

WILLOW

DOMESTIC ABUSE SERVICES

is the new name for



*Meath Women's Refuge
& Support Services*

DOMESTIC VIOLENCE COURT ORDERS

**CAN INCREASE YOUR PROTECTION
AGAINST ABUSIVE BEHAVIOUR.**

Domestic violence and abuse are against the law. Court Orders can increase your protection against abusive behaviour. If you ever feel that you are in danger, call the Gardaí on 999/112. You do not need a court order to seek help from Gardaí.



WHAT IS DOMESTIC VIOLENCE AND ABUSE?

Domestic violence is when one person uses abuse to control their partner, ex-partner, or family member. The abusive person (perpetrator) uses violence, threats, or degrading behaviour to harm, scare, or control the other person. Abuse can occur in person, through technology or social media, through letters or unspoken messages, or through other people.

Coercive control is the pattern of this abusive behaviour. It happens slowly and over time so that it is difficult to recognise. Coercive control can include any of the examples on the next page but presents in different ways in every relationship.

ABUSE CAN BE...

Emotional



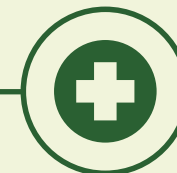
- Putting you down or calling you names
- Blaming you for everything
- Keeping you from friends and family
- Telling lies about you or harming your relationships with others
- Not letting you go anywhere without them
- Threatening or blackmailing you

Sexual



- Forcing you to have sex through violence, threats, or guilt
- Ignoring your boundaries around sexual acts
- Forcing you to take intimate photos or taking them without your consent
- Sharing or threatening to share images
- Not letting you make choices around family planning

Physical



- Kicking or hitting you with their hands and/or objects
- Pushing, pulling, or grabbing you
- Choking you or restricting/threatening to restrict your breathing in any way
- Hurting your children, family members, or pets
- Controlling your food, water, or medicine
- Not letting you go to the GP or hospital

Financial



- Telling you what you can and cannot buy
- Controlling, stealing, or spending your money
- Making you financially dependent on them
- Telling you not to work or causing you to lose your job
- Refusing to pay child maintenance
- Using money to punish or bribe you



WHAT IS A DOMESTIC VIOLENCE COURT ORDER?

Domestic violence court orders are legal documents that direct an abusive person to stop the harm they are causing the other person. The abusive person can be arrested if they violate a court order. Domestic violence orders can be sought against current or former intimate partners or spouses, as well as family members depending on the relationship or living situation. Disputes between neighbours, tenants, or roommates are not covered by domestic violence law.

It is not a crime to have a court order in place and it will not affect a person's criminal record if there is an order against them. However, they can be charged with a crime if they violate the order.

Protection Order

With a Protection Order, the perpetrator does not have to leave the home. The perpetrator must stop all aggressive behaviour, including violence and threats. If the perpetrator is not living with you, the court order can require that they stay away from your home. This order may also require the perpetrator not contact you through phone, text, or social media.

Length of Order: Protection orders are temporary. They only last until the hearing (which is usually 3-5 months after you receive the order). At the hearing, you may be granted a more permanent order.



Safety Order

A Safety Order has the same requirements as a Protection Order, but a Safety Order is more permanent. Safety Orders are decided by the judge when you return to court for the hearing.

Length of Order: A Safety Order may be granted for up to 5 years.

Emergency Barring Order

This order works the same as an Interim Barring Order but can only be applied for through Gardaí. Emergency Barring Orders can be granted when there is an immediate threat to life outside of normal court hours. Emergency Barring Orders are temporary and last 8 days (until your hearing).

Interim Barring Order

With an Interim Barring Order, the perpetrator must leave the home and stay away from the home. It also includes that the perpetrator must stop all aggressive behaviour, including violence and threats. This order may also require the perpetrator not contact you through phone, text, or social media.

Length of Order: Interim Barring Orders only last 8 days (until your hearing). At the hearing, you may be granted a more permanent order.



Barring Order

A Barring Order has the same requirements as an Interim Barring Order, but a Barring Order is more permanent. Barring Orders are decided by the judge when you return to court for the hearing.

Length of Order: A Barring Order may be granted for up to 3 years.

GETTING AN ORDER: WHAT STEPS TO TAKE

1

Locate your local District Court.* In County Meath, you can attend:

Trim Court: On Tuesdays, Wednesdays, Thursdays from 10:30am. This court is closed on the fifth Tuesday, Wednesday and Thursday of each month.

Navan Court: Fridays from 10:30am. This court is closed on the first and fifth Friday of each month.

*Some towns along the Meath border fall into another court area. If you are unsure of your local District Court or live outside of Meath, view the court map here:



Or go to www.courts.ie

2

We can help by discussing your options and helping you create a plan for your safety before you go into court for your order.

Call our Helpline on **1800 46 46 46** and select option 3 to speak to a court support worker.



3

If you prefer, you can go directly to the district court and apply for an order with the court clerk.



4

You should bring a form of ID to court with you (driving licence, passport, PPS card).



5

You will need to provide your address and the address of the perpetrator. If you need your address to remain confidential, you can ask that it be withheld.



6

Whether you choose to meet the court clerk or one of our court support workers, you will complete an application for the order. You will describe what has happened and why you need a domestic violence order for your safety.



7

You will then wait for a judge to review the application. The judge will ask some additional questions, and if your application meets the criteria for an order, the judge will grant you a temporary order (protection order or interim barring order). They will give you a date to return to court for the hearing.



8

The court clerk will give you a copy of the order. Gardaí will serve the order to the perpetrator and will explain to them what the order means. The order is not active until the perpetrator has received the paperwork. You can call your local Garda Station to find out if the order has been served. It is also helpful to bring a copy of the order to your local station.



9

When possible, it is better to have legal representation for your court hearing. You may be eligible for Legal Aid, which will cover the cost of a solicitor. Contact the Legal Aid office or your court support worker after you receive your order for help with applying for Legal Aid.



10

Your temporary order expires on the date you are scheduled to return to court. If you do not return to court, the order will become inactive. When you return to court, both you and the perpetrator will have a chance to speak and provide evidence. The judge will then decide whether to grant a more permanent order (safety order or a barring order) and how long the order will be in effect. The maximum length of time for a safety order is 5 years, and the maximum length of time for a barring order is 3 years.



11

The judge may also suggest an undertaking, which both parties must agree to. You should discuss this choice with your legal representation. An undertaking is not an official order and Gardaí will not be able to arrest the perpetrator for violating an undertaking. However, if the perpetrator violates the undertaking, you will be able to return to court to receive a new order.



12

If you are refused a permanent order, you have the right to file an appeal. This will be heard in the circuit court.



ABUSE AFTER YOU GET AN ORDER

If the perpetrator violates an order, they can be arrested. If the perpetrator harasses you or makes you feel afraid in person, over the phone, or by any other means, contact the Gardaí as soon as possible.

Call **999/112** if you are in immediate danger or if the perpetrator arrives to your house. **999/112** calls are recorded and can be used as evidence in a trial. You can also go to your local Garda station after the incident to file a report.

Keep a copy of your order with you. This can help Gardaí quickly know that you have an order.

If an incident occurs and you are unsure if the abuser has violated the order, you can still contact Gardaí to seek support.

The guard who files the report will be your contact throughout the case. Ask the guard for their name and keep for your own records.



SERVICES & SUPPORTS

▶ An Garda Síochána & Emergency Services
999 or 112

▶ Willow Domestic Abuse Services 24hr Helpline
1800 46 46 46

▶ National 24-Hour Rape Crisis Helpline
1800 77 8888

▶ TUSLA Local Area Office
046 909 8500

▶ Legal Aid Board | Navan Law Centre
046 907 2515 | www.legalaidboard.ie

▶ Free Legal Advice Centres
01 874 5690

▶ Court Service Ireland
www.courts.ie

▶ Garda Ombudsman | Deals with complaints about
the Gardaí from members of the public
1890 600 800 | www.gardaombudsman.ie

VISIT US:



Registered Company No: 127494
Registered Charity No: 20021634

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