

Adroddiad 02-19 i'r Cynulliad o dan Reol Sefydlog 22.9

Medi 2019



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Ceir atgynhyrchu testun y ddogfen hon am ddim mewn unrhyw fformat neu gyfrwng cyn belled ag y caiff ei atgynhyrchu'n gywir ac na chaiff ei ddefnyddio mewn cyd-destun camarweiniol na difrïol. Rhaid cydnabod mai Comisiwn Cynulliad Cenedlaethol Cymru sy'n berchen ar hawlfraint y deunydd a rhaid nodi teitl y ddogfen.

Adroddiad 02-19 i'r Cynulliad o dan Reol Sefydlog 22.9

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Am y Pwyllgor

Sefydlwyd y Pwyllgor ar 28 Mehefin 2016. Ceir ei gylch gwaith yn:
www.cynulliad.cymru/SeneddSafonau

Cadeirydd y Pwyllgor:



Jayne Bryant AC
Llafur Cymru
Gorllewin Casnewydd

Aelodau cyfredol y Pwyllgor:



Andrew RT Davies AC
Ceidwadwyr Cymreig
Canol De Cymru



Helen Mary Jones AC
Plaid Cymru
Canolbarth a Gorllewin Cymru



David J Rowlands AC
Plaid Brexit
Dwyrain De Cymru

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Argymhellion

Argymhelliad 1. Mae'r Pwyllgor yn argymhell i'r Cynulliad, yn unol â pharagraff 7.12(iv) o'r Weithdrefn ar gyfer Ymdrin â Chwynion yn erbyn Aelodau'r Cynulliad, fod achos o dorri'r Cod wedi'i ganfod ac y dylid ceryddu'r Aelod o dan Reol Sefydlog 22.10.Tudalen 9

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 Cynulliad yn unol â Rheol Sefydlog 22.9 a pharagraff 8.1 o'r Weithdrefn ar gyfer Ymdrin â Chwynion yn erbyn Aelodau'r Cynulliad³ (y Weithdrefn) ac mae'n ymwneud â chŵyn yn erbyn Leanne Wood AC.

3. Mae adroddiad y Comisiynydd Safonau (y Comisiynydd) ar ei ymchwiliad i'r gŵyn wedi'i gynnwys yn Atodiad A. Mae'n nodi manylion am y gŵyn a chanfyddiadau ymchwiliad ffurfiol y Comisiynydd.

4. Mae'r adroddiad hwn yn nodi manylion am y gŵyn a'r hyn a ystyriodd y Pwyllgor wrth lunio ei argymhelliad.

¹ Y Rheolau Sefydlog

² Rheol Sefydlog 22.2(i)

³ Gweithdrefn Cynulliad Cenedlaethol Cymru ar gyfer Ymdrin â Chwynion yn erbyn Aelodau'r Cynulliad

2. Ystyried y gŵyn

5. Roedd y gŵyn yn honni bod yr Aelod dan sylw wedi methu â chydymffurfio â pharagraff 4(b) a 4(g) o'r Cod, sy'n datgan:

“Paragraff 4 (b) - Uniondeb: Ni ddylai deiliaid swyddi cyhoeddus 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.

Dylai Aelodau'r Cynulliad bob amser ymddwyn mewn ffordd a fydd yn cynnal a chryfhau ffydd a hyder y cyhoedd yn unplygrwydd y Cynulliad ac osgoi unrhyw ymddygiad a fydd yn dwyn gwarth ar y Cynulliad neu ar ei Aelodau'n gyffredinol. Ni ddylai'r Aelodau ofyn i staff Comisiwn y Cynulliad na staff Llywodraeth Cymru weithredu mewn unrhyw ffordd a allai gyfaddawdu amhleidioldeb gwleidyddol y Gwasanaeth Sifil a/neu staff Comisiwn y Cynulliad neu wrthdaro â Chod y Gwasanaeth Sifil a/neu God Ymddygiad Staff Comisiwn y Cynulliad.”

“Paragraff 4 (g) – Arweiniad: Dylai deiliaid swyddi cyhoeddus hyrwyddo ac ategu'r egwyddorion hyn drwy arweiniad a dangos esiampl.”⁴

6. Ystyriodd y Comisiynydd y gŵyn hefyd yng ngoleuni Polisi Urddas a Pharch y Cynulliad, a basiwyd ar 16 Mai 2018 ac mae'n ei gwneud yn ofynnol i bawb sy'n gweithio yng Nghynulliad Cenedlaethol Cymru ddangos lefel uchel o barch tuag at urddas pobl eraill.

7. Honnodd y gŵyn fod yr Aelod wedi torri'r Cod Ymddygiad ar gyfer Aelodau'r Cynulliad drwy gyfeirio at awdur neges drydar a oedd yn ymwneud â chyd Aelod Cynulliad fel “arsehole”.

8. Yn ei gohebiaeth ysgrifenedig â'r Comisiynydd, derbyniodd Ms Wood gyfrifoldeb llawn dros ddrafftio ac anfon y neges drydar. Rhoddodd gyd-destun i'r ymateb i'r neges drydar drwy esbonio:

“...The originator had been a persistent, pernicious influence in Welsh politics for many years. His blogs often contain disparaging comments about women and minorities as well as Plaid Cymru; which are seemingly his pet hates. I defend freedom of speech but there are

⁴Cod Ymarfer

limits to this and Jones frequently crosses the line and regularly writes untruths”

9. Cyflwynodd Leanne Wood ddogfennau ategol i'r Pwyllgor:

- Datganiad gan Gymorth i Fenywod Cymru (Atodiad B)
- Datganiad gan Glitch, sefydliad dielw sy'n ymgyrchu i roi terfyn ar gam-drin ar-lein (Atodiad B)

10. Clywodd y Pwyllgor dystiolaeth lafar gan Leanne Wood AC ar 25 Mehefin 2019 yn unol â'r ddarpariaeth yn y Weithdrefn ar gyfer Ymdrin â Chwynion yn erbyn Aelodau'r Cynulliad.

11. Yn ystod y sesiwn dystiolaeth, rhoddodd Leanne Wood AC gyd-destun pellach i'r digwyddiad a arweiniodd at y gŵyn.

12. Nododd y Pwyllgor y datganiad gan Leanne Wood AC ac adlewyrchodd y gallai'r Aelod fod wedi ymdrin â'r neges drydar mewn sawl ffordd ac na ddylai fod wedi defnyddio'r iaith hon ar lwyfan cyfryngau cymdeithasol.

13. Cyfarfu'r Pwyllgor ddydd Mawrth 18 Mehefin, dydd Mawrth 25 Mehefin a dydd Mawrth 2 Gorffennaf 2019 i drafod a dod i'w gasgliad mewn perthynas â'r gŵyn hon.

Y broses o drafod Penderfyniad y Pwyllgor

14. Bu'r Pwyllgor yn trafod a dorrodd yr Aelod Reol Sefydlog 22.2(i).⁵

15. Wrth ystyried a fu achos o dorri'r Cod, adolygodd y Pwyllgor y wybodaeth a oedd wedi'i chynnwys yn adroddiad y Comisiynydd, yn ogystal â barn y Comisiynydd y bu achos o dorri'r Cod ochr yn ochr â'r cyflwyniadau llafar ac ysgrifenedig gan Leanne Wood AC.

16. Nododd y Pwyllgor fod yr Aelod wedi datgan, er nad yw fel arfer yn defnyddio iaith sarhaus ar y cyfryngau cymdeithasol, ei bod yn cadw'r hawl i ymdrin â bwlis ar-lein mewn modd cadarn.

17. Mae'r Pwyllgor yn gwerthfawrogi cyd-destun y neges drydar o ran patrwm y negeseuon trydar blaenorol. Nododd y Pwyllgor hefyd yr amserlen ar gyfer y digwyddiad hwn - sef yn fuan ar ôl marwolaeth Steffan Lewis AC, ac ychydig cyn i

⁵ Rheol Sefydlog 22.2(i)

Delyth Jewell ddod yn Aelod Cynulliad dros Ddwyrain De Cymru - er nad oedd Leanne Wood yn cyfeirio'n benodol at hyn.

18. Rydym yn cytuno â'r datganiad yn nhystiolaeth ysgrifenedig Cymorth i Fenywod a gyflwynwyd gan Leanne Wood:

“We also know that abusers can be expert manipulators and controllers, and abusive men know that to trigger a response from women, they don't always have to be explicitly abusive. All they need to do is add to the drip-drip-drip cacophony of negative criticisms and put-downs against women, to instigate resistance or an active bystander response, which they can then use against her to bring her down.”⁶

19. Mae'r Pwyllgor yn credu'n gryf y dylid mynd i'r afael ag unrhyw fath o gam-drin ar-lein a bod gan bob un ohonom gyfrifoldeb i herio'r math hwn o ymddygiad. Fodd bynnag, nid defnyddio iaith y gallai rhai pobl ei hystyried yn sarhaus yw'r ffordd briodol o ymateb i hyn yn ein barn ni. Fel gwleidyddion etholedig, mae'n ddyletswydd arnom i ymddwyn mewn modd sy'n adlewyrchu'r safon uchaf posibl.

Ar ôl adolygu adroddiad y Comisiynydd Safonau, mae'r Pwyllgor o'r farn bod Leanne Wood AC wedi torri'r Cod Ymddygiad mewn perthynas â pharagraff 4(b) a 4(g) o'r Cod Ymddygiad a'r Polisi Urddas a Pharch.

Argymhelliad y Pwyllgor – Sancsiynau posibl.

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

21. Cred y Pwyllgor y byddai'n briodol yn yr achos hwn i'r Aelod dan sylw gydnabod nad yw defnyddio iaith o'r fath ar lwyfan cyhoeddus yn briodol ac iddi ymddiheuro i'r Cynulliad am ddwyn anfri arno.

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

⁶ Tystiolaeth ysgrifenedig

22. Darparwyd copi o'r adroddiad hwn i'r Aelod dan sylw, a chafodd wybod hefyd am ei hawl i apelio o dan adran 8 o'r Weithdrefn.⁷

23. Mae Cadeirydd y Pwyllgor wedi cyflwyno cynnig (yn unol â Rheol Sefydlog 22.11 a pharagraff 9.1 o'r Weithdrefn) yn galw ar y Cynulliad i gymeradwyo argymhelliad y Pwyllgor.

Materion eraill sy'n codi o'r gŵyn hon

24. Cynhaliodd Comisiwn y Cynulliad arolwg urddas a pharch ymhlith holl staff y Comisiwn, Aelodau'r Cynulliad a Staff Cymorth Aelodau'r Cynulliad, a chanfu hwn bod pobl ar ystâd y Cynulliad wedi profi ymddygiad annerbyniol, gan gynnwys sylwadau annymunol. Mae angen i bawb ohonom ystyried sut rydym yn cyfathrebu â'n gilydd a'r effaith y gallai ein dull cyfathrebu ei chael ar eraill.

25. Mae'r Pwyllgor yn nodi bod cwynion eraill wedi dod i law'r Comisiynydd Safonau yn sgil Aelodau'r Cynulliad yn postio negeseuon trydar ar lwyfannau'r cyfryngau cymdeithasol. Mae angen cysylltiad mwy amlwg rhwng yr hyn sy'n dderbyniol ar y cyfryngau cymdeithasol a'r Cod Ymddygiad ym marn y Comisiynydd. Mae'r Pwyllgor eisoes wedi nodi y dylid bwrw ymlaen â hyn fel rhan o'n gwaith ehangach ar weithredu'r agenda urddas a pharch a nodir yn ein hadroddiad "Creu'r Diwylliant Cywir".

26. Yn yr achos hwn, penderfynodd y Pwyllgor mai cerydd oedd y dewis mwyaf priodol o'r sancsiynau posibl.

27. Fodd bynnag, mae'r Pwyllgor o'r farn y byddai cael ystod ehangach o sancsiynau yn fuddiol. Er enghraifft, efallai y byddai wedi bod yn briodol yn yr achos hwn ei gwneud yn ofynnol i'r Aelod fynd i hyfforddiant ar sut i ddelio ag achosion o gam-drin ar-lein.

⁷ Gweithdrefn Cynulliad Cenedlaethol Cymru ar gyfer Ymdrin â Chwynion yn erbyn Aelodau'r Cynulliad

Atodiad B: Adroddiad gan y Comisiynydd Safonau

Oddi wrth: Syr Roderick Evans, y Comisiynydd Safonau

At: Y Pwyllgor Safonau Ymddygiad

ADRODDIAD AR YMCHWILIAD FFURFIOL

Leanne Wood AC

Yr achwynydd

1. Ar 21 Ionawr 2019, cefais gŵyn gan aelod o'r cyhoedd am neges a roddodd Leanne Wood AC ar Twitter. Roedd y gŵyn yn cynnwys enw, cyfeiriad a manylion cyswllt yr achwynydd ac mae fy swyddfa wedi defnyddio'r manylion cyswllt hynny'n llwyddiannus i ohebu â'r achwynydd. Felly, rwy'n fodlon nad cwyn ddiennw yw hon. Fodd bynnag, nid yw'r achwynydd eisiau i'w enw gael ei gyhoeddi a chan nad yw hon yn gŵyn lle mae angen datgelu hunaniaeth yr achwynydd i allu ymchwilio iddi'n briodol, nid wyf wedi rhoi gwybod i Ms Wood pwy yw'r achwynydd. Mae hi'n derbyn ei bod yn briodol imi beidio â gwneud hynny. Yn yr un modd, ni fyddaf yn enwi'r achwynydd yn yr adroddiad hwn.

Y Cefndir

2. Pan fu farw Steffan Lewis, Aelod Rhanbarthol Plaid Cymru dros Ddwyrain De Cymru, ar 11 Ionawr 2019, cafodd ei olynu gan Ms Delyth Jewell. Fe wnaeth blogiwr a sylwebydd gwleidyddol sy'n defnyddio'r enw "Jac O' The North" roi neges ar Twitter am 16.49 ar 16 Ionawr yn rhannu, heb sylw, newyddion yn cadarnhau bod Ms Jewell wedi'i gwneud yn Aelod o'r Cynulliad.
3. Am 17.15 y diwrnod hwnnw, rhoddodd Jac O' The North neges arall ar Twitter a ddywedai:
"“Women’s rights and international development’. God help @Plaid Cymru.”
Mae “hawliau menywod” a “datblygiad rhyngwladol”, i bob golwg, yn gyfeiriadau at y meysydd hynny y dywedodd Ms Jewell fod ganddi ddiddordeb arbennig ynddynt.
4. Am 21.37 rhannodd Ms Wood drydariad a sylw Jac O' The North ac ychwanegodd ei sylw ei hun ar gyfer Jac O' The North. Dywedodd:
“Do you have to be an arsehole all the time? Have a day off.”
5. Am 22.20 y noson honno, anfonodd Jac O' The North neges ar Twitter yn ymateb:
“As you know, I’ve never been an admirer of yours, but even so, this is disappointing.”

6. Mae copïau o'r negeseuon Twitter perthnasol yn Atodiad 1.

Y gŵyn

7. Yn ei lythyr cwyn (Atodiad 2, lle rwyf wedi cuddio enw a manylion cyswllt yr achwynydd), mae'r achwynydd yn cwyno bod Ms Wood wedi torri Cod Ymddygiad Aelodau'r Cynulliad trwy gyfeirio at Jac O' The North fel "an arsehole". Dywed fod y neges a anfonodd Ms Wood yn ymateb i sylw plaen gan Jac O' The North yn mynegi ei amheuan, ac y gallai fod wedi ymdrin ag ef mewn sawl ffordd wahanol – ymateb ffeithiol byr ac efallai ffraeth neu, fel arall, gallai fod wedi anwybyddu'r sylw a gadael i Ms Jewell ymateb. Yn lle hynny, dywed iddi syrthio i'r gwaelod isaf a bod yn rhaid herio'r geiriau or-gryf a ddefnyddiwyd gan Ms Wood cyn iddynt ddod yn arferiad cyffredin ymhlith ein ffigurau cyhoeddus etholedig.

Yr Ymchwiliad

8. Ar 25 Ionawr, ysgrifennais at Ms Wood yn gofyn iddi gadarnhau mai hi oedd yn gyfrifol am y neges drydar, sef testun y gŵyn. Os felly, gofynnais am eglurhad pam, yng ngoleuni'r Cod Ymddygiad a'r Polisi Urddas a Pharch, ei bod o'r farn ei bod yn briodol i Aelod o'r Cynulliad ddifrio aelod o'r cyhoedd, sydd hefyd yn flogiwr / sylwebydd gwleidyddol, drwy ei alw'n "arsehole" mewn fforwm cyhoeddus (Atodiad 3).
9. Mewn llythyr dyddiedig 31 Ionawr (Atodiad 4), cadarnhaodd Ms Wood mai hi oedd yn gyfrifol am y neges drydar a chynigiodd gyd-destun i'r neges honno. Disgrifiodd Jac O' The North, a enwodd yn Royston Jones, fel a ganlyn: "a persistent, pernicious influence in Welsh politics for many years. His blogs often contain disparaging comments about women and minorities as well as Plaid Cymru; which are seemingly his pet hates. I defend freedom of speech but there are limits to this and Jones frequently crosses the line and regularly writes untruths".
10. Yn ei llythyr, cynhwysodd Ms Wood gyfres o negeseuon trydar gan Jac O' The North gyda'r bwriad o gyfiawnhau ei barn amdano a gorffennodd drwy ddweud:

“When I responded to the tweet in question it was with a determination to stand up to what I saw as another case of bullying and intimidation of a young woman entering politics.

“I don't regret using the only type of language that someone like Jones understands. His tweet warranted a strong and direct response and I provided that. This was done in the spirit of Selflessness in the Code of Conduct as I took the decision in the public interest. I would also argue that i did not bring the Assembly into disrepute by standing up to an infamous bully in the manner I did.”
11. Ar 5 Chwefror (Atodiad 5), ysgrifennais at Ms Wood yn dweud fy mod yn sylweddoli bod menywod mewn bywyd cyhoeddus weithiau'n dioddef bygythiadau ac ymddygiad difriol cwbl annerbyniol, a'm bod yn gwybod ei bod hithau wedi dioddef ymddygiad o'r fath. Fodd bynnag, tynnais sylw at y ffaith nad oedd Jac O' The North, yn y negeseuon trydar a arweiniodd at ei sylw hi, wedi ymosod ar unrhyw un – nid arni hi

nac ar Ms Jewell; roedd ei sylw'n ymwneud yn unig â diddordebau gwleidyddol datganedig Ms Jewell a'u heffaith ar Blaid Cymru. Pa un a ellid cytuno â barn Jac O' The North ar y mater hwn ai peidio, roeddent yn safbwyntiau yr oedd gan sylwebydd gwleidyddol / blogiwr yr hawl i'w harddel a'u mynegi. Dywedais wrthi fod y gŵyn yn ei herbyn yn dderbyniadwy, ac felly, fy mod, yn unol â hynny, yn mynd ymlaen i'r cam ymchwilio ffurfiol.

12. Ar 12 Chwefror, atebodd Ms Wood (Atodiad 6) yn mynegi ei siom am fy llythyr dyddiedig 5 Chwefror gan ddweud ei bod wedi gobeithio y buaswn wedi gallu gweld yn glir yr hyn yr oedd yn ei alw'n "misogynistic bullying" ac y byddwn i wedi deall ei hymateb grymus iddo. Disgrifiodd Jac O' The North fel rhywun "abusive and obnoxious", gan ddweud bod angen ei herio'n gadarn, a chadarnhaodd ei phenderfyniad i sefyll yn erbyn 'bwllis ar-lein'.
13. Ar 19 Mawrth, cefais gyfweiliad â Ms Wood am y gŵyn hon ac ar ôl y cyfweiliad hwnnw, rhoddodd ddatganiad i mi (Atodiad 7).

Y ffeithiau a ganfu'r Comisiynydd

14. Roedd Ms Wood wedi postio'r neges drydar sy'n destun y gŵyn.

Casgliadau

15. Mae bwllio ar-lein yn broblem gynyddol mewn cymdeithas yn gyffredinol ac mewn bywyd gwleidyddol. At hynny, mae tystiolaeth bod menywod mewn bywyd cyhoeddus / gwleidyddol yn benodol yn destun bygythiadau ar-lein, bwllio a difenwi, a derbyniaf bwynt Ms Wood bod yn rhaid herio ymddygiad o'r fath ac ymdrin ag ef yn rymus. Fodd bynnag, wrth ddefnyddio'r cyfryngau cymdeithasol, gan gynnwys wrth herio cynnwys amhriodol ynddynt, rhaid i Aelodau'r Cynulliad sicrhau eu bod yn gwneud hynny mewn ffordd sy'n gyson â'r safonau ymddygiad uchel a ddisgwylir ganddynt fel yr amlinellir yn y Cod Ymddygiad.
16. Nid wyf yn gwneud unrhyw sylw ac nid wyf yn dod i gasgliad ynghylch a oes cyfiawnhad ai peidio dros ddisgrifiad Ms Wood o Jac O' The North/Royston Jones – "abusive", "obnoxious", "misogynistic bully", "persistent, pernicious influence in Welsh politics" – oherwydd byddai gwneud hynny y tu allan i gwmpas y gŵyn hon a'm hymchwiliad. Fodd bynnag, roedd y neges a sbardunodd drydariad Ms Wood yn gwneud sylw ar ddiddordebau polisi Ms Jewell, a pha un a gytunir ag ef ai peidio, roedd yn sylw yr oedd gan unrhyw aelod o'r cyhoedd – yn enwedig sylwebydd gwleidyddol / blogiwr – hawl i'w wneud.
17. Fodd bynnag, hyd yn oed gan dderbyn, at y dibenion presennol, honiad Ms Wood fod sylw Jac O' The North yn fwllio yn erbyn menywod ("misogynistic bullying") ac yn ymgais i danseilio Ms Jewell, nid yw ymostwng i lefel o ddifriäeth aflednais yn erbyn

sylwebydd gwleidyddol / blogiwr ar lwyfan y cyfryngau cymdeithasol yn ffordd y dylai Aelod o'r Cynulliad ymateb yn rymus i ymddygiad o'r fath.

18. Rwy'n gwrthod dadl Ms Wood bod galw Jac O' The North yn "arsehole" yn gyson â'r ysbryd o anhunanoldeb sy'n ofynnol gan y saith egwyddor cyffredinol ynghylch ymddygiad a nodwyd gan y Pwyllgor Safonau mewn Bywyd Cyhoeddus a bod ei phenderfyniad i wneud hynny er budd y cyhoedd. Gellid bod wedi ymateb yn briodol i neges Jac O' The North, ac wedi ei herio, mewn nifer o ffyrdd, a chyfeiriodd yr achwynydd at rai o'r ffyrdd hynny. Yn fy marn i, nid oes yr un o'r ffyrdd hynny yn ei gwneud yn ofynnol i Aelod o'r Cynulliad ddefnyddio term difriol ac aflednais o'r fath.
19. Mae'r saith egwyddor cyffredinol ynghylch ymddygiad ym mywyd cyhoeddus a nodir ym mharagraff 4 o'r Cod Ymddygiad ar gyfer Aelodau'r Cynulliad yn ei gwneud yn ofynnol i Aelodau ymddwyn mewn ffordd a fydd yn cynnal a chryfhau ffydd a hyder y cyhoedd yn unplygrwydd y Cynulliad ac osgoi unrhyw ymddygiad a fydd yn dwyn gwarth ar y Cynulliad...(para. 4b). Dylai Aelodau hyrwyddo a chefnogi'r egwyddorion hyn drwy roi arweiniad a dangos esiampl (para 4g). Drwy ddfriio Jac O' The North/Royston Jones fel y gwnaeth, mae Ms Wood wedi dwyn anfri ar y Cynulliad ac wedi methu â dangos arweinyddiaeth o ran y ffordd y dylid cynnal dadl wleidyddol ar-lein yng Nghymru.
20. Mae'r Polisi Urddas a Pharch a fabwysiadwyd gan y Cynulliad Cenedlaethol yn ei gwneud yn ofynnol i bawb sy'n gweithio yng Nghynulliad Cenedlaethol Cymru ddangos parch mawr at urddas pobl eraill. Mae Aelod o'r Cynulliad sy'n galw aelod o'r cyhoedd "an arsehole" ar lwyfan y cyfryngau cymdeithasol yn torri'r polisi hwn yn glir.
21. Felly, rwy'n dod i'r casgliad bod Ms Wood wedi torri'r Cod Ymddygiad a Pholisi Urddas a Pharch y Cynulliad Cenedlaethol ac y dylai'r Pwyllgor Safonau Ymddygiad ymdrin â'r achos o dan Reol Sefydlog 22.2.

Gofynion o dan y Weithdrefn ar gyfer Ymdrin â Chwynion

22. Nid yw'r gŵyn hon ei hun yn codi unrhyw fater o egwyddor gyffredinol. Fodd bynnag, nid dyma'r unig gŵyn yr wyf wedi ei chael o bell ffordd yn sgil negeseuon a roddwyd gan Aelodau'r Cynulliad ar lwyfannau cyfryngau cymdeithasol. Ni fyddai'n briodol manylu ar faterion eraill yn yr adroddiad hwn ond digon yw dweud bod cyfiawnhad, yn fy marn i, dros gred y Pwyllgor fod angen cysylltiad mwy eglur rhwng yr hyn sy'n dderbyniol ar y cyfryngau cymdeithasol a'r Cod Ymddygiad (gweler: Creu'r Diwylliant Cywir paragraff 70).
23. Rwy'n cadarnhau bod yr achwynydd a'r Aelod dan sylw wedi cael drafft o'r adroddiad hwn ac wedi cael cyfle i wneud sylwadau ar ei gywirdeb ffeithiol. Ni wnaeth yr un ohonynt nodi unrhyw wallau ffeithiol yn yr adroddiad.

Atodiadau

24. Atodaf y dogfennau a ganlyn i'r adroddiad hwn:

- (i) Copi o negeseuon a bostiwyd ar Twitter.
- (ii) Llythyr cwyn dyddiedig 19 Ionawr 2019, wedi'i olygu fel y disgrifir uchod.
- (iii) Llythyr dyddiedig 25 Ionawr 2019 oddi wrthyf i at Ms Wood.
- (iv) Llythyr dyddiedig 31 Ionawr 2019 oddi wrth Ms Wood ataf i (wedi'i olygu ar gais Ms Wood i ddileu cyfeiriadau at drydydd partïon a lluniau o drydydd partïon er mwyn osgoi'r posibilrwydd o achosi embaras i'r trydydd partïon hynny.)
- (v) Llythyr dyddiedig 5 Chwefror 2019 oddi wrthyf i at Ms Wood.
- (vi) Llythyr dyddiedig 12 Chwefror 2019 oddi wrth Ms Wood ataf i.
- (vii) Datganiad Ms Wood dyddiedig 12 Mawrth 2019.

Syr Roderick Evans

13 Mehefin 2019



LeanneWood  
@LeanneWood

Follow



Do you have to be an asshole all the time?
Have a day off.



Jac o' the North @JacotheNorth

Replying to @EinGwlad @WalesPolitics



'Women's rights and international development'. God help
@Plaid_Cymru

9:37 PM - 16 Jan 2019

313 Retweets 2,396 Likes



 103  313  2.4K 



Tweet your reply



Jac o' the North @JacotheNorth · Jan 16



Replying to @LeanneWood

As you know, I've never been an admirer of yours, but even so, this is disappointing.

 20  3  17 



19th January 2019

**Attention of the Commissioner for Standards
National Assembly for Wales
Cardiff Bay
CF99 1NA**

Dear Sir

Complaint regarding the conduct of an elected member of the Assembly.

Earlier this week my attention was drawn to a brief statement made by a member, Leanne Wood A.M, in the form of a response to an earlier set of remarks made by another person on his Twitter account, @JacotheNorth. As I said the remark was brief and quite pointed. In it Ms Wood described the other party as “an arsehole”. The comment in full read :

“Do you have to be an arsehole all the time ? Have a day off.”

It was made in response to a bland sceptical comment from the other party concerning the nomination of a Ms Delyth Jewell as a successor to the late Steffan Lewis, Ms Jewell was apparently next on the regional list.

This in turn has sparked a stream of like minded abuse which can be arguably attributed to Ms Wood’s initial comment as most are said to have arisen **after** her comment. For example I have had forwarded an equally abusive follow-up from a Mark Phillips, a senior Plaid Cymru office holder, who bluntly pronounced the recipient as “Neanderthal prick” ! As I do not directly subscribe to the Twitter service, or whatever it calls itself, I have been unable to gather copies of the other remarks. I am assured by a third party that they do not make good reading, but probably reflect what is becoming the normal standard of conduct among some users on platforms like Twitter.

What is now known is that Ms Wood has a large following on this Twitter medium, some 58000 according to my sources, representing strongly held opinions across a spectrum of feminist, transgender rights, third sector, nationalist and EU Remainer interest groups. Her opinions and attitudes appear to influence and find favour with many others who are in turn influencers within their own interest communities or circles. It follows that her prejudice is one that will be transmitted to these other communities and may prove damaging to the reputation of the much-read JacotheNorthblog which has attracted interest from many who do not share his views alongside those who do.

My point in all this is that while these comments from other largely anonymous people are quite offensive, they are people who do not serve as members in our National Assembly or any other

representative body, as far as I know. Serving members have a code of conduct for good reasons, and you have greater familiarity than me or any other complainants with the significance and obligations of the code.

I write with a conviction that Ms Wood has a case to answer. She could have dealt easily with the remarks submitted by the other party, JacotheNorth, with a brief factual, and perhaps witty response. Or, she could have ignored them and left it to Ms Jewell to respond. Instead she dropped to the lowest common denominator and in my opinion acted in breach of your code. That excessively strong wording used by Ms Wood must be challenged before it becomes common currency among our elected public figures.

I leave it to you to decide how this matter is best dealt with as it rests within your remit.

I look forward to your response. If you require additional information I will endeavour to retrieve it.

Yours sincerely

A solid black rectangular redaction box covering the signature area.

Leanne Wood AM
Tŷ Hywel
National Assembly for Wales
Cardiff
CF99 1NA

25th January 2019

Dear Ms Wood,

I have received a complaint from a member of the public about a remark you posted on Twitter on 16th January. Your remark was directed at Jac O' The North.

At 4.49pm that day Jac O' The North posted an article on twitter about Delyth Jewell's joining the Assembly. He did so without comment. At 5.15pm he repeated the posting this time with the comment "Women's rights and international development'. God help Plaid Cymru." At 9.37pm you responded by tweeting "Do you have to be an arsehole all the time? Have a day off" and it is that which is the subject of the complaint.

I write to seek your confirmation that you were responsible for the tweet and to ask for an explanation of why you consider it is appropriate for a Member of the Assembly to abuse a member of the public, who is also a political blogger/commentator, by calling him an "arsehole" in a public forum. I should be grateful if you would consider your response in the context of the Code of Conduct for Assembly Members, in particular the requirement in paragraph 4b that Members refrain from any action which would bring the Assembly ... into disrepute, and the Dignity and Respect Policy adopted by the Assembly.

Y Pierhead
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Caerdydd
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—
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—
Croesewir gohebiaeth yn y Gymraeg a'r Saesneg

Pierhead
Cardiff Bay
Cardiff
CF99 1NA
—
Tel: 0300 200 6539
Email: Standards.Commissioner@assembly.wales
—
We welcome correspondence in both English and Welsh

I look forward to hearing from you.

Yours sincerely,

A handwritten signature in black ink that reads "Roderick Evans". The signature is written in a cursive style and is underlined with a single horizontal stroke.

Sir Roderick Evans
Y Comisiynydd Safonau
Standards Commissioner



Leanne Wood AC/AM

Aelod Cynulliad dros y Rhondda
Assembly Member for the Rhondda

Sir Roderick Evans
Standards Commissioner
Pierhead
Cardiff
CF99 1NA

31 January 2019

Dear Roderick,

I write in response to your letter of 25th January 2019. I can confirm that I was responsible for the tweet that was sent to Royston Jones who goes by the pseudonym Jac 'O The North. As you know, my comment was in response to Mr Jones' criticism of Delyth Jewell, a young woman who is to become an Assembly Member following the tragic death of Steffan Lewis. Here is the tweet that prompted my response:



68 Pontypridd Road, Porth CF39 9PL | ☎ 01443 681420 |
e: leanne.wood@assembly.wales | leanne.wood@cynulliad.cymru

Dilynwhc | Follow Leanne Facebook: LeanneRhondda | Twitter @LeanneWood
Gwefan: www.leannerhondda.cymru | Website: www.leannerhondda.wales

It is worth noting in reference to the above image that Ein Gwlad is the political party Jones helped to form. I do not know if he controls the Twitter account however.

Before I set out the reasons for my tweet, it is worth setting out a little context here. Jones has been a persistent, pernicious influence in Welsh politics for many years. His blogs often contain disparaging comments about women and minorities as well as Plaid Cymru; which are seemingly his chief pet hates. I defend freedom of speech but there are limits to this and Jones frequently crosses the line and regularly writes untruths.

A prime example came during his feverish campaign to “expose” a so-called conspiracy between Plaid Cymru under my leadership and the lobbying firm Deryn (there was no such conspiracy) to oust Neil McEvoy from the party. I believe I have a strong case of defamation against Mr Jones for the blog posts he wrote on this subject. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]





68 Pontypridd Road, Porth CF39 9PL | ☎ 01443 681420 |
e: leanne.wood@assembly.wales | leanne.wood@cynulliad.cymru

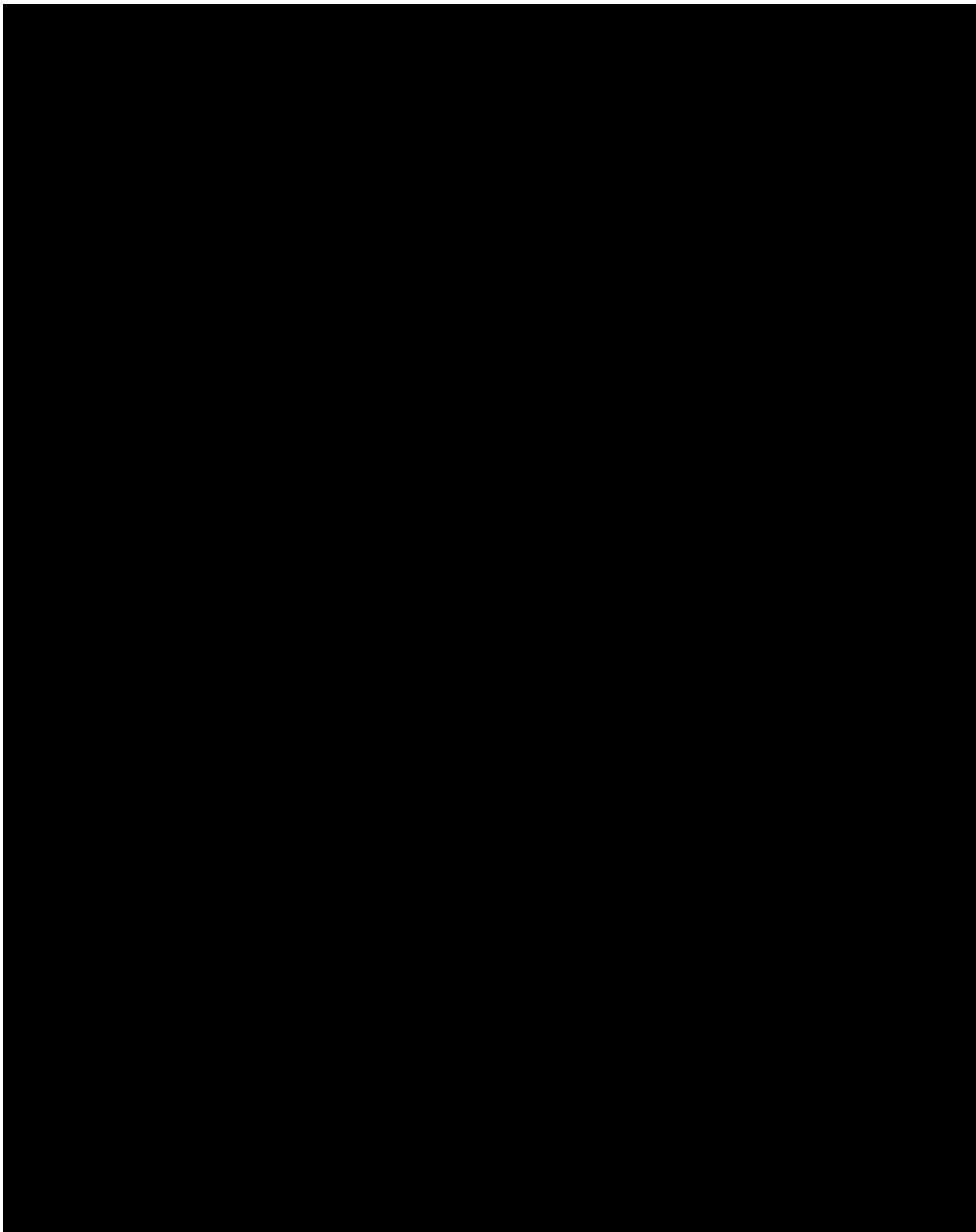
Dilynwch | Follow Leanne Facebook: LeanneRhondda | Twitter @LeanneWood
Gwefan: www.leannerhondda.cymru | Website: www.leannerhondda.wales



Whenever blogs like this are published, he invites his like-minded followers to comment and there appears to be no filter on this content. In his most recent blog post referencing me, more lies and unsubstantiated allegations are made about me.

I don't just disagree with Jones on political matters. I am certainly against his views when it comes to disability sport. Here is what he had to say about that: **“Am I alone in thinking there's an element of a Victorian freak show in the Paralympics?”**. I hope you are getting a picture of the kind of person we are dealing with here.





While I may have a thick skin after years of experience in the political arena, it is different matter for young women starting out in politics like Delyth and [REDACTED]. They are just two of many women I know who have been made to feel uneasy or uncomfortable by Jones' blog posts.

There is grave danger in allowing such an anti-women, anti-equality landscape to go unchecked. This was underlined in a recent event I attended which laid out how women are being put off from entering politics because of the toxic atmosphere that is maintained by the likes of Jones and his followers.

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e: leanne.wood@assembly.wales | leanne.wood@cynulliad.cymru

Dilynwhch | Follow Leanne Facebook: LeanneRhondda | Twitter @LeanneWood
Gwefan: www.leannerhondda.cymru | Website: www.leannerhondda.wales

When I responded to the tweet in question it was with a determination to stand up to what I saw as another case of bullying and intimidation of a young woman entering politics.

I don't regret using the only type of language that someone like Jones understands. His tweet warranted a strong and direct response and I provided that. This was done in the spirit of Selflessness in the Code of Conduct as I took the decision in the public interest. I would also argue that I did not bring the Assembly into disrepute by standing up to an infamous bully in the manner I did.

Yours sincerely,



Leanne Wood AM

Croesewir gohebiaeth yn Gymraeg neu Saesneg. *We welcome correspondence in Welsh or English.*

STRICTLY CONFIDENTIAL

Leanne Wood AM
Tŷ Hywel
National Assembly for Wales
Cardiff
CF99 1NA

4th February 2019

Dear Ms Wood,

Thank you for your letter of 31st January 2019 and for setting out your reasons for calling Jac O' The North an "arsehole".

I appreciate the frustrations that politicians, whether male or female, experience when they see their policies and priorities attacked or criticised in a way which they do not consider fair or accurate. I am also sensitive to the fact that women in public life are sometimes subjected to threats and abuse which are wholly unacceptable and I am aware, of course, that you have been subjected to such behaviour.

However, Jac O' The North in the tweets which led up to your comment did not attack anyone – neither you nor Ms Jewell. His comment was directed only at her stated political interests, namely, women's rights and international development and their impact on Plaid Cymru. Whether one agrees with Jac O' The North's views on this matter or not, they are views which a political commentator/blogger is entitled to hold and express.

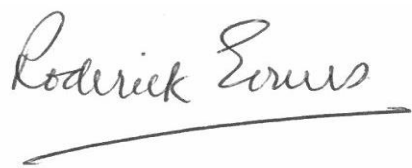
My letter to you of 24th January 2019 was part of my preliminary investigation of the complaint I had received and having considered the results of that preliminary investigation I have determined under the Procedure for Dealing with Complaints against Assembly Members that the complaint is admissible.

I, therefore, now move to the formal investigation stage and write to ask whether there is any further information you wish to give me before I consider whether there has been a breach of the Code of Conduct and/or of the Assembly's Dignity and Respect Policy.

Y Pierhead
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E-bost: Comisiynydd.Safonau@cynulliad.cymru
—
Croesewir gohebiaeth yn y Gymraeg a'r Saesneg

Pierhead
Cardiff Bay
Cardiff
CF99 1NA
—
Tel: 0300 200 6539
Email: Standards.Commissioner@assembly.wales
—
We welcome correspondence in both English and Welsh

Yours sincerely,

A handwritten signature in black ink that reads "Roderick Evans". The signature is written in a cursive style and is underlined with a single horizontal stroke.

Sir Roderick Evans
Y Comisiynydd Safonau
Standards Commissioner



Leanne Wood AC/AM

Aelod Cynulliad dros y Rhondda
Assembly Member for the Rhondda

Roderick Evans
Standards Commissioner
Pierhead
Cardiff Bay
Cardiff
CF99 1NA

12 February 2019

Dear Roderick Evans

I was disappointed to receive your letter dated 5 February. I had hoped that you would be able to see this misogynistic bullying for what it is and would have therefore understood my robust reaction to it. I do not accept that the original tweet was not an attempt to undermine Delyth Jewell.

I can inform you that my interactions with this individual have taken place over many years, that he is abusive and obnoxious, that he picks on women and other minorities and he deserves strong challenge. I am not about to give in to online bullies, and I will continue to stand up to them.

I will cooperate fully with your investigation but I thought it only fair for you to be aware of my position on this.

Yours sincerely,

Leanne Wood AM

Croesewir gohebiaeth yn Gymraeg neu Saesneg. *We welcome correspondence in Welsh or English.*

Statement of Leanne Wood AM

I am the Assembly Member for Rhondda. I have been asked by the Commissioner for Standards about a comment I posted on Twitter on 16th January 2019 which was directed at a man who calls himself Jac O' The North and who posts a political blog.

At 4.49pm that day Jac O' The North posted a BBC Wales Politics article on twitter confirming Delyth Jewell's joining the Assembly following the death of Steffan Lewis. He did so without comment. At 5.15pm he repeated the posting this time with the comment "Women's rights and international development'. God help Plaid Cymru."

My dealings with Jac O' The North go back over many years. I have written to the Commissioner giving him examples of his tweets and comments. I regard him as an obnoxious bully who picks on women and minorities and I read his tweet about Delyth Jewell as a further example of his bullying a young woman who was entering the Assembly. I decided to respond robustly.

At 9.37pm I responded by tweeting "Do you have to be an arsehole all the time? Have a day off". I have been informed by the Commissioner that a member of the public complained about my tweet and my calling Jac O' The North an arsehole. I stand by my comment. I firmly believe that people like Jac O' The North need to be confronted and their views challenged firmly in language that they understand. I do not normally use unparliamentary language on social media but I do reserve the right to deal with online bullies robustly.

12 March 2019

Atodiad B: Dogfennau ategol a gyflwynwyd gan Leanne Wood AC

Written Evidence – Welsh Women’s Aid

Don’t Be A Bystander

In Wales, our national “Don’t Be A Bystander” campaign issued by Welsh Government is clear.

- We should not stand by or accept violence against women, domestic abuse or sexual violence in our communities. By remaining silent, we condone abuse, we minimise it, we give abusers permission to continue their behaviour.
- We should understand that it is never the victim’s fault, the responsibility must always rest with the abuser. Asking women to explain themselves or justify their actions is victim-blaming.
- Don’t be a bystander. Take action if you’re concerned about someone or about someone’s abusive behaviour, call it out, tell someone.

Yet at Welsh Women’s Aid, we also know sometimes that when women in particular dare speak out, call out abuse, and stand up for other women we are concerned about, we will likely face criticism because those with more perceived power or social status want us to keep quiet.

When we see women challenge and call out written or verbal attacks against other women, however innocuous the criticism might seem, we know that this is often a response not only to one comment but more often than not, to the continuum of experiences we face every day. These range from the unpleasant but non-threatening to the serious threats of violence and everything in between which have significant impacts on women.

When women are given permission by state services and Governments to call out abuse when they see it, to not be a bystander, many women are galvanised by the torrent of abuse and misogyny they’ve cumulatively experienced online and in public life, to stand up, speak out and take action against the trolls, bullies and misogynists attacking them or other women.

We also know that abusers can be expert manipulators and controllers, and abusive men know that to trigger a response from women, they don’t always have

to be explicitly abusive. All they need to do is add to the drip-drip-drip cacophony of negative criticisms and put-downs against women, to instigate resistance or an active bystander response, which they can then use against her to bring her down.

We know women in public life – especially politicians – are routinely abused and forced to take matters into their own hands and to report threats to the police, whilst simultaneously standing up for their female colleagues. When we then see women in public life being subject to complaints by anonymous members of the public, because they dare to speak up, shout back, call out or stand up for other women facing negative criticism or derogatory comments, we also know this is intended to wear her down, put her “in her place”, knock her back or damage her professionally.

When women in public life are subject to the same systems designed to uphold standards in public life as men, we know they must work harder to prove themselves and are judged harsher for any apparent lapse in standards than their male counterparts. We know that if these systems fail to adopt a gender-informed approach to regulating standards, by not taking into account the context in which woman-abuse and complaints made against women happens, or the culture of relentless misogyny online, the system will likely fail women.

Standards in public life need to take into account the context in which women occupy public space, and in which women in public life operate and are judged by. The effective application of standards of conduct and behaviour should not be about treating everyone the same. Standards of behaviour need to accommodate the reality of women’s lives: as women, we have a responsibility to use the tools at our disposal to defend ourselves and other women against bullies and misogynists, racists and homophobes.

If the system fails to understand who is doing what to whom, who is the primary aggressor who has the patriarchy behind them, and who is the non-violent resistor, then the system itself takes the side of the abuser, whilst contributing to women’s silence and expanding the space for action for misogynists, racists and bullies everywhere.

Written Evidence – Glitch

Online Abuse explained by Glitch.

Online Abuse is a catch-all term for various tactics and malicious behaviours online. This ranges from sharing embarrassing or cruel content about a person, impersonating, doxing and stalking, to the non-consensual use of photography and violent threats. The purpose of harassment differs with every incidence, but

usually includes wanting to embarrass, humiliate, scare, threaten, silence, extort or, in some instances, encourage mob attacks or malevolent engagements. Some of these tactics are defined below.

Online Gender-Based Violence (OGBV) is generally defined as harmful action by one or more people directed at others based on their sexual or gender identity or by enforcing harmful gender norms. These harmful acts of violence are committed, assisted or aggravated in part or fully by the use of Information and Communications Technology (ICT), such as mobile phones, the internet, social media platforms or email. Both women and men experience gender-based violence but the majority of victims are women and girls.

When exploring online abuse it is important to note that those with multi-intersecting identities will experience online abuse differently and in most cases be disproportionately impacted.

Multi-intersecting Identities refers to social factors such as race, origin, ethnicity, sexuality, gender identity, class or disability that also influence how different women experience OGBV. For instance, recent research by Amnesty International revealed black women are 84% more likely to be mentioned in abusive or problematic tweets than white women.

Online Violence Against Politically Active Women

There has been much discussion about the online abuse and violence politically active women face. Violence against women in politics (VAW-P) encompasses all forms of aggression, coercion and intimidation against women as political actors simply because they are women ('93 UN Declaration on VAW). It is designed to restrict the political participation of women as a group. It is directed at women as civic leaders, voters, political party members, candidates, elected representatives and appointed officials (*National Democratic Institute, #NotTheCost Campaign 2017*). @GlitchUK