



## HYSBYSIAD YNGHYLCH GWELLIANNAU NOTICE OF AMENDMENTS

Cyflwynwyd ar 9 Ionawr 2015  
Tabled on 9 January 2015

Bil Trais ar sail Rhywedd, Cam-drin Domestig a Thrais Rhywiol  
(Cymru)  
Gender-based Violence, Domestic Abuse and Sexual Violence  
(Wales) Bill

**Peter Black**

83

Section 2, page 1, after line 28, insert –

- ‘( ) Before preparing the national strategy the Welsh Ministers must consult –
- (a) each local authority in Wales;
  - (b) each Police and Crime Commissioner in Wales;
  - (c) the National Probation service;
  - (d) each provider of probation services in Wales appointed by the Secretary of State under section 3(2) of the Offender Management Act 2007;
  - (e) any organisation in Wales which a person might reasonably consider exists wholly or mainly to provide advice, support or representation to the victims of gender-based violence, domestic violence or sexual violence.’

Adran 2, tudalen 1, ar ôl llinell 27, mewnosoder –

- ‘( ) Cyn paratoi’r strategaeth genedlaethol rhaid i Weinidogion Cymru ymgynghori â’r canlynol –
- (a) pob awdurdod lleol yng Nghymru;
  - (b) pob Comisiynydd Heddlu a Throseddu yng Nghymru;
  - (c) y Gwasanaeth Prawf Cenedlaethol;

- (d) pob darparwr gwasanaethau prawf yng Nghymru a benodwyd gan yr Ysgrifennydd Gwladol o dan adran 3(2) o Ddeddf Rheoli Troseddwyr 2007;
- (e) unrhyw sefydliad yng Nghymru y gallai person ystyried yn rhesymol ei fod yn bodoli yn gyfan gwbl neu'n bennaf i ddarparu cyngor, cefnogaeth neu gynrychiolaeth i ddioddefwyr trais ar sail rhywedd, trais domestig neu drais rhywiol.'

**Peter Black**

**84**

Section 4, page 2, after line 17, insert—

- '( ) Before preparing the local strategy the local authority and the local health board must consult—
  - (a) the Police and Crime Commissioner for the local authority's area;
  - (b) the National Probation service;
  - (c) any provider of probation services in the local authority's area appointed by the Secretary of State under section 3(2) of the Offender Management Act 2007;
  - (d) any organisation in the local authority's area which a person might reasonably consider exists wholly or mainly to provide advice, support or representation to the victims of gender-based violence, domestic violence or sexual violence;
  - (e) any other person specified in Regulations made by the Welsh Ministers by statutory instrument.'

Adran 4, tudalen 2, ar ôl llinell 19, mewnosoder—

- '( ) Cyn paratoi'r strategaeth leol rhaid i'r awdurdod lleol a'r bwrdd iechyd lleol ymgynghori â'r canlynol—
  - (a) y Comisiynydd Heddlu a Throseddu ar gyfer ardal yr awdurdod lleol;
  - (b) y Gwasanaeth Prawf Cenedlaethol;
  - (c) unrhyw ddarparwr gwasanaethau prawf yn ardal yr awdurdod lleol a benodwyd gan yr Ysgrifennydd Gwladol o dan adran 3(2) o Ddeddf Rheoli Troseddwyr 2007;
  - (d) unrhyw sefydliad yn ardal yr awdurdod lleol y gallai person ystyried yn rhesymol ei fod yn bodoli yn gyfan gwbl neu'n bennaf i ddarparu cyngor, cefnogaeth neu gynrychiolaeth i ddioddefwyr trais ar sail rhywedd, trais domestig neu drais rhywiol;
  - (e) unrhyw berson arall a nodir yn y Rheoliadau a wneir gan Weinidogion Cymru drwy offeryn statudol.'

**Peter Black**

**85**

Section 4, page 2, after line 24, insert—

- '(d) comply with requirements as to the design, implementation and monitoring of a local strategy about which the Welsh Ministers must by statutory instrument make regulations.'

Adran 4, tudalen 2, ar ôl llinell 26, mewnosoder –

- ‘(d) cydymffurfio â gofynion o ran dylunio, gweithredu a monitro strategaeth leol y mae’n rhaid i Weinidogion Cymru wneud rheoliadau yn ei chylch drwy offeryn statudol.’

**Peter Black**

86

Section 4, page 2, after line 35, insert –

- ‘(6) A statutory instrument containing regulations made under this section is subject to annulment in pursuance of a resolution of the National Assembly for Wales.’

Adran 4, tudalen 2, ar ôl llinell 39, mewnosoder –

- ‘(6) Mae offeryn statudol sy’n cynnwys rheoliadau a wneir o dan yr adran hon yn ddarostyngedig i’w ddirymu yn unol â phenderfyniad gan Gynulliad Cenedlaethol Cymru.’

**Peter Black**

87

Section 7, page 4, after line 5, insert –

- ‘() A local authority must employ at least one officer whose role is to ensure delivery of the local strategy for its area.’

Adran 7, tudalen 4, ar ôl llinell 7, mewnosoder –

- ‘() Rhaid i awdurdod lleol gyflogi o leiaf un swyddog sydd â’r rôl o sicrhau y caiff y strategaeth leol ar gyfer ei ardal ei chyflawni.’

**Peter Black**

88

Section 8, page 4, leave out lines 12 to 14 and insert –

‘by statutory instrument make an order specifying indicators (“national indicators”) that may be applied for the purpose of measuring progress towards the achievement of the purpose of this Act.

- () An order under this section may not be made unless a draft of the statutory instrument containing the order has been laid before, and approved by a resolution of, the National Assembly for Wales.’

Adran 8, tudalen 4, hepgorer llinellau 14 hyd at 16 a mewnosoder –

‘drwy offeryn statudol wneud gorchymyn sy’n pennu dangosyddion (“dangosyddion cenedlaethol”) y ceir eu cymhwyso at y diben o fesur cynnydd tuag at gyflawni diben y Ddeddf hon.

- () Ni chaniateir gwneud gorchymyn o dan yr adran hon oni bai bod drafft o’r offeryn statudol sy’n cynnwys y gorchymyn wedi ei osod gerbron Cynulliad Cenedlaethol Cymru, ac wedi ei gymeradwyo drwy benderfyniad ganddo.’

**Peter Black**

89

Section 8, page 4, line 21, leave out subsections (3) to (4).

Adran 8, tudalen 4, llinell 23, hepgorer is-adrannau (3) hyd at (4).

**Peter Black**

90

Section 8, page 4, line 26, leave out 'publishing national indicators (including indicators revised under subsection (3))' and insert 'making an order under this section'.

Adran 8, tudalen 4, llinell 29, hepgorer 'cyhoeddi dangosyddion cenedlaethol (gan gynnwys dangosyddion a ddiwygir o dan is-adran (3))' a mewnosoder 'gwneud gorchymyn o dan yr adran hon'.

**Peter Black**

91

Section 9, page 5, after line 2, insert –

'(c) of the resources which they have made available to achieve the purpose of this Act.'

Adran 9, tudalen 5, ar ôl llinell 3, mewnosoder –

'(c) yr adnoddau y maent wedi'u rhoi ar gael i gyflawni diben y Ddeddf hon.'

**Peter Black**

92

Section 14, page 7, line 12, leave out 'thinks there is good reason for it not to follow the guidance in particular categories of case or at all' and insert 'demonstrates to the satisfaction of the Welsh Ministers that it exceeds the requirements of the course set out in the guidance in particular categories of case or in all cases'.

Adran 14, tudalen 7, llinell 14, hepgorer 'o'r farn bod rheswm da dros iddo beidio â dilyn y canllawiau mewn categorïau penodol o achosion, neu beidio â'u dilyn o gwbl' a mewnosoder 'yn dangos er boddhad Gweinidogion Cymru ei fod yn rhagori ar ofynion y llwybr a nodir yn y canllawiau mewn categorïau penodol o achosion neu ym mhob achos'.

**Peter Black**

93

Section 17, page 8, after line 27, insert –

'() The adviser will be independent of the Welsh Ministers and will be supported by staff who are not members of the civil service of the state.'

Adran 17, tudalen 8, ar ôl llinell 28, mewnosoder –

'() Bydd y cynghorydd yn annibynnol ar Weinidogion Cymru a chaiff ei gefnogi gan staff nad ydynt yn aelodau o wasanaeth sifil y wladwriaeth.'

**Peter Black**

94

Section 18, page 9, after line 18, insert—

‘(f) at the beginning of each financial year to lay before the National Assembly for Wales a report as to the Ministerial Adviser’s activities in the preceding year.’.

Adran 18, tudalen 9, ar ôl llinell 19, mewnosoder—

‘(f) ar ddechrau pob blwyddyn ariannol gosod gerbron Cynulliad Cenedlaethol Cymru adroddiad ynghylch gweithgareddau’r Cyngorydd Gweinidogol yn y flwyddyn flaenorol.’.

**Peter Black**

95

To insert a new section—

*‘Education about healthy relationships*

**[ ] Education about healthy relationships**

(1) After section 101(1)(bb) of the Education Act 2002 (basic curriculum for every maintained school in Wales) insert—

“(bc) provision for education about healthy relationships (within the meaning of section [section to be inserted by amendment 95](4) of the Gender-based Violence, Domestic Abuse and Sexual Violence (Wales) Act 2015) for all registered pupils at the school during the foundation phase and the second, third and fourth key stages.”.

(2) At the end of section 108 of the Education Act 2002 (establishment of the National Curriculum for Wales by order) add—

“(12) Before making regulations under subsection (3) in respect of education about healthy relationships the Welsh Ministers must consult persons who appear to them to have relevant expertise.”.

(3) All schools (other than maintained schools) providing education must make provision for education about healthy relationships (within the meaning of section [section to be inserted by amendment 95](4) of the Gender-based Violence, Domestic Abuse and Sexual Violence (Wales) Act 2015) for all pupils at the school who are aged between three years and sixteen years.

(4) In this Act, education about healthy relationships means age-appropriate education programmes which includes education about healthy relationships, gender-based violence and domestic abuse;

(5) The Welsh Ministers may amend subsection (4) by order made by statutory instrument.

(6) No order may be made under subsection (5) unless a draft of the order has been laid before, and approved by a resolution of, the National Assembly for Wales.’.

I fewnosod adran newydd –

*‘Addysg am berthnasoedd iach*

**[ ] Addysg am berthnasoedd iach**

- (1) Ar ôl adran 101(1)(bb) o Ddeddf Addysg 2002 (cwricwlwm sylfaenol ar gyfer pob ysgol a gynhelir yng Nghymru) mewnosoder –
  - “(bc) provision for education about healthy relationships (within the meaning of section [yr adran i’w mewnosod gan welliant 95](4) of the Gender-based Violence, Domestic Abuse and Sexual Violence (Wales) Act 2015) for all registered pupils at the school during the foundation phase and the second, third and fourth key stages.”.
- (2) Ar ddiwedd adran 108 o Ddeddf Addysg 2002 (sefydlu’r Cwricwlwm Cenedlaethol ar gyfer Cymru drwy orchymyn) ychwaneger –
  - “(12) Before making regulations under subsection (3) in respect of education about healthy relationships the Welsh Ministers must consult persons who appear to them to have relevant expertise.”.
- (3) Rhaid i bob ysgol (heblaw ysgolion a gynhelir) sy’n darparu addysg wneud darpariaeth ar gyfer addysg am berthnasoedd iach (o fewn ystyr adran [yr adran i’w mewnosod gan welliant 95](4) o Ddeddf Trais ar sail Rhywedd, Cam-drin Domestig a Thrais Rhywiol (Cymru) 2015) ar gyfer pob disgybl yn yr ysgol rhwng tair oed ac un ar bymtheg oed.
- (4) Yn y Ddeddf hon, mae addysg am berthnasoedd iach yn golygu rhaglenni addysg sy’n briodol i oedran sy’n cynnwys addysg am berthnasoedd iach, trais ar sail rhywedd a cham-drin domestig;
- (5) Caiff Gweinidogion Cymru ddiwygio is-adran (4) drwy orchymyn a wneir drwy offeryn statudol.
- (6) Ni chaniateir gwneud gorchymyn o dan is-adran (5) oni bai bod drafft o’r gorchymyn wedi ei osod gerbron Cynulliad Cenedlaethol Cymru, ac wedi ei gymeradwyo drwy benderfyniad ganddo.’.

**Peter Black**

96

To insert a new section –

**[ ] Guidance on education about healthy relationships**

- (1) The Welsh Ministers may issue guidance to schools in Wales on education about healthy relationships.
- (2) A school must have regard to any guidance issued.’.

I fewnosod adran newydd –

**[ ] Canllawiau ynghylch addysg am berthnasoedd iach**

- (1) Caiff Gweinidogion Cymru ddyroddi canllawiau i ysgolion yng Nghymru ynghylch addysg am berthnasoedd iach.
- (2) Rhaid i ysgol dalu sylw i unrhyw ganllawiau a ddyroddir.’.

**Peter Black**

97

To insert a new section –

**[ ] Regulations about healthy relationships**

- (1) The Welsh Ministers must make regulations regarding education about healthy relationships including –
  - (a) provision for training to ensure that each school in Wales employs at least one member of staff who has expertise in providing advice and assistance about violence against women and girls;
  - (b) provision to ensure that all teachers employed in schools in Wales have training in providing advice and assistance about violence against women and girls;
  - (c) provision for each school in Wales to designate at least one member of its governing body as a champion of the rights of women and girls not to be subjected to gender-based violence, domestic abuse or sexual violence;
  - (d) subject to the approval of its Governing Body provision for each school in Wales to designate at least one of its pupils as a champion of the rights of women and girls not to be subjected to gender-based violence, domestic abuse or sexual violence;
  - (e) provision for the collection of data by schools in Wales about violence against women and girls, including sexual harassment and bullying;
  - (f) provision for ensuring that education about violence against women and girls and healthy relationships is available to all those aged between three years and sixteen years whether or not they are receiving education in a school.
- (2) Regulations under subsection (1) are to be made by statutory instrument.
- (3) A statutory instrument containing regulations made under subsection (1) is subject to annulment in pursuance of a resolution of the National Assembly for Wales.’.

I fewnosod adran newydd –

**[ ] Rheoliadau ynghylch perthnasoedd iach**

- (1) Rhaid i Weinidogion Cymru wneud rheoliadau ynghylch addysg am berthnasoedd iach gan gynnwys –
  - (a) darpariaeth ar gyfer hyfforddiant i sicrhau bod pob ysgol yng Nghymru yn cyflogi o leiaf un aelod o staff sydd ag arbenigedd mewn rhoi cyngor a chymorth ynghylch trais yn erbyn menywod a merched;

- (b) darpariaeth i sicrhau bod yr holl athrawon a gyflogir mewn ysgol yng Nghymru yn cael hyfforddiant mewn rhoi cyngor a chymorth ynghylch trais yn erbyn menywod a merched;
  - (c) darpariaeth ar gyfer pob ysgol yng Nghymru i ddynodi o leiaf un aelod o'i gorff llywodraethu yn hyrwyddwr hawliau menywod a merched o ran peidio â dioddef trais ar sail rhywedd, cam-drin domestig neu drais rhywiol;
  - (d) yn ddarostyngedig i gymeradwyaeth ei Chorff Llywodraethu, darpariaeth ar gyfer pob ysgol yng Nghymru i ddynodi o leiaf un o'i disgyblion yn hyrwyddwr hawliau menywod a merched o ran peidio â dioddef trais ar sail rhywedd, cam-drin domestig neu drais rhywiol;
  - (e) darpariaeth ar gyfer casglu data gan ysgolion yng Nghymru am drais yn erbyn menywod a merched, gan gynnwys aflonyddu rhywiol a bwlio;
  - (f) darpariaeth ar gyfer sicrhau bod addysg am drais yn erbyn menywod a merched, ac addysg am berthnasoedd iach, ar gael i bob un rhwng tair oed ac un ar bymtheg oed, boed y rheini'n cael addysg mewn ysgol ai peidio.
- (2) Mae rheoliadau o dan is-adran (1) i'w gwneud drwy offeryn statudol.
- (3) Mae offeryn statudol sy'n cynnwys rheoliadau a wneir o dan is-adran (1) yn ddarostyngedig i'w ddirymu yn unol â phenderfyniad gan Gynulliad Cenedlaethol Cymru.'

**Peter Black**

98

To insert a new section –

**[ ] Report on the progress of healthy relationship education**

- (1) No later than five years from the day on which this Act receives Royal Assent, the Welsh Ministers must lay before the National Assembly for Wales a report about the progress of healthy relationships education in schools in Wales in the previous three years.
- (2) Subsequent reports must be laid no later than three years and six months after the previous report was laid.
- (3) The Welsh Ministers may direct Her Majesty's Chief Inspector of Education and Training in Wales to prepare the report.
- (4) A direction must be given at least three months before the report is required.'

I fewnosod adran newydd –

**[ ] Adrodd ar y cynnydd o ran addysg am berthnasoedd iach**

- (1) Heb fod yn hwyrach na phum mlynedd o'r diwrnod y caiff y Ddeddf hon Gydsyniad Brenhinol, rhaid i Weinidogion Cymru osod gerbron Cynulliad Cenedlaethol Cymru adroddiad am y cynnydd o ran addysg am berthnasoedd iach yn ysgolion Cymru yn y tair blynedd blaenorol.
- (2) Rhaid gosod adroddiadau dilynol heb fod yn hwyrach na thair blynedd a chwe mis ar ôl yr adroddiad blaenorol.
- (3) Caiff Gweinidogion Cymru gyfarwyddo Prif Arolygydd Ei Mawrhydi dros Addysg a



Hyfforddiant yng Nghymru i baratoi'r adroddiad.

- (4) Rhaid i gyfarwyddyd gael ei roi o leiaf dri mis cyn y bydd angen yr adroddiad.'

**Peter Black**

99

To insert a new section –

**[ ] Amendment to the Education Act 2005**

- (1) Section 28 of the Education Act 2005 as follows.

- (2) In subsection (5) –

- (a) at the end of paragraph (e) omit “and”;
- (b) at the end of paragraph (f) omit “.” and insert “, and”;
- (c) after paragraph (f) insert –

“(g) the extent to which the school has complied with its duties under regulations made under section [*section to be inserted by amendment 97*] of the Gender-based Violence, Domestic Abuse and Sexual Violence (Wales) Act 2015.”’.

I fewnosod adran newydd –

**[ ] Diwygio Deddf Addysg 2005**

- (1) Adran 28 o Ddeddf Addysg 2005 fel a ganlyn.

- (2) Yn is-adran 5 –

- (a) ar ddiwedd paragraff (e) hepgorer “and”;
- (b) ar ddiwedd paragraff (f) hepgorer “.” a mewnosoder “, and”;
- (c) ar ôl paragraff (f) mewnosoder –

“(g) the extent to which the school has complied with its duties under regulations made under section [*yr adran i'w mewnosod gan welliant 97*] of the Gender-based Violence, Domestic Abuse and Sexual Violence (Wales) Act 2015.”’.

**\*Peter Black**

100

Section 23, page 14, line 8, leave out ‘Gender-based Violence, Domestic Abuse and Sexual Violence’ and insert ‘Violence against Women and Girls’.

Adran 23, tudalen 14, llinell 8, hepgorer ‘ar sail Rhywedd, Cam-drin Domestig a Thrais Rhywiol’ a mewnosoder ‘yn erbyn Menywod a Phlant’.