

# Cofnod y Trafodion The Record of Proceedings

[Y Pwyllgor Deisebau](#)

[The Petitions Committee](#)

20/10/2015

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Cynulliad  
Cenedlaethol  
Cymru

National  
Assembly for  
Wales

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Cofnodir y trafodion yn yr iaith y llefarwyd hwy ynddi yn y pwyllgor. Yn  
ogystal, cynhwysir trawsgrifiad o'r cyfieithu ar y pryd.

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

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

Russell George	Ceidwadwyr Cymreig Welsh Conservatives
Bethan Jenkins	Plaid Cymru The Party of Wales
William Powell	Democratiaid Rhyddfrydol Cymru (Cadeirydd y Pwyllgor) Welsh Liberal Democrats (Committee Chair)
Joyce Watson	Llafur Labour

**Eraill yn bresennol**  
**Others in attendance**

Cenric Clement-Evans	Deisebydd Petitioner
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**Swyddogion Cynulliad Cenedlaethol Cymru yn bresennol**  
**National Assembly for Wales officials in attendance**

Kayleigh Driscoll	Dirprwy Glerc Deputy Clerk
Steve George	Clerc Clerk
Lisa Salkeld	Cynghorydd Cyfreithiol Legal Adviser
Kath Thomas	Dirprwy Glerc Deputy Clerk

*Dechreuodd y cyfarfod am 09:01.*  
*The meeting began at 09:01.*

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

[1] **William Powell:** Bore da, bawb. Good morning, all, and welcome to this meeting of the Petitions Committee. We have no apologies—a full complement of Members—and the normal housekeeping arrangements

apply. We shall have a substantial visiting delegation in the public gallery from the Landtag of Baden–Württemberg in Germany, and hopefully they'll enjoy their observation of today's proceedings. They represent the petitions committee from their state Parliament, and we have an opportunity to link up with them later on.

09:03

## **Deisebau Newydd**

### **New Petitions**

[2] **William Powell:** In the meantime, if we move straight to agenda item 2—new petitions. Agenda item 2.1, P-04-653, 'Ban the Use of Wild Animals in Circuses in Wales'. This petition was submitted just last week by RSPCA Cymru and collected 517 signatures on the Assembly's website between 5 May and 9 October of this year. An additional 7,268 signatures were gathered via the RSPCA Cymru website and offline by RSPCA volunteers. And the text of that petition reads as follows:

[3] 'We, the undersigned: Believe the complex needs of wild animals can never be adequately met in a circus environment; Note that wild animals continue to face the prospect of life in an unsuitable circus environment in Wales; Urge the Welsh Government to ensure an outright ban on the use of wild animals in circuses is introduced in Wales as soon as possible.'

[4] And in terms of additional information, we've got a weblink there to a section of the RSPCA website that flags up further work that the organisation has done. And we're joined this morning as well by Mr Fidler Jones of the RSPCA, and we're very pleased to have him on board in the public gallery this morning.

[5] A first consideration letter was sent to the Minister for Natural Resources on 15 September. We've got a response from the Minister, and that is in the public papers. The petitioners have also submitted further comments, which also are in the public papers. Clearly, I think we need to ask the Minister to respond to the further comments we've received from the RSPCA. Are there any other actions that colleagues would like to see in relation to this? Joyce.

[6] **Joyce Watson:** Thank you, Chair. I think that the Minister's letter is encouraging—that's the first thing—because she said that she shares the

concerns that are expressed. Yet, we do need answers on this and to see if they're going to move forward as requested; I suppose that is the real bit of information that we want. I'm not absolutely certain, Chair, whether I've signed this petition or not, but I know that I would support it.

[7] **William Powell:** Okay. We'll take that as a precautionary declaration of interest in the matter. I also need to indicate that I've expressed views previously and more recently in support of this petition. Bethan, you indicated.

[8] **Bethan Jenkins:** Rwy'n credu fy mod i wedi arwyddo deiseb yr RSPCA, ond nid yr un yma. Rwyf jest eisiau gofyn a allwn ni gael mwy o fanylion gan y Llywodraeth ynglŷn â sut maen nhw'n mynd i gario mas yr adolygiad annibynnol yma. Maen nhw'n dweud eu bod nhw'n mynd i edrych ar y dystiolaeth. Ydyn nhw'n mynd i gysylltu â mudiadau fel yr RSPCA a mudiadau sydd yn gweithio er lles anifeiliaid i weld sut fath o dystiolaeth sydd ganddyn nhw yn hynny o beth? Ac rwyf eisiau gwybod amserlen yr adolygiad annibynnol y mae'r Llywodraeth yn mynd i'w wneud, felly, os bydden ni'n gallu gofyn mewn llythyr yn ôl—. Hefyd, maen nhw'n dweud yn y llythyr gan Rebecca Evans eu bod nhw'n cael trafodaethau brys nawr gyda llywodraeth leol. Wel, mae trafodaethau yn un peth ond a oes unrhyw beth yn mynd i ddigwydd o ganlyniad? Felly, a allwn ni ofyn i'r Gweinidog a oes tystiolaeth, neu a oes unrhyw gyfarfodydd yn mynd i fod yn digwydd, er mwyn inni ddeall yn iawn beth sy'n cael ei wneud o ran y mater yma? Mae'n fater mawr yn fy ardal i, oherwydd mae sioe *'A Night*

**Bethan Jenkins:** I think I have signed the RSPCA petition, but not this one. I just want to ask whether we can have more details from the Government regarding how they're going to carry out this independent review. They say they're looking at the evidence. Are they going to be contacting organisations such as the RSPCA and organisations that work for the welfare of animals to see the sort of evidence that they have in that regard? And I want to know the timetable regarding this independent review that the Government's going to undertake, so, if we could ask in a letter—. They also say in the letter from Rebecca Evans that they are having urgent discussions with local government. Discussions are one thing, but is anything going to come from that? So, can we ask the Minister if there is evidence or any meetings planned, so that we can fully understand what is being done on this issue? This is a big issue in my area, because the show 'A Night with Lions and Tigers' has been travelling around my area specifically at the moment. I want to ensure that local government has adequate

*with Lions and Tigers'* wedi bod teithio o gwmpas fy ardal i yn benodol ar hyn o bryd. Rwyf eisiau sicrhau bod llywodraeth leol yn cael digon o bwerau i allu asesu'r sefyllfa yn ddigonol a chael y pwerau digonol er mwyn gallu, os ydyn nhw'n penderfynu gwneud, mynd i mewn a gweld sut mae'r cwmnïau yma yn gweithredu. So, dyna beth fyddwn i'n gofyn amdano hefyd, yn ogystal â gofyn i'r Gweinidog beth yw ei barn hi ynglŷn â chael deddfwriaeth eilaidd i geisio cael *ban* yn ei gyfanrwydd yng Nghymru.

powers to assess the situation sufficiently and to have sufficient powers in order that, if they decide to do so, they can go in and see how these companies are operating. So, that is what I would be asking for, as well as asking the Minister what her opinion is on having subordinate legislation to try and enforce a complete ban in Wales.

[9] **William Powell:** Diolch yn fawr. Are you suggesting that we should also write at this stage to the Welsh Local Government Association on the matter, given the local government dimension, or—?

[10] **Bethan Jenkins:** We could either write to the WLGA or write to the Minister, saying, 'What is the nature of those discussions? Are you coming together in any formal way to make those discussions—to formalise those discussions? Because, anybody can have a discussion, but what does that mean, then, for the wider public?

[11] **William Powell:** Concretely, in terms of—

[12] **Bethan Jenkins:** Yes.

[13] **William Powell:** Okay. Thank you very much for your contributions. Russell George.

[14] **Russell George:** Chair, I agree with what's been said this morning. I just think this is a truly important petition, and I can see, certainly, this having a degree of cross-party support in the Senedd as well. Hopefully, we'll get a positive response from the Minister on this petition.

[15] **William Powell:** Excellent. It's made even more timely and important because of the fact that legislation in another place fell before Parliament was dissolved. Obviously, we've got the remit here, and I think we can move

forward on this. Excellent. Good. Thank you very much indeed. Thank you.

09:07

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

[16] **William Powell:** Moving now to agenda item 3, updates to previous petitions, we start with agenda item 3.1, P-04-564. Previously, our committee has agreed to view this petition on the restoration of inpatient beds, minor injuries cover and x-ray unit to the Ffestiniog Memorial Hospital and deal with it jointly with 3.2, which is P-04-466, which, I remind colleagues, is 'Medical Emergency—Preventing the introduction of a poorer Health Service for North Wales' and, indeed, 3.3, which is P-04-479, 'Tywyn Memorial Hospital X-ray & Minor Injuries Unit Petition'. So, we continue to deal with these in a grouped manner. Obviously, they all fall under the remit of Betsi Cadwaladr University Local Health Board. There's some common ground, but obviously there are specifics in each case for us to consider.

[17] The first of those petitions, the one regarding Ffestiniog Memorial Hospital, was submitted by Geraint Vaughan Jones, and was first considered on 17 June 2014, with the support of 2,754 signatures. We recall that it particularly relates to their concerns about the focus on that memorial hospital in Blaenau Ffestiniog and their aspirations for the outcome of, at that stage, what was awaited—the report by Professor Marcus Longley on rural healthcare in Wales. In relation to the second petition, we haven't got specific updates on that, I think it's fair to say. The lead petitioner in that case was Mike Parry, and it was first considered on 19 March 2013, with the support of 306 signatures. And, finally, the Tywyn Memorial Hospital petition, and we have late, or recent, correspondence—I'll give colleagues a moment to familiarise themselves with that; it was on our desks when we arrived this morning—from Jennifer Windsor, who's one of the petitioners on the Tywyn and district healthcare action group. That was considered by us first on 15 May 2013 and it had received 4,486 signatures. Colleagues will recall we also took evidence from two of these three groups of petitioners at our outreach meeting in north Wales back in November of 2013, which was a very important opportunity.

[18] As requested by the petitioners, I would suggest that we should probably write to the Minister on this matter to air the issue as to whether or not decisions that have been taken by Betsi Cadwaladr university health

board in relation to matters pertaining to Ffestiniog hospital and elsewhere dated from a period when the previous management was in place, before the Welsh Government intervention, and that that should be reviewed in case of some sort of systemic failure in their decision-making process. I understand the logic there. What views do colleagues have in relation to this group of petitions? Joyce.

[19] **Joyce Watson:** Chair, we all know that there have been big changes in Betsi Cadwaladr university health board, probably preceding these petitions and during them. They do make requests, and I think it is right and proper that we take those requests to the appropriate avenue, and it might be the health board in some cases and the Minister in other cases, and I agree wholeheartedly that that's what we'll do; that's what we're set up to do. But the letter that we have in front of us highlights the issue of the minor injuries unit in Tywyn, and the one issue that they want some clarity over is that, when the minor injuries unit isn't operating, there is an alternative provision for those people that they can access. To that end, I think we need to write to the health board asking what they have come up with, because there has been, in other places, alternative provision. It might not be in the hospital, but it's there nonetheless, and I think that's a reasonable request that has been asked of us.

[20] **William Powell:** Absolutely. Particularly for out of hours and weekends, residents in that area need to know what is available to them—

[21] **Joyce Watson:** Indeed.

[22] **William Powell:** —for clarity's sake.

[23] **Joyce Watson:** Yes. And they have come up with those. They've come up with them in the Tenby area, as I'm sure you know.

[24] **William Powell:** Absolutely.

[25] **Joyce Watson:** And there are facilities that can be used, so we need to know the answer. We also need to respect the request of the petitioners to seek the answers to the other queries that they've put in front of us.

[26] **William Powell:** Yes. Before I go any further, I should put on the record that I have met a group of petitioners relatively recently in Porthmadog in terms of the Ffestiniog Memorial Hospital campaign, led by Geraint Vaughan

Jones, and that was a very informative meeting. I sought to give some procedural advice as to how best to take forward their long-standing campaign, so I'd like that to be in the public domain. Russell George.

[27] **Russell George:** Chair, if we are writing to the Minister as well, I think we could also ask him to review the healthcare plans. There is a group, the Mid Wales Healthcare Collaborative—I think they could be, perhaps, involved with that as well.

[28] **William Powell:** I think that would make a lot of sense, particularly as that particular body is beginning to take shape and take forward its work agenda. I'm happy to do that. It's clear that, although they're being treated in a grouped manner, we've got distinct letters here reflecting the different concerns that these petitioners have. Are colleagues content with that approach? Good. Okay.

[29] Moving now to agenda item 3.4, P-04-494, 'Robotic assisted laparoscopic prostatectomy must be made available to men in Wales now', this petition was submitted by Professor Kevin Davies MBE and first considered by us on 16 July 2013, with the support of 2,090 signatures. Colleagues will recall the detail of the asks within this petition and also the memorable presentation that we had with the robot present on the steps of the Senedd.

09:15

[30] We last considered the petition on 30 June 2015, and agreed a series of actions: to await further comments from the petitioner, and also, to write, as suggested by the Minister for Health and Social Services, to Betsi Cadwaladr university health board, seeking further clarity on the funding that they would need to provide robotic-assisted procedures within north Wales. A response has been received from the health board, which is in the public papers. We've also got detail, as colleagues will have had the opportunity to study, of the comparative costs associated with this being carried out on location in north Wales, or in the Christie hospital. So, we've got that as an interesting point of comparison. What we don't have, at this time, is a response from the petitioner, so I think, really, we have to await that and potentially chase it as well, so that we can move things forward. If colleagues are happy, then we'll do just that.

[31] Agenda item 3.5, P-04-603, 'Helping Babies Born at 22 Weeks to

Survive': This petition was submitted by Emma Jones, and was first considered by us on 25 November 2014, having collected 2,543 electronic signatures and 216 paper signatures, so totalling 2,759. We last considered this petition on 16 June, having previously asked the Health and Social Care Committee to consider whether they had capacity for an inquiry into the current guidelines for resuscitation of children born prematurely. The committee agreed to await the response to the health committee's letter—our committee agreed to await the response to the health committee's letter to the chief medical officer. At its meeting on 1 July, the Health and Social Care Committee noted the response received from the CMO, and welcomed the progress that's been made. The committee agreed to write again to the chief medical officer, specifically to be asked to be kept informed about any further progress with regard to the clinical consensus document that's been developed by the all-Wales neonatal network management group and the all-Wales maternity network, and, in addition, to seek further information about the timescales for the work that's under way by the maternity group and neonatal network to develop care pathways, both for parents and babies, including the provision of palliative and bereavement care and support.

[32] At its meeting of 17 September 2015, the Health and Social Care Committee noted a further letter from the CMO, and I've also been copied into a letter from the CMO to Darren Millar, the shadow Minister for health, for which I'm grateful, and all of this correspondence is in the public domain. At this time, crucially, we haven't heard from Emma Jones, who brought the petition to us, and whose experiences motivated the bringing forward of this petition. So, I think it's fairly clear that we do need to try to re-engage with her, but it's obvious that she's triggered a really important discussion of this poignant and very important matter. I wonder if colleagues have got any thoughts that they'd like to add at this moment.

[33] **Bethan Jenkins:** Dim ond **Bethan Jenkins:** Only on the letter ynglŷn â'r llythyr gan Ruth Hussey, yn from Ruth Hussey, which says that dweud ei bod hi'n hapus i ni rannu'r she's happy to share the document ddogfen rydym yn trafod gyda hi, that we're discussing with her, but, I ond, byddwn i'n dweud, a oes modd would say, can we ask whether she inni ofyn a yw hi'n gallu cael—. A ydy can have—. Is that just to give her hynny jest i roi'r ddogfen iddi hi, neu the document, or can she give her a ydy hi'n gallu cael barn ar y opinion on the document and put ddogfen a rhoi syniadau gerbron ar y some ideas forward? I think it is a ddogfen? Rwy'n gweld bod e'n positive thing, but perhaps it's not rhywbeth positif, ond efallai nad yw worth doing unless she can give her

e'n werth ei wneud os nad yw hi'n opinion on what's in the document. gallu cael barn ar yr hyn sydd yn y Just to confirm; I know this is ddogfen. Jest i gadarnhau; rwy'n semantics, but it's important to me gwybod bod hyn yn 'semantics', ond that she feels that she is part of this mae'n bwysig i mi ei bod hi'n teimlo process. So, if we could write back to ei bod hi'n rhan o'r broses. Felly, os Dr Ruth Hussey asking whether bydden ni'n gallu sgwennu'n ôl at Dr there's a possibility that she could Ruth Hussey yn gofyn a oes put her opinion forward in this posibiliad wedyn iddi hi gael barn yn process—. y broses—.

[34] **William Powell:** I'm very happy to write in that vein, if colleagues support, and I sense they probably do. Moving to Russell George.

[35] **Russell George:** Chair, I support that; that's a good action. I also think that this is a petition that's potentially drawing to an end, in a positive way, because it's actually achieved what it should achieve. I think that this is a particularly important petition for our committee, and I'm pleased to see that it looks like it's, potentially, coming to a resolution, in a positive sense.

[36] **William Powell:** Absolutely. And I think, when we do reach that point, it's clear that we need to write in the warmest and strongest terms to the petitioner, with our thanks for raising it. But, I think we've got a couple more steps, probably, before that occurs. But I concur with your points.

[37] **Russell George:** I agree that we're not there yet, but it's going that way, I think.

[38] **Joyce Watson:** Agreed.

[39] **William Powell:** Excellent. Good.

[40] Agenda item 3.6 is P-04-630, 'Facebook Regulations for Looked after Children'. This petition was submitted by Christine Williams, and was first considered on 12 May 2015, with the support of 11 signatures. You'll recall the lady's concerns regarding the vulnerability of young people to the vagaries of social media, and the dangers associated. We last considered this petition on 22 September, and agreed to seek the outstanding responses, both from Children in Wales and the Children's Commissioner for Wales, and we've got responses from both. Colleagues will have noted the contents of both the children's commissioner's letter, in detail, as indeed also the

response from Children in Wales. We've also got a further response from the petitioner and her comments are also in the public papers.

[41] I think we're getting close, really, to the conclusion of our consideration of this petition. I don't know whether colleagues are of a like mind, in that respect. It's led to the airing of some very important issues. But I think, probably, we are fairly close to drawing things to a conclusion. Joyce Watson.

[42] **Joyce Watson:** Yes, it's hugely important. It's important for all children—Facebook, and other forms of correspondence—and we don't underestimate that in any way at all. The correspondence has also made it clear that those organisations charged with the care of children don't take this issue lightly. But, I don't feel—and I welcome the fact that we've had this debate around what is a critical issue—that we can go any further with this, myself, not at this moment. So, I would thank the petitioner for bringing the issue to our attention, but I would propose closing it.

[43] **William Powell:** That sort of ties in with my own views there, really. I think, in writing to the petitioner to mark the closure of the petition, we should thank her very much for bringing this important issue forward. But, also, I would suggest that we ensure that the Minister is made aware of the most recent correspondence, so that account can be taken of it in the upcoming period, and so that it can be built into any relevant policy formulation.

[44] **Joyce Watson:** Agreed.

[45] **William Powell:** Good.

[46] Moving now to agenda item 3.7—

[47] **Joyce Watson:** Do we have consensus on 3.6?

[48] **William Powell:** Yes, I think we have a consensus on that. I sense that from people's nodding in support.

[49] And before we proceed any further, I would like to extend a warm welcome: *Einen schönen guten Morgen an unsere Delegation aus Baden Württemberg*—a very warm welcome to the petitions committee of the State Parliament of Baden Württemberg. We look forward to engaging with our

colleagues from Germany later on, and I hope that they find our deliberations interesting, as we continue.

[50] So, agenda item 3.7 is P-04-540, 'Stop Sexism In Domestic Abuse'. This petition was submitted by Healing Men, and was first considered by us on 11 March 2014, having collected 238 signatures. We recall that we last considered this petition on 24 February, and were minded at that stage to close the petition, but an agreement emerged at the eleventh hour to seek further views from the Minister on the petitioners' most recent comments, and also to await the Minister's response before considering how to proceed further. We have now received comment from the Minister, and his letter is available to us in the public papers. It would appear that his response was delayed due to an administrative oversight, and we are grateful now for having received that. We haven't, at this time, received further correspondence from Mr Stott, the lead petitioner, and I don't believe we've had anything in the last couple of days. So, we are in a situation where we're awaiting further feedback on that ministerial comment from the lead petitioner. Joyce Watson.

[51] **Joyce Watson:** Thank you, Chair. I think, again, the petition has raised issues that have been aired, but the Minister is resolute in the answer that we've received and made it absolutely clear that the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 does indeed apply to all victims of gender-based violence, and that it's headed up because the majority of victims are female. Those are the facts. There is no movement on that whatsoever, and I can see little point in keeping this petition open, because we're getting to a stage, I feel, where the only option we have is to close it. Of course, you know, we send the correspondence on to the petitioner, as we did in the previous one. But, you know, when we've done everything we can do, it's time to close.

[52] **William Powell:** I understand that perspective, Joyce, and I have some sympathy with it. I'm just concerned about the theme of consistency of treatment, which you are usually a keen advocate of. So, I would just like to explore this a little further. Russell George.

[53] **Russell George:** I think, Chair, given the fact that there was that delay from the Minister's office, albeit that there was some technical issue for that, to be fair to the petitioner, if he's had to wait so long to get the Minister's reply via us, then we should give him a little bit more time—if we've only written to him in the last couple of weeks—to reply. So, let's just wait four

more weeks, and if we haven't had a reply, then of course, I think we can close it. But, I think we do need to make sure that we give him time, to be consistent.

[54] **William Powell:** I'm grateful for that, and it looks as though a critical commentator is about to speak. Bethan Jenkins.

[55] **Bethan Jenkins:** Wel, rwy'n credu ein bod ni wedi—. Rwy'n cytuno na allwn fynd ymhellach gyda hwn, ond rwy'n cytuno, efallai jest er mwyn bod yn deg, y dylem aros am y sylwadau yn ôl, gan fod y Gweinidog wedi dweud bod yna broblem wedi bod gyda'r cyfathrebu. Ond, rwy'n credu y dylai'r deisebwr fod yn ymwybodol na fyddwn yn gallu cymryd y mater yma ymlaen yn awr, oherwydd bod y Bil wedi mynd drwy'r broses honno. Felly, mae hyn jest i fod yn deg, buaswn i'n dweud.

**Bethan Jenkins:** Well, I do think that we have—. I agree that we can't go any further with this, but, just in order to be fair, I think it would be right for us to wait for the comments, as the Minister says that there has been a problem in communication. But, I think the petitioner should be aware that we won't be able to take this matter any further now because the Bill has gone through the process. So, it's just to be fair, really, you know?

[56] **William Powell:** Chwarae teg. **William Powell:** Fair play.

[57] I think you're absolutely right in that respect. I think Joyce's comments are certainly valid, that we have come very close to the end of the road here, but, for the sake of consistency, let's hear from Mr Stott, if he's got comments to make. And then we must, I think by common consent, move to close, but we'll await those comments first from Mr Stott, as lead petitioner. Good.

[58] Agenda item 3.8 is P-04-631, 'Save our service—Large Animal Rescue in North Wales'. This petition was submitted by Sabina Dunkling and collected 1,394 signatures. We recall the petitioner's concerns regarding the large animal rescue service, and specifically the fact that we have disparity in terms of service in this respect in different parts of Wales. The committee considered the petition for the first time on 12 May and agreed to write, seeking views on the petition, to the following: the North Wales Fire and Rescue Authority and to the Royal Society for the Prevention of Cruelty to Animals; and also to the Fire Brigades Union, seeking information on the situation in south Wales, and mid and west Wales. A response has been

received from the RSPCA, which is in the public papers. At this stage, we've not received a response from the FBU, but the RSPCA's response does indicate that the fire services in south Wales and mid and west Wales continue to offer rescue services in respect of large animals. The petitioner hadn't written to us at the time the papers were being finalised, and I think that remains the case.

09:30

[59] I think really we probably do need to await comments from the petitioner, but we could also chase up correspondence from the North Wales Fire and Rescue Service in particular, to get directly from the horse's mouth, so to speak, what the situation is. That was a very unfortunate choice of words. *[Laughter.]*

[60] **Bethan Jenkins:** Rwyf jest eisiau dweud fy mod yn meddwl ei fod yn wael nad yw Gwasanaeth Tân ac Achub Gogledd Cymru wedi ymateb. Mae cryn sbel wedi bod. Fy nghynnig oedd ysgrifennu at yr awdurdod tân yn y gogledd hefyd, os nad ydym wedi gwneud. Mae'r 'fire authority' yn cael ei wneud lan gan gynghorwyr. Fe allem ofyn iddyn nhw edrych yn strategol ar benderfyniad de Cymru a chanolbarth Cymru i beidio â chael gwared ar yr help maen nhw'n ei roi i anifeiliaid mawr, a gweld os ydynt yn gallu cydweithio mewn rhyw ffordd neu a oes ffordd y gallent gomisiynu allan y gwasanaeth hwnnw, ac edrych ar ffyrdd newydd o weithredu yng nghyd-destun y ffaith nad yw'n digwydd ar hyn o bryd. Mae'n anodd inni drafod yn bellach heb ein bod yn gwybod yn iawn pam fod y penderfyniad hwnnw wedi cael ei wneud. Rwy'n credu bod angen inni siaso hynny hefyd, yn ogystal â siarad â'r awdurdod. Nid wyf yn

**Bethan Jenkins:** I just wanted to say that I think it is bad that the North Wales Fire and Rescue Service hasn't responded, because quite a lot of time has passed. My proposal was to write to the fire authority in north Wales also, if we have not done so. The fire authority is made up of councillors. We could ask them to look strategically at the decision made by south Wales and mid Wales not to get rid of the assistance they provide to large animals, and to see whether they can co-operate in any way or could they commission out the service in any way, and perhaps look at new ways of operating in the context of the fact that it is not happening at the moment. It's difficult for us to discuss further without knowing why that decision was made. I think we need to chase that as well, as well as talking to the authority. I'm not sure whether the clerk is—.

gwybod os yw'r clerc yn edrych yn—.

[61] **Mr George:** Nid wyf jest yn siŵr a ydym wedi ysgrifennu at yr awdurdod neu'r gwasanaeth. Nid wyf yn cofio. Os nad ydym ni wedi ysgrifennu at yr awdurdod, fe wnawn ni wneud hynny.

**Mr George:** I'm just not sure whether we have written to the authority or the service. I can't quite remember. If we haven't written to the authority, we can certainly do that.

[62] **Bethan Jenkins:** Ocê. **Bethan Jenkins:** Okay.

[63] **William Powell:** Okay, that's helpful. I think it would be sensible to do as Bethan has requested in terms of seeking that clarity from the authority. But, since we've not had a response from the FBU, maybe it would also be sensible to write to the respective authorities in both south Wales and mid and west Wales to get chapter and verse on their approach. Then we can perhaps drill down to understanding better what the level of service is that's available across Wales, if colleagues are happy with that.

[64] **Bethan Jenkins:** Yes, fine.

[65] **William Powell:** Okay. Agenda item 3.9 is P-04-511, 'Support for children and young people participation standards'. This petition was submitted by Powys Youth Forum and was first considered on 11 November 2013 and had the support of 39 signatures. We recall the aspirations of the Powys Youth Forum at that time. We last considered the petition on 30 June and agreed to write to Children in Wales, asking them to respond to the petitioner's specific concerns, especially around the matter of where meetings are located. Response has been received from the chief executive of Children in Wales. We've also got a response from the petitioners. Both pieces of correspondence are amongst our public papers today. I think probably we need to be in contact with the Minister for Communities and Tackling Poverty on this one, to seek a response to the points made in the letter from Children in Wales. I don't know whether colleagues have got any other thoughts as to the best way forward on this one. Joyce Watson.

[66] **Joyce Watson:** Again, a good petition in bringing forward issues, and we've had some fairly comprehensive answers. So, I think that what you're suggesting is the way forward and we'll wait and see what the results of that are.

[67] **Bethan Jenkins:** Yr unig beth fyddwn i'n dweud yw bod lot o'r pwyntiau yn y llythyr gan y deisebwyr, gan fforwm Powys, yn cyfeirio at beth mae Children in Wales yn dweud. A oes proses lle gallwn ofyn i Children in Wales ymateb i'r hyn y mae Fforwm Powys yn dweud? Mae'r rhan fwyaf o'u sylwadau nhw yn ymwneud â sut mae Children in Wales yn gweithio. Ond, nid wyf yn siŵr os yw hynny'n bosibl achos nid at Children in Wales mae'r ddeiseb. Ond, nhw sydd yn rheoli beth sy'n digwydd gyda'r safonau.

**Bethan Jenkins:** The only thing I would say is that a lot of the points made in the letter by the petitioners, by the Powys Youth Forum, refer to what Children in Wales is saying. Is there a process whereby we can ask Children in Wales to respond to what Powys Youth Forum is saying, because the majority of the comments relate to how Children in Wales operate? But, I'm not sure whether that is possible for us because the petition isn't directed towards Children in Wales. But, they manage what happens with regard to the standards.

[68] **William Powell:** I think it's not only possible, but probably appropriate for us to go back to Children in Wales, since they've been name checked and very specific points have been made relating to how they operate, I think it's only fair that we should do that, and it will also take things to another level. So, I'm happy to do that if colleagues are content. Okay.

[69] We now move to agenda item 3.10, P-04-399. We've previously agreed to consider this in a grouped fashion along with petition P-04-433. The first of those is 3.10, which is petition P-04-399, 'Slaughter Practices'. Now, this petition was submitted by Royce Clifford and was first considered on 19 June 2012, having collected 400 signatures, calling upon the National Assembly for Wales,

[70] 'to urge the Welsh Government to ban the practise of slaughtering animals without pre-stunning them.'

[71] We've also got the long-standing petition in item 3.11, petition P-04-433, 'CCTV in Slaughterhouses'. Now, this petition was submitted by Kate Fowler and was first considered on 6 November 2012 and has the support of 1,066 signatures, calling for the Welsh Government to introduce mandatory CCTV in slaughterhouses for the benefit of vets, but also for use in training and also to deter practices that have been identified by the campaigning organisation Animal Aid in their campaign work.

[72] We considered these petitions last on 14 July of this year, and we agreed to write to ask the Deputy Minister to notify committee once she'd reviewed the content of the Farm Animal Welfare Committee opinion, and also to await the petitioners' views on the Minister's response. Now, as colleagues will recall, the Minister made a written statement on closed-circuit television in slaughterhouses on 8 October. In this, she outlined that, and I quote,

[73] 'The FAWC report strongly recommends that all Food Business Operators should install CCTV in all areas where live animals are kept and where animals are stunned and killed.'

[74] The Minister also made clear her own view; and again, I quote:

[75] 'My firm belief is that every slaughterhouse in Wales should have CCTV installed in line with the FAWC recommendations. I am determined to make this happen.'

[76] So, we've got a fairly emphatic view there from the Minister, drawn from her written statement of 8 October. Responses have been received from both petitioners, and the response from Animal Aid in particular indicates that they are greatly encouraged by the Deputy Minister's clear commitment. I think it would be sensible to draw to the attention of the Deputy Minister the response received from Animal Aid—colleagues may recall that, in a previous life, the Deputy Minister was actively involved in promoting this petition at the time, so it's perhaps not surprising that there's that unanimity on this issue—and maybe also to ask for her comments on how these proposals can be taken forward in terms of how CCTV footage may be assessed and monitored. Are colleagues happy with that, and are there any other thoughts as to how best to proceed?

[77] **Bethan Jenkins:** That's fine.

[78] **William Powell:** Excellent. Okay. I think that would be a sensible way forward in that case.

[79] Since we're slightly ahead of ourselves in terms of the agenda, and I understand that we need to make arrangements for the evidence session, I propose that we take a short period of recess and resume as soon as our petitioner is available for scrutiny. Thank you very much, colleagues.

*Gohiriwyd y cyfarfod rhwng 09:38 a 09:59.  
The meeting adjourned between 09:38 and 09:59.*

**Sesiwn Dystiolaeth—P-04-522 Asbestos mewn Ysgolion  
Evidence Session—P-04-522 Asbestos in Schools**

[80] **William Powell:** Bore da a chroeso cynnes iawn i Cenric Clement-Evans.

[81] **William Powell:** Good morning and a very warm welcome to Cenric Clement-Evans.

[82] **William Powell:** We move, together, to agenda item 4, our evidence session on petition P-04-522, 'Asbestos in Schools', and a review of petitions, which we'll also come to later on. My colleagues will recall that this petition was submitted by Cenric Clement-Evans and was first considered on 10 December 2013, and has the support of 448 signatures. Cenric, if I could ask you to introduce yourself for the levels and also, maybe, to make a brief opening statement, if you wish.

[83] **Mr Clement-Evans:** Yn gyntaf, a gaf i ddweud cwpl o eiriau yn Gymraeg? Rwy'n ddiolchgar iawn i'r pwyllgor am yr amser rydych chi wedi'i roi i'r ddeiseb ac am ystyried hyn dros fisoedd. Roeddwn am ddweud cwpl o eiriau yn Gymraeg i ddechrau; byddaf i'n troi at y Saesneg. Rwy'n un o Lerpwl, fel y mae rhai ohonoch yn gwybod, felly heb gael addysg drwy gyfrwng Cymraeg, ond mae addysg yn bwysig iawn i mi.

**Mr Clement-Evans:** First of all, can I say a couple of words in Welsh? I'm very grateful to the committee for the time you have put aside to look at this petition, and for considering it over a number of months. I wanted to say a couple of words in Welsh to start with; I will, then, switch to English. I'm from Liverpool, as you may know, so I haven't had Welsh-medium education, but education is very important to me.

10:00

[84] So, I'd just like to say thank you very much again for hearing the petition and considering it over what are now very, very many months.

[85] To introduce myself, I am a lawyer, a personal injury lawyer, and I've specialised throughout my career in workplace injuries, including industrial disease. What drew my attention to this in the first place was acting for a lady diagnosed with mesothelioma who was a school cleaner. She was a lady with

limited educational ability and in fact had gone to a school that was a special needs school. The only place that she could have been exposed, or mainly, would have been in the schools where she had either gone as a pupil or then worked later on. I got to hear about the work that Michael Lees did, who was campaigning in the UK on the issue of asbestos in schools. Michael had lost his wife to mesothelioma some 15 years ago. This was about the time I joined my present law firm, NewLaw Solicitors, when the all-party parliamentary group in Westminster produced a booklet on asbestos in schools, and reading it, it became clear to me that actually it was very English-centric, which is not a criticism of the booklet, but that's as these things are. So my journey then started with me writing to my Assembly Member to ask, arising from what was said in the booklet—that 75 per cent of our schools in Britain contained asbestos—my question, which my Assembly Member put to the Minister, and which was: 'How many schools in Wales contain asbestos?' The answer then came back that, effectively, this isn't a matter for Welsh Government, which, as someone who campaigns on behalf of injured people, sort of spurred me on a little bit, because I see that this is an area where, actually, unusually for what I do, I can help shape the future and prevent people being exposed to asbestos needlessly in the generations to come.

[86] So, that's effectively, Chair, why I've ended up here, and from that and from discussions, the 'Right to Know' petition was born. As you're aware, it was a call, really, for accessible information for guardians and parents of schoolchildren, but also others who work in schools—with easy access and central access. As a lawyer dealing with industrial disease, I'm all too familiar with documents disappearing over the years. That's what's happened, and indeed one benefit, if we had a central database in Wales, as we look at changes with regard to local authorities, and reductions, and possibilities of the ebb and flow of schools, with closures and openings, is that that documentation and information could be retained, which would help people in the future should they sadly find themselves faced with a diagnosis of mesothelioma. Mesothelioma is a cancer, usually of the lining of the lung, but also of the abdomen as well, and it is almost always caused by exposure to asbestos, and in comparative terms, lower dosages of asbestos compared to other asbestos diseases. So, the petition asked for the questions to be asked: 'Is there asbestos in the school?' and 'Is it being managed in accordance with the control of asbestos regulations?' And it also asked for access to that information online.

[87] As the petition was being considered, I then became involved in the

Asbestos in Schools group in the UK, and I also became an observer member of the Joint Union Asbestos Committee. That has given me access to more and more information. I don't pretend to be an expert, as such, but I have gained considerable knowledge.

[88] But, in addition to being a lawyer—and some used the term 'campaigning lawyer'—I am also a father. I am chair of a parent and teachers association of a Welsh-medium high school in Cardiff. I am also a chair of a junior football club and I'm also a husband. So, my kids are going through school and my wife works on supply as a teaching assistant, which takes her through many different schools in the Cardiff area, as it happens. So, I look at it from different angles as well.

[89] The issue, with regard to what is being asked for in the petition, is that there is this lack of agreement between the UK Government and Welsh Government as to who is responsible for policy with regard to asbestos in schools. I can evidence that with responses that have been given in both places—in Westminster and, indeed, here in Wales. During the course of this journey, as you know, Chair, I have called for a steering group, similar to that set up by the Department for Education in England, to be set up in Wales. I'm more concerned, always, about going forward and what happens in the future. I do have, and I'll be able to give the committee a copy of this, a reply from the chair of the Asbestos in Schools steering group, which I received only yesterday, which is why the committee hasn't seen it.

[90] For me, Chair, ultimately, I don't care who is responsible for the issue of asbestos in schools in Wales, as long as someone takes responsibility. The position at the present time is that the Department for Education say, in short, that it is a matter for Welsh Government. Welsh Government say that it's not a matter for us because it's a matter of health and safety. Somewhere in between, into a devolutionary crack, schools in Wales are falling.

[91] I would urge Welsh Government, if their position is correct, that, actually, what they ought to be saying to UK Government, by whatever means, which are well beyond my knowledge, is, 'You need to do something about it', and I don't see that. So, that's by way of an introduction, and I will try and help the committee as much as I can, but I do have the e-mail, which I can read. I put questions, which were late to the committee on 22 September, to the chair of the steering group and he's come back to me, as I say, yesterday.

[92] **William Powell:** Excellent. Mr Clement–Evans, thank you very much for joining us this morning and for those opening remarks. You’ve always been an assiduous petitioner in attending our sessions and monitoring the progress of the petition that you’ve brought.

[93] Before I go any further, I should declare something of an interest: I’m a member of Powys County Council and, in the context of that, I’m an LEA governor both of a secondary school and my local primary school, and I have had some engagement with issues around asbestos, asbestos management and the disclosure of the presence of asbestos in that context. So, I should make that clear just now. Also, I’d like to kick off with a first line of questioning, which is: what level of demand is there currently, in your experience, from parents to have more information as to the presence of asbestos in schools, and what is the evidence for that?

[94] **Mr Clement–Evans:** That is a very good question. I don’t have an answer to that, because, as far as I’m aware, no-one’s asked that question. But, of course, if you are unaware of the presence of asbestos, then you’re not going to ask about its presence. Indeed, there are certainly surveys carried out by the National Union of Teachers, asking about teacher awareness. You’d expect those who respond to an NUT survey to be fairly active people within that union. The level of awareness, again, is comparatively low. So, I don’t answer the question, but one of the things that I have been doing is raising awareness and the media has supported that. But, on almost a daily basis, Chair, I tweet for the Joint Union Asbestos Committee. I’m the main person doing that. There is, almost on a daily basis, some story in the news in the UK with regard to asbestos in schools. You may be aware that there was an issue, leading, I think, to the closure of classrooms in schools in Stoke, either yesterday or the day before yesterday, and one sees parents’ reactions in the media reporting of these stories.

[95] **William Powell:** Yes, absolutely. At my own party’s federal conference, I had some engagement with NUT on this very issue, and I know it was a matter of great concern to them and, indeed, to my former union, the Association of Teacher and Lecturers, when I was active in the profession. One more question from me before I open it up to colleagues, and that is: in what way would you like to see the Welsh Government making information available to parents on the levels of asbestos in schools in Wales?

[96] **Mr Clement–Evans:** Well, I think the first thing, going forward, is to have it available online. Now, I know there are issues about accessing things

online, as we saw reported in the media only yesterday, with the lack of knowledge in Wales with regard to the ability to use digital services. Nevertheless, that's what one would be looking for, so that you have the information there and easily accessible. That would, no doubt, help, for instance, the emergency services, and there's a duty upon stakeholders to have information under the control of asbestos regulations available for the emergency services so that, when they go to, for instance, in particular you think in terms of fires, it's very, very easily available for them. That would be an offshoot of this, but, yes, online in due course.

[97] **William Powell:** That's helpful. Russell George.

[98] **Russell George:** Thank you, Chair. I just wondered how you would suggest this obstacle might be overcome. Some people might think that it might cause undue concern amongst parents, if a letter comes home saying that there's asbestos in the school. People perhaps don't understand all the circumstances, and just the headline itself could cause undue concern. So, how would you suggest that that's overcome?

[99] **Mr Clement-Evans:** That's a very, very difficult one, because I always get—well, I don't always get it, but I have had the question as to whether I'm scaremongering. I'm very, very careful to avoid overstating the risk of mesothelioma. You don't want everybody running scared. Mesothelioma is a really horrible, painful way to die, and that's not something that one would overstate in the campaign.

10:15

[100] You talk about asbestos and its risks. I mean, it's a very difficult one, isn't it? I mean, for years, I guess, society has grappled with tobacco and the effects, and, increasingly, the message has been ramped up as to the effects of it. So, I don't think there's an easy answer. It is easy, I know, for people to levy at me the charge of, 'Well, you're a lawyer, and you're overstating these things for your own benefit'. And I hope that people look at the media work that I have done over the last couple of years, look at the papers that you have seen presented by me, and see that I don't overstate it. We'll always have the media, potentially, overstating it, for their own purposes, but I'm very careful of that.

[101] **Russell George:** From what I can see, and from what you're saying, it is that parents should have the choice, and have the information presented to

them.

[102] **Mr Clement–Evans:** Yes.

[103] **Russell George:** I understand that.

[104] **Mr Clement–Evans:** One of the difficulties as well, in terms of, ultimately, if someone's in a situation where they are faced with this diagnosis and seeking compensation, you are looking at, very often, an exposure that took place 30, 40, even 50 years ago, and there is actually no awareness of the exposure at all. So, forensically—I'm not sure whether that's answering the point—but, forensically, it's quite painstaking trying to just tease out of someone how they might have been exposed, at a point in time where you have to be incredibly sensitive. You're going in and you're speaking to people, with their families, at a really awful time. At the same time, you are having to act quickly to try and get information, to take it to other places to get information.

[105] I've probably gone off the point a little bit, but it's about having that awareness. I mean, I discovered, to my surprise, last summer—because I was asked to do an interview on it—that, as a student in Aberystwyth, I spent three years in Pantycelyn, and they were asking me questions about that, because, apparently, there was asbestos to be found in those halls. Well, of course, I was blissfully unaware of that. I got up to all sorts of things, which, I, clearly, wasn't prepared to discuss on the radio, as a student. You know, I was asked whether I'd taken a drill around, and, I have to say, I could deny that one, but, you know. [*Laughter.*]

[106] **Russell George:** Thank you.

[107] **William Powell:** Thank you. Joyce Watson.

[108] **Joyce Watson:** You've talked about the steering group and the fact that you've been engaging with it. And I've read your papers, and you suggest that we ought to have such a steering group in Wales, if I remember it rightly. But the Minister says that that would only duplicate the efforts that are currently happening. Now, what is your view on that?

[109] **Mr Clement–Evans:** My view—well, is this a potent moment to read from the e-mail that I've received, and then I can pass it to you, and I can also—

[110] **William Powell:** That would be timely. Please do so; we have time.

[111] **Mr Clement–Evans:** Just to clarify this first of all, I'd asked him the following questions:

[112] 'Can you confirm for avoidance of doubt that the work of the Steering Group is ongoing?'

[113] because there was a suggestion from the Minister that it wasn't, and so I wanted just to be clear. Then I said,

[114] 'Have there been representations been to the Steering Group'—

[115] —apologies for my English—

[116] 'on behalf of schools in Wales (other than of course reference to issues arising from Cwmcarn High School)',

[117] which I knew had been referred. And I've never sat on it, and I never attended, by the way.

[118] 'Does the remit of the Department for Education Asbestos in Schools Steering Group include schools throughout the UK or is it limited to schools in England only?

[119] 'If the remit of the group is limited to schools in England, could that be broadened to include schools in Wales?

[120] 'If so what would be required to enable this to happen, including presumably specific input from those with specific knowledge of the education system in Wales.'

[121] Now, I hope you agree that those were open questions and careful questions. As is acknowledged in my e-mail, I had met him very briefly at what was the retirement of Michael Lees, and he just basically said to me, 'Can you write to me?', and that's what I did. So, his response was yesterday:

[122] 'I can confirm that the work of the Asbestos in Schools Steering Group is ongoing.

[123] 'The Department for Education's remit is for schools in England. As such, the Asbestos in Schools Steering Group, which was set up by the department in 2012, only covers the issue of asbestos management in schools in England.

[124] 'The remit of the committee means it has not received specific representations on behalf of schools in Wales, though as you suggest references to schools in Wales will have been made in the course of its discussions.

[125] 'Focussing on schools in England enables the group to consider the specific issues faced by English schools, which exist in a different policy framework to those in Wales. I would therefore suggest it is right that the remit of the Steering Group is to consider schools in England.

[126] 'Clearly, however, many of the issues that schools encounter with regard to asbestos management in Wales will be similar as those faced by schools in England. We are therefore happy to work with the Welsh Government to share the findings of the group as their work continues.'

[127] So, an introduction to my response would be this: I am not an expert on the education system in Wales, but I am aware that there are differences and, indeed, evolving differences, as devolution continues to evolve generally. My main concern, certainly at this time, is that the Department for Education steering group meets, but has no representation from Wales. So, that would make me very, very uncomfortable that there is no specific representation from Wales. And, I, throughout my career, have gone around banging many drums with regard to Wales. I'm on the executive committee of the Association of Personal Injury Lawyers. They're now aware that Wales exists. Similarly, that's why I speak at the Joint Union Asbestos Committee; I put a Welsh perspective, the Asbestos in Schools group the same, and I've given Welsh updates at the all-party parliamentary group on occupational health as well. And it's that lack of representation that would really concern me. Ideally, I would want the Minister to have the best advice available from those in education in Wales, hence my suggestion. And I'm picking up from some of the letters that were sent by this committee in the summer of 2014 to Wales TUC, to Governors Wales—I know that there was no response from the Welsh Local Government Association, as far as I'm aware—but also asbestos experts, so there is a Welsh angle. If there was Welsh representation on what is, I guess, an unelected body in itself, I suppose I'd be more comforted, but I think, ultimately, if we believe in devolution, then the place

to have the steering group is in Wales.

[128] **Joyce Watson:** So, you feel very strongly that there should be Welsh representation on that. So, that's one thing. Let's assume we had that. What do you think would be the advantage? Do you think that there are, for example, issues specific to Wales that might not be considered by this steering group?

[129] **Mr Clement-Evans:** I'm afraid I cannot answer that question, but that almost is to roll back devolution into the bottle, isn't it, I think, as we remind ourselves, celebrating—or not celebrating, but remembering—Tryweryn where the people of Wales were represented by Members of Parliament who voted against the drowning of a village for water for my home city, as it happens. So, I can't answer that in any other way, I'm afraid. It just seems self-evident that Welsh education is different. There are bound to be differences.

[130] **Joyce Watson:** Okay. Finally from me, what do you think a Wales-specific policy could look like? Have you, in terms of the subject—and we're talking here about asbestos in schools—. Or have you not got that far?

[131] **Mr Clement-Evans:** I haven't got that far because I am a lone voice who has been trying to get the commitment for there to be a policy with regard to Wales. Now, I have had a lot of support from many groups. If you look at the Right to Know website you will see logos, certainly from many trade unions in Wales, and significantly Wales Trades Union Congress, and also many charity groups, and support from colleagues in England for the work that I'm doing. So, I don't think it would be for me to do that. I think that there are more important people in Wales who would be able to define that policy.

[132] **Joyce Watson:** Finally from me, the Minister has said continually—and this is really the hub of it all, isn't it—that the HSE, the Health and Safety Executive, are ultimately responsible in Wales. We've got a paper that tells us how they look at the risk protection and all that underpins that. I suppose what we're trying to do here, because we will move forward with this, is make some recommendations in that area. So, are you concerned that the HSE are not taking this seriously, or are you concerned that—? This is what we need to draw out.

[133] **Mr Clement-Evans:** I understand that question. In simple terms, there

has been a complaint made, as I have said in papers previously, to the parliamentary ombudsman with regard to the HSE investigation into Cwmcarn. It is oft repeated that asbestos is safe unless it is disturbed. Well, first of all, it may be trite for me to say this but, unless you know where it is, you don't know if you are disturbing it. It's a little more complex than that that the experts would tell us. What I would commend to you is the policy of Caerphilly County Borough Council, who have put in place a process of removing asbestos from areas where children can come into contact with the asbestos. One of the things that was appalling to learn with regard to Cwmcarn was that kids, not misbehaving, were able to scrape asbestos insulation boards with their chairs and desks in their normal everyday behaviour. Again, the evidence—. I am not an asbestos expert but I am told that the asbestos fibres are released by the banging of doors—I can take you to some information but it would probably take too much time—and the closing of windows. I have a 15 year old, which is a challenge to me, I have to say, as he's doing his GCSEs; he will often slam and bang his way around the house, particularly if he's challenged as to how much work he's doing at home. So, schools are unique places in that they contain children. Most of us like to think that we behave in a certain way as adults, but kids are kids—which probably hasn't quite answered the question. You've asked about the HSE. There is a difference of opinion, but then I guess you might say, well, there's always a range of expert opinions. But, certainly, Caerphilly borough council took the action it did on the basis of two opinions, which were contrary to that of the HSE, ultimately.

10:30

[134] **Bethan Jenkins:** I think what we're trying to get at, as you know from having watched us, is that HSE will say that it has power over regulation and the policy will be from Welsh Government, but then Welsh Government are saying, 'No, it's HSE's responsibility'. So, I suppose what we're trying to ask is: what do you think would be a way forward for us to try and ensure that a body of government takes responsibility for this action? Because how it reads to me now is that the Minister is waiting for the UK Government's reporting and committee steering group to progress and to potentially emulate or to adapt what they are doing. Is that how you see it? Do you know if the Minister has given any evidence to the English committee steering group, so that we can at least then be assured that he is putting some input into the whole process? For me, I agree with you, if it's not going to include Welsh voices, if Wales are not going to be around the table, then how are we to say that those policies will be able to be adapted for Wales if we've had no

representation on it?

[135] **Mr Clement–Evans:** I would very much doubt that the Minister—. The steering group is a group of experts who meet on a regular basis and inform, ultimately, the Department for Education as to policy, and I think that's its purpose. I don't think that the steering group has ever taken evidence, but I could be wrong on that. What has happened with regard to evidence is that the Education Select Committee heard evidence—I believe that was in about April 2013—from the then Minister for schools, if I have the title correct, David Laws MP, at that time, it also heard from the HSE, and it also heard from the epidemiologist, Julian Peto, it heard from Julie Winn, on behalf of the Joint Union Asbestos Committee, and Michael Lees, and there may, forgive me, have been another. So, that's the evidence that I'm aware that's been given.

[136] There have been statements, as I've said, in early 2014, to questions asked by Lord Wigley in the House of Lords and also Hywel Williams MP. What Baroness Randerson, as Parliamentary Under Secretary of State for Wales at the Wales Office, said on 14 January 2014 was this:

[137] 'The Health and Safety Executive has responsibility for regulations and guidance as it applies to the management and control of asbestos in all workplaces in Great Britain, including schools. However, within this framework, the development of policies for the management and control of asbestos in schools is a matter for the Welsh Government.'

[138] She then referred to the report by the Committee on Carcinogenicity, which was commissioned, she said, by the Department of Education:

[139] 'The report was a statement on the vulnerability of children to asbestos and made no recommendations; however, in England, the Department for Education is undertaking a review of its policy on asbestos management in schools. It is for the Welsh Government to decide whether they wish to review any policies as a result of the report.'

[140] I'm not aware of any policy. No-one has come back and said that there is one. But, forgive me, I have raised this issue and pointed out that there appears to be this disconnect. I would be astonished if the Minister was waiting for me to give him a way forward. I would really hope that I've made this fairly clear over a period of time. Whether it is resolved by there being agreement—. It appears that this disconnect is because nobody is actually

talking to each other and saying, 'This is the position'. England is saying, 'Wales, it's up to you', and Wales is saying, 'No, it's nothing to do with us'. They can carry on doing that forever and a day, but that's not going to get us anywhere. I don't know how to get people to talk. I have certainly spoken to politicians from all parties, elected both in Wales and in England, but I'm no further forward.

[141] **Bethan Jenkins:** I think that's the key though, isn't it? I think that's why you're asking about the steering group for Wales because, for me, we can't wait for England to progress their work without us having our own unique take on what is happening here in Wales. It is frustrating, on behalf of the committee and myself, that nobody will take responsibility. So, I think, following on from today, I'd like to see that we can try and get to the end of this conversation—

[142] **Mr Clement-Evans:** Absolutely.

[143] **Bethan Jenkins:** —so that we can have—I would support that call for a Welsh committee—so that we can move this forward for the benefit of the people of Wales.

[144] **Mr Clement-Evans:** If I can respond as well. We've taken, and I have taken, an awful lot of this committee's time in going around in a very large circle and giving you lots of information, and I'm sure that you're grateful for the long papers that I send you, but actually it's not dealing with the core issue.

[145] If I had my computer open, I could—. Julian Peto, and I'm probably going to paraphrase it slightly, and he hates this—this was evidence he gave in the transcript—and I'm not sure he likes it being used, but he says something to the effect that it is what the children are breathing that matters; everything else is hot air. I'm sure that every one of us in this room agrees with this because that's what we have to do going forward. If, ultimately, Welsh Government take responsibility for policy and are content with the guidance of the HSE, that is a different debate; that is a different argument altogether, but we're not getting to that.

[146] **William Powell:** Joyce, one point from you and then we will draw things to a conclusion.

[147] **Joyce Watson:** Only to say that it isn't entirely true to say that nobody's

taking responsibility for the issue. But, moving on from that, it's about clarity as to how that's moving forward. As I understand it, that is what you're calling for, so that we know how it's moving forward.

[148] We know that there is responsibility placed on the HSE. We know that there is guidance that's been issued from the Welsh Government about asbestos management in schools. We know all those things are happening. What we need to move forward, as I understand it, is a clear path that satisfies both those organisations, that is the Government, the elected organisation, and the HSE, and that's the way that I understand it. But I just wanted to say that it isn't entirely true to say that nobody is taking responsibility for asbestos in schools. It might be a muddled picture and it might need clarity according to the petition.

[149] **William Powell:** Diolch yn fawr **William Powell:** Thank you very much iawn am ddod ac am y sesiwn for coming to the committee and for ddiddorol y bore yma. the interesting session this morning.

[150] I think it's been an extremely useful session and you've brought some really solid evidence, particularly the most recent e-mail exchange that you shared with us this morning, Cenric, that we will be able to take forward when we've got a confirmed date with the Minister for education to take this matter forward. We're also grateful to you for agreeing to contribute your thoughts shortly regarding the wider petitions process. I think it would be fair to say that you've not entirely convinced us, despite your protestations, that you're not something of an expert in terms of the field of asbestos, because if you're not then I don't quite know who is.

[151] **Mr Clement-Evans:** I'm a lawyer. Can I take a moment for a plug? This is relevant to the committee, in that there is a cross-party group on asbestos this evening, after your Plenary session. So, if any of you are available, you would be very welcome. We have an agenda that I'm hoping is more than just asbestos in schools, but actually relates to how we approach asbestos for the future, including treatment and research issues, and I'm hoping that we start something rolling. So, I apologise for the plug, but as it's relevant to the four of you—in fact, I withdraw the apology. [*Laughter.*]

[152] **William Powell:** Thank you very much indeed. We're about to move to agenda item 5, which will involve my calling on the motion under Standing Order 17.42. But, first of all, I would assure you as lead petitioner on this that we will be considering today's evidence at a future meeting, and also

that a transcript will be provided for you of today's session for your records also.

[153] I would also wish to say, before we move to private session, that today is the last meeting, before she goes on maternity leave, of our colleague, Kayleigh Driscoll, who is briefly not in the room at the moment, but will re-join us shortly. She's been an absolute rock in terms of the support as Deputy Clerk for the petitions process in this place for the last several years, and we wish her well for the time to come. I look forward to her re-joining us very shortly, but I wanted that to be put on the record, and I'm sure colleagues would agree with that.

10:42

**Cynnig o dan Reol Sefydlog 17.42 i Benderfynu Gwahardd y Cyhoedd  
o'r Cyfarfod**

**Motion under Standing Order 17.42 to Resolve to Exclude the Public  
from the Meeting**

*Cynnig:*

*Motion:*

*bod y pwyllgor yn penderfynu that the committee resolves to gwahardd y cyhoedd o weddill y exclude the public from the cyfarfod yn unol â Rheol Sefydlog remainder of the meeting in 17.42.*

*accordance with Standing Order 17.42.*

*Cynigiwyd y cynnig.*

*Motion moved.*

[154] **William Powell:** And so now I would ask that we move the motion under Standing Order 17.42 to resolve to exclude the public from the remainder of this morning's meeting. I see no objection, so we'll do that.

*Daeth rhan gyhoeddus y cyfarfod i ben am 10:43.*

*The public part of the meeting ended at 10:43.*