Year: 2026 **Vol:** 01 **Case No:** 22

Categories: domestic violence against parent; mental illness; self- representation; non-appearance of respondent

Barring order granted against son with mental health issues

A judge in a District Court in a rural town heard an application by a mother for a barring order against her son. The applicant mother had also applied for a safety order. The mother represented herself and there was no appearance by the respondent son.

The judge looked at the court file and said service was in order as it had been effected by the Gardaí.

The mother was sworn in and gave her formal evidence. She said her son was in his 20s and not dependent but he had been very mentally unwell for a number of years. She had obtained a protection order some months previously. She said he did not seem to understand that order, he had breached it twice and the Gardaí had been called.

She said he brought alcohol into the house, and he became very aggressive when she tried to stop him and on a second occasion, he had taken drugs and rung her from his grandparent's house asking her to collect him, which she did. When they got home, he pounded her bedroom door and demanded a lift back to this grandparent's house as he had left something there.

The mother said her son needed a lot of help with the functionality of every day, but he never got the right help or medication. She said he had not worked in over two years, and he had nowhere to go every day. He was a lost soul and he had been seen down at the river on his own.

She said she was afraid of him when he was taking drugs as he was not the same person and she never knew what he would do. She said her other child would not stay in the house any more if her brother was there as she did not want to be around him when he was drinking and taking drugs. The t mother said she had a letter from the son's 's doctor which said that he would not go to rehab but if there was a letter from the Court ordering him to go to rehab, he might go, and he would be assessed for the correct medication while he was there. The judge said she could not do that as the son was an adult.

The judge explained the difference between a safety order and a barring order. She asked if the son had attended any psychiatric services. The mother said he had attended for four weeks but then he stopped going and he would not engage with them, and the service would not update her as to what happened.

She said he also had been offered a place in rehab but they cancelled this place at the last minute and said they could not take him because of the mood stabilising medication he was taking.

The mother said the son's troubles started when he was beaten up as a teenager. He also had very little contact with his father since his parents divorced some years earlier and this had affected him. She said he did not care about anything or anyone, and he was very affected by his grandmother's death some years ago.

She said if he was sober, he would never hurt anyone and he was a very kind person but with drink and drugs he was almost unable to speak. He would stop eating and would not sleep for days. The mother said he had had a traumatic life and the few people who had tried to help him, their hands had been tied.

The judge asked the mother a number of times whether she wanted a barring order or safety order. The mother said she was so upset for him, but a barring order might give him the shock he needed. The mother said she wanted to always be there for him. The judge said she could stay in contact with him and meet him, but it barred him from her property.

The judge said it was very sad that the psychiatric services had essentially abandoned him to the care of his mother. She said that she was satisfied on the mother's evidence that the threshold had been reached for a barring order.

She told the mother that her son did not have a disability and he was an adult and she did not have the duty to mind him. The judge made the barring order for one year and explained the terms of the barring order to the mother. The judge said the mother could still communicate with him because that was what she wanted. The Gardaí would serve him and he would have to leave the house immediately. The judge recommended that he attend counselling or addiction services.