

Pedwerydd adroddiad i'r Chweched Senedd o dan Reol Sefydlog 22.9

Mae hefin 2022



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Pedwerydd adroddiad i'r Chweched Senedd o dan Reol Sefydlog 22.9

Mhehefin 2022



Am y Pwyllgor

Sefydlwyd y Pwyllgor ar 23 Mehefin 2021. Ceir ei gylch gwaith yn:
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Argymhellion

Argymhelliaid 1. Mae'r Pwyllgor yn argymhell i'r Senedd, yn unol â pharagraff 7.12(iv) o'r Weithdrefn ar gyfer Ymdrin â Chwynion yn erbyn Aelodau o'r Senedd, fod achos o dorri'r Cod wedi'i ganfod ac y dylid ceryddu'r Aelod o dan Reol Sefydlog 22.10(i). Tudalen 10

1. Cyflwyniad

- 1.** Nodir cylch gorchwyl y Pwyllgor Safonau Ymddygiad ("y Pwyllgor") yn Rheol Sefydlog 22.¹ Yn unol â'r swyddogaethau a nodir yn Rheol Sefydlog 22.2, mae'n rhaid i'r Pwyllgor:

*"mewn perthynas ag unrhyw gŵyn a gyfeirir ato gan y Comisiynydd
Safonau...ymchwilio i'r gŵyn, cyflwyno adroddiad arni ac, os yw'n briodol,
argymhell camau mewn perthynas â hi."²*

- 2.** Paratowyd yr adroddiad hwn ar gyfer y Senedd yn unol â Rheol Sefydlog 22.9 a pharagraff 8.1 o'r Weithdrefn ar gyfer Ymdrin â Chwynion yn erbyn Aelodau o'r Senedd³ ("y Weithdrefn") ac mae'n ymwneud â chŵyn yn erbyn Eluned Morgan AS.

- 3.** Mae adroddiad y Comisiynydd Safonau ("y Comisiynydd") ar ei ymchwiliad i'r gŵyn wedi'i atodi yn Atodiad A: Adroddiad gan Gomisiynydd Safonau y Senedd (Saesneg yn unig). Mae'n nodi manylion am y gŵyn a chasgliadau ymchwiliad ffurfiol y Comisiynydd.

- 4.** Mae'r adroddiad hwn yn nodi manylion y gŵyn a thrafodaethau'r Pwyllgor wrth ddod i benderfyniad.

- 5.** Darparwyd copi o'r adroddiad hwn i'r Aelod dan sylw.

¹ Rheolau Sefydlog

² Rheol Sefydlog 22.2(i)

³ Gweithdrefn y Senedd ar gyfer Ymdrin â Chwynion yn erbyn Aelodau o'r Senedd

2. Ystyried y gŵyn

- 6.** Cafodd y Comisiynydd gŵyn mewn perthynas ag euogfarn Eluned Morgan AS am droseddau goryru.
- 7.** Cafwyd Eluned Morgan AS yn euog o oryrru a chafodd ei datgymhwys o dan ddarpariaethau 'cronni' Deddf Tramwyddwyr Traffig Ffyrd 1988 ar 17 Mawrth 2022. Cafwyd adroddiadau ar y mater hwn gan y BBC a chyfryngau eraill. Honnodd yr Achwynnydd nad oedd yr Aelod 'wedi cynnal y safonau ymddygiad uchel a ddisgwylir gan AS gan ei bod wedi torri terfynau cyflymder y DU dro ar ôl tro wrth yrru, ac mae bellach wedi'i gwahardd am 6 mis gan y Llysoedd'.
- 8.** Roedd y Comisiynydd, yn ei adroddiad, yn ystyried y rheolau a ganlyn o'r Cod Ymddygiad fel y rhai mwyaf perthnasol:

"Rheol 1

Rhaid i Aelodau gynnal yr Egwyddorion Cyffredinol."

Ymhllith yr Egwyddorion Cyffredinol mae –

'Uniondeb

Ni chaiff Aelodau eu rhoi eu hunain o dan unrhyw rwymedigaeth ariannol neu rwymedigaeth arall tuag at unigolion neu gyrrff allanol a allai geisio dylanwadu arnynt wrth iddynt gyflawni eu dyletswyddau swyddogol. Rhaid i Aelodau bob amser ymddwyn mewn ffordd na fydd yn tanseilio ffydd a hyder y cyhoedd yn uniondeb y Senedd ac osgoi unrhyw ymddygiad a fydd yn dwyn anfri ar y Senedd neu ar ei Haelodau yn gyffredinol.

Arweinyddiaeth

Rhaid i Aelodau hyrwyddo a chefnogi'r egwyddorion hyn trwy arweinyddiaeth a dangos esiampl, a bod yn barod i herio ymddygiad gwael lle bynnag y mae'n digwydd."

Rheol 3

*Ni chaiff Aelodau ymddwyn mewn modd sy'n dwyn anfri ar y Senedd neu ei Haelodau yn gyffredinol.*⁴

- 9.** Nododd y Pwyllgor yn ystod ei drafodaethau hefyd ddarpariaethau Rheol 5 o'r Cod Ymddygiad sy'n nodi:

*'Rhaid i Aelodau gynnal y gyfraith droseddol. Ystyrrir bod Aelod wedi methu â chynnal y gyfraith droseddol dim ond os yw'n cael ei euogfarnu o drosedd neu os yw'n cyfaddef trosedd yn ffurfiol.*⁵

- 10.** Cyfarfu'r Pwyllgor ar 10, 16 a 24 Mai 2022 i drafod a dod i'w gasgliad mewn perthynas â'r gŵyn hon.

⁴ Dyfyniad o adroddiad y Comisiynydd, para 2

⁵ Cod Ymddygiad ar gyfer Aelodau o'r Senedd

3. Y broses o drafod Penderfyniad y Pwyllgor

- 11.** Bu'r Pwyllgor yn trafod a dorrodd yr Aelod Reol Sefydlog 22.2(i).⁶
- 12.** Wrth ystyried a dorrwyd rheolau, adolygodd y Pwyllgor ganfyddiadau'r Comisiynydd fel y'u nodir yn ei adroddiad. Cafodd y Pwyllgor sylwadau ysgrifenedig hefyd gan yr Aelod dan sylw a chymerodd dystiolaeth lafar gan y Comisiynydd.
- 13.** Ni fanteisiodd Eluned Morgan AS ar y cyfle i wneud sylwadau llafar i'r Pwyllgor.

Penderfyniad y Pwyllgor.

- 14.** Canfu'r Comisiynydd:

"On 17 March 2022 at Mold magistrates Court Mrs Morgan pleaded guilty to speeding contrary to section 81 of the Road Traffic Regulation Act 1984. Having had regard to her convictions on 26 September 2019, 30 June 2020 and 24 April 2021 she was fined £800 and disqualified from holding or obtaining a driving licence for six months."⁷

- 15.** Nododd y Pwyllgor ddyddiadau'r tair trosedd flaenorol, a arweiniodd yn y pen draw at ddwyn yr Aelod gerbron y Llys ar 17 Mawrth 2022.
- 16.** Gofynnodd y Pwyllgor am eglurhad o'r derminoleg a ddefnyddiwyd yn adroddiad y Comisiynydd wrth gyfeirio at euogfarnau blaenorol. Nododd y Pwyllgor mai'r achlysur hwn oedd yr euogfarn gyntaf, yn wahanol i'r tri digwyddiad blaenorol, a ddosbarthwyd fel troseddau.
- 17.** Nododd y Pwyllgor fod Eluned Morgan AS yn Weinidog ar adeg yr euogfarn, a gofynnodd am eglurhad gan y Comisiynydd mewn sesiwn lafar ynghylch sut y daeth i'r casgliad y dylai'r gŵyn gael ei hystyried o dan God Ymddygiad yr Aelodau yn hytrach na bod yn fater i'w ystyried o dan God y Gweinidogion⁸, ac felly y tu allan i gylch gwaith y Comisiynydd Safonau.

⁶ Rheol Sefydlog 22.2(i)

⁷ Adroddiad gan y Comisiynydd Safonau, para 4.1

⁸ Mae Cod Gweinidogol Llywodraeth Cymru yn nodi disgwyliadau ar sut y dylai Gweinidogion weithredu wrth ymgymryd â dyletswyddau Gweinidogol. Mae'n gymwys pan fydd Aelod yn gweithredu yn rhinwedd ei swydd fel Prif Weinidog Cymru, un o Weinidogion Cymru neu fel Cwnsler Cyffredinol yn unig – ar bob adeg arall mae'r Cod Ymddygiad ar gyfer Aelodau o'r Senedd yn gymwys. Goruchwylir y Cod Gweinidogol gan y Prif Weinidog, a all atgyfeirio materion i gynghorydd annibynnol

18. Esboniodd y Comisiynydd fod yr Aelod wedi cael gwybod am y Gŵyn a'i bod wedi'i gwahodd i gyflwyno sylwadau am dderbynioldeb y gŵyn, ac nad oedd yn herio derbynioldeb ar unrhyw sail. Dywedodd y Comisiynydd nad oedd o'r farn ei fod yn fater iddo fynd ar drywydd eithriadau posibl i dderbynioldeb, ond i'r Aelod gyflwyno sylwadau ar ei gyfrif ei hun lle bo hynny'n berthnasol.

19. Ystyriodd y Pwyllgor ganfyddiadau a chasgliadau'r Comisiynydd, a chytunodd fod achosion a nodwyd gan y Comisiynydd o dorri'r Cod Ymddygiad wedi digwydd.

20. Yn ystod y sesiwn lafar gyda'r Comisiynydd, gofynnwyd iddo hefyd a oedd wedi ystyried a oedd yr Aelod wedi torri Rheol 5 o'r Cod i gynnal y gyfraith droseddol. Cadarnhaodd y Comisiynydd fod hyn yn amlwg yn wir ac ymddiheurodd am hepgor cyfeiriad at Reol 5 yn yr adroddiad. Yn unol â hynny, mae'r Pwyllgor yn canfod bod yr Aelod wedi torri Rheol 5 yn ogystal â'r achosion o dorri rheolau a nodwyd yn adroddiad y Comisiynydd.

Mae'r Pwyllgor yn canfod bod Eluned Morgan wedi torri Rheolau un, tri a phump o'r Cod Ymddygiad.

Argymhelliaid y Pwyllgor

21. Mae achos o dorri'r Cod Ymddygiad gan unrhyw Aelod o'r Senedd yn fater difrifol ym marn y Pwyllgor. Mae enw da Senedd Cymru, a ffydd a hyder y cyhoedd yn y sefydliad, yn dibynnu ar allu'r Aelodau i ddangos uniondeb ac arweiniad drwy eu gweithredoedd.

22. Mae cael gwaharddiad gyrru a'r ddirwy gysylltiedig am droseddau goryrru yn fater difrifol. Mae nifer y troseddau dros gyfnod cymharol fyr, a arweiniodd at yr euogfarn hon, yn dangos patrwm ymddygiad sy'n is na'r safon a ddisgwylir gan Aelod o'r Senedd.

23. Wrth ddod i'w benderfyniad, ystyriodd y Pwyllgor y ffaith bod yr Aelod wedi pledio'n euog i'r drosedd a'i bod eisoes wedi'i dedfrydu gan y Llys. Ystyriodd y Pwyllgor hefyd fod yr Aelod dan sylw wedi ymddiheuro i'r Prif Weinidog, y Llywydd a'r Pwyllgor am ei hymddygiad.

24. Gan ystyried y ffactorau hyn, mae'r Pwyllgor o'r farn bod gweithredoedd yr Aelod yn deilwng o gerydd. Mae'r Pwyllgor hefyd o'r farn y bydd y cynnig i geryddu yn cynnig cyfle i'r Aelod ymddiheuro am ei hymddygiad i'r Senedd gyfan.

Argymhelliaid 1. Mae'r Pwyllgor yn argymhell i'r Senedd, yn unol â pharagraff 7.12(iv) o'r Weithdrefn ar gyfer Ymdrin â Chwynion yn erbyn Aelodau o'r Senedd, fod achos o dorri'r Cod wedi'i ganfod ac y dylid ceryddu'r Aelod o dan Reol Sefydlog 22.10(i).

4. Gwersi a ddysgwyd o'r gwyn hon

25. Cododd nifer o faterion eraill wrth ystyried y gwyn hon y mae'r Pwyllgor o'r farn eu bod yn briodol nodi fel materion "o egwyddor ynglŷn ag ymddygiad yr Aelodau yn gyffredinol"⁹ i lywio'r gwaith o ymdrin â chwynion o'r math hwn yn y dyfodol ac ar gyfer arweiniad i'r Aelodau yn y dyfodol.

Datgelu adroddiad y Comisiynydd i'r cyfryngau

26. Mae'r Pwyllgor yn ei ystyried yn anffodus bod adroddiad y Comisiynydd wedi'i datgelu i'r cyfryngau cyn i gam Pwyllgor y weithdrefn gael ei gychwyn. Nododd y Pwyllgor sylwadau gan y Comisiynydd y gellid lleihau'r risg o ddatgelu gwybodaeth i'r cyfryngau yn sylweddol drwy roi i'r achwynydd yr adran 'feithiau a sefydlwyd' yn unig o adroddiad drafft y Comisiynydd yn hytrach na'r adroddiad cyfan.

27. Bydd y Pwyllgor yn ystyried y mater hwn ymhellach ac awgrym y Comisiynydd, ac yn ceisio mynd i'r afael â hyn drwy'r fersiwn newydd o'r Weithdrefn ar gyfer Ymdrin â Chwynion yn erbyn Aelodau o'r Senedd y mae'r Pwyllgor wrthi'n ei hadolygu ar hyn o bryd.

Ymdrin â Chwyn am Weinidog

28. Mae'r Pwyllgor yn nodi mai hon oedd y gwyn dderbyniadwy gyntaf am Aelod o'r Senedd a oedd hefyd yn Weinidog a oedd yn gwasanaethu ar adeg torri'r Cod Ymddygiad.

29. Mae'r Cod Ymddygiad "yn gymwys i Aelodau sy'n dal swydd gyhoeddus Aelod o'r Senedd bob amser, gan gynnwys bywydau personol a phreifat yr Aelodau."¹⁰

30. Yr unig eithriadau i hyn yw yn ystod trafodion y Senedd lle mae gan y Llywydd neu Gadeirydd y Pwyllgor awdurdod ac mewn perthynas â dyletswyddau Gweinidogol. Mae'r Cod yn nodi nad yw'r Cod yn gymwys "pan fo Aelod yn gweithredu'n gyfan gwbl yn rhinwedd ei swydd fel Prif Weinidog Cymru, un o Weinidogion Cymru neu fel Cwnsler Cyffredinol a bod ei ymddygiad yn cael ei lywodraethu gan God Gweinidogion Cymru fel y'i diffinnir yn adran 8(2)(a) o'r Mesur."¹¹

⁹ Rheol Sefydlog 22.2(ii)

¹⁰ Cod Ymddygiad, Para 6.

¹¹ Cod Ymddygiad, Para 7.

31. Mae'r gŵyn hon yn gyfle i atgoffa pob Aelod bod y Cod Ymddygiad yn gymwys bob amser gan gynnwys mewn bywydau personol a phreifat – ac eithrio'r eithriadau a amlinellir uchod.

Rhoi Gwybod i'r Comisiynydd Safonau am Droseddau

32. Mae'r Pwyllgor yn nodi'r sylwadau yn adroddiad y Comisiynwyr y byddai, yn ei farn ef, yn arfer da ac yn unol ag Egwyddor Tryloywder y Cod pe bai Aelodau yn rhoi gwybod i'r Comisiynydd am eu heuogfarn ar gyfer unrhyw drosedd.

33. Mae'r Pwyllgor yn nodi, fel y mae materion ar hyn o bryd, y gall Aelod roi gwybod i'r Comisiynydd am euogfarn neu gosb neu sancsiwn arall heb hunangyfeirio i'r Comisiynydd. Mewn achosion o'r fath, o dan Fesur y Comisiynydd Safonau, ni all y Comisiynydd gymryd unrhyw gamau oni bai bod trydydd parti yn cwyno am y mater, neu os bydd yr Aelod yn newid ei safbwyt o hysbysu'r Comisiynydd i wneud hunangyfeiriad ynghylch ei ymddygiad.

34. Mae'r Pwyllgor wedi nodi o'r blaen fod safbwyt y Senedd yn anghyson â deddfwrfeidd eraill y DU sy'n caniatáu i'w cyrff gwarchod safonau gychwyn cwynion eu hunain pan fyddant yn dod yn ymwybodol o faterion a allai fod yn gyfystyr â thorri'r safonau ymddygiad a bennwyd.

35. Gofynnodd y Pwyllgor am farn y Comisiynydd ar ba fath o faterion y byddai'n disgwyl i Aelod roi gwybod amdanyst. Yn seiliedig ar y drafodaeth honno, cyngor y Pwyllgor i'r Aelodau yw:

- nodi sylwadau'r Comisiynydd uchod am yr egwyddor Tryloywder a'r angen i roi gwybod iddo am euogfarnau;
- mewn perthynas ag unrhyw faterion eraill sy'n ymwneud â chosb neu sancsiwn, neu sydd fel arall o natur lle gallai fod achos o dorri'r Cod Ymddygiad, i ddefnyddio synnwyr cyffredin wrth benderfynu a ddylid rhoi gwybod i'r Comisiynydd ai peidio, a
- chofio, os bydd Aelod yn cymryd camau i roi gwybod ymlaen llaw i'r Comisiynydd am amgylchiadau unrhyw fater sy'n mynd ymlaen i ddod yn destun cwyn, y bydd hyn yn debygol o fod er clod yr Aelod.

Atodiad A: Adroddiad gan Gomisiynydd Safonau y
Senedd (Saesneg yn unig)

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REPORT

by

THE SENEDD COMMISSIONER FOR STANDARDS

on a complaint against

ELUNED MORGAN MS

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1. INTRODUCTION

- 1.1 On 17 March 2022 Mrs Morgan was convicted for speeding and disqualification under the ‘totting up provisions’ of the Road Traffic Offenders Act 1988 was reported by the BBC and other media.
- 1.2 On 22 March Mrs Morgan sent me an email informing me of her conviction. She told me that she had pleaded guilty to the speeding offence and publically apologised for it. She also said that she had apologised both to the first Minister and the Llywydd. In her email to me of 24 March she made clear that she was not referring herself to me for investigation but simply drawing my attention to her conviction.
- 1.3 On 24 March 2022 [REDACTED] submitted a complaint to me alleging that she had ‘not up-held the high standards of conduct expected of by an MS in that she repeatedly broke the UK speed limits while driving and has now been banned for 6 months by the Courts.’¹ He also questioned her suitability to hold Ministerial office.
- 1.4 On 28 March 2022, having obtained [REDACTED]’s agreement, I provided Mrs Morgan with a copy of the complaint and afforded her an opportunity, of which she did not avail, to make representations to me regarding its admissibility. In my letter I told her that she need not concern herself with those parts of the complaint that alleged a breach of the Ministerial Code of Conduct as I had no jurisdiction to consider them.
- 1.5 On 6 April I advised [REDACTED] and Mrs Morgan that the complaint was admissible insofar as it related to an alleged breach of the Code of Conduct for Members of the Senedd (“The Code”) and that I had commenced my formal investigation of it.
- 1.6 This is my report of that brief investigation.
- 1.7 [REDACTED] and Mrs Morgan were provided with a copy of the draft of this report and afforded an opportunity to comment on any matter of factual accuracy. [REDACTED] [REDACTED] submitted comments on 8 April none of which related to the factual accuracy of the draft.² Mrs Morgan advised me that she had no factual accuracy comments to make. They have today been provided with a copy of this report.
- 1.8 The documents I have relied upon are at Appendix 1. Footnote references are provided where appropriate.

¹ Document 1

² Documents 6 & 7

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2. RELEVANT CODE PROVISIONS

The most relevant provisions of the Code are as follows –

“Rule 1 Members must uphold the Overarching Principles.”

Amongst the Overarching Principles are –

“Integrity

Members must not place themselves under any financial or other obligation to outside individual or organisations that might influence them in the performance of their official duties. Members must at all times conduct themselves in a manner which will not undermine the public's trust and confidence on the integrity of the Senedd and refrain from any action which would bring the Senedd or its Members generally, into disrepute.”

“Leadership

Members must promote and support these Principles by leadership, and be willing to challenge poor behaviour wherever it occurs.”

“Rule 3 Members must not act or behave in a manner which brings the Senedd or its Members generally, into disrepute.”

3. THE INVESTIGATION

In my letter of 6 April I asked Mrs Morgan to provide information about her driving record which she did by return. I reviewed the media coverage of her court appearance. I did not consider any further investigation necessary.

4. FACT ESTABLISHED

- 4.1 On 17 March 2022 at Mold magistrates Court Mrs Morgan pleaded guilty to speeding contrary to section 81 of the Road Traffic Regulation Act 1984.³ Having had regard to her convictions on 26 September 2019, 30 June 2020 and 24 April 2021 she was fined £800 and disqualified from holding or obtaining a driving licence for six months.⁴
- 4.2 Her conviction received widespread media coverage.⁵

³ Documents 2 & 3 – the date of 17 June 2021 for the last conviction in Document 3 is plainly incorrect

⁴ Document 3

⁵ For example Document 2

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- 4.3 Mrs Morgan made a public apology for her conduct and has also apologised for it to the First Minister and the Llywydd.⁶
- 4.4 Although Mrs Morgan informed me of her conviction she did not refer herself to me for investigation.⁷

5.0 CONSIDERATION

I do not subscribe to the view that any conviction of a Member for a criminal offence is a breach of the Code of Conduct. Rather I believe that each complaint must be looked at in context having regard to the gravity of the offence. Whilst it might be that a single conviction for, for example, not having a TV licence, would not constitute a breach, a single conviction for speeding at a grossly excessive speed might do so. Previous complaints arising from criminal convictions have all involved serious offences (drunk driving,⁸ failure to provide a specimen of breath⁹ and contempt of court¹⁰) and all have been found to constitute a breach of the Code. Although some would regard the offence in the present complaint as not being particularly serious, when taken along with the three previous convictions for the same offence it demonstrates a disregard for the law and a failure to take action to avoid repetition of unlawful conduct. I am satisfied that Mrs Morgan's conduct did, as [REDACTED] asserted not up-hold "the high standards of conduct expected of by an MS" and that it did breach the Integrity Principle. The conduct set a very poor example to others. I am satisfied that it breached the Leadership Principle. It follows that I am satisfied that it breached both Rule 1 and Rule 3.

6.0 MATTERS OF GENERAL PRINCIPLE

- 6.1 Despite the facts that Mrs Morgan's conviction was reported in the media and that she informed me of it I was powerless to take any action until [REDACTED]'s complaint was received. During the Fifth Senedd I was aware of media reports of alleged conduct by a then Member which, if proved, would have constituted a breach of the Code. However, because I received no complaint about it I was powerless to take any action. Both the Parliamentary Commissioner for Standards and the Northern Ireland Assembly Commissioner for Standards have power to initiate an investigation without the need for a complaint. I believe that consideration should be given to amending the National Assembly for Wales Commissioner for Standards

⁶⁶ Documents 2, 3 & 4

⁷ Document 5

⁸ <https://standardscommissionerwales.org/wp-content/uploads/2019/01/Report-01-13-to-the-Assembly-under-Standing-Order-22.9-March-2013-Bethan-Jenkins-AM.pdf>

⁹ <http://www.assembly.wales/laid%20documents/cr-ld11651/cr-ld11651-e.pdf>

¹⁰ <https://senedd.wales/media/bazd1kfj/cr-ld14237-e.pdf>

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Measure 2009 to confer an equivalent power on the Senedd Commissioner for Standards.

- 6,2 Whilst I welcome the fact that Mrs Morgan notified me of her latest conviction I note that she did not inform the Commissioner of any of her three previous convictions. Although she was under no duty to do so I believe it would be good practice and in line with the Transparency Principle of the Code for Members to inform the Commissioner of their conviction for any offence. If the Commissioner is empowered to initiate an investigation without a complaint consideration should be given to revising the Code to include a rule requiring Members to report any conviction to the Commissioner.

DOUGLAS BAIN CBE TD

Senedd Commissioner for Standards

25 April 2022

STANDARDS CONFIDENTIAL

Appendix A

Document No	Subject
1	Complaint
2	BBC report 17 March 2022
3	Email Morgan – Commissioner 6 April 2022
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6	Email [REDACTED] – Commissioner 8 April 2022
7	Letter Commissioner – [REDACTED] 8 April 2022

From: [REDACTED]

Sent: 24 March 2022 14:16

To: Standards Commissioner <Standards.Commissioner@senedd.wales>

Subject: Formal Complaint into the conduct of Eluned Morgan MS (Current Health Minister)

To: The Standards Commissioner Welsh Senedd

Reference; Complaint into the conduct and honesty of Eluned Morgan MS

May I complain that Eluned Morgan has not up-held the high standards expected by a MS in that she repeatedly broke the UK speed limits while driving and has now been banned for 6 Months by the Courts.

Also, during previous speeding convictions it was not made clear that Eluned Morgan was being recompensed for driving via Senedd Expenses, thus she was representing the Senedd and her actions are even more serious.

The Welsh Government have proposed a 20mph speed limit on restricted roads across Wales. Eluned Morgans actions in not being able to drive within the current higher speed limits calls into question the integrity and honesty of the Welsh Government she is part of, as such she should resign as a minister.

Considering Eluned Morgan is the current Health Minister, her actions and lack of clarity in connection with this driving ban calls into question her being fit to hold ministerial office in the Welsh Government.

Her statement in relation to the ban was both brief and lacking in respect for the Welsh voting public.

These actions are at odds with the Welsh Senedd Ministerial Code's 'Seven Principles of Public Life"

Namely; Honesty, Integrity, Openness and Leadership.

Further more, Eluned Morgan's actions will necessitate the sole use of a shared ministerial car, while the six month driving ban is in force.

Thus necessitating further tax payer costs.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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Driving ban for Welsh Health Minister Eluned Morgan for speeding

🕒 17 March



GETTY IMAGES

Eluned Morgan has been health and social services minister since May 2021

Welsh Health Minister Eluned Morgan has been disqualified from driving for six months.

Ms Morgan received the ban for accumulating too many points on her licence after speeding on a 30mph road in Wrexham.

In a statement, she said she had pleaded guilty to a speeding charge and accepted the court's punishment.

"This is not something I am proud of and I apologise unreservedly," she said.

Ms Morgan, Labour Member of the Senedd for Mid and West Wales, was disqualified at Mold Magistrates' Court on Wednesday.

- [More 20mph speed zones on way for roads in Wales](#)
- [More 50mph zones could be on way for Welsh roads](#)

She was appointed health and social services minister after last year's Senedd election and was minister for international relations and the Welsh language for the previous two-and-a-half years.

As health minister during the pandemic she has had a high profile, regularly hosting Welsh government Covid briefings and doing rounds of media interviews.

The minister is also a member of the House of Lords, with the formal title Baroness Morgan, and was a member of the European Parliament between 1994 and 2009.

From: Morgan, Eluned (Aelod o'r Senedd | Member of the Senedd) <Eluned.Morgan@senedd.wales>
Sent: 06 April 2022 17:12
To: Standards Commissioner <Standards.Commissioner@senedd.wales>
Cc: [REDACTED] Name of support staff
Subject: Response to e mail of 6th April

Dear Douglas Bain ,

First of all may I apologise for not having responded to your letter of 28th March. I am afraid that my office staff did not register the e mail as it had gone into the junk folder in e mail. I would of course have responded to you earlier had I known that you had written.

In response to your questions:

The penalty points I have accrued are as follows.

1. 26th Sept 2019, [REDACTED] Fixed Penalty ([REDACTED]), 3 points
2. 30th June 2020 Name unavailable , 3 points
3. 24th April 2021 [REDACTED] Fixed Penalty ([REDACTED]), 3 points
4. 17th June 2021 Mold Magistrates Court £800 fine plus disqualification

As you are aware, I have offered a public apology, and I did not challenge nor appeal the proposed disqualification and I pleaded guilty for speeding. I have been open and honest with the public in terms of my conviction, and I have accepted my punishment with integrity and dignity.

I only make use of a Ministerial car if I am travelling to the Senedd or to make visits in my capacity as a minister in the government.

As you are aware I referred my actions to the First Minister who has accepted my apology, I also informed both you and the Llywydd of my situation in advance of any complaint.

Your sincerely

Eluned Morgan

From: Morgan, Eluned (Aelod o'r Senedd | Member of the Senedd) <Eluned.Morgan@senedd.wales>

Sent: 22 March 2022 16:07

To: Standards Commissioner <Standards.Commissioner@senedd.wales>

Subject: I wish to refer myself to the commissioner

Dear Commissioner,

I am afraid that last week I received notice that I have been suspended from driving for a period of six months following multiple speeding fines. I have apologised publicly for this offence. I did not contest the charge and I pleaded guilty. I have fully accepted the judgement of the court.

I have apologised to the First Minister in my role as Minister for Health who has not condoned the actions but has stated that he does not believe that any further action is required. I have also apologised to the Llywydd. I am now anxious to ensure that you are aware of my situation as Standards Commissioner for the Senedd.

Yours sincerely

Eluned Morgan
Senedd Member for Mid and West Wales

From: Morgan, Eluned (Aelod o'r Senedd | Member of the Senedd) <Eluned.Morgan@senedd.wales>

Sent: 24 March 2022 16:56

To: Standards Commissioner <Standards.Commissioner@senedd.wales>

Cc: Llywydd (Senedd) <LlywyddSenedd@senedd.wales>

Subject: Drawing your attention to my driving suspension

Dear Sir,

Thank you for responding to my e mail where I drew your attention to the fact that I have recently been suspended from driving for a period of six months following repeated speeding fines. As I explained in my previous e mail I have apologised to the First Minister and the Llywydd for my actions and I pleaded guilty to the offence.

I was anxious to ensure that you as Standards Commissioner were aware of this situation. I was not referring myself to you for investigation, but simply drawing your attention to the driving suspension our of courtesy for your role and position.

Your sincerely

Eluned Morgan

From: [REDACTED]
Sent: 08 April 2022 11:53
To: Standards Commissioner <Standards.Commissioner@senedd.wales>
Subject: Re: Letter and draft report from Commissioner for Standards - Standards Confidential

Good Morning [REDACTED],

Many thanks for the draft report.

Part of my original complaint not as yet addressed was, that Eluned Morgan claimed expenses for Car Mileage on the date of one of her previous speeding convictions. (26th September 2019, see below)

Thus she was driving while being recompensed by the Senedd. She should therefore have told her de-facto 'employer' (The Senedd) that a speeding offense was committed while being recompensed for driving, as her 'employer' would have a 'duty of care' under UK Health and Safety law.

I note that Eluned Morgan failed to notify the Commissioner of this previous speeding conviction, thus calling into question her overall character and suitability to be a MS (let alone a Minister)

Regards,

[REDACTED] [REDACTED]

Draft report typo:

5.0 Consideration

It follows that I am satisfied that *in* breached both Rule 1 and Rule 3.

By email - [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Date 8 April 2022

Dear [REDACTED],

Your complaint against Eluned Morgan MS

Thank you for your email of 8 April and for pointing out the typo in paragraph 5.0 of my draft report. As the comments in your email do not relate to the factual accuracy of the draft they will not result in any change to it other than a revision of paragraph 1.7 and the addition of your email and this response in Appendix 1.

Your assertion that at the time of the offence of which she was convicted on 21 March 2019 Mrs Morgan was a de facto employee of the Senedd is simply wrong as a matter of law. So too is your assertion that she was under a duty to report her conviction to the Senedd. Further, and in any event to be admissible, a complaint must be made within twelve months of the date on which the complainant could reasonably have become aware of the conduct complained of. Finally, there is no evidence that has been provided that at the time of the offence, not the conviction, Mrs Morgan was in receipt of mileage allowance.

I will send you a copy of my final report shortly after 15 April or sooner if I receive comments from Mrs Morgan before that date.

Yours sincerely,



Douglas Bain CBE TD

Y Comisiynydd Safonau/Standards Commissioner

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Ffôn: 0300 200 6539
E-bost: Comisiynydd.Safonau@senedd.cymru

Croesewir gohebiaeth yn y Gymraeg a'r Saesneg

Pierhead
Cardiff Bay
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CF99 1NA
Tel: 0300 200 6539
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We welcome correspondence in both English and Welsh

Atodiad B: Ymddiheuriad gan Eluned Morgan AS (Saesneg yn unig)

Annwyl Gadeirydd

I would like to make the following representations to the Standards Committee following its receipt of a report from the Standards Commissioner regarding a complaint made against me.

I have accepted the factual description of the events as outlined by the Commissioner in his report.

I have apologised unreservedly and have made it clear that I am not at all proud of the fact that I am now disqualified from driving for six months and I have been fined a significant sum as a result of speeding under the totting up provisions of the Road Traffic Offenders Act 1988. I deeply regret my actions and the Commissioner has recognised this in paragraph 4.3 noting that I apologised to the First Minister and to the Llywydd. I also issued a statement upon my conviction and disqualification. I would now like to extend that apology to members of the Standards Committee and to Members of the Senedd.

As members of the Committee will note in paragraph 1.2 I e-mailed the Commissioner to inform him of my conviction.

Members will be aware that I have already received considerable public scrutiny over the matter including significant media interest, and it is very regrettable that a copy of the Standards Commission report was leaked before members of the Standards Committee have had the opportunity to digest and consider the Commissioners report under the process set out formally.

I would like to make it clear that I did not contest the charge, and I fully accept the judgement of the court and I have accepted responsibility for my actions at the outset and throughout this process.

I hope that members will accept my contrition, my remorse and my sincere apology.

Yours sincerely

Eluned Morgan