



RHESTR O WELLIANNAU WEDI'U DIDOLI MARSHALLED LIST OF AMENDMENTS

Bil Trais ar sail Rhywedd, Cam-drin Domestig a Thrais Rhywiol
(Cymru)

Gender-based Violence, Domestic Abuse and Sexual Violence
(Wales) Bill

Mae'r gwelliannau â * ar eu pwys yn rhai newydd neu'n rhai sydd wedi'u haddasu
Amendments marked * are new or have been altered

Mae'r testun mewn italig wedi'i ddarparu gan y sawl a gynigiodd y gwelliant perthnasol i
esbonio ei ddiben ac i gynorthwyo'r darlennydd. Nid yw'r testun yn rhan o eiriad y
gwelliant.

The text in italics has been provided by the proposer of the relevant amendment to explain
its purpose and to aid the reader's understanding. The text does not form part of the
amendment.

Caiff y Bil ei ystyried yn y drefn a ganlyn—
The Bill will be considered in the following order—

Sections 2-23	Adrannau 2-23
Section 1	Adran 1

Leighton Andrews

1

To insert a new section—

[] **Violence against women and girls**

- (1) A person exercising relevant functions must have regard (along with all other relevant matters) to the need to remove or minimise any factors which—

- (a) increase the risk of violence against women and girls, or
- (b) exacerbate the impact of such violence on victims.

(2) In this section—

“relevant functions” (*“swyddogaethau perthnasol”*) means the functions under sections 2, 3, 4, 5, 6(2), 7, 8, 12, 13(1), 14, 16, 17, 18, 19(1) and (4);

“violence against women and girls” (*“trais yn erbyn menywod a merched”*) means gender-based violence, domestic abuse and sexual violence where the victim is female.’.

I fewnosod adran newydd—

[] Trais yn erbyn menywod a merched

- (1) Rhaid i berson sy’n arfer swyddogaethau perthnasol roi sylw (ynghyd â phob mater perthnasol arall) i’r angen i ddileu neu leihau unrhyw ffactorau sy’n—
 - (a) cynyddu’r risg o drais yn erbyn menywod a merched, neu
 - (b) gwaethygu effaith trais o’r fath ar ddiodefwr.

(2) Yn yr adran hon—

ystyr “swyddogaethau perthnasol” (*“relevant functions”*) yw’r swyddogaethau o dan adrannau 2, 3, 4, 5, 6(2), 7, 8, 12, 13(1), 14, 16, 17, 18, 19(1) a (4);

ystyr “trais yn erbyn menywod a merched” (*“violence against women and girls”*) yw trais ar sail rhywedd, cam-drin domestig a thrais rhywiol pan fo’r diodefwr yn fenywaidd.’.

***Jocelyn Davies**

106

To insert a new section—

‘The rights of victims of gender-based violence, domestic abuse and sexual violence

[] The rights of victims of gender-based violence, domestic abuse and sexual violence

- (1) The Welsh Ministers must make adequate provision of services, free of charge, to victims of gender-based violence, domestic abuse and sexual violence throughout Wales.
- (2) The services referred to in subsection (1) are—
 - (a) suitable and safe accommodation;
 - (b) referral to forensic examination in cases of sexual violence;
 - (c) appropriate counselling designed to meet the needs of the victim;
 - (d) appropriate legal advice;
 - (e) advocacy.’.

I fewnosod adran newydd –

‘Hawliau dioddefwyr trais ar sail rhywedd, cam-drin domestig a thrais rhywiol

[] Hawliau dioddefwyr trais ar sail rhywedd, cam-drin domestig a thrais rhywiol

- (1) Rhaid i Weinidogion Cymru wneud darpariaeth ddigonol o wasanaethau arbenigol, a’r rheini yn rhad ac am ddim, i ddioddefwyr trais ar sail rhywedd, cam-drin domestig a thrais rhywiol ledled Cymru.
- (2) Y gwasanaethau y cyfeirir atynt yn is-adran (1) yw –
 - (a) llety addas a diogel;
 - (b) atgyfeiriad at archwiliad fforensig mewn achosion o drais rhywiol;
 - (c) cwnsela priodol a gynlluniwyd i ddiwallu anghenion y dioddefwr;
 - (d) cyngor cyfreithiol priodol;
 - (e) eiriolaeth.’

***Peter Black**

114

To insert a new section –

‘United Nations Convention on the Rights of the Child

[] Duty to have regard to the Convention on the Rights of the Child

In exercising any function under this Act, a person must have regard to the requirements of Part 1 of the Convention.’

I fewnosod adran newydd –

‘Confensiwn y Cenhedloedd Unedig ar Hawliau’r Plentyn

[] Dyletswydd i roi sylw i’r Confensiwn ar Hawliau’r Plentyn

Wrth arfer unrhyw swyddogaeth o dan y Ddeddf hon, rhaid i berson roi sylw i ofynion Rhan 1 o’r Confensiwn.’

***Mark Isherwood**

124

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

‘(d) meets the specific needs of both genders.’

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

‘(d) diwallu anghenion penodol y ddau ryw.’

Peter Black

83

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

‘() Before preparing the national strategy the Welsh Ministers must consult –

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

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

- ‘() Cyn paratoi’r strategaeth genedlaethol rhaid i Weinidogion Cymru ymgynghori â’r canlynol –
 - (a) pob awdurdod lleol yng Nghymru;
 - (b) pob Comisiynydd Heddlu a Throseddau yng Nghymru;
 - (c) y Gwasanaeth Prawf Cenedlaethol;
 - (d) pob darparwr gwasanaethau prawf yng Nghymru a benodwyd gan yr Ysgrifennydd Gwladol o dan adran 3(2) o Ddeddf Rheoli Troseddwyd 2007;
 - (e) unrhyw sefydliad yng Nghymru y gallai person ystyried yn rhesymol ei fod yn bodoli yn gyfan gwbl neu’n bennaf i ddarparu cyngor, cefnogaeth neu gynrychiolaeth i ddioddefwyr trais ar sail rhywedd, trais domestig neu drais rhywiol.’.

***Mark Isherwood**

125

Section 2, page 1, after line 29, insert –

- ‘() The national strategy must include the provision of at least one programme designed to assist and educate perpetrators which must be reasonably available to people throughout Wales.’.

Adran 2, tudalen 1, ar ôl llinell 29, mewnosoder –

- ‘() Rhaid i’r strategaeth genedlaethol gynnwys darparu o leiaf un rhaglen sydd wedi’i chynllunio i gynorthwyo ac addysgu tramgwyddwyr a rhaid iddi fod ar gael yn rhesymol i bobl ledled Cymru.’.

Jocelyn Davies

10

Section 2, page 1, line 30, leave out ‘date on which the first general election is held following the commencement of this section’ and insert ‘day on which this Act receives Royal Assent’.

Adran 2, tudalen 1, llinell 31, hepgorer ‘dyddiad cynnal yr etholiad cyffredinol cyntaf ar ôl cychwyn yr adran hon’ a mewnosoder ‘y diwrnod y caiff y Ddeddf hon Gydsyniad Brenhinol’.

Leighton Andrews

2

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

- ‘() The Welsh Ministers must consult such persons as they consider appropriate before –
- (a) publishing the first national strategy under this section;
 - (b) revising the national strategy.’.

Adran 2, tudalen 2, ar ôl llinell 6, mewnosoder –

- ‘() Rhaid i Weinidogion Cymru ymgynghori ag unrhyw bersonau sy’n briodol yn eu barn hwy cyn –
- (a) cyhoeddi’r strategaeth genedlaethol gyntaf o dan yr adran hon;
 - (b) diwygio’r strategaeth genedlaethol.’.

***Mark Isherwood**

126

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

- ‘(8) In this section, a “perpetrator” means a person who has engaged in gender-based violence, domestic abuse or sexual violence.’.

Adran 2, tudalen 2, ar ôl llinell 11, mewnosoder –

- ‘(8) Yn yr adran hon, ystyr “tramgwyddwr” yw person sydd wedi cyflawni trais ar sail rhywedd, cam-drin domestig neu drais rhywiol.’.

Peter Black

84

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

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

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

- ‘() Cyn paratoi’r strategaeth leol rhaid i’r awdurdod lleol a’r bwrdd iechyd lleol ymgynghori â’r canlynol –
- (a) y Comisiynydd Heddlu a Throseddau ar gyfer ardal yr awdurdod lleol;
 - (b) y Gwasanaeth Prawf Cenedlaethol;
 - (c) unrhyw ddarparwr gwasanaethau prawf yn ardal yr awdurdod lleol a benodwyd gan yr Ysgrifennydd Gwladol o dan adran 3(2) o Ddeddf Rheoli Troseddwyr 2007;
 - (d) unrhyw sefydliad yn ardal yr awdurdod lleol y gallai person ystyried yn rhesymol ei fod yn bodoli yn gyfan gwbl neu’n bennaf i ddarparu cyngor, cefnogaeth neu

gynrychiolaeth i ddioddefwyr trais ar sail rhywedd, trais domestig neu drais rhywiol;

- (e) unrhyw berson arall a nodir yn y rheoliadau a wneir gan Weinidogion Cymru drwy offeryn statudol.’.

Peter Black

85

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

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

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

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

***Mark Isherwood**

127

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

- ‘(d) meets the specific needs of both genders.’.

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

- ‘(d) diwallu anghenion penodol y ddau ryw.’.

Peter Black

86

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

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

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

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

***Peter Black**

115

Section 5, page 3, after line 4, insert –

- ‘() Before being published, a local strategy must be approved in writing by the relevant Safeguarding Board.’.

Adran 5, tudalen 3, ar ôl llinell 4, mewnosoder –

- ‘() Cyn ei chyhoeddi, rhaid i strategaeth leol gael ei chymeradwyo’n ysgrifenedig gan y Bwrdd Diogelu perthnasol.’.

Leighton Andrews

3

Section 5, page 3, after line 14, insert –

- ‘() A local authority and Local Health Board must consult such persons as they consider appropriate before –
- (a) publishing their first local strategy;
 - (b) revising their local strategy.’.

Adran 5, tudalen 3, ar ôl llinell 14, mewnosoder –

- ‘() Rhaid i awdurdod lleol a Bwrdd Iechyd Lleol ymgynghori ag unrhyw bersonau sy’n briodol yn eu barn hwy cyn –
- (a) cyhoeddi eu strategaeth leol gyntaf;
 - (b) diwygio eu strategaeth leol.’.

***Peter Black**

116

Section 5, page 3, after line 14, insert –

- ‘() Before being published, a revised local strategy must be approved in writing by the relevant Safeguarding Board.’.

Adran 5, tudalen 3, ar ôl llinell 14, mewnosoder –

- ‘() Cyn ei chyhoeddi, rhaid i strategaeth leol ddiwygiedig gael ei chymeradwyo’n ysgrifenedig gan y Bwrdd Diogelu perthnasol.’.

***Peter Black**

117

Section 6, page 3, after line 32, insert –

- ‘() In preparing and reviewing a local strategy, a local authority and Local Health Board must consult with the relevant Safeguarding Board.’.

Adran 6, tudalen 3, ar ôl llinell 31, mewnosoder –

- ‘() Wrth baratoi ac adolygu strategaeth leol, rhaid i awdurdod lleol a Bwrdd Iechyd Lleol ymgynghori â’r Bwrdd Diogelu perthnasol.’.

***Peter Black**

118

To insert a new section –

[] Designation of Safeguarding Board

- (1) For the purpose of sections 5 and 6, the Welsh Ministers must designate, by order made by statutory instrument, which Safeguarding Board is to be regarded as the relevant Safeguarding Board for each local authority and for each Local Health Board in Wales.
- (2) A statutory instrument containing an order under this section is subject to annulment in pursuance of a resolution of the National Assembly for Wales.’.

I fewnosod adran newydd –

[] Dynodi Bwrdd Diogelu

- (1) At ddiben adrannau 5 a 6, rhaid i Weinidogion Cymru ddynodi, drwy orchymyn a wneir drwy offeryn statudol, pa Fwrdd Diogelu sydd i'w ystyried yn Fwrdd Diogelu perthnasol ar gyfer pob awdurdod lleol ac ar gyfer pob Bwrdd Iechyd Lleol yng Nghymru.
- (2) Mae offeryn statudol sy'n cynnwys gorchymyn a wneir o dan yr adran hon yn ddarostyngedig i'w ddirymu yn unol â phenderfyniad gan Gynulliad Cenedlaethol Cymru.'

Peter Black

87

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

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

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

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

Leighton Andrews

81

To insert a new section –

'Education information

[] Information about educational provision to promote the purpose of this Act

- (1) The Education Act 1996 (c. 56) is amended as follows.
- (2) In section 29, after subsection (5) insert –
 - “(6A) The Welsh Ministers may, by regulations, require local authorities in Wales to publish prescribed information, at such times and in such manner as may be prescribed, for the purpose of providing information to the public about whether, and if so how, local authority education functions are being exercised to promote the purpose of the Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 (see section 1 of that Act). ”
- (3) In section 408 –
 - (a) in subsection (4)(f), omit “and”;
 - (b) in subsection (4)(g), after “409” insert “; and”;
 - (c) after subsection (4)(g), insert –
 - “(h) in so far as subsection (1) applies in relation to Wales, sections 403 and 404”;
 - (d) after subsection (8), insert –

“(8A) In exercising their functions under subsection (1), the Welsh Ministers must have regard to the desirability of information being available to parents and others about whether, and if so how, any parts of the curriculum and any educational provision at maintained schools (other than maintained nursery schools) promote the purpose of the Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 (see section 1 of that Act).”

(4) In section 569(2B), after “sections” insert “29(6A),”.

I fewnosod adran newydd –

‘Gwybodaeth am addysg

[] Gwybodaeth am ddarpariaeth addysgol i hybu diben y Ddeddf hon

(1) Mae Deddf Addysg 1996 (p. 56) wedi ei diwygio fel a ganlyn.

(2) Yn adran 29, ar ôl is-adran (5) mewnosoder –

“(6A) The Welsh Ministers may, by regulations, require local authorities in Wales to publish prescribed information, at such times and in such manner as may be prescribed, for the purpose of providing information to the public about whether, and if so how, local authority education functions are being exercised to promote the purpose of the Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 (see section 1 of that Act).”

(3) Yn adran 408 –

(a) yn is-adran (4)(f), hepgorer “and”;

(b) yn is-adran (4)(g), ar ôl “409” mewnosoder “; and”;

(c) ar ôl is-adran (4)(g), mewnosoder –

“(h) in so far as subsection (1) applies in relation to Wales, sections 403 and 404”;

(d) ar ôl is-adran (8), mewnosoder –

“(8A) In exercising their functions under subsection (1), the Welsh Ministers must have regard to the desirability of information being available to parents and others about whether, and if so how, any parts of the curriculum and any educational provision at maintained schools (other than maintained nursery schools) promote the purpose of the Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 (see section 1 of that Act).”

(4) Yn adran 569(2B), ar ôl “sections” mewnosoder “29(6A),”.

Peter Black

88

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

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

purpose of this Act.

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

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

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

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

Peter Black

89

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

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

Peter Black

90

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

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

Peter Black

91

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

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

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

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

***Janet Finch-Saunders**

123

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

- ‘(c) of the financial resources which they have made available to achieve the purpose of this Act, including –
 - (i) the name of any person or body to which they have made resources available and the amount in each case;
 - (ii) the specific purposes for which resources have been used or are intended to be used in each case, including resources used or intended to be used directly by the Welsh Ministers themselves;

- (d) of any increase or decrease in the cost of services provided by, or on behalf of, a relevant authority as a result of compliance with the duties imposed by sections 3, 7, 14 or 16 of this Act.’.

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

- ‘(c) yr adnoddau ariannol y maent wedi sicrhau eu bod ar gael i gyflawni diben y Ddeddf hon, gan gynnwys –
- (i) enw unrhyw berson neu gorff y maent wedi trefnu bod adnoddau ar gael iddynt a faint o adnoddau sydd ar gael ym mhob achos;
 - (ii) y dibenion penodol y mae adnoddau wedi cael eu defnyddio mewn perthynas â hwy, neu y bwriedir eu defnyddio mewn perthynas â hwy ym mhob achos, gan gynnwys adnoddau a ddefnyddir, neu y bwriedir eu defnyddio, yn uniongyrchol gan Weinidogion Cymru eu hunain);
- (d) unrhyw gynnydd neu ostyngiad yng nghost gwasanaethau a ddarperir gan, neu ar ran, awdurdod perthnasol o ganlyniad i gydymffurfio â’r dyletswyddau a osodir gan adrannau 3, 7, 14 neu 16 o’r Ddeddf hon.’.

Leighton Andrews

4

Section 10, page 5, line 21, leave out ‘or revisions’.

Adran 10, tudalen 5, llinell 24, hepgorer ‘neu’r diwygiadau’.

Jocelyn Davies

11

Section 11, page 5, after line 33, insert –

- ‘(e) a Police and Crime Commissioner in Wales;
- (f) the National Probation Service;
- (g) any provider of probation services in Wales appointed by the Secretary of State under section 3(2) of the Offender Management Act 2007.’.

Adran 11, tudalen 5, ar ôl llinell 36, mewnosoder –

- ‘(e) Comisiynydd Heddlu a Throseddau yng Nghymru;
- (f) y Gwasanaeth Prawf Cenedlaethol;
- (g) unrhyw ddarparwr gwasanaethau prawf yng Nghymru a benodir gan yr Ysgrifennydd Gwladol o dan adran 3(2) o Ddeddf Rheoli Troseddau 2007.’.

***Peter Black**

119

Section 12, page 5, line 35, leave out ‘may’ and insert ‘must’.

Adran 12, tudalen 5, llinell 38, hepgorer ‘Caiff Gweinidogion’ a mewnosoder ‘Rhaid i Weinidogion’.

Leighton Andrews

5

Section 12, page 6, line 2, after ‘of’, insert ‘, or change attitudes in relation to,’.

Adran 12, tudalen 6, llinell 3, ar ôl 'rhywiol', mewnosoder ', neu newid agweddau mewn perthynas â hwy'.

Leighton Andrews

6

Section 12, page 6, after line 4, insert—

'() the commissioning by relevant authorities of specialist advice or other assistance relating to gender-based violence, domestic abuse or sexual violence;'

Adran 12, tudalen 6, ar ôl llinell 4, mewnosoder—

'() comisiynu cyngor arbenigol neu gymorth arall yn ymwneud â thrais ar sail rhywedd, cam-drin domestig a thrais rhywiol gan awdurdodau perthnasol;'

Leighton Andrews

7

Section 12, page 6, after line 10, insert—

'() workplace policies to promote the well-being of employees of relevant authorities who may be affected by gender-based violence, domestic abuse and sexual violence;'

Adran 12, tudalen 6, ar ôl llinell 10, mewnosoder—

'() polisiau'r gweithle i hybu lles cyflogeion awdurdodau perthnasol y gallai trais ar sail rhywedd, cam-drin domestig a thrais rhywiol effeithio arnynt;'

Jocelyn Davies

12

Page 7, line 6, leave out section 14 and insert—

[] Duty to have regard to statutory guidance

A relevant authority must have regard to guidance issued to it in accordance with this Act when exercising a power or duty (including a power or duty that is contingent upon the opinion of the authority concerned).'

Tudalen 7, llinell 7, hepgorer adran 14 a mewnosoder—

[] Dyletswydd i roi sylw i ganllawiau statudol

Rhaid i awdurdod perthnasol roi sylw i ganllawiau a ddyroddir iddo yn unol â'r Ddeddf hon wrth arfer pŵer neu ddyletswydd (gan gynnwys pŵer neu ddyletswydd sy'n amodol ar farn yr awdurdod dan sylw).'

Peter Black

92

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

Adran 14, tudalen 7, llinell 14, hepgorer 'o'r farn bod rheswm da dros iddo beidio â dilyn y

canllawiau mewn categorïau penodol o achosion, neu beidio â'u dilyn o gwbl' a mewnosoder 'yn dangos er boddhad Gweinidogion Cymru ei fod yn rhagori ar ofynion y llwybr a nodir yn y canllawiau mewn categorïau penodol o achosion neu ym mhob achos'.

***Peter Black** **120**

Section 14, page 7, leave out lines 14 to 25.

Adran 14, tudalen 7, hepgorer llinellau 16 hyd at 28.

***Jocelyn Davies** **13**

Gyda chefnogaeth/ Supported by: Peter Black

Page 7, line 27, leave out section 15.

Tudalen 7, llinell 30, hepgorer adran 15.

***Jocelyn Davies** **14**

Gyda chefnogaeth/ Supported by: Peter Black

Page 8, line 6, leave out section 16.

Tudalen 8, llinell 6, hepgorer adran 16.

Peter Black **101**

To insert a new section –

'Guidance for further and higher education bodies

[] Guidance for further education bodies

- (1) The Welsh Ministers may issue guidance to providers of further education in Wales about exercising their functions with a view to contributing to the pursuit of the purpose of this Act.
- (2) Guidance issued under this section may, among other things –
 - (a) address training for the staff of providers;
 - (b) address the policies of providers including work-place policies;
 - (c) specify when, and how frequently, providers must publish a report of progress towards achieving the objectives set out in the guidance.
- (3) A power to issue guidance under this section includes a power to revise or revoke guidance, including by further guidance.
- (4) Guidance issued under this section, or a notice revoking such guidance, must state –
 - (a) that it is issued under this section, and
 - (b) the date on which it is to take effect.
- (5) A provider to which guidance is issued under this section must have regard to that guidance.'

I fewnosod adran newydd –

‘Canllawiau ar gyfer cyrff addysg bellach ac uwch

[] Canllawiau ar gyfer cyrff addysg bellach

- (1) Caiff Gweinidogion Cymru ddyroddi canllawiau i ddarparwyr addysg bellach yng Nghymru ynghylch arfer eu swyddogaethau gyda golwg ar gyfrannu at ymgyrhaedd at ddiben y Ddeddf hon.
- (2) Caiff canllawiau a ddyroddir o dan yr adran hon, ymysg pethau eraill –
 - (a) ymdrin â hyfforddiant ar gyfer staff y darparwyr;
 - (b) ymdrin â pholisïau darparwyr gan gynnwys polisïau’r gweithle;
 - (c) nodi pryd, a pha mor aml, y mae’n rhaid i ddarparwyr gyhoeddi adroddiad ar y cynnydd a wnaed o ran cyflawni’r amcanion a nodir yn y canllawiau.
- (3) Mae pŵer i ddyroddi canllawiau o dan yr adran hon yn cynnwys pŵer i ddiwygio neu ddirymu canllawiau, gan gynnwys drwy ganllawiau pellach.
- (4) Rhaid i ganllawiau a ddyroddir o dan yr adran hon, neu hysbysiad sy’n dirymu canllawiau o’r fath nodi –
 - (a) y’u dyroddir o dan yr adran hon, a
 - (b) y dyddiad y byddant yn cael effaith.
- (5) Rhaid i ddarparwr y dyroddir canllawiau iddo o dan yr adran hon roi sylw i'r canllawiau hynny.’.

Peter Black

102

To insert a new section –

[] Guidance for higher education bodies

- (1) The Higher Education Funding Council for Wales may issue guidance to providers of higher education in Wales about exercising their functions with a view to contributing to the pursuit of the purpose of this Act.
- (2) Guidance issued under this section may, among other things –
 - (a) address training for the staff of providers;
 - (b) address the policies of providers including work-place policies;
 - (c) specify when, and how frequently, providers must publish a report of progress towards achieving the objectives set out in the guidance.
- (3) A power to issue guidance under this section includes a power to revise or revoke guidance, including by further guidance.
- (4) Guidance issued under this section, or a notice revoking such guidance, must state –
 - (a) that it is issued under this section, and
 - (b) the date on which it is to take effect.
- (5) A provider to which guidance is issued under this section must have regard to that

guidance.’.

I fewnosod adran newydd –

[] Canllawiau ar gyfer cyrff addysg uwch

- (1) Caiff Cyngor Cyllido Addysg Uwch Cymru ddyroddi canllawiau i ddarparwyr addysg uwch yng Nghymru ynghylch arfer eu swyddogaethau gyda golwg ar gyfrannu at ymgyrraedd at ddiben y Ddeddf hon.
- (2) Caiff canllawiau a ddyroddir o dan yr adran hon, ymysg pethau eraill –
 - (a) ymdrin â hyfforddiant ar gyfer staff y darparwyr;
 - (b) ymdrin â pholisïau darparwyr gan gynnwys polisiau’r gweithle;
 - (c) nodi pryd, a pha mor aml, y mae’n rhaid i ddarparwyr gyhoeddi adroddiad ar y cynnydd a wnaed o ran cyflawni'r amcanion a nodir yn y canllawiau.
- (3) Mae pŵer i ddyroddi canllawiau o dan yr adran hon yn cynnwys pŵer i ddiwygio neu ddirymu canllawiau, gan gynnwys drwy ganllawiau pellach.
- (4) Rhaid i ganllawiau a ddyroddir o dan yr adran hon, neu hysbysiad sy’n dirymu canllawiau o’r fath nodi –
 - (a) y’u dyroddir o dan yr adran hon, a
 - (b) y dyddiad y byddant yn cael effaith.
- (5) Rhaid i ddarparwr y dyroddir canllawiau iddo o dan yr adran hon roi sylw i’r canllawiau hynny.’.

Jocelyn Davies

15

Section 17, page 8, line 24, leave out ‘Ministerial Adviser’ and insert ‘adviser’.

Adran 17, tudalen 8, llinell 25, hepgorer ‘Cynghorydd Gweinidogol’ a mewnosoder ‘cynghorydd’.

Leighton Andrews

8

Section 17, page 8, line 24, leave out ‘on Gender-based Violence, Domestic Abuse and Sexual Violence (“the Ministerial Adviser”)’.

Adran 17, tudalen 8, llinell 25, hepgorer ‘ar Drais ar sail Rhywedd, Cam-drin Domestig a Thrais Rhywiol (“y Cynghorydd Gweinidogol”)’.

Jocelyn Davies

16

Section 17, page 8, line 25, leave out ‘Ministerial Adviser’ and insert ‘adviser’.

Adran 17, tudalen 8, llinell 26, hepgorer ‘Cynghorydd Gweinidogol’ a mewnosoder ‘cynghorydd’.

Jocelyn Davies

17

Section 17, page 8, line 26, leave out ‘Ministerial Adviser’ and insert ‘adviser’.

Adran 17, tudalen 8, llinell 27, hepgorer ‘Gynghorydd Gweinidogol’ a mewnosoder ‘gynghorydd’.

Jocelyn Davies

18

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

‘() The adviser is not to be a member of the civil service of the State.’.

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

‘() Nid yw’r cynghorydd i fod yn aelod o wasanaeth sifil y Wladwriaeth.’.

Peter Black

93

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

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

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

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

Jocelyn Davies

19

Section 17, page 8, line 29, leave out ‘Ministerial Adviser’ and insert ‘adviser’.

Adran 17, tudalen 8, llinell 30, hepgorer ‘Cynghorydd Gweinidogol’ a mewnosoder ‘cynghorydd’.

Jocelyn Davies

20

Section 17, page 8, line 31, leave out ‘Ministerial Adviser’ and insert ‘adviser’.

Adran 17, tudalen 8, llinell 32, hepgorer ‘Gynghorydd Gweinidogol’ a mewnosoder ‘gynghorydd’.

Jocelyn Davies

21

Section 17, page 8, line 33, leave out ‘Ministerial Adviser’ and insert ‘adviser’.

Adran 17, tudalen 8, llinell 34, hepgorer ‘Gynghorydd Gweinidogol’ a mewnosoder ‘gynghorydd’.

Jocelyn Davies

22

Section 17, page 8, line 34, leave out ‘Ministerial Adviser’ and insert ‘adviser’.

Adran 17, tudalen 8, llinell 35, hepgorer ‘Cynghorydd Gweinidogol’ a mewnosoder ‘cynghorydd’.

Jocelyn Davies

23

Section 17, page 9, line 1, leave out ‘Ministerial Adviser’s’ and insert ‘adviser’s’.

Adran 17, tudalen 9, llinell 2, hepgorer ‘Cynghorydd Gweinidogol’ a mewnosoder ‘cynghorydd’.

Jocelyn Davies

24

Section 18, page 9, line 4, leave out 'Ministerial Adviser' and insert 'adviser'.

Adran 18, tudalen 9, llinell 4, hepgorer 'Cynghorydd Gweinidogol' a mewnosoder 'cynghorydd'.

Peter Black

103

Section 18, page 9, line 4, leave out ', subject to the direction of the Welsh Ministers'.

Adran 18, tudalen 9, llinell 4, hepgorer ', yn ddarostyngedig i gyfarwyddyd Gweinidogion Cymru'.

Jocelyn Davies

Gyda chefnogaeth/ Supported by: Peter Black

25

Section 18, page 9, line 14, leave out ', with the agreement of the Welsh Ministers,'.

Adran 18, tudalen 9, llinell 15, hepgorer ', gyda cydsyniad Gweinidogion Cymru,'.

Peter Black

94

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

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

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

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

Jocelyn Davies

26

Section 18, page 9, line 19, leave out 'Ministerial Adviser' and insert 'adviser'.

Adran 18, tudalen 9, llinell 21, hepgorer 'Cynghorydd Gweinidogol' a mewnosoder 'cynghorydd'.

Jocelyn Davies

27

Section 18, page 9, line 22, leave out 'Ministerial Adviser' and insert 'adviser'.

Adran 18, tudalen 9, llinell 24, hepgorer 'Cynghorydd Gweinidogol' a mewnosoder 'cynghorydd'.

Jocelyn Davies

28

Section 18, page 9, line 28, leave out 'Ministerial Adviser' and insert 'adviser'.

Adran 18, tudalen 9, llinell 31, hepgorer 'Cynghorydd Gweinidogol' a mewnosoder 'cynghorydd'.

Jocelyn Davies 29

Section 19, page 9, line 30, leave out 'Ministerial Adviser' and insert 'adviser'.

Adran 19, tudalen 9, llinell 34, hepgorer 'Cynghorydd Gweinidogol' a mewnosoder 'cynghorydd'.

Jocelyn Davies 30

Section 19, page 9, line 31, leave out 'Ministerial Adviser' and insert 'adviser'.

Adran 19, tudalen 9, llinell 35, hepgorer 'Cynghorydd Gweinidogol' a mewnosoder 'cynghorydd'.

Jocelyn Davies 31

Section 19, page 9, line 32, leave out 'Ministerial Adviser's' and insert 'adviser's'.

Adran 19, tudalen 9, llinell 36, hepgorer 'Cynghorydd Gweinidogol' a mewnosoder 'cynghorydd'.

Jocelyn Davies 32

Section 19, page 10, line 1, leave out 'Ministerial Adviser's' and insert 'adviser's'.

Adran 19, tudalen 10, llinell 1, hepgorer 'Cynghorydd Gweinidogol' a mewnosoder 'cynghorydd'.

Jocelyn Davies 33

Section 19, page 10, line 3, leave out 'Ministerial Adviser' and insert 'adviser'.

Adran 19, tudalen 10, llinell 3, hepgorer 'Cynghorydd Gweinidogol' a mewnosoder 'cynghorydd'.

Jocelyn Davies 34

Section 19, page 10, line 5, leave out 'Ministerial Adviser' and insert 'adviser'.

Adran 19, tudalen 10, llinell 5, hepgorer 'Cynghorydd Gweinidogol' a mewnosoder 'cynghorydd'.

Jocelyn Davies 35

Section 19, page 10, line 6, leave out 'Ministerial Adviser's' and insert 'adviser's'.

Nid oes angen diwygio'r fersiwn Cymraeg. There is no need to amend the Welsh version.

Jocelyn Davies 36

Section 19, page 10, line 7, leave out 'Ministerial Adviser' and insert 'adviser'.

Adran 19, tudalen 10, llinell 7, hepgorer 'Cynghorydd Gweinidogol' a mewnosoder 'cynghorydd'.

Jocelyn Davies 37

Section 19, page 10, line 9, leave out 'Ministerial Adviser' and insert 'adviser'.

Adran 19, tudalen 10, llinell 10, hepgorer 'Cynghorydd Gweinidogol' a mewnosoder 'cynghorydd'.

Jocelyn Davies 38

Section 19, page 10, line 10, leave out 'Ministerial Adviser' and insert 'adviser'.

Adran 19, tudalen 10, llinell 11, hepgorer 'Cynghorydd Gweinidogol' a mewnosoder 'cynghorydd'.

Jocelyn Davies 39

Section 19, page 10, line 14, leave out 'Ministerial Adviser's' and insert 'adviser's'.

Adran 19, tudalen 10, llinell 15, hepgorer 'Cynghorydd Gweinidogol' a mewnosoder 'cynghorydd'.

Jocelyn Davies 40

Section 19, page 10, line 16, leave out 'Ministerial Adviser' and insert 'adviser'.

Adran 19, tudalen 10, llinell 17, hepgorer 'Cynghorydd Gweinidogol' a mewnosoder 'cynghorydd'.

Jocelyn Davies 41

Section 19, page 10, line 18, leave out 'Ministerial Adviser' and insert 'adviser'.

Adran 19, tudalen 10, llinell 19, hepgorer 'Cynghorydd Gweinidogol' a mewnosoder 'cynghorydd'.

Jocelyn Davies 42

Section 19, page 10, line 19, leave out 'Ministerial Adviser's' and insert 'adviser's'.

Nid oes angen diwygio'r fersiwn Cymraeg. There is no need to amend the Welsh version.

Jocelyn Davies 43

Section 20, page 10, line 22, leave out 'Ministerial Adviser' and insert 'adviser'.

Adran 20, tudalen 10, llinell 24, hepgorer 'Cynghorydd Gweinidogol' a mewnosoder 'cynghorydd'.

Jocelyn Davies 44

Section 20, page 10, line 24, leave out 'Ministerial Adviser' and insert 'adviser'.

Adran 20, tudalen 10, llinell 25, hepgorer 'Cynghorydd Gweinidogol' a mewnosoder 'cynghorydd'.

Jocelyn Davies 45

Section 20, page 10, line 26, leave out 'Ministerial Adviser' and insert 'adviser'.

Adran 20, tudalen 10, llinell 27, hepgorer 'Cynghorydd Gweinidogol' a mewnosoder 'cynghorydd'.

Jocelyn Davies

46

To insert a new section –

‘Amendment to the Children Act 2004

[] Removal of reasonable punishment defence

(1) Section 58 of the Children Act 2004 is amended as follows.

(2) In subsection (2) –

(a) at the end of paragraph (c) for “.” substitute “;”;

(b) after paragraph (c) insert –

“(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the offence took place in Wales;

(e) any offence involving battery of a child where the battery is committed in Wales.”.

(3) For subsection (3) substitute –

“(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –

(a) the battery took place in England and caused actual bodily harm, or

(b) the battery took place in Wales (whether or not it caused actual bodily harm).”.

I fewnosod adran newydd –

‘Diwygio Deddf Plant 2004

[] Dileu’r amddiffyniad cosb resymol

(1) Diwygir adran 58 o Ddeddf Plant 2004 fel a ganlyn.

(2) Yn is-adran (2) –

(a) ar ddiwedd paragraff (c) yn lle “.” rhodder “;”;

(b) ar ôl paragraff (c) mewnosoder –

“(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the offence took place in Wales;

(e) any offence involving battery of a child where the battery is committed in Wales.”.

(3) Yn lle is-adran (3) mewnosoder –

“(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –

(a) the battery took place in England and caused actual bodily harm, or

- (b) the battery took place in Wales (whether or not it caused actual bodily harm).’.

Jocelyn Davies

47

To insert a new section –

‘Amendment to the Children Act 2004

[] Removal of reasonable punishment defence

- (1) Section 58 of the Children Act 2004 is amended as follows.
- (2) In subsection (2) –
 - (a) at the end of paragraph (c) for “.” substitute “;”;
 - (b) after paragraph (c) insert –
 - “(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the offence took place in Wales;
 - (e) any offence involving battery of a child where the battery is committed in Wales.”.
- (3) For subsection (3) substitute –
 - “(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –
 - (a) the battery took place in England and caused actual bodily harm, or
 - (b) the battery took place in Wales (whether or not it caused actual bodily harm).”.
- (4) This section comes into force on 1 January 2017.’.

I fewnosod adran newydd –

‘Diwygio Deddf Plant 2004

[] Dileu’r amddiffyniad cosb resymol

- (1) Diwygir adran 58 o Ddeddf Plant 2004 fel a ganlyn.
- (2) Yn is-adran (2) –
 - (a) ar ddiwedd paragraff (c) yn lle “.” rhodder “;”;
 - (b) ar ôl paragraff (c) mewnosoder –
 - “(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the offence took place in Wales;
 - (e) any offence involving battery of a child where the battery is committed in Wales.”.

(3) Yn lle is-adran (3) mewnosoder –

“(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –

- (a) the battery took place in England and caused actual bodily harm, or
- (b) the battery took place in Wales (whether or not it caused actual bodily harm).”.

(4) Daw’r adran hon i rym ar 1 Ionawr 2017.’.

Jocelyn Davies

48

To insert a new section –

‘Amendment to the Children Act 2004

[] Removal of reasonable punishment defence

(1) Section 58 of the Children Act 2004 is amended as follows.

(2) In subsection (2) –

- (a) at the end of paragraph (c) for “.” substitute “;”;
- (b) after paragraph (c) insert –

“(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the offence took place in Wales;

(e) any offence involving battery of a child where the battery is committed in Wales.”.

(3) For subsection (3) substitute –

“(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –

- (a) the battery took place in England and caused actual bodily harm, or
- (b) the battery took place in Wales (whether or not it caused actual bodily harm).”.

(4) This section comes into force on 1 January 2018.’.

I fewnosod adran newydd –

‘Diwygio Deddf Plant 2004

[] Dileu’r amddiffyniad cosb resymol

(1) Diwygir adran 58 o Ddeddf Plant 2004 fel a ganlyn.

(2) Yn is-adran (2) –

- (a) ar ddiwedd paragraff (c) yn lle “.” rhodder “;”;

(b) ar ôl paragraff (c) mewnosoder –

“(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the offence took place in Wales;

(e) any offence involving battery of a child where the battery is committed in Wales.”.

(3) Yn lle is-adran (3) mewnosoder –

“(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –

(a) the battery took place in England and caused actual bodily harm, or

(b) the battery took place in Wales (whether or not it caused actual bodily harm).”.

(4) Daw’r adran hon i rym ar 1 Ionawr 2018.’.

Jocelyn Davies

49

To insert a new section –

‘Amendment to the Children Act 2004

[] Removal of reasonable punishment defence

(1) Section 58 of the Children Act 2004 is amended as follows.

(2) In subsection (2) –

(a) at the end of paragraph (c) for “.” substitute “;”;

(b) after paragraph (c) insert –

“(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the offence took place in Wales;

(e) any offence involving battery of a child where the battery is committed in Wales.”.

(3) For subsection (3) substitute –

“(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –

(a) the battery took place in England and caused actual bodily harm, or

(b) the battery took place in Wales (whether or not it caused actual bodily harm).”.

(4) This section comes into force on 1 January 2019.’.

I fewnosod adran newydd –

‘Diwygio Deddf Plant 2004

[] Dileu’r amddiffyniad cosb resymol

- (1) Diwygir adran 58 o Ddeddf Plant 2004 fel a ganlyn.
- (2) Yn is-adran (2) –
 - (a) ar ddiwedd paragraff (c) yn lle “.” rhodder “;”;
 - (b) ar ôl paragraff (c) mewnosoder –
 - “(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the offence took place in Wales;
 - (e) any offence involving battery of a child where the battery is committed in Wales.”.
- (3) Yn lle is-adran (3) mewnosoder –
 - “(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –
 - (a) the battery took place in England and caused actual bodily harm, or
 - (b) the battery took place in Wales (whether or not it caused actual bodily harm).”.
- (4) Daw’r adran hon i rym ar 1 Ionawr 2019.’.

Jocelyn Davies

50

To insert a new section –

‘Amendment to the Children Act 2004

[] Removal of reasonable punishment defence

- (1) Section 58 of the Children Act 2004 is amended as follows.
- (2) In subsection (2) –
 - (a) at the end of paragraph (c) for “.” substitute “;”;
 - (b) after paragraph (c) insert –
 - “(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the offence took place in Wales;
 - (e) any offence involving battery of a child where the battery is committed in Wales.”.
- (3) For subsection (3) substitute –
 - “(3) Battery of a child cannot be justified in any civil proceedings on the

ground that it constituted reasonable punishment if –

- (a) the battery took place in England and caused actual bodily harm, or
 - (b) the battery took place in Wales (whether or not it caused actual bodily harm).”.
- (4) If this section has not been brought into force by 1 January 2020, it comes into force on that date.’.

I fewnosod adran newydd –

‘Diwygio Deddf Plant 2004

[] Dileu’r amddiffyniad cosb resymol

- (1) Diwygir adran 58 o Ddeddf Plant 2004 fel a ganlyn.
- (2) Yn is-adran (2) –
 - (a) ar ddiwedd paragraff (c) yn lle “.” rhodder “;”;
 - (b) ar ôl paragraff (c) mewnosoder –
 - “(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the offence took place in Wales;
 - (e) any offence involving battery of a child where the battery is committed in Wales.”.
- (3) Yn lle is-adran (3) mewnosoder –
 - “(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –
 - (a) the battery took place in England and caused actual bodily harm, or
 - (b) the battery took place in Wales (whether or not it caused actual bodily harm).”.
- (4) Os nad yw’r adran hon wedi dod i rym erbyn 1 Ionawr 2020, daw i rym ar y dyddiad hwnnw.’.

Jocelyn Davies

51

To insert a new section –

‘Amendment to the Children Act 2004

[] Removal of reasonable punishment defence

- (1) Section 58 of the Children Act 2004 is amended as follows.
- (2) In subsection (2) –
 - (a) at the end of paragraph (c) for “.” substitute “;”;

(b) after paragraph (c) insert –

“(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the child was under the age of 17 years when the offence took place and the offence was committed in Wales;

(e) any offence involving battery of a child where the battery is committed in Wales.”.

(3) For subsection (3) substitute –

“(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –

(a) the battery took place in England and caused actual bodily harm, or

(b) the battery took place in Wales (whether or not it caused actual bodily harm) and the child was under the age of 17 years when the battery took place.”.

I fewnosod adran newydd –

‘Diwygio Deddf Plant 2004

[] Dileu’r amddiffyniad cosb resymol

(1) Diwygir adran 58 o Ddeddf Plant 2004 fel a ganlyn.

(2) Yn is-adran (2) –

(a) ar ddiwedd paragraff (c) yn lle “.” rhodder “;”;

(b) ar ôl paragraff (c) mewnosoder –

“(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the child was under the age of 17 years when the offence took place and the offence was committed in Wales;

(e) any offence involving battery of a child where the battery is committed in Wales.”.

(3) Yn lle is-adran (3) mewnosoder –

“(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –

(a) the battery took place in England and caused actual bodily harm, or

(b) the battery took place in Wales (whether or not it caused actual bodily harm) and the child was under the age of 17 years when the battery took place.”.

Jocelyn Davies

52

To insert a new section –

‘Amendment to the Children Act 2004

[] Removal of reasonable punishment defence

(1) Section 58 of the Children Act 2004 is amended as follows.

(2) In subsection (2) –

(a) at the end of paragraph (c) for “.” substitute “;”;

(b) after paragraph (c) insert –

“(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the child was under the age of 16 years when the offence took place and the offence was committed in Wales;

(e) any offence involving battery of a child where the battery is committed in Wales.”.

(3) For subsection (3) substitute –

“(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –

(a) the battery took place in England and caused actual bodily harm, or

(b) the battery took place in Wales (whether or not it caused actual bodily harm) and the child was under the age of 16 years when the battery took place.”.

I fewnosod adran newydd –

‘Diwygio Deddf Plant 2004

[] Dileu’r amddiffyniad cosb resymol

(1) Diwygir adran 58 o Ddeddf Plant 2004 fel a ganlyn.

(2) Yn is-adran (2) –

(a) ar ddiwedd paragraff (c) yn lle “.” rhodder “;”;

(b) ar ôl paragraff (c) mewnosoder –

“(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the child was under the age of 16 years when the offence took place and the offence was committed in Wales;

(e) any offence involving battery of a child where the battery is committed in Wales.”.

(3) Yn lle is-adran (3) mewnosoder –

“(3) Battery of a child cannot be justified in any civil proceedings on the

ground that it constituted reasonable punishment if –

- (a) the battery took place in England and caused actual bodily harm, or
- (b) the battery took place in Wales (whether or not it caused actual bodily harm) and the child was under the age of 16 years when the battery took place.”’.

Jocelyn Davies

53

To insert a new section –

‘Amendment to the Children Act 2004

[] Removal of reasonable punishment defence

(1) Section 58 of the Children Act 2004 is amended as follows.

(2) In subsection (2) –

(a) at the end of paragraph (c) for “.” substitute “;”;

(b) after paragraph (c) insert –

“(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the child was under the age of 15 years when the offence took place and the offence was committed in Wales;

(e) any offence involving battery of a child where the battery is committed in Wales.”’.

(3) For subsection (3) substitute –

“(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –

(a) the battery took place in England and caused actual bodily harm, or

(b) the battery took place in Wales (whether or not it caused actual bodily harm) and the child was under the age of 15 years when the battery took place.”’.

I fewnosod adran newydd –

‘Diwygio Deddf Plant 2004

[] Dileu’r amddiffyniad cosb resymol

(1) Diwygir adran 58 o Ddeddf Plant 2004 fel a ganlyn.

(2) Yn is-adran (2) –

(a) ar ddiwedd paragraff (c) yn lle “.” rhodder “;”;

(b) ar ôl paragraff (c) mewnosoder –

“(d) an offence under section 39 of the Criminal Justice Act 1988

- (common assault and battery) if the child was under the age of 15 years when the offence took place and the offence was committed in Wales;
- (e) any offence involving battery of a child where the battery is committed in Wales.”.
- (3) Yn lle is-adran (3) mewnosoder –
- “(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –
- (a) the battery took place in England and caused actual bodily harm, or
- (b) the battery took place in Wales (whether or not it caused actual bodily harm) and the child was under the age of 15 years when the battery took place.”.’.

Jocelyn Davies

54

To insert a new section –

‘Amendment to the Children Act 2004

[] Removal of reasonable punishment defence

- (1) Section 58 of the Children Act 2004 is amended as follows.
- (2) In subsection (2) –
- (a) at the end of paragraph (c) for “.” substitute “;”;
- (b) after paragraph (c) insert –
- “(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the child was under the age of 14 years when the offence took place and the offence was committed in Wales;
- (e) any offence involving battery of a child where the battery is committed in Wales.”.
- (3) For subsection (3) substitute –
- “(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –
- (a) the battery took place in England and caused actual bodily harm, or
- (b) the battery took place in Wales (whether or not it caused actual bodily harm) and the child was under the age of 14 years when the battery took place.”.’.

I fewnosod adran newydd –

‘Diwygio Deddf Plant 2004

[] Dileu’r amddiffyniad cosb resymol

- (1) Diwygir adran 58 o Ddeddf Plant 2004 fel a ganlyn.
- (2) Yn is-adran (2) –
 - (a) ar ddiwedd paragraff (c) yn lle “.” rhodder “;”;
 - (b) ar ôl paragraff (c) mewnosoder –
 - “(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the child was under the age of 14 years when the offence took place and the offence was committed in Wales;
 - (e) any offence involving battery of a child where the battery is committed in Wales.”.
- (3) Yn lle is-adran (3) mewnosoder –
 - “(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –
 - (a) the battery took place in England and caused actual bodily harm, or
 - (b) the battery took place in Wales (whether or not it caused actual bodily harm) and the child was under the age of 14 years when the battery took place.”.

Jocelyn Davies

55

To insert a new section –

‘Amendment to the Children Act 2004

[] Removal of reasonable punishment defence

- (1) Section 58 of the Children Act 2004 is amended as follows.
- (2) In subsection (2) –
 - (a) at the end of paragraph (c) for “.” substitute “;”;
 - (b) after paragraph (c) insert –
 - “(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the child was under the age of 13 years when the offence took place and the offence was committed in Wales;
 - (e) any offence involving battery of a child where the battery is committed in Wales.”.
- (3) For subsection (3) substitute –

- “(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –
- (a) the battery took place in England and caused actual bodily harm, or
 - (b) the battery took place in Wales (whether or not it caused actual bodily harm) and the child was under the age of 13 years when the battery took place.”.

I fewnosod adran newydd –

‘Diwygio Deddf Plant 2004

[] **Dileu’r amddiffyniad cosb resymol**

- (1) Diwygir adran 58 o Ddeddf Plant 2004 fel a ganlyn.
- (2) Yn is-adran (2) –
 - (a) ar ddiwedd paragraff (c) yn lle “.” rhodder “;”;
 - (b) ar ôl paragraff (c) mewnosoder –
 - “(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the child was under the age of 13 years when the offence took place and the offence was committed in Wales;
 - (e) any offence involving battery of a child where the battery is committed in Wales.”.
- (3) Yn lle is-adran (3) mewnosoder –
 - “(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –
 - (a) the battery took place in England and caused actual bodily harm, or
 - (b) the battery took place in Wales (whether or not it caused actual bodily harm) and the child was under the age of 13 years when the battery took place.”.

Jocelyn Davies

56

To insert a new section –

‘Amendment to the Children Act 2004

[] **Removal of reasonable punishment defence**

- (1) Section 58 of the Children Act 2004 is amended as follows.
- (2) In subsection (2) –
 - (a) at the end of paragraph (c) for “.” substitute “;”;
 - (b) after paragraph (c) insert –

- “(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the child was under the age of 12 years when the offence took place and the offence was committed in Wales;
- (e) any offence involving battery of a child where the battery is committed in Wales.”.

(3) For subsection (3) substitute –

- “(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –
 - (a) the battery took place in England and caused actual bodily harm, or
 - (b) the battery took place in Wales (whether or not it caused actual bodily harm) and the child was under the age of 12 years when the battery took place.”.

I fewnosod adran newydd –

‘Diwygio Deddf Plant 2004

[] Dileu’r amddiffyniad cosb resymol

(1) Diwygir adran 58 o Ddeddf Plant 2004 fel a ganlyn.

(2) Yn is-adran (2) –

- (a) ar ddiwedd paragraff (c) yn lle “.” rhodder “;”;
- (b) ar ôl paragraff (c) mewnosoder –

- “(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the child was under the age of 12 years when the offence took place and the offence was committed in Wales;
- (e) any offence involving battery of a child where the battery is committed in Wales.”.

(3) Yn lle is-adran (3) mewnosoder –

- “(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –
 - (a) the battery took place in England and caused actual bodily harm, or
 - (b) the battery took place in Wales (whether or not it caused actual bodily harm) and the child was under the age of 12 years when the battery took place.”.

Jocelyn Davies

57

To insert a new section –

‘Amendment to the Children Act 2004

[] Removal of reasonable punishment defence

(1) Section 58 of the Children Act 2004 is amended as follows.

(2) In subsection (2) –

(a) at the end of paragraph (c) for “.” substitute “;”;

(b) after paragraph (c) insert –

“(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the child was under the age of 11 years when the offence took place and the offence was committed in Wales;

(e) any offence involving battery of a child where the battery is committed in Wales.”.

(3) For subsection (3) substitute –

“(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –

(a) the battery took place in England and caused actual bodily harm, or

(b) the battery took place in Wales (whether or not it caused actual bodily harm) and the child was under the age of 11 years when the battery took place.”.

I fewnosod adran newydd –

‘Diwygio Deddf Plant 2004

[] Dileu’r amddiffyniad cosb resymol

(1) Diwygir adran 58 o Ddeddf Plant 2004 fel a ganlyn.

(2) Yn is-adran (2) –

(a) ar ddiwedd paragraff (c) yn lle “.” rhodder “;”;

(b) ar ôl paragraff (c) mewnosoder –

“(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the child was under the age of 11 years when the offence took place and the offence was committed in Wales;

(e) any offence involving battery of a child where the battery is committed in Wales.”.

(3) Yn lle is-adran (3) mewnosoder –

“(3) Battery of a child cannot be justified in any civil proceedings on the

ground that it constituted reasonable punishment if –

- (a) the battery took place in England and caused actual bodily harm, or
- (b) the battery took place in Wales (whether or not it caused actual bodily harm) and the child was under the age of 11 years when the battery took place.”’.

Jocelyn Davies

58

To insert a new section –

‘Amendment to the Children Act 2004

[] Removal of reasonable punishment defence

(1) Section 58 of the Children Act 2004 is amended as follows.

(2) In subsection (2) –

(a) at the end of paragraph (c) for “.” substitute “;”;

(b) after paragraph (c) insert –

“(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the child was under the age of 10 years when the offence took place and the offence was committed in Wales;

(e) any offence involving battery of a child where the battery is committed in Wales.”’.

(3) For subsection (3) substitute –

“(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –

(a) the battery took place in England and caused actual bodily harm, or

(b) the battery took place in Wales (whether or not it caused actual bodily harm) and the child was under the age of 10 years when the battery took place.”’.

I fewnosod adran newydd –

‘Diwygio Deddf Plant 2004

[] Dileu’r amddiffyniad cosb resymol

(1) Diwygir adran 58 o Ddeddf Plant 2004 fel a ganlyn.

(2) Yn is-adran (2) –

(a) ar ddiwedd paragraff (c) yn lle “.” rhodder “;”;

(b) ar ôl paragraff (c) mewnosoder –

“(d) an offence under section 39 of the Criminal Justice Act 1988

- (common assault and battery) if the child was under the age of 10 years when the offence took place and the offence was committed in Wales;
- (e) any offence involving battery of a child where the battery is committed in Wales.”.
- (3) Yn lle is-adran (3) mewnosoder –
- “(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –
- (a) the battery took place in England and caused actual bodily harm, or
- (b) the battery took place in Wales (whether or not it caused actual bodily harm) and the child was under the age of 10 years when the battery took place.”.’.

Jocelyn Davies

59

To insert a new section –

‘Amendment to the Children Act 2004

[] Removal of reasonable punishment defence

- (1) Section 58 of the Children Act 2004 is amended as follows.
- (2) In subsection (2) –
- (a) at the end of paragraph (c) for “.” substitute “;”;
- (b) after paragraph (c) insert –
- “(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the child was under the age of 9 years when the offence took place and the offence was committed in Wales;
- (e) any offence involving battery of a child where the battery is committed in Wales.”.
- (3) For subsection (3) substitute –
- “(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –
- (a) the battery took place in England and caused actual bodily harm, or
- (b) the battery took place in Wales (whether or not it caused actual bodily harm) and the child was under the age of 9 years when the battery took place.”.’.

I fewnosod adran newydd –

‘Diwygio Deddf Plant 2004

[] Dileu’r amddiffyniad cosb resymol

- (1) Diwygir adran 58 o Ddeddf Plant 2004 fel a ganlyn.
- (2) Yn is-adran (2) –
 - (a) ar ddiwedd paragraff (c) yn lle “.” rhodder “;”;
 - (b) ar ôl paragraff (c) mewnosoder –
 - “(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the child was under the age of 9 years when the offence took place and the offence was committed in Wales;
 - (e) any offence involving battery of a child where the battery is committed in Wales.”.
- (3) Yn lle is-adran (3) mewnosoder –
 - “(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –
 - (a) the battery took place in England and caused actual bodily harm, or
 - (b) the battery took place in Wales (whether or not it caused actual bodily harm) and the child was under the age of 9 years when the battery took place.”.

Jocelyn Davies

60

To insert a new section –

‘Amendment to the Children Act 2004

[] Removal of reasonable punishment defence

- (1) Section 58 of the Children Act 2004 is amended as follows.
- (2) In subsection (2) –
 - (a) at the end of paragraph (c) for “.” substitute “;”;
 - (b) after paragraph (c) insert –
 - “(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the child was under the age of 8 years when the offence took place and the offence was committed in Wales;
 - (e) any offence involving battery of a child where the battery is committed in Wales.”.
- (3) For subsection (3) substitute –

“(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –

- (a) the battery took place in England and caused actual bodily harm, or
- (b) the battery took place in Wales (whether or not it caused actual bodily harm) and the child was under the age of 8 years when the battery took place.”.

I fewnosod adran newydd –

‘Diwygio Deddf Plant 2004

[] **Dileu’r amddiffyniad cosb resymol**

(1) Diwygir adran 58 o Ddeddf Plant 2004 fel a ganlyn.

(2) Yn is-adran (2) –

- (a) ar ddiwedd paragraff (c) yn lle “.” rhodder “;”;
- (b) ar ôl paragraff (c) mewnosoder –

“(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the child was under the age of 8 years when the offence took place and the offence was committed in Wales;

(e) any offence involving battery of a child where the battery is committed in Wales.”.

(3) Yn lle is-adran (3) mewnosoder –

“(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –

- (a) the battery took place in England and caused actual bodily harm, or
- (b) the battery took place in Wales (whether or not it caused actual bodily harm) and the child was under the age of 8 years when the battery took place.”.

Jocelyn Davies

61

To insert a new section –

‘Amendment to the Children Act 2004

[] **Removal of reasonable punishment defence**

(1) Section 58 of the Children Act 2004 is amended as follows.

(2) In subsection (2) –

- (a) at the end of paragraph (c) for “.” substitute “;”;
- (b) after paragraph (c) insert –

- “(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the child was under the age of 7 years when the offence took place and the offence was committed in Wales;
- (e) any offence involving battery of a child where the battery is committed in Wales.”.

(3) For subsection (3) substitute –

- “(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –
 - (a) the battery took place in England and caused actual bodily harm, or
 - (b) the battery took place in Wales (whether or not it caused actual bodily harm) and the child was under the age of 7 years when the battery took place.”.

I fewnosod adran newydd –

‘Diwygio Deddf Plant 2004

[] Dileu’r amddiffyniad cosb resymol

(1) Diwygir adran 58 o Ddeddf Plant 2004 fel a ganlyn.

(2) Yn is-adran (2) –

- (a) ar ddiwedd paragraff (c) yn lle “.” rhodder “;”;
- (b) ar ôl paragraff (c) mewnosoder –

- “(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the child was under the age of 7 years when the offence took place and the offence was committed in Wales;
- (e) any offence involving battery of a child where the battery is committed in Wales.”.

(3) Yn lle is-adran (3) mewnosoder –

- “(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –
 - (a) the battery took place in England and caused actual bodily harm, or
 - (b) the battery took place in Wales (whether or not it caused actual bodily harm) and the child was under the age of 7 years when the battery took place.”.

Jocelyn Davies

62

To insert a new section –

‘Amendment to the Children Act 2004

[] Removal of reasonable punishment defence

(1) Section 58 of the Children Act 2004 is amended as follows.

(2) In subsection (2) –

(a) at the end of paragraph (c) for “.” substitute “;”;

(b) after paragraph (c) insert –

“(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the child was under the age of 6 years when the offence took place and the offence was committed in Wales;

(e) any offence involving battery of a child where the battery is committed in Wales.”.

(3) For subsection (3) substitute –

“(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –

(a) the battery took place in England and caused actual bodily harm, or

(b) the battery took place in Wales (whether or not it caused actual bodily harm) and the child was under the age of 6 years when the battery took place.”.

I fewnosod adran newydd –

‘Diwygio Deddf Plant 2004

[] Dileu’r amddiffyniad cosb resymol

(1) Diwygir adran 58 o Ddeddf Plant 2004 fel a ganlyn.

(2) Yn is-adran (2) –

(a) ar ddiwedd paragraff (c) yn lle “.” rhodder “;”;

(b) ar ôl paragraff (c) mewnosoder –

“(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the child was under the age of 6 years when the offence took place and the offence was committed in Wales;

(e) any offence involving battery of a child where the battery is committed in Wales.”.

(3) Yn lle is-adran (3) mewnosoder –

“(3) Battery of a child cannot be justified in any civil proceedings on the

ground that it constituted reasonable punishment if –

- (a) the battery took place in England and caused actual bodily harm, or
- (b) the battery took place in Wales (whether or not it caused actual bodily harm) and the child was under the age of 6 years when the battery took place.”’.

Jocelyn Davies

63

To insert a new section –

‘Amendment to the Children Act 2004

[] Removal of reasonable punishment defence

(1) Section 58 of the Children Act 2004 is amended as follows.

(2) In subsection (2) –

(a) at the end of paragraph (c) for “.” substitute “;”;

(b) after paragraph (c) insert –

“(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the child was under the age of 5 years when the offence took place and the offence was committed in Wales;

(e) any offence involving battery of a child where the battery is committed in Wales.”’.

(3) For subsection (3) substitute –

“(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –

(a) the battery took place in England and caused actual bodily harm, or

(b) the battery took place in Wales (whether or not it caused actual bodily harm) and the child was under the age of 5 years when the battery took place.”’.

I fewnosod adran newydd –

‘Diwygio Deddf Plant 2004

[] Dileu’r amddiffyniad cosb resymol

(1) Diwygir adran 58 o Ddeddf Plant 2004 fel a ganlyn.

(2) Yn is-adran (2) –

(a) ar ddiwedd paragraff (c) yn lle “.” rhodder “;”;

(b) ar ôl paragraff (c) mewnosoder –

“(d) an offence under section 39 of the Criminal Justice Act 1988

(common assault and battery) if the child was under the age of 5 years when the offence took place and the offence was committed in Wales;

(e) any offence involving battery of a child where the battery is committed in Wales.”.

(3) Yn lle is-adran (3) mewnosoder –

“(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –

(a) the battery took place in England and caused actual bodily harm, or

(b) the battery took place in Wales (whether or not it caused actual bodily harm) and the child was under the age of 5 years when the battery took place.”.

Jocelyn Davies

64

To insert a new section –

‘Amendment to the Children Act 2004

[] Removal of reasonable punishment defence

(1) Section 58 of the Children Act 2004 is amended as follows.

(2) In subsection (2) –

(a) at the end of paragraph (c) for “.” substitute “;”;

(b) after paragraph (c) insert –

“(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the child was under the age of 4 years when the offence took place and the offence was committed in Wales;

(e) any offence involving battery of a child where the battery is committed in Wales.”.

(3) For subsection (3) substitute –

“(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –

(a) the battery took place in England and caused actual bodily harm, or

(b) the battery took place in Wales (whether or not it caused actual bodily harm) and the child was under the age of 4 years when the battery took place.”.

I fewnosod adran newydd –

‘Diwygio Deddf Plant 2004

[] **Dileu'r amddiffyniad cosb resymol**

- (1) Diwygir adran 58 o Ddeddf Plant 2004 fel a ganlyn.
- (2) Yn is-adran (2) –
 - (a) ar ddiwedd paragraff (c) yn lle “.” rhodder “;”;
 - (b) ar ôl paragraff (c) mewnosoder –
 - “(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the child was under the age of 4 years when the offence took place and the offence was committed in Wales;
 - (e) any offence involving battery of a child where the battery is committed in Wales.”.
- (3) Yn lle is-adran (3) mewnosoder –
 - “(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –
 - (a) the battery took place in England and caused actual bodily harm, or
 - (b) the battery took place in Wales (whether or not it caused actual bodily harm) and the child was under the age of 4 years when the battery took place.”.

Jocelyn Davies

65

To insert a new section –

‘Amendment to the Children Act 2004

[] **Removal of reasonable punishment defence**

- (1) Section 58 of the Children Act 2004 is amended as follows.
- (2) In subsection (2) –
 - (a) at the end of paragraph (c) for “.” substitute “;”;
 - (b) after paragraph (c) insert –
 - “(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the child was under the age of 3 years when the offence took place and the offence was committed in Wales;
 - (e) any offence involving battery of a child where the battery is committed in Wales.”.
- (3) For subsection (3) substitute –
 - “(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –
 - (a) the battery took place in England and caused actual bodily

harm, or

- (b) the battery took place in Wales (whether or not it caused actual bodily harm) and the child was under the age of 3 years when the battery took place.”’.

I fewnosod adran newydd –

‘Diwygio Deddf Plant 2004

[] Dileu’r amddiffyniad cosb resymol

(1) Diwygir adran 58 o Ddeddf Plant 2004 fel a ganlyn.

(2) Yn is-adran (2) –

(a) ar ddiwedd paragraff (c) yn lle “.” rhodder “;”;

(b) ar ôl paragraff (c) mewnosoder –

“(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the child was under the age of 3 years when the offence took place and the offence was committed in Wales;

(e) any offence involving battery of a child where the battery is committed in Wales.”’.

(3) Yn lle is-adran (3) mewnosoder –

“(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –

(a) the battery took place in England and caused actual bodily harm, or

(b) the battery took place in Wales (whether or not it caused actual bodily harm) and the child was under the age of 3 years when the battery took place.”’.

Jocelyn Davies

66

To insert a new section –

‘Amendment to the Children Act 2004

[] Removal of reasonable punishment defence

(1) Section 58 of the Children Act 2004 is amended as follows.

(2) In subsection (2) –

(a) at the end of paragraph (c) for “.” substitute “;”;

(b) after paragraph (c) insert –

“(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the child was under the age of 2 years when the offence took place and the offence was

committed in Wales;

- (e) any offence involving battery of a child where the battery is committed in Wales.”.

(3) For subsection (3) substitute –

“(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –

- (a) the battery took place in England and caused actual bodily harm, or
- (b) the battery took place in Wales (whether or not it caused actual bodily harm) and the child was under the age of 2 years when the battery took place.”.

I fewnosod adran newydd –

‘Diwygio Deddf Plant 2004

[] Dileu’r amddiffyniad cosb resymol

(1) Diwygir adran 58 o Ddeddf Plant 2004 fel a ganlyn.

(2) Yn is-adran (2) –

- (a) ar ddiwedd paragraff (c) yn lle “.” rhodder “;”;
- (b) ar ôl paragraff (c) mewnosoder –

“(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the child was under the age of 2 years when the offence took place and the offence was committed in Wales;

- (e) any offence involving battery of a child where the battery is committed in Wales.”.

(3) Yn lle is-adran (3) mewnosoder –

“(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –

- (a) the battery took place in England and caused actual bodily harm, or
- (b) the battery took place in Wales (whether or not it caused actual bodily harm) and the child was under the age of 2 years when the battery took place.”.

Jocelyn Davies

67

To insert a new section –

‘Amendment to the Children Act 2004

[] Removal of reasonable punishment defence

(1) Section 58 of the Children Act 2004 is amended as follows.

(2) In subsection (2) –

(a) at the end of paragraph (c) for “.” substitute “;”;

(b) after paragraph (c) insert –

“(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the child was under the age of 12 months when the offence took place and the offence was committed in Wales;

(e) any offence involving battery of a child where the battery is committed in Wales.”.

(3) For subsection (3) substitute –

“(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –

(a) the battery took place in England and caused actual bodily harm, or

(b) the battery took place in Wales (whether or not it caused actual bodily harm) and the child was under the age of 12 months when the battery took place.”.

I fewnosod adran newydd –

‘Diwygio Deddf Plant 2004

[] Dileu’r amddiffyniad cosb resymol

(1) Diwygir adran 58 o Ddeddf Plant 2004 fel a ganlyn.

(2) Yn is-adran (2) –

(a) ar ddiwedd paragraff (c) yn lle “.” rhodder “;”;

(b) ar ôl paragraff (c) mewnosoder –

“(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the child was under the age of 12 months when the offence took place and the offence was committed in Wales;

(e) any offence involving battery of a child where the battery is committed in Wales.”.

(3) Yn lle is-adran (3) mewnosoder –

“(3) Battery of a child cannot be justified in any civil proceedings on the

ground that it constituted reasonable punishment if –

- (a) the battery took place in England and caused actual bodily harm, or
- (b) the battery took place in Wales (whether or not it caused actual bodily harm) and the child was under the age of 12 months when the battery took place.”’.

Jocelyn Davies

74

To insert a new section –

‘Amendment to the Children Act 2004

[] Removal of reasonable punishment defence

(1) Section 58 of the Children Act 2004 is amended as follows.

(2) In subsection (2) –

(a) at the end of paragraph (c) for “.” substitute “;”;

(b) after paragraph (c) insert –

“(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the offence took place in Wales and involved the use of an implement by the perpetrator;

(e) any offence involving battery of a child where the battery is committed in Wales and involved the use of an implement by the perpetrator.”’.

(3) For subsection (3) substitute –

“(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –

(a) the battery took place in England and caused actual bodily harm, or

(b) the battery took place in Wales (whether or not it caused actual bodily harm) and involved the use of an implement by the perpetrator.”’.

I fewnosod adran newydd –

‘Diwygio Deddf Plant 2004

[] Dileu’r amddiffyniad cosb resymol

(1) Diwygir adran 58 o Ddeddf Plant 2004 fel a ganlyn.

(2) Yn is-adran (2) –

(a) ar ddiwedd paragraff (c) yn lle “.” rhodder “;”;

(b) ar ôl paragraff (c) mewnosoder –

“(d) an offence under section 39 of the Criminal Justice Act 1988

(common assault and battery) if the offence took place in Wales and involved the use of an implement by the perpetrator;

- (e) any offence involving battery of a child where the battery is committed in Wales and involved the use of an implement by the perpetrator.”.

(3) Yn lle is-adran (3) mewnosoder –

“(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –

- (a) the battery took place in England and caused actual bodily harm, or
- (b) the battery took place in Wales (whether or not it caused actual bodily harm) and involved the use of an implement by the perpetrator.”.

Jocelyn Davies

75

To insert a new section –

‘Amendment to the Children Act 2004

[] Removal of reasonable punishment defence

(1) Section 58 of the Children Act 2004 is amended as follows.

(2) In subsection (2) –

(a) at the end of paragraph (c) for “.” substitute “;”;

(b) after paragraph (c) insert –

“(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the offence took place in Wales and involved the perpetrator forcing an object into the mouth of the victim;

(e) any offence involving battery of a child where the battery is committed in Wales and involved the perpetrator forcing an object into the mouth of the victim.”.

(3) For subsection (3) substitute –

“(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –

- (a) the battery took place in England and caused actual bodily harm, or
- (b) the battery took place in Wales (whether or not it caused actual bodily harm) and involved the perpetrator forcing an object into the mouth of the victim.”.

I fewnosod adran newydd –

‘Diwygio Deddf Plant 2004

[] Dileu'r amddiffyniad cosb resymol

- (1) Diwygir adran 58 o Ddeddf Plant 2004 fel a ganlyn.
- (2) Yn is-adran (2) –
 - (a) ar ddiwedd paragraff (c) yn lle “.” rhodder “;”;
 - (b) ar ôl paragraff (c) mewnosoder –
 - “(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the offence took place in Wales and involved the perpetrator forcing an object into the mouth of the victim;
 - (e) any offence involving battery of a child where the battery is committed in Wales and involved the perpetrator forcing an object into the mouth of the victim.”.
- (3) Yn lle is-adran (3) mewnosoder –
 - “(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –
 - (a) the battery took place in England and caused actual bodily harm, or
 - (b) the battery took place in Wales (whether or not it caused actual bodily harm) and involved the perpetrator forcing an object into the mouth of the victim.”.

Jocelyn Davies

76

To insert a new section –

‘Amendment to the Children Act 2004

[] Removal of reasonable punishment defence

- (1) Section 58 of the Children Act 2004 is amended as follows.
- (2) In subsection (2) –
 - (a) at the end of paragraph (c) for “.” substitute “;”;
 - (b) after paragraph (c) insert –
 - “(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the offence took place in Wales and involved the perpetrator using force against the neck or throat of the victim;
 - (e) any offence involving battery of a child where the battery is committed in Wales and involved the perpetrator using force against the neck or throat of the victim.”.
- (3) For subsection (3) substitute –
 - “(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –

- (a) the battery took place in England and caused actual bodily harm, or
- (b) the battery took place in Wales (whether or not it caused actual bodily harm) and involved the perpetrator using force against the neck or throat of the victim.”’.

I fewnosod adran newydd—

‘Diwygio Deddf Plant 2004

[] Dileu’r amddiffyniad cosb resymol

- (1) Diwygir adran 58 o Ddeddf Plant 2004 fel a ganlyn.
- (2) Yn is-adran (2)—
 - (a) ar ddiwedd paragraff (c) yn lle “.” rhodder “;”;
 - (b) ar ôl paragraff (c) mewnosoder—
 - “(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the offence took place in Wales and involved the perpetrator using force against the neck or throat of the victim;
 - (e) any offence involving battery of a child where the battery is committed in Wales and involved the perpetrator using force against the neck or throat of the victim.”’.
- (3) Yn lle is-adran (3) mewnosoder—
 - “(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if—
 - (a) the battery took place in England and caused actual bodily harm, or
 - (b) the battery took place in Wales (whether or not it caused actual bodily harm) and involved the perpetrator using force against the neck or throat of the victim.”’.

Jocelyn Davies

77

To insert a new section—

‘Amendment to the Children Act 2004

[] Removal of reasonable punishment defence

- (1) Section 58 of the Children Act 2004 is amended as follows.
- (2) In subsection (2)—
 - (a) at the end of paragraph (c) for “.” substitute “;”;
 - (b) after paragraph (c) insert—
 - “(d) an offence under section 39 of the Criminal Justice Act 1988

(common assault and battery) if the offence took place in Wales and involved the perpetrator kicking the victim;

- (e) any offence involving battery of a child where the battery is committed in Wales and involved the perpetrator kicking the victim.”.

(3) For subsection (3) substitute –

“(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –

- (a) the battery took place in England and caused actual bodily harm, or
(b) the battery took place in Wales (whether or not it caused actual bodily harm) and involved the perpetrator kicking the victim.”.

I fewnosod adran newydd –

‘Diwygio Deddf Plant 2004

[] **Dileu’r amddiffyniad cosb resymol**

(1) Diwygir adran 58 o Ddeddf Plant 2004 fel a ganlyn.

(2) Yn is-adran (2) –

- (a) ar ddiwedd paragraff (c) yn lle “.” rhodder “;”;
(b) ar ôl paragraff (c) mewnosoder –

“(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the offence took place in Wales and involved the perpetrator kicking the victim;

- (e) any offence involving battery of a child where the battery is committed in Wales and involved the perpetrator kicking the victim.”.

(3) Yn lle is-adran (3) mewnosoder –

“(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –

- (a) the battery took place in England and caused actual bodily harm, or
(b) the battery took place in Wales (whether or not it caused actual bodily harm) and involved the perpetrator kicking the victim.”.

Jocelyn Davies

78

To insert a new section –

‘Amendment to the Children Act 2004

[] Removal of reasonable punishment defence

(1) Section 58 of the Children Act 2004 is amended as follows.

(2) In subsection (2) –

(a) at the end of paragraph (c) for “.” substitute “;”;

(b) after paragraph (c) insert –

“(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the offence took place in Wales and involved the perpetrator pulling the hair of the victim;

(e) any offence involving battery of a child where the battery is committed in Wales and involved the perpetrator pulling the hair of the victim.”.

(3) For subsection (3) substitute –

“(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –

(a) the battery took place in England and caused actual bodily harm, or

(b) the battery took place in Wales (whether or not it caused actual bodily harm) and involved the perpetrator pulling the hair of the victim.”.

I fewnosod adran newydd –

‘Diwygio Deddf Plant 2004

[] Dileu’r amddiffyniad cosb resymol

(1) Diwygir adran 58 o Ddeddf Plant 2004 fel a ganlyn.

(2) Yn is-adran (2) –

(a) ar ddiwedd paragraff (c) yn lle “.” rhodder “;”;

(b) ar ôl paragraff (c) mewnosoder –

“(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the offence took place in Wales and involved the perpetrator pulling the hair of the victim;

(e) any offence involving battery of a child where the battery is committed in Wales and involved the perpetrator pulling the hair of the victim.”.

(3) Yn lle is-adran (3) mewnosoder –

“(3) Battery of a child cannot be justified in any civil proceedings on the

ground that it constituted reasonable punishment if –

- (a) the battery took place in England and caused actual bodily harm, or
- (b) the battery took place in Wales (whether or not it caused actual bodily harm) and involved the perpetrator pulling the hair of the victim.”’.

Jocelyn Davies

79

To insert a new section –

‘Amendment to the Children Act 2004

[] Removal of reasonable punishment defence

(1) Section 58 of the Children Act 2004 is amended as follows.

(2) In subsection (2) –

(a) at the end of paragraph (c) for “.” substitute “;”;

(b) after paragraph (c) insert –

“(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the offence took place in Wales and involved the perpetrator using force against the head of the victim;

(e) any offence involving battery of a child where the battery is committed in Wales and involved the perpetrator using force against the head of the victim.”’.

(3) For subsection (3) substitute –

“(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –

(a) the battery took place in England and caused actual bodily harm, or

(b) the battery took place in Wales (whether or not it caused actual bodily harm) and involved the perpetrator using force against head of the victim.”’.

I fewnosod adran newydd –

‘Diwygio Deddf Plant 2004

[] Dileu’r amddiffyniad cosb resymol

(1) Diwygir adran 58 o Ddeddf Plant 2004 fel a ganlyn.

(2) Yn is-adran (2) –

(a) ar ddiwedd paragraff (c) yn lle “.” rhodder “;”;

(b) ar ôl paragraff (c) mewnosoder –

- “(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the offence took place in Wales and involved the perpetrator using force against the head of the victim;
 - (e) any offence involving battery of a child where the battery is committed in Wales and involved the perpetrator using force against the head of the victim.”.
- (3) Yn lle is-adran (3) mewnosoder –
- “(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –
 - (a) the battery took place in England and caused actual bodily harm, or
 - (b) the battery took place in Wales (whether or not it caused actual bodily harm) and involved the perpetrator using force against head of the victim.”.’.

Jocelyn Davies

80

To insert a new section –

‘Amendment to the Children Act 2004

[] Removal of reasonable punishment defence

- (1) Section 58 of the Children Act 2004 is amended as follows.
- (2) In subsection (2) –
 - (a) at the end of paragraph (c) for “.” substitute “;”;
 - (b) after paragraph (c) insert –
 - “(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the offence took place in Wales and involved the perpetrator removing (wholly or partially) the clothing of the victim;
 - (e) any offence involving battery of a child where the battery is committed in Wales and involved the perpetrator removing (wholly or partially) the clothing of the victim.”.
- (3) For subsection (3) substitute –
 - “(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –
 - (a) the battery took place in England and caused actual bodily harm, or
 - (b) the battery took place in Wales (whether or not it caused actual bodily harm) and involved the perpetrator removing (wholly or partially) the clothing of the victim.”.’.

I fewnosod adran newydd –

‘Diwygio Deddf Plant 2004

[] Dileu’r amddiffyniad cosb resymol

- (1) Diwygir adran 58 o Ddeddf Plant 2004 fel a ganlyn.
- (2) Yn is-adran (2) –
 - (a) ar ddiwedd paragraff (c) yn lle “.” rhodder “;”;
 - (b) ar ôl paragraff (c) mewnosoder –
 - “(d) an offence under section 39 of the Criminal Justice Act 1988 (common assault and battery) if the offence took place in Wales and involved the perpetrator removing (wholly or partially) the clothing of the victim;
 - (e) any offence involving battery of a child where the battery is committed in Wales and involved the perpetrator removing (wholly or partially) the clothing of the victim.”.
- (3) Yn lle is-adran (3) mewnosoder –
 - “(3) Battery of a child cannot be justified in any civil proceedings on the ground that it constituted reasonable punishment if –
 - (a) the battery took place in England and caused actual bodily harm, or
 - (b) the battery took place in Wales (whether or not it caused actual bodily harm) and involved the perpetrator removing (wholly or partially) the clothing of the victim.”.

Peter Black

95

To insert a new section –

‘Education about healthy relationships

[] Education about healthy relationships

- (1) After section 101(1)(bb) of the Education Act 2002 (basic curriculum for every maintained school in Wales) insert –
 - “(bc) provision for education about healthy relationships (within the meaning of section [section to be inserted by amendment 95](4) of the Gender-based Violence, Domestic Abuse and Sexual Violence (Wales) Act 2015) for all registered pupils at the school during the foundation phase and the second, third and fourth key stages.”.
- (2) At the end of section 108 of the Education Act 2002 (establishment of the National Curriculum for Wales by order) add –
 - “(12) Before making regulations under subsection (3) in respect of

education about healthy relationships the Welsh Ministers must consult persons who appear to them to have relevant expertise.”.

- (3) All schools (other than maintained schools) providing education must make provision for education about healthy relationships (within the meaning of section [section to be inserted by amendment 95](4) of the Gender-based Violence, Domestic Abuse and Sexual Violence (Wales) Act 2015) for all pupils at the school who are aged between three years and sixteen years.
- (4) In this Act, education about healthy relationships means age-appropriate education programmes which includes education about healthy relationships, gender-based violence and domestic abuse;
- (5) The Welsh Ministers may amend subsection (4) by order made by statutory instrument.
- (6) No order may be made under subsection (5) unless a draft of the order has been laid before, and approved by a resolution of, the National Assembly for Wales.’.

I fewnosod adran newydd –

‘Addysg am berthnasoedd iach

[] Addysg am berthnasoedd iach

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

Peter Black

96

To insert a new section –

[] Guidance on education about healthy relationships

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

I fewnosod adran newydd –

[] Canllawiau ynghylch addysg am berthnasoedd iach

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

***Jocelyn Davies**

97A

As an amendment to amendment 97, line 6, after ‘girls’, insert ‘domestic abuse and sexual violence’.

Fel gwelliant i welliant 97, llinell 6, ar ôl ‘merched’, mewnosoder ‘, cam-drin domestig a thrais rhywiol’.

***Jocelyn Davies**

97B

As an amendment to amendment 97, line 8, after ‘girls’, insert ‘domestic abuse and sexual violence’.

Fel gwelliant i welliant 97, llinell 9, ar ôl ‘merched’, mewnosoder ‘, cam-drin domestig a thrais rhywiol’.

***Jocelyn Davies**

97C

As an amendment to amendment 97, line 10, delete ‘rights of women and girls’ and insert ‘right’.

Fel gwelliant i welliant 97, llinell 11, hepgorer ‘hawliau menywod a merched o ran peidio’, a mewnosoder ‘yr hawl i beidio’.

***Jocelyn Davies**

97D

As an amendment to amendment 97, line 13, delete ‘rights of women and girls’ and insert ‘right’.

Fel gwelliant i welliant 97, llinell 15, hepgorer ‘hawliau menywod a merched o ran peidio’, a mewnosoder ‘yr hawl i beidio’.

***Jocelyn Davies**

97E

As an amendment to amendment 97, line 17, after ‘bullying’, insert ‘domestic abuse and sexual violence’.

Fel gwelliant i welliant 97, llinell 18, ar ôl 'bwlio', mewnosoder ', cam-drin domestig a thrais rhywiol'.

***Jocelyn Davies**

97F

As an amendment to amendment 97, line 19, after 'relationships', insert 'domestic abuse and sexual violence'.

Fel gwelliant i welliant 97, llinell 20, ar ôl 'iach', mewnosoder ', cam-drin domestig a thrais rhywiol'.

Peter Black

97

To insert a new section –

[] Regulations about healthy relationships

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

I fewnosod adran newydd –

[] Rheoliadau ynghylch perthnasoedd iach

- (1) Rhaid i Weinidogion Cymru wneud rheoliadau ynghylch addysg am berthnasoedd iach gan gynnwys –
 - (a) darpariaeth ar gyfer hyfforddiant i sicrhau bod pob ysgol yng Nghymru yn

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

Peter Black

98

To insert a new section –

[] Report on the progress of healthy relationship education

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

I fewnosod adran newydd –

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

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

yr adroddiad blaenorol.

- (3) Caiff Gweinidogion Cymru gyfarwyddo Prif Arolygydd Ei Mawrhydi dros Addysg a Hyfforddiant yng Nghymru i baratoi'r adroddiad.
- (4) Rhaid i gyfarwyddyd gael ei roi o leiaf dri mis cyn y bydd angen yr adroddiad.'

Peter Black

99

To insert a new section –

[] Amendment to the Education Act 2005

- (1) Section 28 of the Education Act 2005 as follows.
- (2) In subsection (5) –
 - (a) at the end of paragraph (e) omit “and”;
 - (b) at the end of paragraph (f) omit “.” and insert “, and”;
 - (c) after paragraph (f) insert –

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

I fewnosod adran newydd –

[] Diwygio Deddf Addysg 2005

- (1) Adran 28 o Ddeddf Addysg 2005 fel a ganlyn.
- (2) Yn is-adran 5 –
 - (a) ar ddiwedd paragraff (e) hepgorer “and”;
 - (b) ar ddiwedd paragraff (f) hepgorer “.” a mewnosoder “, and”;
 - (c) ar ôl paragraff (f) mewnosoder –

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

WITHDRAWN/TYNNWYD YN ÔL

***Jocelyn Davies**

68

Section 21, page 10, line 36, leave out ‘physical, sexual, psychological, emotional or financial abuse’ and insert –
' –

- (a) any controlling or coercive behaviour and includes physical, sexual, psychological, emotional or financial abuse, and
- (b) any threatening behaviour including threats to other people, property or to domestic pets.'

Adran 21, tudalen 11, llinell 7, hepgorer 'cam-drin corfforol, rhywiol, seicolegol, emosiynol neu ariannol' a mewnosoder –

' –

- (a) unrhyw ymddygiad sy'n rheoli neu orfodi, gan gynnwys cam-drin corfforol, rhywiol, seicolegol, emosiynol neu ariannol, a
- (b) unrhyw ymddygiad bygythiol, gan gynnwys bygythiadau i bobl eraill, eiddo neu i anifeiliaid anwes domestig'.

***Jocelyn Davies**

107

Section 21, page 10, line 37, after 'abuse;', insert –

'or

- (b) controlling behaviour by one person against another;'

Adran 21, tudalen 11, llinell 8, ar ôl 'ariannol;', mewnosoder –

'neu

- (b) ymddygiad gan un person sy'n rheoli person arall;'

***Jocelyn Davies**

108

Section 21, page 10, line 37, after 'abuse;', insert –

'or

- (b) coercive behaviour by one person against another;'

Adran 21, tudalen 11, llinell 8, ar ôl 'ariannol;', mewnosoder –

'neu

- (b) ymddygiad gan un person sy'n gormesu person arall;'

***Jocelyn Davies**

109

Section 21, page 10, line 37, after 'abuse;', insert –

'or

- (b) causing distress to a person;'

Adran 21, tudalen 11, llinell 8, ar ôl 'ariannol;', mewnosoder –

'neu

- (b) gan achosi trallod i berson;'

***Jocelyn Davies**

110

Section 21, page 10, line 37, after 'abuse;', insert –

'or

- (b) issuing a threat or threats to a person, to property or to domestic pets;'

Adran 21, tudalen 11, llinell 8, ar ôl 'ariannol;', mewnosoder –

'neu

- (b) gwneud bygythiad neu fygythiadau yn erbyn person, eiddo neu anifeiliaid

anwes;’.

***Jocelyn Davies**

111

Section 21, page 10, after line 37, insert –

“controlling behaviour” (*“ymddygiad rheolaethol”*) means conduct which is intended to –

- (a) deprive a person of independence; or
- (b) isolate a person from others.’.

Adran 21, tudalen 11, ar ôl llinell 22, mewnosoder –

‘ystyr “ymddygiad rheolaethol” (*“controlling behaviour”*) yw ymddygiad a fwriedir i –

- (a) amddifadu rhywun o’i annibyniaeth; neu
- (b) ynysu person oddi wrth eraill.’.

***Peter Black**

121

Section 21, page 10, after line 37, insert –

“Convention” (*“Confensiwn”*) means the United Nations Convention on the Rights of the Child adopted and opened for signature, ratification and accession by General Assembly resolution 44/25 of 20 November 1989;’.

Adran 21, tudalen 11, ar ôl llinell 11, mewnosoder –

‘ystyr “Confensiwn” (*“Convention”*) yw Confensiwn y Cenhedloedd Unedig ar Hawliau’r Plentyn a fabwysiadwyd ac a agorwyd i’w lofnodi, ei gadarnhau a’i dderbyn gan benderfyniad 44/25 y Cynulliad Cyffredinol ar 20 Tachwedd 1989;’.

***Jocelyn Davies**

112

Section 21, page 11, after line 2, insert –

“emotional abuse” (*“cam-drin emosïynol”*) includes disclosing a private sexual image if the disclosure is made without the consent of a person who appears in the image and the disclosure was made with the intention of causing distress to that person;’.

Adran 21, tudalen 11, ar ôl llinell 10, mewnosoder –

‘mae “cam-drin emosïynol” (*“emotional abuse”*) yn cynnwys dadlennu delwedd rywiol breifat os y’i dadlennwyd heb gydsyniad person sy’n ymddangos yn y ddelwedd ac fe’i dadlennwyd gyda’r bwriad o achosi trallod i’r person hwnnw;’.

Peter Black

104

Section 21, page 11, after line 4, insert –

“further education” (*“addysg bellach”*) has the same meaning as in section 2 of the Education Act 1996;’.

Adran 21, tudalen 10, ar ôl llinell 36, mewnosoder –

‘Mae i “addysg bellach” (“*further education*”) yr un ystyr ag yn adran 2 o Ddeddf Addysg 1996;’.

Peter Black

105

Section 21, page 11, after line 11, insert –

“higher education” (“*addysg uwch*”) means education provided by means of a course of any description mentioned in Schedule 6 to the Education Reform Act 1988;’.

Adran 21, tudalen 10, ar ôl llinell 36, mewnosoder –

‘Ystyr “addysg uwch” (“*higher education*”) yw addysg a ddarperir drwy gwrs o unrhyw ddisgrifiad a grybwyllir yn Atodlen 6 i Ddeddf Diwygio Addysg 1988;’.

***Peter Black**

122

Section 21, page 11, after line 17, insert –

“Safeguarding Board” (“*Bwrdd Diogelu*”) has the same meaning as in section 134 of the Social Services and Well-being (Wales) Act 2014;’.

Adran 21, tudalen 11, ar ôl llinell 3, mewnosoder –

‘mae i “Bwrdd Diogelu” (“*Safeguarding Board*”) yr un ystyr ag yn adran 134 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014;’.

Jocelyn Davies

69

Section 21, page 11, after line 31, insert –

‘() they live or have lived in close proximity to one another (whether or not in the same household);’.

Adran 21, tudalen 11, ar ôl llinell 32, mewnosoder –

‘() maent yn byw neu wedi byw yn agos iawn at ei gilydd (pa un ai ar yr un aelwyd ai peidio);’.

Jocelyn Davies

70

Section 21, page 13, after line 10, insert –

‘(e) being prevented from accessing banking facilities.’.

Adran 21, tudalen 13, ar ôl llinell 6, mewnosoder –

‘(e) bod rhywun yn cael ei rwystro rhag cael mynediad at gyfleusterau bancio.’.

***Jocelyn Davies**

113

Section 21, page 13, after line 30, insert –

‘(6) The Welsh Ministers may amend the definition of “abuse” (“*cam-drin*”) in subsection (1)

by order made by statutory instrument.

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

Adran 21, tudalen 13, ar ôl llinell 25, mewnosoder –

- ‘(6) Caiff Gweinidogion Cymru ddiwygio’r diffiniad o “cam-drin” (“*abuse*”) yn is-adran (1) drwy orchymyn a wnaed gan offeryn statudol.
- (7) Ni chaniateir i orchymyn gael ei wneud o dan is-adran (6) oni bai bod drafft o’r gorchymyn wedi’i osod gerbron Cynulliad Cenedlaethol Cymru, a’i gymeradwyo ganddo drwy benderfyniad.’.

Jocelyn Davies

71

To insert a new section –

[] Children and financial abuse

Nothing in this Act prevents a parent or a person with parental responsibility for a child from taking reasonable steps to manage the child’s financial affairs.’.

I fewnosod adran newydd –

[] Cam-drin plant a cham-drin ariannol

Nid oes dim yn y Ddeddf hon yn atal rhiant neu berson â chyfrifoldeb rhiant am blentyn rhag cymryd camau rhesymol i reoli materion ariannol y plentyn.’.

Jocelyn Davies

72

Section 22, page 14, after line 6, insert –

- ‘(5) Subsection (3) is subject to any express provision of this Act as to commencement.’.

Adran 22, tudalen 14, ar ôl llinell 6, mewnosoder –

- ‘(5) Mae is-adran (3) yn ddarostyngedig i unrhyw ddarpariaeth ddatganedig yn y Ddeddf hon o ran cychwyn.’.

***Jocelyn Davies**

82A

As an amendment to amendment 82, line 2, after ‘Women’ insert ‘and children’.

Fel gwelliant i welliant 82, llinell 1, ar ôl ‘Menywod’, mewnosoder ‘a phlant’.

Leighton Andrews

82

Section 23, page 14, line 8, leave out ‘Gender-based Violence’ and insert ‘Violence Against Women’.

Adran 23, tudalen 14, llinell 8, hepgorer ‘ar sail Rhywedd’ a mewnosoder ‘yn erbyn Menywod’.

WITHDRAWN/TYNNWYD YN ÔL

***Jocelyn Davies**

73

Section 23, page 14, line 8, leave out 'Gender-based Violence' and insert 'Violence against Women and Children'.

Adran 23, tudalen 14, llinell 8, hepgorer 'ar sail Rhywedd' a mewnosoder 'yn erbyn Menywod a Phlant'.

Peter Black

100

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

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

Jocelyn Davies

9

Section 1, page 1, line 10, leave out 'improve –

- (a) arrangements for the prevention of gender-based violence, domestic abuse and sexual violence;
- (b) arrangements for the protection of victims of gender-based violence, domestic abuse and sexual violence;
- (c) support for people affected by gender-based violence, domestic abuse and sexual violence.'

and insert 'provide –

- (a) effective strategies for the prevention of violence against women and children and other domestic and sexual abuse;
- (b) improved arrangements for the protection of victims of violence against women and children and other domestic and sexual abuse, and
- (c) effective support for people affected by violence against women and children and other domestic and sexual abuse.'

Adran 1, tudalen 1, llinell 10, hepgorer 'gwella –

- (a) trefniadau ar gyfer atal trais ar sail rhywedd, cam-drin domestig a thrais rhywiol;
- (b) trefniadau ar gyfer amddiffyn dioddefwyr trais ar sail rhywedd, cam-drin domestig a thrais rhywiol;
- (c) y cymorth i bobl yr effeithir arnynt gan drais ar sail rhywedd, cam-drin domestig a thrais rhywiol.'

a mewnosoder 'darparu –

- (a) strategaethau effeithiol ar gyfer atal trais yn erbyn menywod a phlant a thrais domestig a rhywiol arall;
- (b) trefniadau gwell ar gyfer amddiffyn dioddefwyr trais yn erbyn menywod a phlant a thrais domestig a rhywiol arall, ac

- (c) cymorth effeithiol i bobl yr effeithir arnynt gan drais yn erbyn menywod a phlant a thrais domestig a rhywiol arall.’.