Year: 2026 **Vol:** 01 **Case No:** 20

Categories: safety order against adult son; non-representation of the respondent; lay litigants; alcohol abuse; undertaking given in barring order application; protection orders; section 20 Order

Father seeks safety order against adult son among several Domestic Violence applications

A number of domestic violence applications were heard by a District Court on a family law day in a provincial city.

Safety order against adult son
In the first case, the applicant father was seeking a safety order for five years in respect of his adult son, the respondent. A protection order was already in place and was working well. The respondent was not in court and did not have legal representation. The applicant had legal representation.

The respondent had a long history of alcohol abuse and had had residential treatment. The respondent had been coming to the family home where the applicant and his wife lived. The judge was satisfied that the respondent had been served with that day's proceedings. The judge made the safety order prohibiting the respondent from threatening, watching and besetting. The judge did not include "communication" as the applicant was open to contact if the respondent was sober. The judge added that "all communication is to be respectful" of the order.

Undertaking given instead of barring order
In the second case, which concerned a barring order, both parties had legal representation, and the solicitors reached an agreement at court whereby the respondent would offer an undertaking to stay out of the family home. The Court was told that there was a case ongoing in the Circuit Court and that the parties would be divorced in one week's time.

The solicitor for the applicant wife said that the applicant did not want communication with the respondent husband. The husband had left the family home the previous week. The husband confirmed to the judge that he would stay out of the family home for one year and not attend at the property at all. The husband's solicitor said that some items would need to be collected and that this could be done by agreement. The judge said that "if he breaches this undertaking, it would be contempt and he could be imprisoned." The judge said that the "IBO [interim barring order] ceases to have effect today as this undertaking replaces it".

Protection order where children distressed
In the third case, there was an *ex parte* application for a protection order. The solicitor for the applicant mother explained that the parties had separated in 2024 but stayed living together for some time as they had five children who were in primary school and secondary school. Some of the children had medical issues. The respondent father had moved out of the family home in Spring 2025, but came to the family home every day to see the children. The respondent moved back into the family home in early March 2026 as he had a medical issue.

The mother gave evidence that the father "reacted really badly to her new relationship with a new partner and he was gone out of the house." She said that the father "came back early one day and was very aggressive." The father had had some access with the children but one child "was very distressed" seeing him. The mother repeated that the respondent was "very aggressive" and she was "in fear of him" and did "not know what he would do. He had been very angry with the children and he has slapped our son, and he can't control his temper."

The mother said that her specific concern now was the fact that she had a new partner.

The judge granted the protection order for three months and said that the "guards will serve him with the protection order". The judge said that the applicant "must call the guards if he does anything that causes her fear".

Protection order application deferred

In the fourth case, there was an *ex parte* application for a protection order by a lay litigant. The applicant mother said that she had been in a relationship with the respondent father, but they had broken up years ago. They had a young child together who was in care. The father came to her apartment block looking for her and was asking for information about her. The judge said that he would not grant a protection order that day but "if something else happens, you can come back and make a new application."

***Ex-parte* application for protection order**

In the fifth case there also was an *ex parte* application for a protection order by a lay litigant. The applicant woman told the judge that there had been an "incident and the guards were involved". The applicant explained that she had been in a relationship with the respondent since the previous year. The man was violent towards her, and he attacked her and her friend. The respondent got a knife and threw her against a chair.

The applicant had a young child of pre-school age, and this child was with her in court. The respondent was not the child's father. The judge made a protection order and explained that it protected the woman and her child for three months and she could apply for a safety order after that time if she needed it.

The woman said that the man owed her money. The judge said that she could write a letter or email to the respondent seeking the return of the money but she should not discuss any other topics.

Protection order against mother; Section 20 Report ordered by the Court

In the sixth case there was another *ex parte* application for a protection order. The applicant father had a solicitor. The applicant father and respondent mother had been in a relationship, but it had broken down. They were living together in rented accommodation, and they had received an eviction notice for four months' time. There were six children who were attending primary school and secondary school.

The solicitor for the applicant father explained to the judge that the father had been served with a protection order a few weeks earlier in respect of the respondent. The father gave

evidence that the mother had been drinking alcohol most nights and was verbally abusive. The mother had been stealing from the applicant's pockets and threatened the applicant that she "would sort him".

The father said that one of the children had mental health problems including suicidal thoughts and was getting counselling. He said that the respondent mother "is constantly shouting and roaring at the child and she slapped the child and curses at the child." The father said that he needed a protection order as he was in fear of what the mother would do as she was "constantly threatening him".

The father said that the counselling service said that the respondent had put a lock on the child's bedroom door. The respondent taunted the child about engaging with the counselling service. The applicant had called An Garda Síochána to the house before. The counselling service had made a referral to the Child and Family Agency, and they had contacted the child's school in the previous six months.

The case had been closed by the Child and Family Agency. The judge was satisfied that the threshold had been met and that the children required protection from the mother. The judge told the applicant that he must come back to court the next month if he needed a safety order.

The judge also said that he would ask the Child and Family Agency to look at this case again and ordered a section 20 Report.