

Uned Benthycyca Arian
Anghyfreithlon Cymru
Wales Illegal Money
Lending Unit

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Amcanion / Objectives:

- **Meddu ar ymwybyddiaeth ehangach o effaith benthyca arian anghyfreithlon ar bobl sy'n agored i niwed;**
To have a greater awareness of the effects of illegal money lending on vulnerable people.
- **Gwybod sut i geisio cymorth a chyngor arbenigol**
To know how to seek expert help and advice.
- **Gallu adnabod arwyddion gweithgarwch benthyca arian anghyfreithlon**
To be able to identify the signs of illegal money lending activity.

Materion sy'n ymwneud â Phobl Agored i Niwed **Vulnerability**

Diffiniad y Coleg Plismona

The College of Policing definition:

“Mae person yn agored i niwed os na all, o ganlyniad i'w sefyllfa neu ei amgylchiadau, ofalu amdano ei hun neu amddiffyn ei hun neu eraill rhag niwed neu gamfanteisio”

“A person is vulnerable if, as a result of their situation or circumstances, they are unable to take care of or protect themselves or others from harm or exploitation”

Mae'r hyn all wneud person yn agored i niwed yn cynnwys:

Vulnerabilities Include:

- **Oedran / Age**
- **Anabledd / Disability**
- **Ethnigrwydd / Ethnicity**
- **Iechyd Meddwl / Mental Health**
- **Tlodi / Poverty**
- **Llythrennedd / Literacy**
- **Ynysrwydd / Isolation**
- **.... Meithrin perthnasau amhriodol**
.....Grooming

Cwestiwn / Question ...

Sut byddech chi'n diffinio siarc benthyg mewn un frawddeg?

How would you define a loan shark in one sentence?



Diffiniad / Definition

Mae siarc benthyg yn unrhyw un sy'n benthyca arian heb gael yr awdurdodiad sy'n ofynnol o dan Ddeddf Gwasanaethau a Marchnadoedd Ariannol 2000.

A 'loan shark' is anyone who is lending money without having the authorisation required by the Financial Services and Market Act 2000.

Rhoddir yr awdurdodiadau hyn gan yr Awdurdod Ymddygiad Ariannol i unigolion neu gwmnïau y maent yn credu eu bod yn 'addas a phriodol'.

These authorisations are issued by the Financial Conduct Authority to individuals or companies whom they believe are 'fit and proper'

Pwy ydyn ni / Who are we?

- **Lansiwyd yn 2008**

Launched in 2008

- **Ariennir gan ardoll ar ddarparwyr credyd cost uchel**

Funded by levy on high cost credit providers

- **22 awdurdod lleol: Cymru gyfan**

22 Local Authorities: all Wales

- **Ymchwilwyr a Swyddogion Cyswllt Cleientiaid**

Investigators and Client Liaison Officers

Ymchwilwyr / Investigators:

- Ymchwilio ac erlyn benthycwyr arian didrwydded

Investigate and prosecute illegal money lenders

- Gwyliadwriaeth, gwybodaeth a rennir gan yr heddlu, ymchwilio ariannol

Surveillance, shared police intelligence, financial investigation



Cyswllt â chleientiaid

Client Liaison:

Cymorth i dystion a dioddefwyr...

Victim & Witness support...

- **Cysylltu â dioddefwyr ac asesu anghenion**
Contact victims/assess needs
- **Rhoi cyngor ar ddyledion a gwybodaeth am greddyd fforddiadwy**
Provide debt advice and information on affordable credit
- **Cymorth gydag ail-gartrefu**
Assist with re-housing
- **Cefnogi cleientiaid drwy broses y llys**
Support clients through the court process
- **Darparu hyfforddiant**
Deliver training
- **Cefnogi digwyddiadau cymunedol**
Support community events

Nodweddion siarcod bentyg:

Characteristics of loan sharks:



- **Dim cytundebau credyd**
No credit agreements
 - **Dim derbynebau**
No receipts
 - **Trais/bygythiadau**
Violence/intimidation
-
- **Targeddu unigolion sy'n agored i niwed**
Target vulnerable individuals
 - **Gwarantau anghyfreithlon**
Illegal securities
 - **Llog/taliadau diofyn**
Interest/default charges

Rhai 'modelau busnes' ...

Some 'business models' ...

- **'Ffrindiau'/Teulu/Cymydog / 'Friends'/family/neighbours**
- **Casglwr dyledion didrwydded / Unlicensed debt collector**
- **Benthyciwr carreg drws didrwydded / Unlicensed doorstep lender**
- **Bownsar tafarn / Pub Bouncer**
- **Gwerthwr cyffuriau / Drug Dealer**
- **Grwpiau ffydd / Faith Group**
- **Gyrwyr tacsï / Taxi drivers**
- **Gât yr ysgol / School gate**

Ar bwy mae hyn yn effeithio?

Who is affected?

- **Gall hyn effeithio ar unrhyw un**
Anyone can be affected.
- **Yng Nghymru rydym yn canfod bod y rhan fwyaf o ddiodefwr yn agored i niwed mewn rhyw ffordd**
In Wales we find that the majority of victims are vulnerable in some way.
- **Mewn cyfnod o 12 mis, gwelsom fod gan dros 85% o ddiodefwr anabledd meddyliol neu gorfforol cydnabyddedig**
In a 12 month period, 85% of loan shark victims had a recognized mental or physical disability



Pam benthylg gan siarc benthylg?

Why borrow from a loan shark?

Neges destun i siarc benthylg gan fam sengl yn Abertawe:

Text message to loan shark from a single mother in Swansea:



"Unrhyw siawns y gallwch fenthylg 25 i mi, mae diwrnod chwaraeon gyda Dan fory, mae angen pecyn cinio arno, treinyrs a sanau newydd anfonwch neges destun ataf i roi gwybod i mi y naill ffordd neu'r llall diolch yn fawr iawn"

"Any chance u can lend me 25, dan has sports day tomorrow he needs packed lunch and new socks and trainers please text me to let me know either way thanks really desperate."

Pam benthylg gan siarc benthylg?

Why borrow from a loan shark?

“Cynyddodd nifer y bobl mewn dyled ddifrifol o 1.7 miliwn i 2.4 miliwn o fis Mawrth 2020 i fis Ionawr 2021.”

(Turn2Us, elusen ariannol)

“The number of people in severe debt increased from 1.7 million to 2.4 million from March 2020 to January 2021”

(Turn2Us, financial charity)

Astudiaeth Achos 1 / Case Study 1



- “Dyn Arian” Caerffili
Caerphilly “Money Man”.
- £30,689 o arian parod wedi'i stwffio i mewn i gesys
gobennydd
£30,680 cash found stuffed into pillow cases.
- Cymerodd gerdyn swyddfa bost a PIN dioddefwyr.
Took possession of victims' post office cards and
PINs.
- Dros gyfnod o 10 mlynedd wedi cadw dros £92 000 o fudd-daliadau un
cwpl oedrannus agored i niwed, gan eu gadael â dim mymryn i fyw oddi
arno
Over 10 year period, retained £92,000 from one vulnerable elderly
couple's benefits, leaving them with scraps to live off.
- Plediodd yn euog i fenthyca anghyfreithlon a'i ddedfrydu i 15 mis o
garchar
Pleaded guilty to illegal lending and sentenced to 15 months
imprisonment

Astudiaeth Achos 1 (Deddf Enillion

Troseddau 2002 - DET)

Case Study 1 (Proceeds Of Crime Act 2002)

- **£91,073** wedi'i adennill drwy DET
£91,073 POCA recovered
- **Iawndal i ddioddefwyr gan gynnwys dyfarniadau o:**
Compensation to victims including awards of:
£16,460 £25,650 £23,650
- **Ad-daliadau i adrannau'r llywodraeth**
Repayment to Government departments
- **Swm cyfyngedig o arian DET ar gyfer gweithgareddau codi ymwybyddiaeth**
Limited amount of POCA money for awareness raising activities

Astudiaeth Achos 2 / Case Study 2



- **Mewn 3 blynedd cyn ei arestio, wedi benthyg tua £250,000 yn ardal Parc Lansbury Caerffili a'r cyffiniau**
In 3 years before arrest, lent approximately £250,000 in and around Lansbury Park Caerphilly.
- **Wedi hawlio'r lefel uchaf o LCCh, car symudedd, a budd-daliadau eraill**
Claimed highest level of ESA, mobility car and other benefits
- **Yn ystod chwiliad atafaelwyd dros £20,000 o arian parod a Rolex. Arweiniodd DET at atafaelu £42,000**
During search, over £20,000 cash plus Rolex watches seized. POCA resulted in confiscation of £42,000
- **Plediodd yn euog i fenthyg arian anghyfreithlon, gwyngalchu arian, ceisio gwyrdroi cwrs cyfiawnder, a throeddau'n ymwneud â thybaco anghyfreithlon**
Pleaded guilty to illegal money lending, money laundering and attempting to pervert the course of justice, and offences relating to illicit tobacco
- **Carcharwyd am 3 blynedd 6 mis**
Imprisoned for 3 years 6 months

Astudiaeth Achos 3 / Case Study 3

- **Menyw a fu'n ysbeilio ar gyd-weithwyr mewn cartref gofal - yn aml cydweithwyr newydd yn aros am y pecyn cyflog cyntaf**
Female who preyed on co-workers in a care home - often new colleagues who were awaiting first pay packet
- **Honnodd yn dwyllodrus i fod yn asiant i gwmni benthyciadau**
Falsely claimed to be an agent for a loan company
- **Benthyg / Borrowed** £ 650
Ad-dalu / Repaid £3,320
Gofyn bellach am / Further demand £2,000
- **4 mis o garchar wedi'i ohirio am 2 flynedd; Gwasanaeth cymunedol 200 awr; £12,302 adferiad DET; Cyfraniad o £4,338 at gostau erlyn**
4 months imprisonment suspended for 2 years; 200 hours community service; £12,302 POCA recovery; £4,338 contribution to prosecution costs



Tanio syniadau / Brainstorming

NID yw'r rhan fwyaf o achosion yn cael eu hadrodd yn uniongyrchol gan ddioddefwyr: meddyliwch am reswm pam na fydd rhywun efallai'n rhoi gwybod am siarcod benthyg?

Most cases are NOT reported directly by victims :think of a reason why someone might not report a loan shark?

THINKING...



(PLEASE BE PATIENT)

Rhwystrau i adrodd...

Obstacles to reporting ...

- **Ofn dial**
Fear of reprisals
- **Amharodrwydd i roi gwybod**
Reluctance to be a 'grass'
- **Teyrngarwch anghywir**
Mistaken loyalty
- **Ofn proses y llys**
Fear of court process
- **Ddim yn gwybod am WIMLU**
Don't know about WIMLU

Pwy sy'n cyfeirio achosion atom?

Who refers cases to us?

- **Gweithwyr cymorth e.e. cymorth tenantiaeth**
Support workers e.g. tenancy support
- **Darparwyr cyngor e.e. Cyngor ar Bopeth**
Advice providers e.g. Citizens' Advice
- **Asiantaethau gorfodi e.e. yr heddlu**
Enforcement agencies e.g. police
- **Aelodau o'r cyhoedd sy'n poeni**
Concerned members of the public

Chwilfrydedd Proffesiynol

Professional Curiosity

Mae angen i ni i gyd edrych y tu hwnt i'r amlwg a defnyddio chwilfrydedd proffesiynol wrth ymdryn â'r rhai sy'n agored i niwed a'u hadnabod

We all need to look beyond the obvious and use professional curiosity when dealing with and identifying those who are vulnerable

Beth gallwch *chi* ei wneud?

What can *you* do?

Goleuadau Traffig

Traffic lights



Pecyn Cymorth

Toolkit



Byddwch yn wylriadwrus am:

Look out for:

- **Fenthyciadau gan 'deulu/frindiau' heb unrhyw waith papur**
Loans from 'family/friends' with no paperwork
- **Taliad/gwariant rheolaidd heb esboniad**
A regular unexplained payment/outgoing
- **Nid yw incwm/gwariant yn adio**
Income/expenditure doesn't add up
- **Ôl-ddyledion – cyfandaliadau**
Arrears – lump sum payments
- **Newid mewn ymddygiad neu bersonoliaeth**
Changes in behaviour or personality
- **Ofni'r benthyciwr**
Fear of lender

Llinell gymorth 0300 123 33 11

Hotline 0300 123 33 11

- **Yn ddelfrydol, cefnogwch ddioddefwyr i'n ffonio eu hunain. Mae mor bwysig 'manteisio ar y foment'!**
Ideally, please support victims to phone us themselves. It's so important to 'seize the moment'!
- **Os yw dioddefwyr yn amharod i gysylltu â ni eu hunain, a fyddant yn caniatáu i chi gysylltu â ni fel cyfryngwr?**
If victims are reluctant to contact us themselves, will they allow you to contact us as an intermediary?
- **Gall galwyr aros yn ddienw os ydynt yn dewis.**
Callers can remain anonymous if they choose.

Cyfrinachedd....
Confidentiality....

a
and

.....diogelu
.....Safeguarding

Gwybodaeth allweddol:

Key Information...

- **Enw – llysenw, enw cyntaf, cyfenw?**
Name – Nickname, First name, Surname?
- **Cyfeiriad cartref, ardal y maent yn gweithredu ynddi?**
Address – Home address, area they operate in?
- **Cerbyd?**
Vehicle ?
- **Sut maen nhw'n gweithredu – llyfr, dull casglu?**
How they operate – Book, collection methods?
- **Manylion y benthyciad – swm, llog, gwaith papur, bygythiadau?**
Loan details – Amounts, Interest, Paperwork, threats?
- **Rhif ffôn?**
Phone number?

Un peth i'w gofio...

One thing to take away...

- **Edrychwch ar y dangosyddion pecyn cymorth**
Look at the toolkit indicators



- **Nodwch un dangosydd y gallech ei weld yn eich gwaith o ddydd i ddydd**
Note one indicator which you might see in your day to day work

Who ya gonna call?



We ain't afraid of no sharks...

imlu@cardiff.gov.uk

02920 871090

Facebook – Stop Loan Shark Wales

HOTLINE :- 0300 123 33 11