RCVS does not have the support of the majority of the profession for it's proposal on compulsory practice standards....Despite working for almost five years on the subject , the RCVS has not yet formulated a detailed plan on how a new Council may be structured.....The Department for Environment and Rural Affairs agrees that the Act is in urgent need of updating, but has said that there is no funding available for work on the White Paper until at least 2011.

It was in response to the regulation of the medical and related professions following the Shipman inquiry, that the RCVS set up a working party in 2003 and 2005 to review the 1966 Act.....The first consultation in 2003 received 470 responses from a total of approximately 20,000 registered veterinary surgeons, 13 responses from organisations and 12 responses from individual veterinary nurses. The second consultation in 2005 received only 86 responses from individual veterinary surgeons, in addition to responses from 36 organisations, four veterinary nurses and 40 others (mainly members of the public)....

Any new Act should not overload the profession with unnecessary legislation, but it must safeguard the health and welfare of animals and also protect them and their owners from those who offer potentially dangerous treatments without sufficient knowledge or training."

It is worth noting I think that the RCVS ' measures to restructure it's governing Council only came into force last year (2020).

The setting of fees / economic euthanisa.

The Code of Professional Conduct for Veterinary Surgeons Section 9:5 states

" the RCVS has no specific jurisdiction under the Veterinary Surgeons Act 1966 over the level of fees charged by veterinary practices. There are no statutory charges and fees are essentially a matter for negotiation between veterinary surgeon and client. "

Section 9:7

" pricing policies should comply with the Consumer Protection from unfair Trading Standards Regulation 2008 and other consumer protection legislation, and not be false or misleading. "

Section 9:8 : "Veterinary surgeons should be open and honest about fees for veterinary treatment....Clients should be furnished with sufficient information about the fees associated with treatment to be in a position to give informed consent to treatment. " .

Section 9:18 " If a client is not eligible for the charitable assistance and no form of other assistance can be found. euthanasia may have to be considered on economic grounds ".¹

As the briefing document that Senedd Cymru research department clearly showed at least two Senedd Cymru Members have raised the issue of veterinary fees on the floor of the chamber as well as other related issues.

I am unaware exactly how many Senedd Cymru Members have been contacted by their constituents in regards to concerns about either the standard of treatment their companion animals have received or any other issues such as the corporate takeover.

RCVS Legislation Reform consultation.

This is the official title of the " under care review " that Dr Greene referred to. As an ordinary companion animal owner I have always been concerned that once again the RCVS would fail to engage in it's duty to involve us in this crucial consultation. In my previous submission I touched on the RCVS ' consultation exercise on out of hours provision (OOH) for example. In November last year just after the consultation was opened I wrote to Mr Ben Myring of the RCVS to establish who they would be contacting. To assist Members I have attached the said emails.²

I didn't find his response at all surprising, nor did I think it acceptable. I do not think it's my responsibility to ensure that the RCVS inform our Senedd Cymru Members particularly the Shadow Ministers who hold this portfolio about this consultation. In my opinion they should be invited to take part. The RCVS should also have a detailed plan on how to reach owners. Especially considering they currently have approx seventeen million pounds in reserves.

This exercise is crucial as it means the RCVS may have a chance of modernising their disciplinary process - which in it's current form has no benefit to the animals that are part of our families, us animal owners or indeed the profession they claim to regulate.

But more importantly it may restore public confidence in a profession that was once highly respected - to once again have the ethical treatment of our family Members at the top of their agenda. Rather than being a licence to print money for the profit driven corporates .³

It is crystal clear from many comments on social media exactly what many veterinary surgeons and RVN think of this exercise. Many have contacted me - in confidence to assist Members I provide you with the British Veterinary Union's draft submission to the College on their Legislation Reform.

Corporate ownership of practices.

I have interested to hear Dr Greene's thoughts on this subject but I find them so out of touch with reality. Especially from the body who claims to regulate the **ethnics** as well as the **standards** of the veterinary profession here in Cymru.

In the words of Professor Noel Fitzpatrick MRCVS:

It is estimated that up to half of all primary care veterinary practices across the United Kingdom are owned by venture capital equity groups.....Some of these groups own hundreds of primary care practices, most have centralised referral centres some have pet crematoria, own brand drugs, online pharmacies, laboratories, out of hours surgeries, locum agencies and both online and retail shops ".3

Since my last submission the corporate veterinary wagon here in Cymru has moved ever forward.**4**

Covid-19

I am sure I don't have to remind Members about the unprecedented times we find ourselves in. Those we share our homes with - Members of our families even the four legged variety have become more important than ever to our mental wellbeing. But in the more " normal" days to come I think because of the economic crisis coupled with the challenges the third sector will face a difficult road lies ahead for so many.

Conclusion/ Actions .

Animal welfare is the responsibility of our Welsh Government. Many Senedd Cymru Members I am delighted to say can see that how we treat animals sends out an important message about us as a society and Country. Surely our four legged Family Members should be first in this line of thinking.

I have mentioned before the total lack of concern the RCVS showed in regards to the events surrounding My Rosa's death. Despite the fact that I had her clinical notes that clearly showed a crucial test had been performed without my permission. Together with a procedure a veterinary surgeon had difficulty performing without informing me. They could do nothing because their regulation is based on legislation which predates the Animal Welfare Act by more than half a century.

The effect this had on my own well being is very hard to put into words.

I could have taken this matter to a civil court and I am grateful to Gwynedd Council Public Protection Dept who would have supported me in this . But even I could see that the veterinary surgeons involved were only carrying out the policies of the corporate company they worked for. Something the RCVS in its present format takes no account of .

1. Could the Chair and Members please consider contacting the Competition and Markets Authority to see if they have any concerns in regards to the corporate take over of the veterinary profession.

2. Is there any data or informationin on our Shadow Ministers, Climate Change and Environmental Committee or any Senedd Cymru Members being concerned / contacted in regards to the issues myself CAWGW, and Dr Greene herself has raised ?

If I can assist Members further I will be more than happy to do so .

Cofion Linda Joyce-Jones

1.

<https://www.rcvs.org.uk/setting-standards/advice-and-guidance/code-of-professional-conduct-for-veterinary-surgeons/>

3.

<https://www.rcvs.org.uk/news-and-views/policy/veterinary-legislation-review/>

4. Becoming the Supervet 2018.

4.

<http://www.independentvets.co.uk/Under> the Animal

Agenda Item 3.7

P-05-856 Ban the sale of puppies by pet shops and all commercial 3rd party dealers in Wales (Lucy's Law)

This petition was submitted by C.A.R.I.A.D., having collected 11,195 signatures.

Text of Petition

We call on the National Assembly for Wales to urge the Welsh Government to implement a ban on the sale of puppies by pet shops and all commercial third-party dealers.

A ban on third-party sale of puppies for profit has been named 'Lucy's Law' and its implementation in England was recently announced. Lucy's Law has huge public, media and cross-party support and we call on the National Assembly for Wales to urge the Welsh Government to deliver Lucy's Law for Wales as a matter of urgency.

Removing puppies for sale from their mum often creates sick, traumatised, dysfunctional dogs. Puppies should be seen with their mum in the place they were born. Transporting them to a different place for sale harms their welfare. Regulating commercial third-party puppy selling is ineffective in preventing harm and a ban is therefore necessary for the welfare of puppies.

Breeding dogs kept in puppy farms are hidden from public view and often suffer from years of physical and psychological trauma. Regulating commercial third-party puppy selling is ineffective in preventing harm to breeding dogs and a third-party ban on puppy selling is therefore necessary for the welfare of breeding dogs.

A ban on the third-party sale of puppies will have a positive impact on breeding dogs, ensuring their visibility and enabling the public to act on best practice advice to view the puppy with the mum where the puppy was born.

In addition, illegal, unlicensed puppy farmers and puppy smugglers currently use licensed third-parties to sell their puppies, making it possible for them to operate under the radar and without the health and welfare of breeding dogs and puppies able to be monitored by local authorities. Regulating commercial third-party puppy selling is ineffective in preventing illegal puppy farming and puppy smuggling and a third-party ban on puppy selling

is therefore necessary for the protection of dogs, puppies and the public as well as in the prevention of criminal activity.

There are no welfare advantages in selling puppies through commercial dealers. This practice only ensures breeding dogs are kept hidden from the public. As well as welfare concerns for animals, third-party sales create additional risks for public health and safety.

Puppy sales direct from reputable breeder or reputable rescue centre protects all parties through greater transparency and accountability. A ban on dealing in puppies for profit can only raise health and welfare standards for breeding dogs and puppies as well as providing greatly needed public protection.

The implementation of Lucy's Law in Wales is also vital if we are to address the damage that has been done to the reputation of Wales, which continues to be acknowledged as the puppy farming hub of the United Kingdom.

Assembly Constituency and Region

- Bridgend
- South Wales West

Agenda Item 3.8

P-05-915 Call for better enforcement of puppy farms in Wales

This petition was submitted by Laura Clays having collected a total of 112 signatures.

Text of Petition

Following on from the disturbing footage of puppy farms in Wales we need to see greater enforcement of the licensing of puppy farms carried out by local councils in Wales.

Recommendations:

Closing puppy farms that do not meet the required criteria

Prosecuting puppy farms that put animal welfare in danger

Greater transparency on regulated visits – there should be public records like those published by the Food Standards Agency on the hygiene ratings of restaurants. The public should be able to review the inspection records.

Assembly Constituency and Region

- Alyn and Deeside
- North Wales

Agenda Item 3.9

P-05-939 Immediate embargo on new dog breeding licences, licence renewals and planning applications until regulations are fit for purpose and enforceable

This petition was submitted by C.A.R.I.A.D. having collected a total of 1,738 signatures.

Text of Petition

Following the BBC One Wales documentary on Monday 30th September 2019 highlighting the appalling state of the licensed, legal, regulated puppy farming trade in Wales, the failures of the inspection process, the inconsistencies and inaccuracies of Council licensing inspection reports and the often disturbing guidance provided to licensing inspectors (who are not animal welfare experts) by vets on the fitness of dogs to be bred from, we are calling on the Minister to intervene with immediate effect and instruct all Welsh Councils to embargo any further licensing, licensing renewal and planning applications relating to dog breeding until such time as there has been a full inquiry into these failures: Failures that we have been providing evidence on for years to both the Welsh Government and councils and which has summarily been ignored or dismissed. There is absolutely no point in the further issuing of dog breeding licences under the circumstances we have cited. To do otherwise would be to condone a broken licensing system, endanger the welfare of breeding dogs and puppies in these establishments and provide the public with a false sense of security believing that licensing as it stands means an establishment is satisfactory to purchase a canine companion from. It is clear that there is little for the public to discern between a licensed and unlicensed puppy farm and as the Minister has herself made a commitment to run puppy farming out of Wales it stands to reason that she will be of a mind to take the most urgent and appropriate action to see that this happens now. Whilst we welcome the promised urgent review of the current licensing system, this does not go far enough. Until such time as new, robust, fit for purpose regulations are laid by the Welsh Government, no further licensing, licence renewals or planning applications for new dog breeding establishments or extensions to existing breeding establishments should be approved.

Assembly Constituency and Region

- Cardiff North
- South Wales Central



Llywodraeth Cymru
Welsh Government

WRITTEN STATEMENT BY THE WELSH GOVERNMENT

TITLE	The Animal Welfare (Dog Breeding) (Wales) Regulations 2014 Review
DATE	04 March 2020
BY	Lesley Griffiths, Minister for Environment, Energy and Rural Affairs

In October I informed Members I had asked the Wales Animal Health and Welfare Framework Group to review the Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014.

I would like to thank the Group for submission of their report, within a very demanding timeframe. I have now considered the comprehensive recommendations and have published the [review report](#) today.

The report highlights several issues. Inconsistency in the inspection and enforcement of the Regulations is a key theme. Concerns are also raised regarding the application of the staff to adult dog ratio at breeding premises and this clearly needs to be addressed. Another recommendation highlights the need for better welfare standards for all breeding dogs rather than only those at licensed premises.

As many of the recommendations, including the staff to adult dog ratio, can be adopted within the scope of existing legislation I am keen to progress these as a matter of urgency.

Some of the recommendations can only be dealt with by legislative change. However, for new regulations to be effective we must also tackle the barriers to enforcement Local Authorities are facing before proposing amendments to the current Breeding Regulations. The need for consistency of inspection and enforcement by Local Authorities is paramount in ensuring the welfare of breeding dogs and their offspring. Dog breeding premises are not evenly distributed across Wales and means some Local Authorities are struggling to cope with demands.

With this in mind, a scoping project is underway to determine what additional resource is necessary to ensure consistent treatment of all licenced breeding establishments across Wales.

Once the appropriate resource has been determined the Welsh Government will provide funding for a pilot scheme of three years to enable expertise to be built through specialist training and upskilling of dedicated Local Authority staff.

The report recommendations support a ban of third party sales of dogs which I have already said I see the value in banning third party sales of puppies and kittens and I commit to legislating on this before the end of this Senedd.

The combination of new regulations on pet sales, dedicated funding support for improvements to the enforcement and delivery of the existing Breeding Regulations will result in lasting improvements to the welfare standards of puppies bred in Wales.

Written Statement: Third Party Sales of Puppies and Kittens – 5 October 2020

Lesley Griffiths, Minister for Environment, Energy and Rural Affairs

In June, I launched a public consultation on a ban of third party sales of puppies and kittens in Wales which closed on 17 August 2020. We sought views and evidence for the proposal to ban of commercial third party sales of puppies and kittens in Wales.

A summary of responses will be published today (5 October) together with the summary from the consultation with children and young people undertaken on our behalf by Children in Wales and with the support of third sector organisations in Wales.

The ongoing concern is the commercial third party sales of puppies and kittens may be associated with poorer welfare conditions for the animals compared with direct purchase from the breeder. For example, the introduction to several new and unfamiliar environments, and the increased likelihood of multiple journeys for such puppies and kittens have the potential to contribute to an increased risk of disease, and lack of socialisation and habituation.

226 responses were received to the full consultation and 98% of respondents would like to see the end of third party sales for puppies and kittens in Wales.

I would also like to thank Children in Wales who hosted our Children and Young People consultation which received 59 responses from children all across Wales. 96% of the respondents agreed with a ban on commercial third party sales of puppies and kittens in Wales.

I would encourage you to read the views of the children and young people who took the time, during this unprecedented period, to respond to this animal welfare issue. I am immensely proud future animal owners in Wales have such awareness and sense of responsibility. Animal welfare was a consistent theme throughout the responses recorded, with a strong view that the welfare of puppies and kittens should be protected.

I can confirm that a ban on commercial third party sales will be introduced by the end of this Senedd.

Agenda Item 3.10

P-05-996 To call on the Welsh Government not to remove, damage or destroy any historical symbols in Wales

This petition was submitted by Aled Thomas having collected a total of 415 signatures.

Text of Petition:

The recent Black Lives Matter protests have resulted in the Welsh Government reassessing the appropriateness of statues, public buildings and street names which have links to slavery.

We believe that no public authority should remove, damage or destroy any of them

Senedd Constituency and Region

- Cardiff West
- South Wales Central

P-05-996 To call on the Welsh Government not to remove, damage or destroy any historical symbols in Wales, Correspondence – Petitioner to Committee, 11.01.21

To whom it may concern

As a descendant of Sir Thomas Picton I call on elected members to object the planning application calling for the removal of the statue of Sir Thomas Picton in Cardiff City Hall for the following reasons.

I call for these points to be submitted as individual motions.

>The council does not support the removal of the statue of Sir Thomas Picton.

>Sir Thomas Picton is rightfully known as a Hero in Wales for his role in the Battle of Waterloo.

>Sir Thomas Picton was never convicted of abusing the 14 year old girl called, Louisa Calderon. He was accused and then found not guilty under British Law.

>The statue of Sir Thomas Picton in Cardiff was erected lawfully by the then UK Prime Minister, David Lloyd George.

>The statue is a work of architectural heritage and part of the imperial history of this great nation. Deleting this means losing a listed statue which is part of a listed building.

>Statues do not cause systemic racism.

>Racism is caused by the way that people behave and not by the presence of statues which are essentially pieces of furniture.

>A consideration for an improvement in the way that the statue is interpreted by other people with alternatives such as putting a plaque containing a balanced description of the history of Picton instead of removing the statue.

>For the council to support the following wording for a plaque to be placed on or next to the statue which resembles the recommendation of the Royal Collection Trust: "*Picton's punitive administration of Trinidad*"

and his subjects' enforced adherence to strict penal codes were the subject of contemporary controversy in Britain and the West Indies."He was brought to trial in London in 1806, accused of carrying out torturous practices in jails under his jurisdiction. He was later partially exonerated, on the grounds that while he had committed illegal acts not befitting his role as military governor, the right to torture prisoners was recognised under the Spanish laws still enforced at the time."

> That it is racism against white people to destroy aspects of our own history to suit a minority.

>That the council recognises that it is inevitable that in a country where the majority of people are White, there will sometimes be White rule by default due to the majority rule anyway especially when looking at history.

>That the council hopes to increase the representation of BAME and other minority groups such as LGBT and the disabled as a response to these calls.

Kind Regards,

Agenda Item 5

By virtue of paragraph(s) vi of Standing Order 17.42

Document is Restricted