

Cyfraith Clare

Clare's Law

Y Cynllun Datgelu
Trais Domestig

The Domestic Violence
Disclosure Scheme



Y Swyddfa Gartref
Home Office





Er y gall dioddefwyr fod yn wrywaidd ac yn fenywaidd, yn y llyfryn hwn cyfeirir at y dioddefwr fel enw gwrywaidd yn y Gymraeg am mai dyna yw cenedl y gair hwnnw.

Although victims can be both masculine and feminine, in this booklet in the Welsh text the victim is referred to as a masculine noun as that is the grammatical gender of that particular word.

Yr adran las:

Os ydych mewn perthynas
a'ch bod yn poeni y gall eich
partner fod wedi bod yn
dreisgar yn y gorffennol

Blue section:

If you are in a relationship
and are worried that your
partner may have been
abusive in the past

Llinellau cymorth

Support helplines

Yr adran oren:

Os ydych yn pryderu ynghylch
rhywun rydych yn ei adnabod
sydd mewn perthynas a
a all fod yn wynebu risg o
gam-drin domestig

Orange section:

If you are concerned about
someone you know who is in
a relationship and may be at
risk of domestic abuse

Beth yw'r cynllun hwn?

Nod y Cynllun Datgelu Trais Domestig yw cynnig dull ffurfiol o wneud ymholiadau ynghylch eich partner os ydych yn poeni y gall fod wedi bod yn dreisgar yn y gorffennol. Mae hefyd yn galluogi unigolyn i wneud ymholiadau ynghylch cyn-bartner, os yw'n pryderu ynghylch ei ddiogelwch ei hun, pan nad yw yn y berthynas mwyach.

Os yw gwiriadau'r heddlu'n dangos bod gan eich partner neu eich cyn-bartner hanes o ymddygiad treisgar, neu fod gwybodaeth arall sy'n awgrymu y gallwch fod mewn perygl oherwydd eich partner, bydd yr heddlu'n ystyried rhannu'r wybodaeth gyda chi.

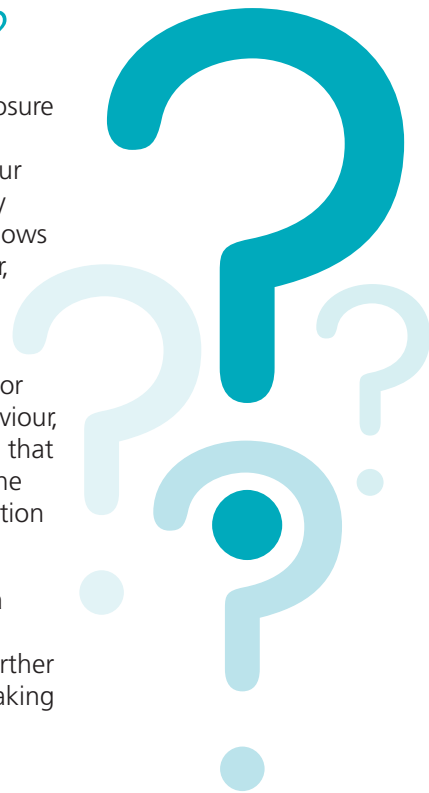
Nod y cynllun yw eich helpu i wneud penderfyniad mwy hyddysg o ran a ydych am barhau â pherthynas, ac mae'n cynnig cymorth a chefnogaeth bellach i chi pan fyddwch yn gwneud y dewis hwnnw.

What is this scheme?

The aim of the Domestic Violence Disclosure Scheme (DVDS) is to give you a formal mechanism to make enquiries about your partner if you are worried that they may have been abusive in the past. It also allows a person to enquire about an ex-partner, if concerned about their own safety, when no longer in the relationship.

If police checks show that your partner or ex-partner has a record of abusive behaviour, or there is other information to indicate that you may be at risk from your partner, the police will consider sharing this information with you.

The scheme aims to help you to make a more informed decision on whether to continue a relationship, and provides further help and support to assist you when making that choice.



Pwy all ofyn am ddatgeliad?

Ystyr datgeliad o dan y cynllun hwn yw rhannu gwybodaeth benodol am eich partner gyda chi neu drydydd person er mwyn eich diogelu rhag trais domestig.

- Gallwch wneud cais am eich partner neu eich cyn-bartner os ydych yn poeni y gallai eich niweidio.
- Gall unrhyw drydydd parti pryderus, megis eich rhiant, cymydog neu ffrind hefyd wneud cais os yw'n pryderu yn eich cylch.
- Fodd bynnag, ni fyddai unrhyw drydydd parti sy'n gwneud cais o reidrwydd yn cael gwybodaeth am eich partner neu eich cyn-bartner. Efallai y bydd yn fwy priodol i rywun arall gael y wybodaeth, megis chi, neu unigolyn sydd mewn sefyllfa i'ch diogelu rhag y gamdriniaeth.
- Dim ond i rywun sydd mewn sefyllfa i'w defnyddio i'ch diogelu rhag y gamdriniaeth y rhoddir gwybodaeth.

Who can ask for disclosure?

A disclosure under this scheme is the sharing of specific information about your partner with either you or a third person for the purposes of protecting you from domestic violence.

- You can make an application about your partner or ex-partner if you have a concern that they may harm you.
- Any concerned third party, such as your parent, neighbour or friend can also make an application if they are concerned about you.
- However, a third party person making an application would not necessarily receive information about your partner or ex-partner. It may be more appropriate for someone else to receive the information, such as you, or a person that is in a position to protect you from the abuse.
- Information will only be given to someone who is in a position to use the information to protect you from the abuse.

Sut y gallaf wneud cais?

Cysylltu â'r heddlu

Mae sawl ffordd wahanol y gallwch gysylltu â'r heddlu:

Gallwch

- ymweld â gorsaf heddlu
- ffonio **101**, sef rhif ffôn yr heddlu ar gyfer galwadau nad ydynt yn rhai brys
- e-bostio **publicservicecentre@south-wales.pnn.police.uk**
- siarad ag aelod o'r heddlu ar y stryd

Os ydych yn credu bod rhywun mewn perygl uniongyrchol o gael ei niweidio, neu os yw'n argyfwng, dylech bob amser ffonio 999.

How do I make an application?

Contacting the police

There are many different ways you can contact the police:

You can

- visit a police station
- phone **101**, the non-emergency number for the police
- email **publicservicecentre@south-wales.pnn.police.uk**
- speak to a member of the police on the street

If you believe there is an immediate risk of harm to someone, or it is an emergency, you should always call 999.

Cam Un:

Cyswllt cychwynnol â'r heddlu

Pan fyddwch yn cysylltu â'r heddlu, bydd swyddog yr heddlu neu aelod o staff yr heddlu yn cymryd manylion yr hyn a ysgogodd eich ymholiad a natur eich perthynas â'ch partner neu eich cyn-bartner.

Bydd yn gofyn i chi pryd a ble mae'n ddiogel cysylltu â chi eto.

Bydd angen i chi roi eich enw, eich cyfeiriad a'ch dyddiad geni. Yn nes ymlaen, bydd angen i chi ddarparu tystiolaeth o bwy ydych.

Bydd yr heddlu yn cynnal rhai gwiriadau cychwynnol yn seiliedig ar y wybodaeth rydych wedi'i darparu ac asesiad risg cychwynnol.

Mae'r heddlu yn cynnal y gwiriadau cychwynnol hyn er mwyn nodi a oes unrhyw bryderon uniongyrchol.

Ni chynhelir y gwiriadau hyn tra byddwch yn bresennol.

Pan fyddwch yn siarad â'r heddlu, os ydych yn honni bod eich partner neu eich cyn-bartner wedi cyflawni trosedd - er enghraifft, rydych yn dweud wrtho fod eich partner neu eich cyn-bartner wedi eich taro, yna efallai y bydd yr heddlu yn ymchwilio i hyn fel trosedd ac efallai y bydd yn arestio eich partner.

Ni chaiff unrhyw wybodaeth ei datgelu ar yr adeg hon oni fydd angen gwneud hynny er mwyn eich diogelu ar unwaith.

Os yw'r heddlu yn credu eich bod mewn perygl a bod angen eich diogelu rhag niwed, bydd yn gweithredu ar unwaith.

Step One:

Initial contact with the police

When you contact the police, a police officer or a member of police staff will take the details of what prompted your enquiry and the nature of your relationship with your partner or ex-partner.

They will ask you when and where it is safe to make contact with you again.

You will need to give your name, address and date of birth. At a later stage, you will need to provide proof of your identity.

The police will run some initial checks based on the information you have provided and conduct an initial risk assessment.

The purpose of these initial checks is for the police to establish if there are any immediate concerns.

These checks will not be undertaken while you are present. If when speaking to the police you allege a crime against your partner or ex-partner – for example, you tell them that your partner or ex-partner has hit you, then the police may investigate this as a crime and may arrest your partner.

No disclosure of information will take place at this stage unless it is necessary to provide immediate protection to you.

If the police believe that you are at risk and in need of protection from harm, they will take immediate action.

Cam Dau:

Cyfarfod wyneb yn wyneb er mwyn cwblhau'r cais

Yn dibynnu ar ganlyniad Cam Un, efallai y bydd angen i chi wedyn gyfarfod â'r heddlu wyneb yn wyneb. Diben y cyfarfod hwn fydd nodi rhagor o fanylion am eich cais er mwyn asesu unrhyw risg a rhoi cyfle i chi ddarparu tystiolaeth o bwy ydych. Dylai hyn gael ei gwblhau o fewn 10 diwrnod i'r cyswllt cychwynnol. Dylai prawf adnabod gynnwys dogfen adnabod â llun neu fath arall o ddogfen adnabod (os nad oes dogfen adnabod â llun ar gael, bydd yr heddlu yn ystyried mathau eraill o ddogfennau adnabod).

Mae'r mathau o ddogfen adnabod y gellid ei defnyddio fel a ganlyn:

- eich pasbort
- eich cyfriflen banc
- eich trwydded yrru
- eich tystysgrif geni
- bil cyfleustod cartref

Wedyn bydd yr heddlu yn defnyddio'r cyfarfod hwn i gasglu rhagor o wybodaeth gennych am natur y berthynas rhyngoch chi a'ch partner neu eich cyn-bartner er mwyn helpu i benderfynu a ydych yn wynebu risg o gam-drin domestig.

Efallai y bydd yr heddlu yn cynnal gwiriadau ac yn siarad ag asiantaethau eraill gan gynnwys y Gwasanaeth Carchardai, y Gwasanaeth Prawf a'r Gwasanaethau Cymdeithasol yn seiliedig ar y wybodaeth rydych yn ei rhoi iddo. Bydd yn gweithio mor gyflym â phosibl i gwblhau'r gwiriadau ond, yn dibynnu ar yr amgylchiadau, efallai y bydd yn cymryd mwy o amser i'r heddlu gael canlyniadau rhai gwiriadau.

Rhagwelir na fydd yn cymryd mwy na 35 diwrnod i

Step two:

Face-to-face meeting to complete the application

Depending on the outcome of Step One, you may then be required to participate in a face-to-face meeting with the police. This meeting will be to establish further details about your application in order to assess any risk and for you to provide proof of your identity. This should be completed within 10 days of initial contact. Proof of identity should comprise of a photo ID and another form of ID (if photo ID is not available, the police will consider other forms of ID).

The forms of ID that could be used are:

- your passport
- your birth certificate
- your bank statement
- a household utility bill
- your driving licence

The police will then use the meeting to gather more information from you about the nature of the relationship between you and your partner or ex-partner to help decide whether you are at risk of domestic abuse.

The police may run checks and speak to other agencies including the Prison Service, the Probation Service and Social Services based on the information you give them. They will work as quickly as possible to complete the checks but, depending on the circumstances, some checks may take longer for the results to be received by the police.

It is envisaged that the maximum time that it will take to complete the whole process, including these checks, and the disclosure of information if decided necessary, is 35 days.

gwblhau'r broses gyfan, gan gynnwys y gwiriadau hyn, a datgelu gwybodaeth os penderfynir bod angen gwneud hynny.

Bydd yr heddlu yn gweithredu ar unwaith os bydd o'r farn, ar unrhyw adeg, eich bod mewn perygl a bod angen eich diogelu rhag niwed.

Cam Tri:

Cyfarfod amlasiantaeth i ystyried datgelu

Bydd yr heddlu yn cyfarfod ag asiantaethau diogelu eraill megis y Gwasanaeth Prawf, y Gwasanaeth Carchardai, y Gwasanaethau Cymdeithasol er mwyn trafod y canlynol:

- y wybodaeth rydych chi wedi'i rhoi iddo
- gwybodaeth berthnasol gan yr asiantaethau y mae wedi siarad â hwy
- unrhyw wybodaeth ychwanegol y gall yr heddlu fod wedi'i chael o'r gwiriadau y mae wedi'u cynnal.

Wedyn bydd y cyfarfod amlasiantaeth yn penderfynu a oes unrhyw ddatgeliad yn gyfreithlon, yn angenrheidiol ac yn gymesur er mwyn eich diogelu rhag eich partner neu eich cyn-bartner. Os bydd yn penderfynu datgelu gwybodaeth, bydd yn penderfynu pwy a ddylai gael y wybodaeth ac yn llunio cynllun diogelwch wedi'i deilwra at eich anghenion, er mwyn rhoi cymorth a chefnogaeth i chi.

The police will act immediately if at any point they consider you to be at risk and in need of protection from harm.

Step three:

Multi-agency meeting to consider disclosure

The police will meet with other safeguarding agencies such as the Probation Service, Prison Service, Social Services to discuss:

- the information that you have given them
- relevant information from the agencies they have talked to
- any additional information the police may have received from the checks they have run.

The multi-agency meeting will then decide whether any disclosure is lawful, necessary and proportionate to protect you from your partner or ex-partner. If they decide to disclose information, they will determine who should receive the information and set up a safety plan tailored to your needs, to provide you with help and support

Cam Pedwar:

Datgeliad posibl

Pa fath o wybodaeth y gallech ei chael

Os bydd y gwiriadau yn dangos bod gan eich partner neu eich cyn-bartner hanes o ymddygiad treisgar neu fod gwybodaeth arall sy'n awgrymu bod angen gwneud datgeliad ar fyrder er mwyn atal trosedd arall, efallai y bydd yr heddlu yn datgelu'r wybodaeth hon i chi neu unigolyn sydd mewn sefyllfa well i'ch diogelu.

Caiff collfarnau blaenorol unigolyn eu trin yn gyfrinachol a dim ond os yw'n gyfreithlon ac yn gymesur gwneud hynny, a bod angen gwneud y datgeliad ar fyrder er mwyn atal trosedd arall y caiff y wybodaeth ei datgelu.

Os na fydd y gwiriadau yn dangos bod angen gwneud datgeliad ar fyrder er mwyn atal trosedd arall, bydd yr heddlu yn dweud hynny wrthyh. Un rheswm posibl dros hyn yw nad oes gan eich partner neu eich cyn-bartner hanes o droseddau treisgar neu nad oes unrhyw wybodaeth yn cael ei dal sy'n awgrymu bod risg y bydd yn eich niweidio. Neu efallai fod rhywfaint o wybodaeth yn cael ei dal am eich partner neu eich cyn-bartner ond nad yw'n ddigon i ddangos bod angen gwneud datgeliad ar fyrder.

Mae'n bosibl nad yw eich partner neu eich cyn-bartner yn hysbys i'r heddlu am droseddau treisgar neu nad oes digon o wybodaeth i ddangos bod risg y bydd yn eich niweidio ond ei fod yn ymddwyn mewn ffordd sy'n peri pryder. Os felly, gall yr heddlu neu asiantaeth gymorth arall weithio i'ch diogelu drwy roi cyngor a chymorth.

Step Four:

Potential disclosure

What kind of information you might be given

If the checks show that your partner or ex-partner has a record of abusive offending or there is other information that indicates there is a pressing need to make a disclosure to prevent further crime, the police may disclose this information to you or to a person who is more able to protect you.

A person's previous convictions are treated as confidential and the information will only be disclosed if it is lawful and proportionate, and there is a pressing need to make the disclosure to prevent further crime.

If the checks do not show that there is a pressing need to make a disclosure to prevent further crime, the police will tell you that. This may be because your partner or ex-partner does not have a record of abusive offences or there is no information held to indicate they pose a risk of harm to you. Or it may be that some information is held on your partner or ex-partner but this is not sufficient to demonstrate a pressing need for disclosure.

It may be the case that your partner or ex-partner is not known to the police for abusive offences or there is insufficient information to indicate they pose a risk of harm to you but they are showing worrying behaviour. In this case, the police or other support agency can work to protect you by providing advice and support.

Eich Hawl i Wybod

O dan y Cynllun, efallai y cewch ddatgeliad hyd yn oed os na fyddwch wedi gofyn am un. Y rheswm dros hyn yw, os bydd yr heddlu yn cael gwybodaeth am eich partner y mae'n ystyried ei bod yn awgrymu eich bod mewn perygl o gael eich niweidio o ganlyniad i gam-drin domestig, efallai y bydd yn ystyried datgelu'r wybodaeth honno i chi neu unigolyn arall y mae'n credu ei fod yn y sefyllfa orau i'ch diogelu. Caiff y penderfyniad i ddatgelu gwybodaeth pan na fyddwch wedi gofyn am ddatgeliad ei wneud yn y cyfarfod amlasiantaeth a dim ond os yw'n gyfreithlon ac yn gymesur gwneud hynny, a bod angen gwneud y datgeliad ar fyrder er mwyn atal trosedd arall y caiff y wybodaeth ei datgelu.

Nodyn pwysig

Dylech fod yn ymwybodol nad yw gwiriadau'r heddlu nac unrhyw ddatgeliadau a wneir yn gwarantu diogelwch. Fodd bynnag, byddant yn sicrhau eich bod yn ymwybodol o'r cymorth lleol a chenedlaethol sydd ar gael.

Ar ôl i chi gael gwybodaeth:

"Alla i sôn wrth fy rheulu a'm ffrindiau am hyn? Mae gwir angen i mi siarad â rhywun."

Os datgelir gwybodaeth i chi, dylai gael ei thrin yn gyfrinachol. Dim ond er mwyn i chi allu cymryd camau i'ch diogelu eich hun y mae'n cael ei rhoi i chi. Ni ddylech rannu'r wybodaeth hon gydag unrhyw un arall oni bai eich bod wedi siarad â'r heddlu, neu'r unigolyn a roddodd y wybodaeth i chi, a'i fod wedi cytuno â chi y caiff ei rhannu.

Your Right to Know

Under the Scheme, you may receive a disclosure even if you have not asked for one. That is because, if the police receive information about your partner which they consider puts you at risk of harm from domestic abuse, then they may consider disclosing that information to you or another person who they consider best placed to protect you. The decision to disclose information when you have not asked for a disclosure will be made by the multi-agency meeting, and the disclosure will only be made if it is lawful and proportionate, and there is a pressing need to make the disclosure to prevent further crime.

Important note

You should be aware that police checks or any disclosures made are not a guarantee of safety. They will, however, make sure you are aware of what local and national support is available.

After you are given information:

"Can I tell my family and friends about this? I really need to talk to someone."

If you receive a disclosure, it should be treated as confidential. It is only being given to you so that you can take steps to protect yourself.

You must not share this information with anyone else unless you have spoken to the police, or the person who gave you the information, and they have agreed with you that it will be shared.

Ar yr amod y caiff y wybodaeth ei chadw'n gyfrinachol, gallwch wneud y canlynol:

- defnyddio'r wybodaeth i'ch cadw eich hun yn ddiogel
- defnyddio'r wybodaeth i gadw unrhyw blant sy'n rhan o'r sefyllfa yn ddiogel
- gofyn pa gymorth sydd ar gael
- gofyn am gyngor ar gadw eich hun ac eraill yn ddiogel

Efallai y bydd yr heddlu yn penderfynu peidio â rhoi gwybodaeth i chi os yw o'r farn y byddwch yn ei thrafod ag eraill. Fodd bynnag, bydd yr heddlu yn cymryd camau i'ch diogelu os oes risg y cewch eich niweidio.

Efallai y bydd yr heddlu yn cymryd camau yn eich erbyn os caiff y wybodaeth ei datgelu heb ei ganiatâd, a allai gynnwys achos sifil neu droseddol.

Dylech fod yn ymwybodol ei bod yn drosedd (**o dan Adran 55 o Ddeddf Diogelu Data 1998**) i unigolion, yn fwriadol neu'n fyrbwyll, gael neu ddatgelu data personol heb ganiatâd rheolwr y data sef, yn yr achos hwn, yr heddlu fel arfer.

Os na wneir unrhyw ddatgeliad ond bod gennych byrderon o hyd a'ch bod am gael rhagor o wybodaeth am sut i ddiogelu eich hun, mae camau y gallwch eu cymryd i'ch diogelu yn y dyfodol.

Gall yr heddlu roi gwybodaeth a chyngor i chi ar sut i ddiogelu eich hun ac adnabod arwyddion cam-drin domestig. Hefyd, mae nifer o wasanaethau a sefydliadau arbenigol sy'n darparu gwybodaeth am gam-drin domestig, sut i'w adnabod a sut i weithio gyda'r awdurdodau er mwyn ymyrryd.

Subject to the condition that the information is kept confidential, you can:

- use the information to keep yourself safe
- use the information to keep any children involved in the situation safe
- ask what support is available
- ask for advice on how to keep yourself and others safe

The police may decide not to give you information if they think that you will discuss it with others. However, the police will still take steps to protect you if you are at risk of harm.

The police may take action against you if the information is disclosed without their consent, which could include civil or criminal proceedings.

You should be aware that it is an offence (**under Section 55 of the Data Protection Act 1998**) for a person to 'knowingly or recklessly obtain or disclose personal data without the consent of the data controller' which in this case is usually the police.

If no disclosure is made but you still have concerns and want further information about protecting yourself, there is action you can take to protect yourself in the future.

The police can provide you with information and advice on how to protect yourself and how to recognise the warning signs of domestic abuse. There are also a number of specialist services and organisations providing information about domestic abuse, how to spot it and how to work with the authorities to intervene.

Cymorth Support

Heddlu De Cymru South Wales Police

☎ 999 mewn argyfwfn / in an emergency

☎ 101 di-argyfwng / non-emergency

Llinell Gymorth Byw heb Ofn Live Fear Free Helpline

☎ 0808 801 0800

🌐 www.livefearfree.gov.wales

✉ info@livefearfreehelpline.wales

Llinell Gymorth Stelcian Stalking Helpline

☎ 0808 802 0300

🌐 www.stalkinghelpline.org

Paladin - Gwasanaeth Eirioli Cenedlaethol ar gyfer Stelcian

Paladin - National Stalking Advocacy Service

☎ 020 3866 4107

🌐 www.paladinservice.co.uk

✉ info.mailbox@paladin.cjism.net

Mae Prosiect Dyn The Dyn Project

Mae Prosiect Dyn yn cefnogi dynion heterorywiol, hoyw, deurywiol a thraws sydd yn dioddef o gam-drin domestig. The Dyn Project, Supports Heterosexual, Gay, Bisexual and Trans men who are experiencing domestic abuse.

☎ 0808 801 0321

🌐 www.dynwales.org

✉ support@dynwales.org

Llinell Gymorth LGBT a Cham-drin Domestig National LGBT + Domestic Abuse Helpline:

☎ 0800 999 5428

🌐 www.galop.org.uk

✉ help@galop.org.uk

Respect - Llinell Gwybodaeth a Chyngor

Gwasanaeth cyfrinachol a di enw i unrhyw un sy'n poeni am eu trais/a neu gamdriniaeth tuag at bartner neu gyn partner.

Respect - Information and Advice Line

A confidential and anonymous service for anyone concerned about their violence and/or abuse towards a partner or ex-partner.

☎ 0808 802 4040

🌐 www.respectphoneline.org.uk

✉ info@respectphoneline.org.uk

☎ Ffôn / Phone

🌐 Gwefan / Website

✉ Ebost / Email

Beth yw'r cynllun hwn?

Nod y cynllun hwn yw cynnig dull ffurfiol i aelodau'r cyhoedd wneud ymholiadau ynghylch unigolyn y maent mewn perthynas ag ef, neu sydd mewn perthynas â rhywun y maent yn ei adnabod, a bod pryder y gallai fod gan yr unigolyn hanes o ymddygiad treisgar.

Os yw gwiriadau'r heddlu yn dangos bod gan yr unigolyn hanes o droseddau treisgar, neu fod gwybodaeth arall sy'n awgrymu bod yr unigolyn rydych yn ei adnabod mewn perygl, bydd yr heddlu yn ystyried rhannu'r wybodaeth hon gyda'r unigolyn (unigolion) sydd yn y sefyllfa orau i ddiogelu'r dioddefwr posibl.

Bydd eich heddlu lleol yn trafod eich pryderon â chi ac yn penderfynu p'un a yw'n briodol i chi gael rhagor o wybodaeth i'ch helpu i ddiogelu'r person sydd mewn perthynas â'r unigolyn rydych chi'n poeni amdano.

Nod y cynllun yw galluogi dioddefwyr posibl i wneud penderfyniad hyddysg ynghylch a ddylent barhau â'r berthynas, ac mae'n cynnig cymorth a chefnogaeth i gynorthwyo'r dioddefwr posibl pan fydd yn gwneud y dewis hyddysg hwnnw.

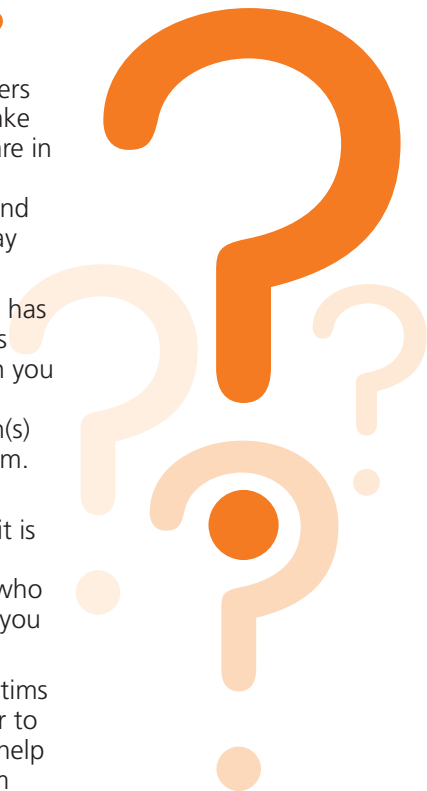
What is this scheme?

The aim of this scheme is to give members of the public a formal mechanism to make enquires about an individual who they are in a relationship with, or who is in a relationship with someone they know, and there is a concern that the individual may have a record of abuse.

If police checks show that the individual has a record of abusive offending, or there is other information to indicate the person you know is at risk, the police will consider sharing this information with the person(s) best placed to protect the potential victim.

Your local police force will discuss your concerns with you and decide whether it is appropriate for you to be given more information to help protect the person who is in the relationship with the individual you are concerned about.

The scheme aims to enable potential victims to make an informed choice on whether to continue the relationship, and provides help and support to assist the potential victim when making that informed choice.



Pwy all ofyn am ddatgeliad?

Ystyr datgeliad o dan y cynllun hwn yw rhannu gwybodaeth benodol am unigolyn gyda'r sawl sy'n gwneud y cais neu drydydd person er mwyn diogelu'r dioddefwr posibl rhag trais domestig.

- Gall unrhyw un wneud cais am unigolyn sydd, neu a oedd, mewn perthynas agos â rhywun arall, a lle mae pryder y gallai'r unigolyn niweidio, neu fod wedi niweidio, rywun arall.
- Gall unrhyw drydydd parti pryderus, megis rhiant, cymydog neu ffrind wneud cais, nid dim ond y dioddefwr posibl.
- Ni fyddai trydydd parti sy'n gwneud cais o reidrwydd yn cael y wybodaeth am yr unigolyn dan sylw. Efallai y bydd yn fwy priodol i rywun arall gael y wybodaeth, megis y dioddefwr posibl neu unigolyn arall sydd yn y sefyllfa orau i ddiogelu'r dioddefwr posibl.

Who can ask for disclosure?

A disclosure under this scheme is the sharing of specific information about an individual with the person making the application or a third person for the purposes of protecting a potential victim from domestic violence.

- Anyone can make an application about an individual who is or was in an intimate relationship with another person, and where there is a concern that the individual may harm or have harmed another person.
- Any concerned third party, such as a parent, neighbour or friend can make an application, not just the potential victim.
- A third party making an application would not necessarily receive the information about the individual concerned. It may be more appropriate for someone else to receive the information such as the potential victim or another person who is best placed to protect the potential victim.

Sut y gallaf wneud cais?

Mae'n bwysig cofio y gall unrhyw un wneud cais i'r heddlu am unigolyn sydd mewn perthynas agos â rhywun arall, a bod pryder y gallai'r unigolyn niweidio ei bartner.

Cysylltu â'r heddlu

Mae sawl ffordd wahanol y gallwch gysylltu â'r heddlu:

Gallwch

- ymweld â gorsaf heddlu
- ffonio **101**, sef rhif ffôn yr heddlu ar gyfer galwadau nad ydynt yn rhai brys
- e-bost **publicservicecentre@south-wales.pnn.police.uk**
- siarad ag aelod o'r heddlu ar y stryd

Os ydych yn credu bod rhywun mewn perygl uniongyrchol o gael ei niweidio, neu os yw'n argyfwng, dylech bob amser ffonio 999.

How do I make an application?

It is important to remember that anyone can make an application to the police about an individual who is in an intimate relationship with another person, and there is a concern that the individual may present a risk of harm to their partner.

Contacting the police

There are many different ways you can contact the police:

You can

- visit a police station
- phone **101**, the non-emergency number for the police
- email **publicservicecentre@south-wales.pnn.police.uk**
- speak to a member of the police on the street

If you believe there is an immediate risk of harm to someone, or it is an emergency, you should always call 999.

Cam Un:

Cyswllt cychwynnol â'r heddlu

Pan fyddwch yn cysylltu â'r heddlu, bydd swyddog yr heddlu neu aelod o staff yr heddlu yn cymryd manylion yr hyn a ysgogodd eich ymholiad a natur eich perthynas â'r dioddefwr posibl a'i bartner.

Bydd yn gofyn i chi pryd a ble mae'n ddiogel cysylltu â chi eto.

Bydd angen i chi roi eich enw, eich cyfeiriad a'ch dyddiad geni. Yn nes ymlaen, bydd angen i chi ddarparu tystiolaeth o bwy ydych.

Bydd yr heddlu yn cynnal rhai gwiriadau cychwynnol yn seiliedig ar y wybodaeth rydych wedi'i darparu ac asesiad risg cychwynnol.

Mae'r heddlu yn cynnal y gwiriadau cychwynnol hyn er mwyn nodi a oes unrhyw bryderon uniongyrchol.

Ni chynhelir y gwiriadau hyn tra byddwch yn bresennol.

Pan fyddwch yn siarad â'r heddlu, os ydych yn honni bod trosedd wedi'i chyflawni – er enghraifft, os byddwch yn dweud eich bod wedi gweld rhywun yn taro ei bartner, yna efallai y bydd yr heddlu yn ymchwilio i hyn fel trosedd ac efallai y bydd yn arestio'r partner.

Os yw'r heddlu yn credu bod rhywun mewn perygl a bod angen ei ddiogelu rhag niwed, bydd yn gweithredu ar unwaith.

Ni chaiff unrhyw wybodaeth ei datgelu ar yr adeg hon oni fydd angen gwneud hynny er mwyn diogelu'r dioddefwr posibl ar unwaith.

Step One

Initial contact with the police

When you contact the police, a police officer or a member of police staff will take the details of what prompted your enquiry and the nature of your relationship with the potential victim and their partner.

They will ask you when and where it is safe to make contact with you again.

You will need to give your name, address and date of birth. At a later stage, you will need to provide proof of your identity.

The police will run some initial checks based on the information you have provided and conduct an initial risk assessment.

The purpose of these initial checks is for the police to establish if there are any immediate concerns.

These checks will not be undertaken while you are present.

If speaking to the police you allege that a crime has taken place – for example, if you say that you witnessed someone hit their partner, then the police may investigate this as a crime and may arrest the partner.

If the police believe that someone is at risk and in need of protection from harm, they will take immediate action.

No disclosure of information will take place at this stage unless it is necessary for the immediate protection of the potential victim.

Cam Dau:

Cyfarfod wyneb yn wyneb er mwyn cwblhau'r cais

Yn dibynnu ar ganlyniad Cam Un, efallai y bydd angen i chi wedyn gyfarfod â'r heddlu wyneb yn wyneb. Diben y cyfarfod hwn fydd nodi rhagor o fanylion am eich cais er mwyn asesu unrhyw risg a rhoi cyfle i chi ddarparu tystiolaeth o bwy ydych. Dylid cwblhau'r prawf adnabod o fewn 10 diwrnod i'r cyswllt cychwynnol. Dylai gynnwys dogfen adnabod â llun a math arall o ddogfen adnabod (os nad oes dogfen adnabod â llun ar gael, bydd yr heddlu ynystyried mathau eraill o ddogfennau adnabod).

Mae'r mathau o ddogfen adnabod y gellid ei defnyddio fel a ganlyn:

- eich pasbort
- eich cyfriflen banc
- eich trwydded yrru
- eich tystysgrif geni
- bil cyfleustod cartref

Bydd yr heddlu yn defnyddio'r cyfarfod hwn i gasglu rhagor o wybodaeth gennych am natur y berthynas rhyngoch chi a'r unigolyn rydych yn pryderu yn ei gylch a'i bartner neu ei gyn-bartner. Efallai y bydd hefyd yn gofyn i chi roi rhagor o wybodaeth am y rheswm pam rydych wedi gwneud ymholiad o dan y cynllun hwn.

Efallai y bydd yr heddlu yn cynnal gwiriadau ac yn siarad ag asiantaethau eraill gan gynnwys y Gwasanaeth Carchardai, y Gwasanaeth Prawf a'r Gwasanaethau Cymdeithasol yn seiliedig ar y wybodaeth rydych yn ei rhoi iddo. Bydd yn gweithio mor gyflym â phosibl i gwblhau'r gwiriadau ond, yn dibynnu ar yr amgylchiadau,

Step two:

Face-to-face meeting to complete the application

Depending on the outcome of Step One, you may then be required to participate in a face-to-face meeting with the police. This meeting will be to establish further details about your application in order to assess any risk and for you to provide proof of your identity. Proof of identity should be completed within 10 days of initial contact. This should comprise of a photo ID and another form of ID (if photo ID is not available, the police will consider other forms of ID).

The forms of ID that could be used are:

- your passport
- your birth certificate
- your bank statement
- a household utility bill
- your driving licence

The police will use this meeting to gather more information from you about the nature of the relationship between the person you are concerned about and their partner or ex-partner. They may also ask for further information from you on why you have made an enquiry under this scheme.

The police may run checks and speak to other agencies including the Prison Service, the Probation Service and Social Services based on the information you give them. They will work as quickly as possible to complete the checks but, depending on the circumstances, some checks may take longer for the results to be received by the police.

It is envisaged that the maximum time that it will take to complete the whole process, including these checks and the

efallai y bydd yn cymryd mwy o amser i'r heddlu gael canlyniadau rhai gwiriadau.

Rhagwelir na fydd yn cymryd mwy na 35 diwrnod i gwblhau'r broses gyfan, gan gynnwys y gwiriadau hyn, a datgelu gwybodaeth os penderfynir bod angen gwneud hynny. Bydd yr heddlu yn gweithredu ar unwaith os bydd o'r farn, ar unrhyw adeg, fod y dioddefwr posibl mewn perygl a bod angen ei ddiogelu rhag niwed.

Cam Tri:

Cyfarfod amlasiantaeth i ystyried datgelu

Bydd yr heddlu yn cyfarfod ag asiantaethau diogelu eraill (megis y Gwasanaeth Prawf, y Gwasanaeth Carchardai, y Gwasanaethau Cymdeithasol) er mwyn trafod y canlynol:

- y wybodaeth rydych wedi'i rhoi iddo
- gwybodaeth berthnasol gan yr asiantaethau y mae wedi siarad â hwy
- unrhyw wybodaeth ychwanegol y gall yr heddlu fod wedi'i chael o'r gwiriadau y mae wedi'u cynnal.

Wedyn bydd y cyfarfod amlasiantaeth yn penderfynu a oes unrhyw ddatgeliad yn gyfreithlon, yn angenrheidiol ac yn gymesur er mwyn eich diogelu rhag eich partner neu eich cyn-bartner. Os bydd yn penderfynu datgelu gwybodaeth, bydd yn penderfynu pwy a ddylai gael y wybodaeth ac yn llunio cynllun diogelwch wedi'i deilwra at eich anghenion, er mwyn rhoi cymorth a chefnogaeth i chi.

disclosure of information, if decided necessary, is 35 days. The police will act immediately if at any point they consider the potential victim to be at risk and in need of protection from harm.

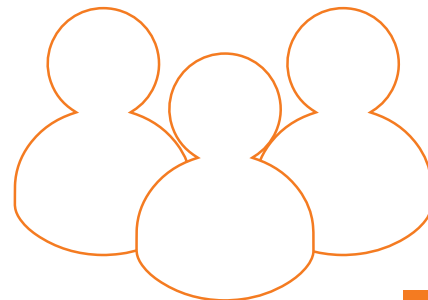
Step three:

Multi-agency meeting to consider disclosure

The police will meet with other safeguarding agencies (such as the Probation Service, Prison Service, Social Services) to discuss:

- the information that you have given them
- relevant information from the agencies they have talked to
- any additional information the police may have received from the checks they have run.

The multi-agency meeting will then decide whether any disclosure is lawful, necessary and proportionate to protect you from your partner or ex-partner. If they decide to disclose information, they will determine who should receive the information and set up a safety plan tailored to your needs, to provide you with help and support



Cam Pedwar:

Datgeliad posibl

Pa fath o wybodaeth y gallech ei chael

Os bydd y gwiriadau yn dangos bod gan yr unigolyn rydych yn holi yn ei gylch hanes o ymddygiad treisgar neu fod gwybodaeth arall sy'n awgrymu bod angen gwneud datgeliad ar fyrder er mwyn atal trosedd arall, efallai y bydd yr heddlu yn datgelu hyn i'r unigolyn sydd yn y sefyllfa orau i ddiogelu'r dioddefwr.

Dylid nodi y caiff manylion collfarnau blaenorol unigolyn eu trin yn gyfrinachol a dim ond os yw'n gyfreithlon ac yn gymesur gwneud hynny, a bod angen gwneud y datgeliad ar fyrder er mwyn atal trosedd arall y caiff gwybodaeth ei datgelu.

Os na fydd y gwiriadau yn dangos bod angen gwneud datgeliad ar fyrder er mwyn atal trosedd arall, bydd yr heddlu yn dweud hynny wrthyh. Un rheswm posibl dros hyn yw nad oes gan yr unigolyn hanes o droseddau treisgar neu nad oes unrhyw wybodaeth yn cael ei dal sy'n awgrymu bod risg y caiff y dioddefwr posibl ei niweidio. Neu efallai fod rhywfaint o wybodaeth yn cael ei dal am yr unigolyn ond nad yw'n ddigon i ddangos bod angen gwneud datgeliad ar fyrder.

Mae'n bosibl nad yw'r unigolyn rydych yn holi yn ei gylch yn hysbys i'r heddlu am droseddau treisgar neu nad oes digon o wybodaeth sy'n dangos bod risg y bydd yn niweidio'r dioddefwr posibl, ond ei fod yn ymddwyn mewn ffordd sy'n peri pryder. Os felly, bydd yr heddlu neu asiantaeth gymorth arall yn gweithio gyda chi i ddiogelu'r dioddefwr posibl a gall roi cyngor a chymorth.

Step Four:

Potential disclosure

What kind of information you might be given

If the checks show that the individual you are enquiring about has a record for abusive offending or there is other information that indicates there is a pressing need to make a disclosure to prevent further crime, the police may disclose this to the person who is most able to protect the victim.

It should be noted that details about a person's previous convictions are treated as confidential and information will only be disclosed if it is lawful and proportionate, and there is a pressing need to make the disclosure to prevent further crime.

If the checks do not show that there is a pressing need to make a disclosure to prevent further crime, the police will tell you that. This may be because the individual does not have a record of abusive offending or there is no information held to indicate they pose a risk of harm to the potential victim. Or it may be that some information is held on the individual but this is not sufficient to demonstrate a pressing need for disclosure.

It may be the case that the individual you are asking about is not known to the police for abusive offences or there is insufficient information that indicates they pose a risk of harm to the potential victim, but they are showing worrying behaviour. In this case the police or other support agency will work with you to protect the potential victim and can provide advice and support.

Eich Hawl i Wybod

O dan y cynllun, efallai y cewch ddatgeliad hyd yn oed os na fyddwch wedi gofyn am un. Y rheswm dros hyn yw, os bydd yr heddlu yn cael gwybodaeth am yr unigolyn rydych yn ei adnabod y mae'n ystyried ei bod yn awgrymu bod yr unigolyn hwnnw mewn perygl o gael ei niweidio o ganlyniad i gam-drin domestig gan ei bartner, efallai y bydd yn ystyried datgelu'r wybodaeth honno os mai chi yw'r unigolyn sydd yn y sefyllfa orau i ddiogelu'r dioddefwr. Caiff y penderfyniad i ddatgelu gwybodaeth pan na fyddwch wedi gofyn am ddatgeliad ei wneud yn y cyfarfod amlasiantaeth (a ddisgrifiwyd uchod), a dim ond os yw'n gyfreithlon ac yn gymesur gwneud hynny, a bod angen gwneud y datgeliad ar fyrder er mwyn atal trosedd arall y caiff y wybodaeth ei datgelu.

Nodyn pwysig

Dylech fod yn ymwybodol nad yw gwiriadau'r heddlu nac unrhyw ddatgeliadau a wneir yn gwarantu diogelwch. Bydd yr heddlu yn rhoi cyngor i chi ar sut i ddiogelu'r dioddefwr posibl ac adnabod arwyddion cam-drin domestig. Bydd hefyd yn gwneud yn siŵr eich bod yn ymwybodol o'r cymorth lleol a chenedlaethol sydd ar gael.

Ar ôl i chi gael gwybodaeth:

"Alla i sôn wrth fy rheulu a'm ffrindiau am hyn? Mae gwir angen i mi siarad â rhywun."

Os datgelir gwybodaeth i chi, dylai gael ei thrin yn gyfrinachol. Dim ond er mwyn i chi allu cymryd camau i ddiogelu'r dioddefwr posibl y mae'n cael ei rhoi i chi. Ni ddylech rannu'r wybodaeth hon gydag unrhyw un arall oni bai eich bod wedi siarad â'r heddlu, neu'r unigolyn a roddodd y wybodaeth i chi, a'i fod wedi cytuno â chi y caiff ei rhannu.

Your Right to Know

Under the scheme, you may receive a disclosure even if you have not asked for one. That is because, if the police receive information about the person you know which they consider puts that person at risk of harm of domestic abuse by their partner, then they may consider disclosing that information if you are the best placed person to protect the victim. The decision to disclose information when you have not asked for a disclosure will be made by the multi-agency meeting (described above), and the disclosure will only be made if it is lawful and proportionate, and there is a pressing need to make the disclosure to prevent further crime.

Important note

You should be aware that police checks or any disclosures made are not a guarantee of safety. The police will give you advice on how to protect the potential victim and how to recognise the warning signs of domestic abuse. They will also make sure you are aware of what local and national support is available.

After you are given information:

"Can I tell my family and friends about this? I really need to talk to someone."

If you receive a disclosure, it should be treated as confidential. It is only being given to you so that you can take steps to protect the potential victim. You must not share this information with anyone else unless you have spoken to the police, or the person who gave you the information, and they have agreed with you that it will be shared.

Ar yr amod y caiff y wybodaeth ei chadw'n gyfrinachol, gallwch wneud y canlynol:

- Defnyddio'r wybodaeth i gadw dioddefwr posibl ac eich hunain yn ddiogel
- defnyddio'r wybodaeth i gadw unrhyw blant sy'n rhan o'r sefyllfa yn ddiogel
- gofyn pa gymorth sydd ar gael
- gofyn am gyngor ar gadw eich hun ac eraill yn ddiogel

Efallai y bydd yr heddlu yn penderfynu peidio â rhoi gwybodaeth i chi os yw o'r farn y byddwch yn ei thrafod ag eraill. Efallai y bydd yr heddlu yn cymryd camau yn eich erbyn os caiff y wybodaeth ei datgelu heb ei ganiatâd, a allai gynnwys achos sifil neu droseddol.

Dylech fod yn ymwybodol ei bod yn drosedd (**o dan Adran 55 o Ddeddf Diogelu Data 1998**) i unigolion, yn fwiadol neu'n fyrbwyll, gael neu ddatgelu data personol heb ganiatâd rheolwr y data sef, yn yr achos hwn, yr heddlu fel arfer.

Os na wneir unrhyw ddatgeliad ond bod gennych bryderon o hyd a'ch bod am gael rhagor o wybodaeth am ddiogelu rhywun arall rhag cam-drin domestig, mae camau y gallwch eu cymryd i'ch diogelu ar gyfer y dyfodol.

Gall yr heddlu roi gwybodaeth a chyngor i chi ar sut i ddiogelu rhywun arall rhag ymddygiad treisgar ac adnabod arwyddion cam-drin domestig. Hefyd, mae nifer o wasanaethau a sefydliadau arbenigol sy'n darparu gwybodaeth am gam-drin domestig, sut i'w adnabod a sut i weithio gyda'r awdurdodau er mwyn ymyrryd.

Subject to the condition that the information is kept confidential, you can:

- use the information to keep the potential victim and yourself safe
- use the information to keep any children involved in the situation safe
- ask what support is available
- ask for advice on how to keep yourself and others safe

The police may decide not to give you information if they think that you will discuss it with others. The police may take action against you if the information is disclosed without their consent, which could include civil or criminal proceedings.

You should be aware that it is an offence (**under Section 55 of the Data Protection Act 1998**) for a person to 'knowingly or recklessly obtain or disclose personal data without the consent of the data controller' which in this case is usually the police.

If no disclosure is made but you still have concerns and want further information about protecting someone from domestic abuse, there is action you can take for the future.

The police can provide you with information and advice on how to protect someone from violent behaviour and how to recognise the warning signs of domestic abuse. There are also a number of specialist services and organisations providing information about domestic abuse, how to spot it and how to work with the authorities to intervene.

Nodiadau Notes

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