Year: 2026 **Vol:** 01 **Case No:** 34

Categories: non-appearance of respondent; self-representation, sibling relationship; consented orders; alcohol abuse; drug abuse; custody and access

Several domestic violence orders granted by Dublin District Court; Two refused

In Dublin District court where both parties were represented by counsel a safety order was refused by the judge after hearing both sides. Issues also arose around custody and access.

The applicant told the Court that the parties had had a brief relationship many years earlier and later resumed contact, during which time a child was born. She said the relationship lasted only a short time and that the respondent father became controlling. She told the Court that he had come to her home without being invited and that she felt afraid of him. She said she had locked herself in her bedroom on one occasion. She also described contact from the respondent, including messages she did not want.

The mother said she had not told the father when the child was born. She later allowed him to meet the child, but said contact had been very limited. When asked how she felt when the man attended a hospital appointment, she said she felt unsafe.

During questioning, it was put to the woman that she had not shared information about the pregnancy or birth and had not engaged in co-parenting. It was also suggested that the safety order application was being used to prevent the man from having access to the child. The man denied this.

The father then gave his account. He said he had tried to have a positive relationship with the child and had only contacted the mother for that reason. He said he had not been told about the birth of his child, which had caused him distress. He told the Court that he wanted to play a positive role in the child's life and denied doing anything that would cause fear. The Court heard that communication between the parties had broken down and that there had been little direct contact.

The judge said that, despite the difficulties between the parties, arrangements would need to be put in place to support the child and allow a relationship with both parents.

After hearing both sides, the judge decided that the behaviour described did not meet the level required to grant a safety order and refused the application.

Safety order granted in absence of respondent
Dublin District court granted a safety order where the respondent was not present in Court and no explanation was given for his absence. The judge was satisfied that the respondent had been properly notified and allowed the matter to proceed.

The applicant said the respondent had threatened her during arguments, although she noted that his behaviour had improved somewhat since a protection order had been made previously.

After hearing the applicant, the judge granted a safety order for five years.

Threats and breach of protection order
In another case where a safety order was granted, the applicant said the respondent had made serious threats against her, including threatening to kill her, and that he had repeatedly contacted her in breach of an earlier protection order.

The respondent did not attend Court, and the judge was satisfied that he had been properly notified. After hearing the applicant's evidence, the judge granted a safety order for five years.

Safety order against brother
In another case the applicant woman applied for a safety order against her brother. The applicant told the Court that the respondent was regularly verbally and physically abusive, sometimes in front of children. She said the respondent had problems with addiction and that other family members had already been granted safety orders against him.

The respondent did not attend court, and the judge was satisfied that he had been properly notified. The judge granted a safety order for five years.

Safety order granted
In another case, the applicant applied for a safety order after previously being granted a protection order. The respondent did not attend Court, and the judge was satisfied that he had been properly notified.

The applicant told the Court that the respondent had been violent towards her, had threatened to kill her, and had breached the earlier protection order.

After hearing the applicant, the judge granted a safety order for five years.

Safety order application refused
In this case, the applicant applied for a safety order after previously having been granted a protection order. Both parties were representing themselves.

The judge asked if the parties were content to proceed without legal representation. The applicant appeared to have some difficulty with English, and the judge raised concerns about proceeding without an interpreter. However, the applicant confirmed she understood the process and wished to proceed.

The applicant told the Court that when the respondent drank he became aggressive, and she said she was afraid of him. She said he had kicked her, although she could not recall exactly when. The applicant also said they were still living together and that she had applied for a

divorce. She confirmed the matter had been reported to An Garda Síochána and was under investigation.

The respondent denied the allegations. He told the Court that the applicant would provoke arguments and could also become aggressive when drinking. He denied ever assaulting her.

The judge explained that, as both parties were lay litigants, they could not question each other directly but could each give their own account.

After hearing both parties, the judge refused the application for a safety order.

Cross safety orders on consent

In a case where both parties were represented by lawyers they reached agreement before the hearing and consented to the orders.

Both the applicant and respondent agreed to safety orders being made against each other for a period of two years. The judge explained the consequences of breaching a safety order before making the orders.