



Cynulliad Cenedlaethol Cymru **The National Assembly for Wales**

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

Dydd Iau, 17 Gorffennaf 2014
Thursday, 17 July 2014

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Remainder of the Meeting

Cofnodir y trafodion yn yr iaith y llefarwyd hwy ynddi yn y pwyllgor. Yn ogystal, cynhwysir
trawsgripiad 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

Peter Black	Democratiaid Rhyddfrydol Cymru Welsh Liberal Democrats
Christine Chapman	Llafur (Cadeirydd y Pwyllgor) Labour (Committee Chair)
Jocelyn Davies	Plaid Cymru The Party of Wales
Janet Finch-Saunders	Ceidwadwyr Cymreig Welsh Conservatives
Mike Hedges	Llafur Labour
Mark Isherwood	Ceidwadwyr Cymreig Welsh Conservatives
Gwyn R. Price	Llafur Labour
Jenny Rathbone	Llafur Labour
Rhodri Glyn Thomas	Plaid Cymru The Party of Wales

Eraill yn bresennol
Others in attendance

Rhys Davies	Cyfreithiwr, Llywodraeth Cymru Lawyer, Welsh Government
Lesley Griffiths	Aelod Cynulliad, Llafur, y Gweinidog Llywodraeth Leol a Busnes y Llywodraeth Assembly Member, Labour, Minister for Local Government and Assembly Business
Lynne Schofield	Pennaeth y Tim Trais yn Erbyn Menywod a Cham-drin Domestig, Llywodraeth Cymru Head of the Violence Against Women and Domestic Abuse Team, Welsh Government

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

Sarah Beasley	Clerc Clerk
Leanne Hatcher	Dirprwy Glerc Deputy Clerk
Hannah Johnson	Y Gwasanaeth Ymchwil Research Service
Matthew Richards	Uwch-gynghorydd Cyfreithiol Senior Legal Adviser

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

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

[1] **Christine Chapman:** Good morning and welcome to the National Assembly for Wales's Communities, Equality and Local Government Committee. This is the last meeting of the term. May I remind Members that, if they have any mobile phones, to ensure they are switched off, as they affect the transmission? We have received apologies this morning from Leighton Andrews.

09:16

**Y Bil Trais ar Sail Rhywedd, Cam-drin Domestig a Thrais Rhywiol (Cymru)—
Sesiwn Dystiolaeth 1: Lesley Griffiths, y Gweinidog Llywodraeth Leol a Busnes y
Llywodraeth
The Gender-based Violence, Domestic Abuse and Sexual Violence (Wales) Bill—
Evidence Session 1: Lesley Griffiths, Minister for Local Government and
Government Business**

[2] **Christine Chapman:** This is the first of several evidence sessions for the Gender-based Violence, Domestic Abuse and Sexual Violence (Wales) Bill. I would like to give a warm welcome to Lesley Griffiths, the Minister for Culture and Sport—

[3] **The Minister for Local Government and Government Business (Lesley Griffiths):** I wish. A football manager, maybe. [*Laughter.*]

[4] **Christine Chapman:** Sorry, Minister. I welcome the Minister for Local Government and Government Business, and also your officials, Lynne Schofield, head of the violence against women and domestic abuse team, and also Rhys Davies, lawyer. Welcome to our panel. Minister, you have sent papers for the meeting and I know that Members will have read them very carefully. So, if you are happy, we will go straight into questions.

[5] **Lesley Griffiths:** Yes. Thank you, Chair.

[6] **Christine Chapman:** I just want to ask you some questions around the title of the Bill. I wonder whether you could tell me why you chose not to refer to violence against women in the title of the Bill.

[7] **Lesley Griffiths:** Well, the title of the Bill must reflect the content of the Bill. Violence against women is obviously a form of gender-based violence. I think that it is safe to say that it is the most prevalent form of gender-based violence, and, obviously, it is therefore included in the Bill. Our position as a Government is unchanged. We recognise the Council of Europe and we agree with it regarding the gendered nature of domestic abuse and sexual violence and the fact that victims are predominantly women and perpetrators are predominantly men. However, we have to ensure that we provide gender-specific services for men and women, and those have to meet the experiences of both of those genders.

[8] **Christine Chapman:** Can you say a little bit more about the access to services? Do you think that there will be any issues around the change in terminology?

[9] **Lesley Griffiths:** I do not think that the title of the Bill will change that at all.

[10] **Christine Chapman:** You mentioned legal advice, Minister. Can you say a little bit more about the legal advice that you had on this about the gender-specific legislation?

[11] **Lesley Griffiths:** Well, it is very difficult for me to comment on legal advice, obviously. The ministerial code does not allow me to talk about the Counsel General or legal advice that we have had. However, the most important thing to me is the content of the Bill. The most important thing to me is that this Bill ensures that services are improved and that the whole experience for victims improves. It is about protection, prevention and support, and I believe that that is what this Bill will do.

[12] **Christine Chapman:** We will come on to some of the detail now, Minister. I just want to bring in Gwyn Price on another issue.

[13] **Gwyn R. Price:** Thank you, Chair, and good morning, Minister.

[14] **Lesley Griffiths:** Good morning.

[15] **Gwyn R. Price:** How do you respond to concerns raised by stakeholders that, given the omission of the education proposals that were in the White Paper, the aims of the Bill cannot be fully achieved, particularly around prevention? Why has the Minister chosen to take the education proposals forward through the curriculum review and not the Bill?

[16] **Lesley Griffiths:** I do, of course, recognise that there are concerns regarding the omission of the education proposals, but I do not accept that the aims of the Bill are any less achievable. I am absolutely committed to delivering the White Paper proposals on healthy relationships education and on encouraging schools to take a whole-school approach to this. I am having a lot of conversations with the Minister for Education and Skills and my officials are working very closely with education officials. I know that this is an area where we want to beef up the provisions, and I expect Government amendments, opposition amendments, shared amendments or whatever in this area.

[17] I do not believe that not including education proposals on the face of the Bill will limit its scope to deliver our aims in respect of prevention. We would expect preventative measures to be outlined in the national strategy, local strategies and in the work of the ministerial adviser.

[18] You mentioned the curriculum review, and I just thought that that was too good an opportunity to miss; I really believe that we have to feed into that. Officials have met with Professor Donaldson, who is undertaking that review for the Minister for Education and Skills. That is expected to be completed by the end of the year. However, we are not just sitting back and waiting; we are doing other things. We are making progress in relation to a wider package of whole-school measures with a view to ensuring that schools mainstream the addressing of issues around gender-based violence, domestic abuse and sexual violence.

[19] To give you some examples of some of the extra work that I am doing, obviously this is the beginning of scrutiny, but we have been doing some work since I introduced the Bill. The Department for Education and Skills is reviewing its safeguarding children in education statutory guidance. In that context, the role of the designated senior person for child protection in a school is being strengthened to ensure that the aspects around gender-based violence, domestic abuse and sexual violence are fully reflected.

[20] You will be aware from the draft guidance that we have given you that we are setting up a national training framework. The designated senior person in schools is a key professional in level 1 and level 2. I also want to see school-based counsellors receiving level 1 training, which will not be onerous as that will be the e-based learning package. We are also encouraging all school staff to undertake level 1 of the national training framework. There is also an intention that Estyn will undertake a thematic review in the 2016-17 academic year, by which time the reforms will have had the opportunity to bed in, and I think that that can

feed in there.

[21] In relation to the curriculum, that is much wider than just looking at healthy relationships. I know that everybody wants to put something into the curriculum, but I think that that would be the right place to have healthy relationships education. I really want to see that being taken forward.

[22] Again, you will perhaps be aware of the Spectrum project that Hafan Cymru delivers for us. I have increased the funding to it and, from this autumn, the programme will be rolled out even further. Within two years, every primary and secondary school in Wales will have that provision. What Hafan Cymru delivers is very good, and it is age-appropriate, which I think is very important. The other issue is about having appropriately trained staff in schools to deliver this.

[23] **Gwyn R. Price:** Thank you, Minister. Why have you chosen not to place a specific duty on relevant authorities to provide safe accommodation and workplace policies?

[24] **Lesley Griffiths:** On safe accommodation, reforms relating to housing law are most appropriately taken forward in housing legislation. Again, I work very closely with Carl Sargeant. Obviously, he holds a very large budget for the Supporting People programme, and it is about ensuring that that provision is there. So, we work very closely with him and officials work closely with his officials. You will be aware that the Housing (Wales) Bill has just completed its passage through the Assembly. He is also bringing forward legislation relating to renting homes, and its intended provision will be made in the Bill for a statutory prohibited conduct term to be included in every rental contract for housing. That will enable perpetrators of domestic abuse to be evicted while leaving the victim and children in the home, if that is what they wish. So, I think that any reforms relating to housing are probably better placed in housing legislation.

[25] **Christine Chapman:** There are a couple of supplementary questions. The first one is from Peter and then from Jocelyn.

[26] **Peter Black:** Minister, I think that it is fair to say that most of what is in the Bill you are doing already or is something that you could do administratively or through guidance. So, what message does it send that you are choosing to do education stuff through guidance and other stuff through the Bill? Does that not send the message that you are not serious about education?

[27] **Lesley Griffiths:** Not at all. First of all, the Bill will put it in statute. People have asked me, 'Why are you legislating?' It is not just about services, although people are saying, 'We don't want a postcode lottery', and quite rightly. Again, I think that the Bill will enable that to be addressed. It is about leadership. It is about lots of things in addition to that. I mentioned education and the work that we are doing. I think that I have set out the reasons why we are doing it in the way that we are. We have to work within the legislative framework that we have.

[28] **Peter Black:** Yes, but you have the legislative competence to legislate in terms of education in this Bill. I think that everyone here will accept, I would hope, that domestic violence is a cross-cutting issue that impacts on a whole range of policies. If you produce a Bill that has a very narrow focus and you say, 'I'm going to leave education to this, and housing to that', are you not missing an opportunity to recognise the cross-cutting nature of domestic violence in legislation by producing a cross-cutting Bill?

[29] **Lesley Griffiths:** I do not think that we are. I think that the way that we are setting it out is the right way.

[30] **Peter Black:** Why?

[31] **Lesley Griffiths:** For the reasons that I have just explained.

[32] **Peter Black:** What you are effectively saying is, ‘I don’t want to step on other Ministers’ toes’, when actually this is meant to be groundbreaking, cross-cutting legislation.

[33] **Lesley Griffiths:** I mentioned services and leadership; you are talking about education and housing. We are going to have local health boards and local authorities bringing forward local strategies. Those strategies will be based on very robust assessments of evidence and needs locally. Those can be addressed within those local strategies.

[34] **Peter Black:** Is it the case that you do not have the support of other Ministers to put it in this Bill?

[35] **Lesley Griffiths:** No, I think that both Ministers that I referred to—Huw Lewis and Carl Sargeant—are extremely supportive, and we are working very closely together.

[36] **Jocelyn Davies:** I think that, ideally, you would include education in this Bill because surely this is about changing—. All of the things that you have said are good things. No-one is saying that they are bad things, but we are talking here about changing the attitudes towards women and girls. I remind you of what it says in the White Paper. Do you think that the measures that you have laid out today will change this? The White Paper says that, in a survey of the general public, 49% of respondents thought that a woman was partially or totally responsible for being raped if she wore sexy or revealing clothes. That is what the general public thinks. One in four of the general public—and more women than men, I have to say—think that it is okay to be slapped by your partner if you nag. That is what you are saying in your White Paper. That is what you want to change. Do you think that the things that you have said to us today, and the things that are in this Bill, will change that?

[37] **Lesley Griffiths:** Yes, I do. I said in my opening remarks that I am committed to the education requirements arising from the White Paper, and I am working towards that. I have set out what we have already done. We are not just sitting back waiting for the curriculum review. However, I just think that the opportunity that the curriculum review has presented is too good to miss. I would like to see healthy relationships education in the curriculum.

[38] **Jocelyn Davies:** Well, I think that it is going to need a bit more than healthy relationships education to tackle that. The Bill could place statutory duties on outside bodies to have strategies. This Bill could place a statutory duty on all of the other Ministers to do everything in their portfolios to tackle violence against women, to change those attitudes and to actually deliver equality. You are failing to do that, Minister. May I go on to another question?

[39] **Christine Chapman:** Yes.

[40] **Jocelyn Davies:** It is in relation to stuff that is left out of the Bill. There is no reference in this Bill to the removal of the reasonable chastisement defence. When we were having the scrutiny of Social Services and Well-being (Wales) Bill and the Government rejected amendments with that aim, we had the expectation that this Bill would encompass that. We were told that there would be a legislative opportunity in this Assembly term to have that. Surely, if we are saying to people, ‘As adults it is not right for you to put your hands on someone else, but it is still okay for you to hit children’, there is something not quite right here, Minister. Will you explain why that is not in this Bill?

[41] **Lesley Griffiths:** I do not think that this Bill is the right place for that at all. This Bill is not concerned with criminal justice matters. I think that the Welsh Government's commitment to positive parenting is unequivocal. You will be aware of the work that we have done. We have made a huge investment in Flying Start, Families First, Communities First and the integrated family support services. We do not have a mandate to legislate on this issue. It is not part of our manifesto. It does not feature in our legislative programme. You will be aware of work that is ongoing in the area, but I really do not think that this Bill is the place for that.

[42] **Jocelyn Davies:** You promised a legislative opportunity in this Assembly term, so you are going to have to explain why it is not in your legislative programme.

09:30

[43] Peter asked what is there in this Bill that you could not actually achieve anyway. You can tell people to have strategies and you can have—. It seems to me that you can have an adviser—that does not have to be a statutory adviser—so it seems to me that the White Paper promised something that was exciting and groundbreaking, but the Bill is failing to deliver that. What is your evidence base to demonstrate that the approach in the Bill will be as effective as the White Paper promised, for example, with the whole-school approach, without it being in education?

[44] **Lesley Griffiths:** I mentioned the work that we are doing in education in addition to what was here when we introduced the Bill. I do not think that the Bill diverges significantly from what was proposed in the White Paper. In relation to ending violence against women, the Bill's title is the 'Gender-based Violence, Domestic Abuse and Sexual Violence (Wales) Bill'. We are very clear that violence against women is the most prevalent form of gender-based violence. The White Paper outlined the policy and legislative proposals on three specific areas, which are improving leadership and accountability, improving education and awareness, and strengthening services in Wales. Those are the priorities for this Bill, absolutely.

[45] The important thing about having legislation is that it is futureproofing. We are a good Government, but you may not always get good Governments here. I think that it is about putting that in statute. It is about improving services. It is about leadership. The ministerial adviser is very welcome. I think that it is a very exciting position, and I think that you have to take the Bill not just on its own; it is part of a very comprehensive package of measures. I think that we have done some fantastic work in Wales. However, going back to what you quoted to me before, we know that there are still issues out there that we need to address, and I think that this Bill will do that.

[46] **Jocelyn Davies:** You mentioned the comprehensive approach. So, I am assuming then that you are expecting this Bill to lead to more disclosures and more cases coming forward—that is, if the strategies work. So, there must be more work with perpetrators. There is nothing in here about work with perpetrators. Last week, when you introduced this, you mentioned that you had had a discussion with Wales Probation and that it was content that there is enough coverage for such programmes.

[47] **Lesley Griffiths:** Yes, that is the case. However, I think that you will be aware that I have had the review of services right across Wales and, clearly, that was an area I picked up on. However, again, if you have the local strategy, which will be based on very robust, local evidence and it shows that they need more perpetrator programmes or, indeed, a perpetrator programme, I would expect that to be put in place. Obviously, perpetrator programmes are a very important element of prevention. So, that would have to be looked at. There are probably custody-based programmes that we could look at for best practice and to have out in the

community. However, I think that what the review of services showed is that there is not that much research out there about perpetrator programmes, and there are not that many examples of best practice that we can pick up on. So, that is an area, if you have that robust, local evidence, I would hope would be expanded.

[48] **Jocelyn Davies:** Minister, I hope that the resources will be available for those perpetrators who perhaps need help before they get to the criminal justice system, and that that will not be diverted from the money going to help victims. I hope that no-one would be faced with a choice between those two, because that would be a terrible dilemma to put somebody in. At the minute, you have ‘The Right to be Safe’ strategy. It focuses on violence against women right upfront. It looks like that is now going to be lost, because that is your national strategy, and it is a fantastic strategy. Is that going to be lost in terms of the national strategy that you are talking about here? What will the sanctions be for non-compliance with your national strategy and with the local strategies? Is ‘The Right to be Safe’ going to be lost?

[49] **Lesley Griffiths:** It is not going to be lost. I think that you are absolutely right—it was a huge success and it delivered very real and tangible positive outcomes, but I think that more can be done. Certainly, ‘The Right to be Safe’ implementation board has been a real success and for me, as a Minister coming in and picking up this piece of work, it has been incredibly helpful, and critical, at times, but I think that it has enabled me to get to where we are now.

[50] Having the national strategy, which the Welsh Government will have to have, will continue to drive this agenda forward. I think that perhaps we need to be a bit more radical, and the national strategy will do that. Again, I will go back to futureproofing: the Government having the national strategy in legislation will futureproof the Welsh Government’s commitment. I think that it also provides consistency between the national strategy that the Welsh Government will have to produce, which will be scrutinised annually, and the local strategies that health boards and local authorities will bring forward. The ministerial adviser will have a key role in being out there, ensuring that the local strategies are working. Again, they will have to be published annually, and if they are not performing, the ministerial adviser will raise that with Welsh Ministers and we will then have to hold them to account.

[51] **Jocelyn Davies:** So, I take it from that that ‘The Right to be Safe’ strategy, which focused on the rights of women, will not be lost; you have told us that. So, will it sit underneath your new national strategy? You have told us that nobody will have to choose between resources for perpetrator programmes and victims.

[52] **Lesley Griffiths:** Just to go back to ‘The Right to be Safe’ strategy, no. We have just done the fourth annual report of the six-year programme, so that will not be lost; it will sit there. As local authorities and local health boards bring forward their local strategies on a very robust needs assessment, they will then decide what services are needed. So, if it is predominantly women as victims, the services will follow that. If they need perpetrator programmes, they will put those in as well, but it will be for them to choose, based on their local needs assessment.

[53] **Jocelyn Davies:** So, there will be a choice. Are you telling me that there will be no more resources?

[54] **Lesley Griffiths:** I have increased the budget within my main expenditure group in this area. I think that it was the only one that I increased. Everywhere else took a reduction, apart from youth justice, which was maintained at the same level. However, I have increased it. Obviously, we will have to look at funding. You will be aware of the funding position that we are in. We can also look within our national strategy at national perpetrator programmes. As I said before, I think that there is a lack of evidence around what perpetrator programmes

are out there and that is an area that I would want to see. If I thought that it was a big issue, or if Welsh Ministers thought that it was a big issue, it is something that the ministerial adviser could look at, but we could look at national programmes also.

[55] **Jocelyn Davies:** I think that I have heard enough.

[56] **Christine Chapman:** Mark, you have a supplementary question.

[57] **Mark Isherwood:** You are probably aware that, last week, we had a stakeholder meeting with various organisations. The group that I was working with said that there was nothing in the Bill about the outcomes that we are expecting. Are you going to state what outcomes you wish the Bill—or the Act, ultimately—to deliver and how you will measure that? You mentioned perpetrator programmes. In the real world, as you are probably aware, the only pre-custodial perpetrator programme where we live, in north Wales, has funding that comes to an end in August. There is no certainty that it will exist after that. That is practical action. You may even have been part—I cannot remember—of the predecessor committee to this committee when it undertook an inquiry on domestic abuse. It identified, after extensive research and direct engagement with organisations across Wales, a whole shopping list of practical actions required to deliver better outcomes. These were not always about more funding, but about better use of the funding resources that existed, recognising that getting that right would save money, not cost more. So, to what extent do you believe that we could make this into something that focused more on the outcomes, using not just new evidence, but the evidence base that we already have?

[58] **Lesley Griffiths:** I think that the national strategy will enable us to measure outcomes far better than we are now doing. You are quite right about better use of funding in all services for victims and perpetrators. I went to see a programme being delivered in mid Wales a couple of weeks ago and the deliverer there that I spoke to had very simply changed the timings for when the programme was delivered, and that was producing better outcomes. So, as you say, it is not always about more money; it is about more efficient use of the resources that they have. However, I think that the national strategy will enable us to measure that much better than we are doing now.

[59] We are going to have national indicators, which will be used to measure progress in achieving the purposes of the Bill. They will enable us to measure the outcomes not only through the national strategy, but through the local strategies, too. The basis for this will be the current programme for government indicators that we have, which relate to gender-based violence, domestic abuse and sexual violence. They are now reviewed and updated on an annual basis. For instance, you could record the number of people who use the multi-agency risk assessment conference as an indicator, or the number of public sector bodies that have a workplace policy in place. They are just some examples. I think that, again, this is an area of work that the ministerial adviser could enhance provisions on.

[60] **Janet Finch-Saunders:** Before I move on to local strategies, I just want to come in on points that Jocelyn made earlier. If this Bill is the be-all and end-all to really take effective steps against domestic abuse and violence, it is not going to be implemented for about two years, so are you admitting that the Welsh Government has been lax and that the strategies that we have in place currently are not working? Clearly, you must be able to explain some definite need for this Bill. Also, in terms of local strategies, for instance, in my own area, I do not see this at the top of anybody's agenda, anywhere. There is a lot of publicity about it, and I know of campaigns that are being run now, and support groups—especially when we met with the stakeholders last week—are concerned as to how this Bill is going to really make any effective difference. If it is what is needed, is that an admission that, since we have had the Assembly, we have not been working hard enough as a Government to really support against domestic abuse?

[61] **Lesley Griffiths:** No, I do not think that that is the case at all. I can quote you 10,000 Safer Lives as one policy. When I came into post, which was 16 months ago, I wanted to know how we were going to show that 10,000 Safer Lives—it is very important—demonstrates that. I do not know, but perhaps Lynne can say a bit more about that later. When I came into post 16 months ago, I think that that year's figure was 3,000 to 3,100—something like that. We are now over 7,000. So, you can see that that policy is working. We are bringing forward Ask and Act and workplace policies. I think that we have had tremendous success with workplace policies. A lot of public sector organisations did have workplace policies in place. We held a couple of workshops—I think that there was one up in north Wales and one in south Wales. I went along to both, and it was good to see that, even if a public sector organisation did have a workplace policy in place, they were very happy to come along, look at best practice and beef theirs up or improve it in some way. Every public service organisation, including the Welsh Government, has a workplace policy in place. So, again, I think that that is a huge achievement, and all done voluntarily. I have been to two. I went to the launch of one, and I was at another public sector organisation where it was being discussed—a disclosure on both occasions there. It shows that those sorts of policies are working.

[62] You say that it is not high on people's agenda. I would disagree with you. I meet regularly with chief constables and the police and crime commissioners, and I think that the police are very aware of it.

[63] **Janet Finch-Saunders:** With respect, they do, but I am talking about what you are going to be bringing in, in which you expect all this sort of agency working and cross-working. Currently, however, from the publicity side of things, there are concerns that have been raised by stakeholders that the publicity side of things is poor. However, my main question is this: if this is not going to come into being for the next two years, and you feel that this is going to be all-encompassing, are we not at a vulnerable stage now, and is that not a failing of the Welsh Government?

[64] **Lesley Griffiths:** No, I did not say that it was all-encompassing. In fact, I was very clear in saying—I think that it was in my answer to Jocelyn—that this is just part of a package of measures. I never said that it was all-encompassing. It is part of a much wider package of measures. We have other strategies. I have mentioned 10,000 Safer Lives and I have mentioned workplace policies.

09:45

[65] Publicity wise, I hope you have all seen the posters. I am sure that most of us who travel by train have seen the posters, certainly in Cardiff and Newport.

[66] **Janet Finch-Saunders:** I have down here, but nothing up our way.

[67] **Lesley Griffiths:** They are everywhere. They are in north Wales as well. I have just agreed the funding to have the poster campaign continue during the NATO summit. It is very important that, as we are having all of these international visitors, they see what the Welsh Government is doing. The Make a Stand campaign has been very successful.

[68] You mentioned other campaigns. We constantly, throughout the year, have campaigns. We have campaigns around international rugby matches, for instance, and we had a campaign during freshers' week last September, which I launched at Cardiff University. One of your questions was on services; what this Bill will address that is out there and is raised with me a lot is the inconsistency of services.

[69] **Janet Finch-Saunders:** There is also duplication, and they are not working together. That is what has been raised with me.

[70] **Lesley Griffiths:** Once again, we go back to the efficiency of resources. It is very important that we do not have duplication but that we have absolutely the best services that can be provided for people.

[71] **Janet Finch-Saunders:** Will there be any sanctions for non-compliance with local strategies?

[72] **Lesley Griffiths:** I mentioned in my answer to Mark that the ministerial adviser will have a key role in monitoring and advising Welsh Ministers about the content and implementation of local strategies. The annual progress report will enable us then to see the effectiveness. If we thought that there was not compliance or that the local strategies were not producing what we expected them to produce, then we could look to issue guidance under section 12. You will see that section 12 is quite a broad section. However, we could certainly issue guidance. If they did not fulfil that guidance, they would have to have a very good reason for not doing so. I do not want to stifle innovation, so if they could come up with a better way, then I am not saying that our way is the best. However, they would have to give me, or Welsh Ministers, a very good reason why they were not doing that.

[73] **Christine Chapman:** Jenny, you have a question.

[74] **Jenny Rathbone:** South Wales Police lead the way at prosecuting where they have had to attend incidents of domestic violence. How will the performance measures that you are proposing in this Bill force other police authorities to come up to the standard set by South Wales Police?

[75] **Lesley Griffiths:** Obviously, this is not a criminal justice Bill. I work with the police, the chief constables, particularly, and the police and crime commissioners regarding the services provided, but this would not have the impact that you suggest, because it is not a criminal justice Bill.

[76] **Jenny Rathbone:** In what way will this Bill improve your ability to raise the standard of authorities that you feel are lagging behind best practice?

[77] **Lesley Griffiths:** To go back to the local strategies, we thought that it was very important that local health boards work with local authorities. That will be much more transparent, and between them, the two bodies will know the local needs much better and they will carry out that assessment. What I want this Bill to do is to improve the public sector response to issues around gender-based violence, domestic abuse and sexual violence.

[78] **Jenny Rathbone:** As it is currently drafted, it does not appear to have as many teeth as many of us would like to see. You mentioned that you have statutory guidance that you can issue if the ministerial adviser, having raised it with Welsh Ministers, needs to take action. The statutory guidance contains many instances of 'may' and no use of 'must'. So, it does not appear to have the teeth required to ensure that all public authorities are addressing this issue.

[79] **Lesley Griffiths:** You mentioned section 12 and the guidance that could be issued under that. When we issue statutory guidance under section 14, a relevant authority 'must' follow the course set out in guidance. So, as I said in my answer to Janet, they then have to follow that guidance, unless they can demonstrate a very good reason why they should not—that is, if they come up with a better way of dealing with whatever the issue was.

[80] I have deliberately kept section 12 broad. It could be that Members will think that

other things should be in there. As a Government, I can think of something that we could add in there. The term ‘may’ is used to allow some flexibility to the needs-led, proactive and responsive way—. There could be a change in landscape; this is in statute for a long time, and we have to have that flexibility. If we had a mandatory requirement, it would pre-empt what might come along. So, I think it is important that we have the scope for that flexibility.

[81] I gave to the committee, Chair, the three drafts of statutory guidance, because I thought that would aid you in the scrutiny of the Bill. I know that they are very large. However, we are also looking at issuing guidance on intelligent and effective commissioning, and also on information sharing. If we do that, I will let Members have the draft guidance to aid scrutiny.

[82] **Jenny Rathbone:** So, could you give us some examples of the indicators you plan to use to effectively measure the progress?

[83] **Lesley Griffiths:** I mentioned the number of attendances at multi-agency risk assessment conferences and the incidence of domestic abuse, but, again, I think that that would pre-empt the ministerial adviser, because that would be a piece of work that they could do. I mentioned workplace policies and how many places have workplace policies, although voluntarily at the moment. All 42 public sector organisations have that in place. Those are some of the indicators that we will consider.

[84] **Jenny Rathbone:** Specifically thinking about female genital mutilation, what indicators would you expect you or your ministerial adviser to impose on local and national authorities?

[85] **Lesley Griffiths:** Sorry, could you say that again?

[86] **Jenny Rathbone:** In relation to FGM—female genital mutilation—what indicators would you expect to set to ensure that everybody is taking this seriously?

[87] **Lesley Griffiths:** I will ask Lynne to answer that.

[88] **Ms Schofield:** We only recently started our work on this, and I think the Minister can be confident in the fact that the Welsh Government is pretty much leading on this issue in the UK. A dedicated member of my team works on FGM so-called honour-based crimes, including forced marriage. We are working with stakeholder groups in Wales, including the Crown Prosecution Service, although only one case is currently being brought by the CPS, and that is not in Wales. However, we are working with the service on how that could be improved, how CPS staff can understand the right process to follow and how they work with the police on that. So, we work through prosecution cases and referrals through health departments. FGM training will be provided through the wider national training framework that we are talking about in this Bill. Staff across the health service, social services, midwives and others will have a much better understanding, and therefore the referrals should improve. So, those numbers will be part of our outcome monitoring.

[89] **Jenny Rathbone:** You have not mentioned schools, which are key.

[90] **Lesley Griffiths:** The Minister for Education and Skills, Huw Lewis, and I have just written a joint letter—about three weeks ago—to every school about that.

[91] **Jenny Rathbone:** So there will be something in relation to schools in the performance indicators.

[92] **Ms Schofield:** Yes, and in the safeguarding guidance that the Minister mentioned

earlier about the designated person in schools having responsibility for the wider agenda that we are talking about today, there is also specific guidance within that statutory guidance document about FGM. So, we will ensure that that reflects the position in Wales.

[93] **Jenny Rathbone:** There is nothing on the face of the Bill about these important issues—FGM or honour-based killings.

[94] **Ms Schofield:** They are in the definition.

[95] **Jenny Rathbone:** It is not within the things that you would issue statutory guidance on.

[96] **Christine Chapman:** I have a couple of supplementary questions, starting with Peter and then Mike.

[97] **Peter Black:** I have a few now, Chair. Minister, you talk about the guidance, and section 14 says that a relevant authority must follow the course set out in the guidance. However, in section 11, where you define ‘relevant authorities’, the police is not there, for obvious reasons. So, how will you actually be able to use the powers in this Bill to improve the police’s performance in this regard?

[98] **Lesley Griffiths:** You understand why the police are not included. Again, it is a very difficult area. You will be aware of the recent report into the performance of all the police authorities in England and Wales and the issues around that, and it is something that I have taken up with the Home Secretary. However, I think that it is about collaboration and it is about issuing collaboration guidance, which would encourage the police, who are already very engaged in this area, but I think that that would be the role that we would have to take.

[99] **Peter Black:** In terms of this guidance, what sanctions do you have against the relevant authority if this guidance is not followed?

[100] **Lesley Griffiths:** I have answered that question.

[101] **Peter Black:** Can you be—

[102] **Lesley Griffiths:** Do you want to answer that, Rhys?

[103] **Christine Chapman:** Rhys, would you like to answer that?

[104] **Mr Davies:** Thank you. Obviously, in section 14, there is a duty on the relevant authorities to follow and then there is a procedure that relevant authorities will have to go through if they want to depart from that policy. If there is no fit reason for them to depart from the guidance, then there would be a power of direction for Welsh Ministers under section 16 to secure compliance with the guidance.

[105] **Peter Black:** Okay. Presumably, you would end up resorting to the courts if that power of direction failed.

[106] **Mr Davies:** Yes.

[107] **Lesley Griffiths:** Yes.

[108] **Peter Black:** Can you fine them? What sorts of sanctions will the courts have?

[109] **Mr Davies:** In terms of sanctions, I think that that would be something for the court

to decide, but, essentially, the court would compel that authority to follow the guidance, and then there would be contempt of court proceedings thereafter. However, if that is something that you would like further information about, then we could write to the committee.

[110] **Peter Black:** I think that it would be useful for us to have that information.

[111] **Christine Chapman:** If you could send us that information—.

[112] **Peter Black:** I think that Lynne wants to come in on this as well.

[113] **Christine Chapman:** Sorry, Lynne.

[114] **Ms Schofield:** I just want to add that that would hopefully be the last resort and that the ministerial adviser's role would be absolutely crucial in working with a failing authority, if you want to call it that, to improve its performance and support it in putting right what has been identified.

[115] **Peter Black:** I will come to the ministerial adviser later on. In terms of—

[116] **Lesley Griffiths:** May I just add to that as well? I should have said that one of the things that we are offering to the police is training within the national training framework, and I think that the take-up of that will be quite good.

[117] **Mr Schofield:** We are already talking to the College of Policing on that to ensure that the training that has recently been discussed and announced aligns with our national training framework. To be honest, my team has done a lot of work already that the College of Policing will no doubt benefit from.

[118] **Peter Black:** I have two more quick questions. Minister, you are relying a lot on partnerships and collaboration to get this agenda carried forward. We have already identified as a committee that there is a problem in terms of collaboration and how we properly scrutinise that, and how we make sure that that scrutiny improves the performance of the collaborators, if that is the right word—the partners. May I ask you, therefore, how you will ensure that there will be effective scrutiny of the partnerships and the collaboration project, which this Bill and your guidance will deliver?

[119] **Lesley Griffiths:** The ministerial adviser will be out there working with partners. He or she will be scrutinising the local strategy and will report to Ministers. We will have the national strategy and we will publish an annual report, which will be laid in the Assembly. It will be open to scrutiny, of the Minister, and that is how we will ensure that you will be able to scrutinise.

[120] **Peter Black:** I am thinking on a more local basis here. For example, a local authority and a local health board will most probably be expected to take a lead on this. However, a local authority scrutiny committee cannot force members of the health board or a national health trust to come to the table to answer questions on this. So, are you going to be giving local authorities powers to get people to come to their scrutiny committees so that they can ask questions about how their strategies are being implemented?

[121] **Lesley Griffiths:** That is not something that I can honestly say that I have thought about within the context of the Bill, but I will do now.

[122] **Peter Black:** Thank you. Finally, on FGM, you keep saying that this is not a criminal justice measure, and that is quite clear. Is it that the Government is not able to deliver a criminal justice measure? It seems to me that there are a number of measures in relation to

FGM that would help to improve our agenda, such as making it an offence not to report knowledge of FGM being carried out on a child. This is violence against a child, but is there any reason why you could not put an offence like that on the face of the Bill?

10:00

[123] **Lesley Griffiths:** I think that I will ask the lawyer.

[124] **Mr Davies:** Obviously, with any such provision, we would need to consider what the purpose and effect of such provision would be before analysing whether the Bill could extend to creating such an offence. Further detailed consideration would be needed before we could do that.

[125] **Peter Black:** In general terms, we are not totally restricted in terms of criminal justice measures, if they are appropriate and, in relation to our powers, we can put criminal justice—

[126] **Mr Davies:** The Government of Wales Act 2006 does provide that we can create offences where necessary to enforce any provisions and, therefore, the details of any provision would need to be considered, but there is nothing in the Government of Wales Act to prohibit the Assembly from legislating for offences.

[127] **Christine Chapman:** Mike, you have some supplementary questions.

[128] **Mike Hedges:** I have one question on data sharing, which is an issue that I feel very strongly about. What discussions have you had with the Information Commissioner's Office regarding data sharing? Will there be suggestions of putting out a generic form for people to register for sharing data with other public sector organisations? There is a great deal of fear out there about sharing data. My understanding of the Data Protection Act 1998 is that, as long as you are not sending information outside the European Union and you have a good reason for wanting to share information with another organisation, you are able to do so, but the fear of doing something seems to stop an awful lot of data sharing from taking place.

[129] **Lesley Griffiths:** I absolutely agree with you. That is a real issue. Whenever we talk about sharing information, people immediately go into their silos and immediately start to talk about the difficulties. Rather than looking at the opportunities, they look at the challenges.

[130] I have met the ICO, but I cannot recall whether I discussed this specific issue; I do not know whether officials have. We are at the very early stages of looking at guidance on information sharing. I mentioned before that I have given Members early sight of draft guidance on some issues and I mentioned two documents that I will be issuing to you. One of those is on information sharing, because I think that that is an area that we have to improve on and not just in relation to this area, but to lots of other areas. We should be talking about safe information sharing because it then removes some of the barriers. However, you are right—it does not help victims if they have to go through lots of hoops and have to knock on lots of different doors.

[131] **Mike Hedges:** In Part III or Part IV of the Data Protection Act, you decide who you can share data with—it may be Schedule 3 or Schedule 4—and most organisations leave that blank and therefore they cannot share. This is something I feel very strongly about. If health boards said that they were going to share data with social services, I cannot see the information commissioner saying that that would be an inappropriate sharing of data. I am just urging you to try to get into discussion with the information commissioner and others in order to try to get these data shared, if only for the money that will be saved because those

data will be entered only once.

[132] **Lesley Griffiths:** Yes, I absolutely agree with you. We are having discussions with experts and with the sector. I will not bore you with it, but, when I was Minister for health, there was an example of not sharing between an optician and a GP, which was ridiculous. We have to do more on this work. We are having early discussions. I will ask officials to have a discussion with the ICO before the next stage of scrutiny.

[133] **Christine Chapman:** Mark, did you have a question?

[134] **Mark Isherwood:** Yes. Many of my questions on the guidance have been addressed, but, on that last point on information sharing, what effect could we engineer through the reference to the precedent set with the fire and rescue services a number of years ago, where similarly that lack of multi-agency data sharing was preventing them from identifying people at high risk? However, we found a way through as I recall, so that data sharing does exist now and it might be a good precedent to look at.

[135] Moving on, in terms of guidance, section 14(2) provides for an authority to opt out from statutory guidance. What sort of circumstance would you consider to be reasonable for an authority to do so?

[136] **Lesley Griffiths:** The example that I gave before is that if they could think of a better way of delivering something. As I say, I do not want to stifle innovation or creativity; so, if they think that there is something that they can innovate on and come up with—. I did not know until I was looking at this Bill that MARACs came from Welsh innovation. If you look now you will see that they are internationally recognised and used. So, you do not want to stifle that. They would have to come up with a very good reason and a better way of doing it, in their opinion, and then that would be looked at by the ministerial adviser and ultimately the Welsh Ministers.

[137] **Mark Isherwood:** You have mentioned MARAC, quite rightly, a number of times in different contexts already today. Of course, out there, there is already a strategic delivery framework involving multi-agencies, independent sexual violence advisers, independent domestic violence advisers, sexual assault referral centres and rape and sexual abuse counselling, and the role played by the third sector, the NSPCC and others, in delivery alongside the refuges and so on. I think that we picked up, when we did a committee inquiry previously, that Flintshire had established good practice by setting up, effectively, a children's MARAC where all the agencies met weekly. I actually sat in on one. It was the third sector, the police, the health service, children's services, the local Women's Aid, the Domestic Abuse Safety Unit and so on. To what extent could that be embraced? I am conscious that, although we highlighted that all those years ago, it still has not become common practice.

[138] **Lesley Griffiths:** No. I attended one because I was sitting on the committee when we looked at that. The whole purpose of this Bill is to improve public sector response. You are right that there is a huge amount of multi-agency work going on, but it is patchy. I think that local strategies will make service provision much more transparent. I think that they will make it more consistent. I think that the guidance that we give will support that. On the issues around MARACs and children—I remember that one—families are obviously looked at, but MARACs to look specifically at children are something that, perhaps, when that robust needs assessment is done locally, could come forward.

[139] **Peter Black:** On the ministerial adviser, let us cut to the chase. It appears, Minister, that sustainable development merits a commissioner, but domestic violence just has a mere ministerial adviser. Is there a particular reason why domestic violence is lower down on the Government's agenda?

[140] **Lesley Griffiths:** I am sorry, Peter, but I missed the beginning of the question.

[141] **Peter Black:** It appears that sustainable development merits a commissioner at arm's length from Government with a proper budget, but a ministerial adviser is all that we get for domestic violence. Is there any reason why domestic violence is lower down on the Government's agenda than sustainable development?

[142] **Lesley Griffiths:** That is not the case at all. The main functions of the ministerial adviser will be to advise and assist the Ministers. We looked very closely at whether we should have a commissioner or an adviser. I think that an adviser, who is an expert in this field, out there working with local authorities, health boards and service providers, is the right person. I have been asked whether it is about resources.

[143] **Peter Black:** I was going to come to that one.

[144] **Lesley Griffiths:** Yes. I thought that you probably would. If you looked at the cost of commissioners' offices, you would see that that would probably take up my entire budget. I just do not think that a commissioner's office is what is needed here. I think that it is much better to have an adviser—someone who is an expert, who does not have to be independent of Government, but is there working alongside the Government. I look at the way that the anti-slavery co-ordinator works within the Welsh Government. It is just fascinating to see what that person brings into the Welsh Government. I remember, for those Members who came to the play that I put on here, it was such a powerful play that, afterwards, you realised that that is going on out there. I can remember the anti-slavery co-ordinator saying to me, 'Welcome to my world'. That person is out there working with the agencies. I think that the role of the ministerial adviser is absolutely right for this role.

[145] **Peter Black:** He is not, of course, titled a ministerial adviser.

[146] **Lesley Griffiths:** No.

[147] **Peter Black:** Although he acts as one, he is seen to be partly independent because he is not called an adviser, Minister. Do you not think that the title is a problem here?

[148] **Lesley Griffiths:** That has not been raised with me, but I am very happy to look at that.

[149] **Peter Black:** We have only just started to scrutinise the Bill.

[150] **Lesley Griffiths:** Yes, we have only just started to scrutinise it. The sector has not raised that with me.

[151] **Peter Black:** What you are saying, basically, is that this is about money.

[152] **Lesley Griffiths:** No, I am not saying—

[153] **Peter Black:** You cannot afford an independent commissioner because you do not have the resources.

[154] **Lesley Griffiths:** I have to think about the money, obviously, but that is not the reason. I think that the role of an adviser, not independent of Government, is absolutely right for this position.

[155] **Christine Chapman:** May I just ask, Minister, because obviously Government

always has advisers anyway, why you would need to have an adviser on the face of the Bill when you would always have advisers in Government anyway? There are people out there with a huge amount of expertise in this area, so I just wonder what the difference is really.

[156] **Lesley Griffiths:** Again, it is just getting it on the statute. It is about futureproofing. This is a statutory advisory role, and I think that it is the right place to put it in the Bill, to have that expert out there. However, obviously, you do have to consider finances, of course you do, and the role of a commissioner—. Just setting up a commissioner's office probably takes hundreds of thousands of pounds. I think that an adviser is the right role for this position.

[157] **Peter Black:** Yes, the sustainable development Bill estimates £1.4 million for the commissioner, which could be very well spent on dealing with domestic violence in my view, but there we are, we shall move on. So, you are going to have an adviser. How independent is that adviser going to be of Government?

[158] **Lesley Griffiths:** How independent? Well, that person will work alongside Government, so it will not be an independent role. It is an adviser to Welsh Ministers.

[159] **Peter Black:** Will the adviser have the power to conduct investigations and contribute to funding decisions?

[160] **Lesley Griffiths:** With the permission of the Ministers, yes.

[161] **Peter Black:** So what happens if he or she gives you advice that you are not happy with? Does that adviser have the freedom to disagree with you publicly?

[162] **Lesley Griffiths:** Yes. As a Minister, as the Chair says, you have advisers, you take that advice, you respect that advice, but ultimately you make the decision. However, they are the experts, and you would obviously not listen to that advice at your peril, I would say.

[163] **Peter Black:** However, they can disagree publicly with you.

[164] **Lesley Griffiths:** Um—

[165] **Peter Black:** You did say 'yes' to that a minute ago. I am just checking.

[166] **Lesley Griffiths:** Well—*[Interruption.]* I was just going to say—. His or her job. It is not an independent role. I do not envisage it as an independent role. However, advisers come to you with advice; they are the experts, they are the ones working things out. The Minister cannot be an expert in everything. I do not think that you would ignore their advice.

[167] **Peter Black:** We had a stakeholders' meeting last week, which was conducted under the Chatham House rule, because a number of those stakeholders felt that they could not come out publicly to say what they think about the Bill. How do you think those stakeholders would react to giving advice and passing on their concerns to a ministerial adviser, when they know that that ministerial adviser is going to go back to you and say where it has come from? Do you not think that they are going to find that they are not able to speak freely?

[168] **Lesley Griffiths:** I would hope that they would feel that they could. I have certainly had some very robust and frank exchanges with lots of stakeholders. As I say, I take their advice very seriously. They are the people out there working with them. I would hope that they would be able to speak freely to advisers. Again, that is something that perhaps we can look at. I know that there are a few of them up in the public gallery. Certainly, I listen to their advice and I value my relationship with them, because, ultimately, they are the ones out there

working on the ground.

[169] **Peter Black:** However, you understand that they depend largely on Government money for their existence, doing very valuable work, and that they are afraid that if they contradict Government policy, they will lose that funding or that that funding will be given to another body to do that work.

[170] **Lesley Griffiths:** Well, I am very sorry to hear that, because that is certainly not the way I work.

[171] **Peter Black:** That is a common fear in the third sector. How is a ministerial adviser going to be able to help to allay that? A ministerial adviser is basically your person.

[172] **Lesley Griffiths:** Well, I would hope that it is just about communication, is it not, and collaboration and working together in partnership? Certainly, there are several representatives from the third sector on 'The Right to be Safe' strategy board, and they have always been able to speak very freely in those meetings and in that forum. I have attended the cross-party group that Jocelyn chairs. I know that my officials were there this week because I could not go, but, again, I think that there was quite a free and frank exchange—

[173] **Jocelyn Davies:** As there always is.

[174] **Lesley Griffiths:** Yes. I do not think that there is anything they do not say because the Minister is there. I certainly hope there is not. So, I do not think that it is perhaps as big an issue as you fear.

[175] **Christine Chapman:** Jenny, you had a supplementary question.

[176] **Jenny Rathbone:** I just want pick up on the cost of this ministerial adviser, whether they are called the ministerial adviser or the tackling violence co-ordinator. I am wondering why it involves additional costs. Surely this person would be taking on a role and responsibilities that some of your civil servants already have and, therefore, that work is going to be done by this person who is going to have more clout. However, surely this work is already going on within your department.

10:15

[177] **Lesley Griffiths:** Obviously, my officials would be supporting this person. The anti-slavery co-ordinator sits within Lynne's department, so, again, the anti-slavery co-ordinator would be supporting the ministerial adviser, because there would be some overlap in their positions. Just looking at the cost, because I did ask for figures, given the scope of the work, it was anticipated that a commissioner would require a team of up to 10 people. So, a commissioner would be expected to cost between just under £600,000 and £650,000 per annum. That is up to £2 million over three years, and that is looking at the Welsh commissioners that we have now, so the children's commissioner and the older people's commissioner. The UK Government is bringing forward the Modern Slavery Bill, which you will be aware of, and it is thinking of having a commissioner and I thought that that was a reasonable comparator, and the Home Office gave me figures of an estimate of between £300,000 and £500,000 a year. So, I think that we could assume that the costs would be about £0.5 million per annum. The estimated cost of a ministerial adviser I would expect to be no more than £80,000, maybe going up to £100,000 at the very most. However, that person will be supported by the team that we have—

[178] **Christine Chapman:** Minister, may I just check something? You were saying that this Bill is a priority and that we need to increase the priority on this particular issue. Is it not

a question of reprioritising what your advisory team and your officials are doing anyway, so, rather than bringing somebody new in, reprioritising things in line with this? I am just thinking now, going back to Jenny's question about the costs, that obviously they are lower than they would be with a commissioner, but a commissioner would be independent, while a ministerial adviser would not be. However, nevertheless, it is a cost, is it not?

[179] **Lesley Griffiths:** It is a cost, but, again, in talking to the sector, that was one of the things that it was absolutely adamant about, namely that we had this person who would be out there working with the sector, working with the health boards and the local authorities in preparing the local strategies and then bringing advice to the Minister to prepare the national strategy. It goes back to leadership. So, I think that an adviser is the right—. I am not hung up on the title; I am going on about the role, not so much the title. However, I just think that that is the right person. The reason for not having a commissioner is not just financial, but I am trying to explain to Members the difference in the figures that I have been given. I would rather see that money out there in the services.

[180] **Rhodri Glyn Thomas:** Rydych chi'n dweud bod hyn yn flaenoriaeth i Lywodraeth Cymru. Beth wnewch chi, felly, o'r farn sydd wedi ei mynegi yn drawsbleidiol yn y pwyllgor y bore yma nad yw'r ddeddfwriaeth hon yn ddigon penodol ac nad oes digon o uchelgais yn perthyn iddi? A ydych chi'n derbyn y feirniadaeth honno?

Rhodri Glyn Thomas: You say that this is a priority for the Welsh Government. What do you make, therefore, of the opinion that has been expressed on a cross-party basis in the committee this morning that this legislation is not specific enough and that it does not contain enough ambition? Do you accept that criticism?

[181] **Lesley Griffiths:** No, I think that the Bill will do what we want it to do. I know that there are concerns about the name, initially, or the title of the Bill. I think and I hope, in discussions with the third sector, providers and other interested parties, that they will not be concerned about that. What is really important is the content of the Bill. I have said what the purpose of the Bill is. The purpose of the Bill is to improve the public sector response, to have a better service. There are some fantastic services out there; I do not want people to think that there are not excellent services out there. It is about making sure that those services are appropriate. So, again, if the local strategies show, which I think that they will, that it is predominantly women who are the victims, those services have to be there to support those women. Again, I was in mid Wales a couple of weeks ago, and I visited a male refuge, where I met men who were victims of violence, who told me their stories. So, you realise that if that is an issue and a local strategy shows that, there have to be services. The people running the refuge—because I did not know that the refuge was there until recently—are saying that it is really difficult to highlight that. It is about ensuring that local strategies are done on a very robust needs assessment—far more robust than is currently being done—and that the services are then provided.

[182] **Rhodri Glyn Thomas:** Rydych chi wedi dweud nad dyma'r lle priodol i gynnwys unrhyw waharddiad ar daro plant. A oes gan Lywodraeth Cymru gymhwysedd i ddeddfu ynghylch taro plant?

Rhodri Glyn Thomas: You have said that this is not the appropriate place to include any prohibition of smacking children. Does the Welsh Government have competence to legislate on smacking children?

[183] **Lesley Griffiths:** Do you want to answer that?

[184] **Mr Davies:** Obviously, I cannot give legal advice to the committee. So, I cannot answer.

[185] **Rhodri Glyn Thomas:** Wel, **Rhodri Glyn Thomas:** Well, Gwenda dywedodd Gwenda Thomas, y Dirprwy Thomas, the Deputy Minister for Social

Weinidog Gwasanaethau Cymdeithasol, am deddfwriaeth arall y byddai Llywodraeth Cymru yn deddfu ar y mater hwn. Rwy'n gofyn y cwestiwn: a oes gan Lywodraeth Cymru gymhwysedd?

Services, said about another piece of legislation that the Welsh Government would legislate on this matter. I am asking the question: does the Welsh Government have competence?

[186] **Mr Davies:** Yn amlwg, mae'n dibynnu'n hollol ar beth fyddai'r ddarpariaeth yn ei wneud. Byddai'n rhaid edrych yn ofalus iawn ar bwrpas ac effaith hynny, fel rwyf wedi sôn yn barod. Wrth edrych ar gymhwysedd, byddai'r ffactor hwnnw yn rhywbeth y byddai'n rhaid edrych arno'n fanwl iawn cyn penderfynu a oes gennym y cymhwysedd, yr un fath a chydag unrhyw bolisi arall.

Mr Davies: Clearly, it depends entirely on what the provision would relate to. We would have to look very carefully at what the purpose and effect of that would be, as I have mentioned already. In looking at competence, those factors would have to be looked at in a very detailed way before deciding whether we do have the competence, in the same way as with any other policy.

[187] **Rhodri Glyn Thomas:** Os nad dyma'r lle priodol i gynnwys y mater hwn am daro plant, ble mae'r Llywodraeth yn bwriadu gwneud hynny? Dywedodd Gwenda Thomas, yn gwbl glir, y byddai Llywodraeth Cymru'n cynnwys y mater hwn mewn deddfwriaeth cyn diwedd tymor y Cynulliad presennol. Os nad yw'n mynd i gael ei gynnwys fan hyn, ble mae'n mynd i gael ei gynnwys?

Rhodri Glyn Thomas: If this is not the appropriate place to include this matter of smacking children, where does the Government intend to do it? Gwenda Thomas said clearly that the Welsh Government would include this matter in legislation before the end of the current Assembly term. If it is not going to be included here, where will it be included?

[188] **Lesley Griffiths:** 'I don't know' is the answer to that question, but because this is not a criminal justice Bill, I do not think that this Bill is the appropriate place.

[189] **Rhodri Glyn Thomas:** A ydych wedi trafod y mater hwn â Gwenda Thomas, oherwydd dywedodd yn gwbl benodol y byddai'n cael ei gynnwys? Felly, a yw hi wedi cael trafodaethau â chi ynglŷn â'r deddfwriaeth hon, ac a yw'n briodol ei gynnwys yn y deddfwriaeth hon?

Rhodri Glyn Thomas: Have you discussed this matter with Gwenda Thomas, because she said specifically that it would be included? Has she had discussions with you about this legislation and whether it is appropriate to include it in this legislation?

[190] **Lesley Griffiths:** I was not aware that the Deputy Minister had said that.

[191] **Jocelyn Davies:** She did not say this Bill; she said this legislative period.

[192] **Rhodri Glyn Thomas:** Dywedodd hi, yn gwbl glir—

Rhodri Glyn Thomas: She said, completely clearly—

[193] **Lesley Griffiths:** Sorry, you said—

[194] **Rhodri Glyn Thomas:** Na.

Rhodri Glyn Thomas: No.

[195] **Lesley Griffiths:** Sorry; the translation is different.

[196] **Rhodri Glyn Thomas:** Let us just be clear. What I am asking is: have you had discussions with Gwenda Thomas? She said that the Welsh Government would legislate on this matter during this session of the Assembly. Presumably, as this Bill covers an area that

might be seen as being appropriate, I would have thought that the Deputy Minister might have had discussions with you as to whether it was appropriate to include it in this Bill.

[197] **Lesley Griffiths:** I have not had discussions with the Deputy Minister in relation to this Bill.

[198] **Jocelyn Davies:** I do not think that we are going to get criminal justice powers before the end of this Assembly term, are we? So, there has to be another vehicle for that.

[199] **Christine Chapman:** Well, we might come back to that. Obviously, as other Members are saying, on the prevention side, we took evidence last week from stakeholders, and there were discussions around normalising violence. I think that there is a view that this may be a vehicle. However, this is something that we could come back to.

[200] Right, Mike, you have some questions now.

[201] **Mike Hedges:** I have some questions on finance. I will start the question; if you do not agree with my preamble, please stop me.

[202] **Lesley Griffiths:** Okay.

[203] **Mike Hedges:** If you take Professor Sylvia Walby's report on the cost of domestic violence, the annual cost of domestic violence on a pro rata basis to Wales is about £202 million in service costs.

[204] **Lesley Griffiths:** That is the figure that I have heard, yes.

[205] **Mike Hedges:** About £200 million in service costs. Do you expect this Bill to see a reduction in the service costs, or do you see, because of the Bill, more people wanting to access those services? In which direction do you think those costs are going to go—north or south?

[206] **Lesley Griffiths:** I can absolutely see what you are saying, and, certainly, those are the figures that I have heard. As you say, this is just the financial cost; it is not the human cost, which we also want to address. It has not been possible to quantify the benefits associated with the provisions of the Bill, but there would only need to be a relatively small impact on the number and/or severity of incidents for the benefits of the proposals to outweigh the additional cost. However, you are quite right; by raising awareness and by raising people's expectations of services also, you could see an increase in the number.

[207] **Mike Hedges:** Do you have a view at this stage about whether you expect it to go north or south?

[208] **Lesley Griffiths:** No. As I say, it has not really been possible to quantify the benefits.

[209] **Mike Hedges:** This is my last question. Will you need additional resources? This follows on from the last question. When the Bill comes into force, it is going to be relatively cheap to implement. If you knock out the indirect costs and just look at the direct costs, you are talking about relatively small sums of money. Will you need additional money for some of the potential additional need that I mentioned earlier?

[210] **Lesley Griffiths:** Yes, it is something that I am looking at. I think that I mentioned before that I increased the budget in this area, even though my MEG had taken a large cut, because I thought that, in bringing through legislation, it was absolutely correct that we increased it. I increased it by, I think, £330,000. I am having discussions about the draft

budget over the summer, but I will certainly be looking to increase the budget again this year.

[211] **Christine Chapman:** I do not think that Members have any other questions, Minister. Thank you very much; it has been a very good session. We have had a good airing of the issues, and we will be coming back to you in due course. We will send you a transcript of the meeting to check for factual accuracy. We thank you and your officials for attending.

[212] **Lesley Griffiths:** Thank you very much, Chair.

10:27

Papurau i'w Nodi
Papers to Note

[213] **Christine Chapman:** There are a number of papers to note.

Cynnig o dan Reol Sefydlog 17.42 (ix) i Benderfynu Gwahardd y Cyhoedd o
Weddill y Cyfarfod
Motion under Standing Order 17.42 (ix) to Resolve to Exclude the Public from
the Remainder of the Meeting

[214] **Christine Chapman:** I move that

the committee resolves to exclude the public from the remainder of the meeting.

[215] Is the committee content that we go into private session to discuss some other issues? I see that you are. I close the public meeting.

Derbyniwyd y cynnig.
Motion agreed.

Daeth rhan gyhoeddus y cyfarfod i ben am 10:27.
The public part of the meeting ended at 10:27.