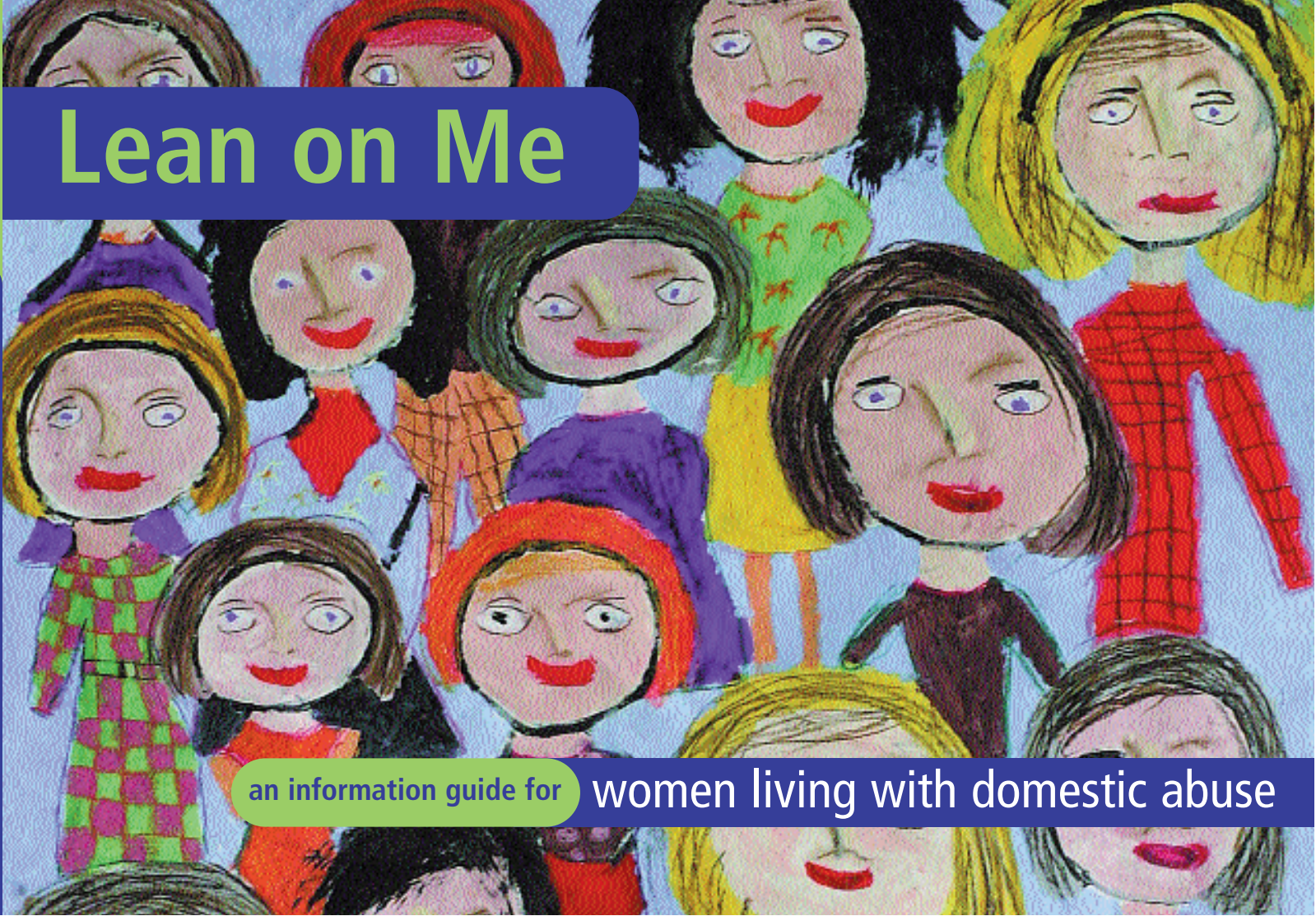


Lean on Me

an information guide for women living with domestic abuse

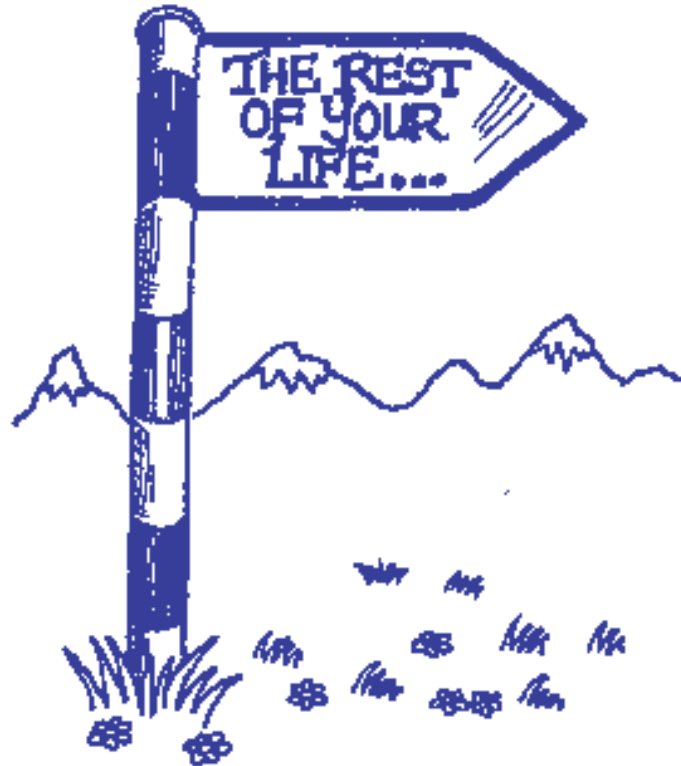




Lean on Me

an information guide for

women living with domestic abuse



WHAT'S IN THIS GUIDE?

This guide aims to provide information that will help women in abusive relationships to make decisions about their future.



Domestic abuse happens in all kinds of relationships. It can take place between couples - whether they are married, dating or co-habiting and whether or not they have children. It can take place between other family members - such as mother and son, father and daughter or uncle and niece. The abuser may be a man or woman.

This guide is written for a woman in an abusive relationship with a male partner. If you are in an abusive relationship of some other kind, much of the information may also be relevant to you. Alternatively, you may be worried that someone you know is in an abusive relationship. The guide may give you ideas on how to support her.

Every woman's situation is different. The questions that you ask may not be the same as those asked by another woman. We hope this guide answers at least some of your questions.

A group of women who have left abusive relationships were part of the team that produced the guide. We hope the sharing of their experiences and insights has made the guide truly relevant and useful to women.





MESSAGE FROM MINISTER MARY WALLACE, T.D.

I am delighted to be associated with this publication, which will be of considerable benefit to women who are in relationships that are no longer considered to be safe. I congratulate all those who had the foresight to conceive of and produce this valuable handbook.

Accessing services and information is vital if we are to help and inform women in our society who are affected by violence. This booklet is very informative and user friendly.

The format used in the booklet will be of great benefit to those who are victims of violence and those who may not recognise that they are victims. The booklet contains the views of many victims and their feelings about themselves, the services they contacted, their abuser, and sets them in context.

Practical information and advice are given. For example, the booklet sets out the facts and myths about domestic violence, it informs the reader of the help available, and it discusses the options available. It sets out clearly what the reader needs to do and urges that they prepare well before taking a decision to leave. It outlines how, and what, to pack if planning a move. More importantly the booklet contains a Safety Plan.

Violence, no matter who perpetrates it, and no matter where it is carried out, is not acceptable. It is a crime and must be treated as such. We know that the effect of domestic violence is enormous on the victim and on the family. Violence takes many forms. It can be physical, sexual, psychological, or a combination of these. The unfortunate thing about violence is that it can happen to anyone, at any time, and, indeed, in any place. But it is important to remember that victims can avail of the full protection of our laws and that there is help and assistance available to them.



Information is one of the key elements in empowering victims of violence to come forward. It is imperative, therefore, that accurate information on the services available is given to victims seeking help.

As Chairperson to the National Steering Committee on Violence Against Women, I would like to pay tribute to the many service providers, both in the voluntary and statutory sectors, who have worked tirelessly and enthusiastically for victims of violence and have built up considerable expertise in this field.

This guide is very welcome and it will help to enhance the already superb networking which is happening on a daily basis between all the relevant organisations working to fight this terrible crime. Together we do make a difference.

Mary Wallace

Minister for State at the Department of Justice, Equality and Law Reform
Chairperson of the National Steering Committee on Violence Against Women
2001

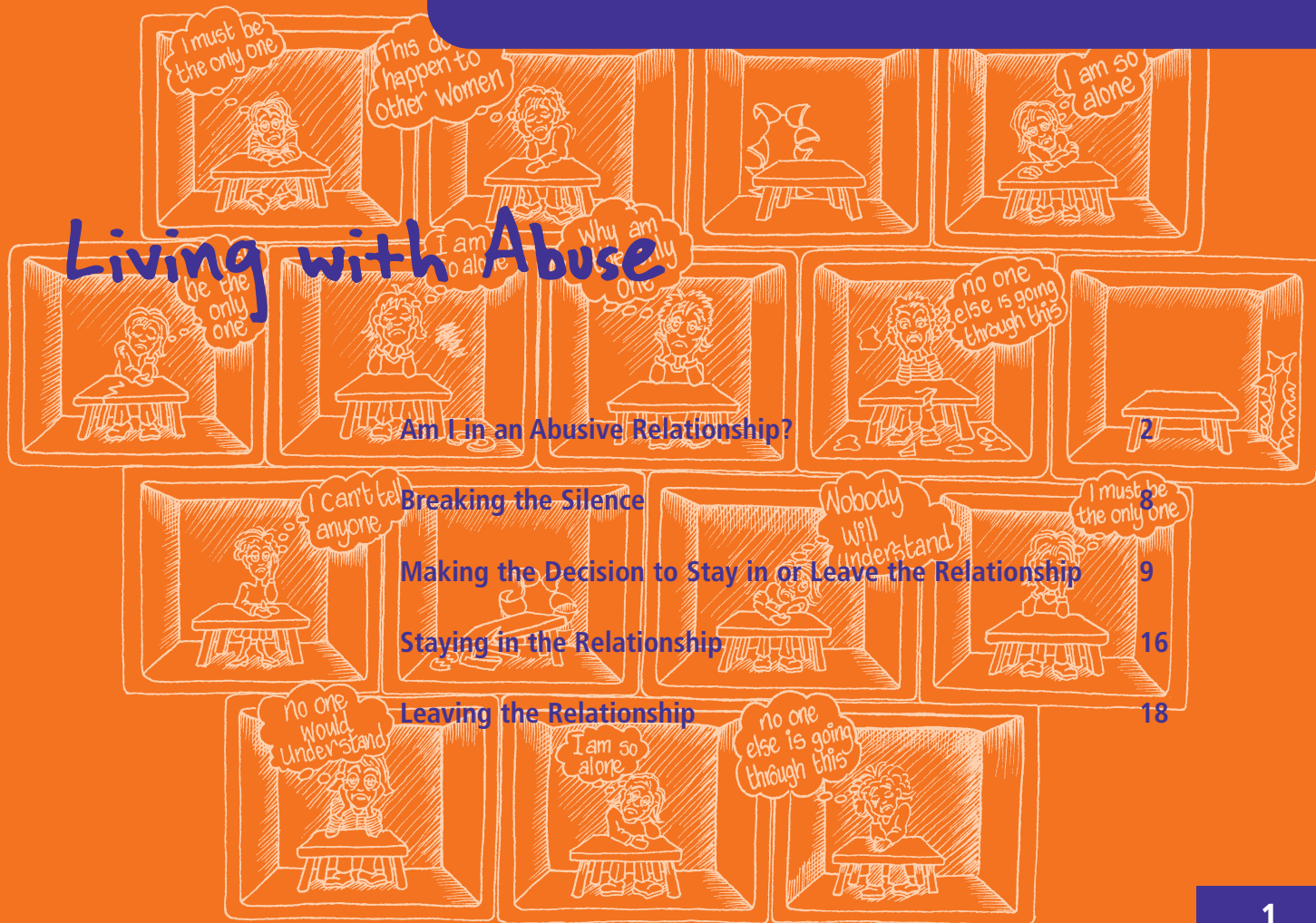


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The back of the Guide has a pocket for leaflets, including YOUR SAFETY PLAN.

Living with Abuse



Am I in an Abusive Relationship?

Breaking the Silence

Making the Decision to Stay in or Leave the Relationship

Staying in the Relationship

Leaving the Relationship

2

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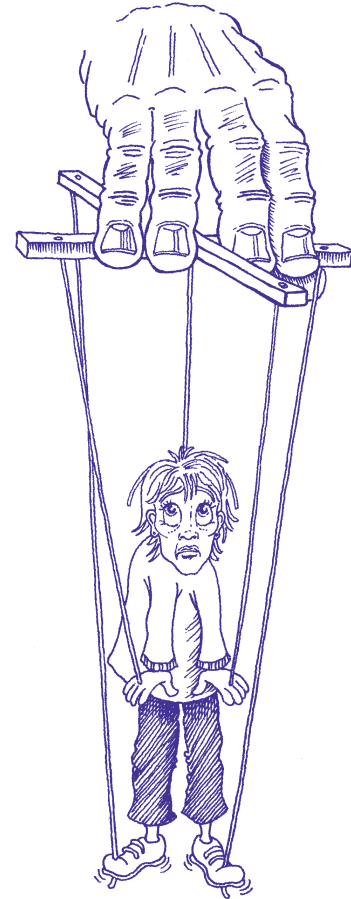
AM I IN AN ABUSIVE RELATIONSHIP?

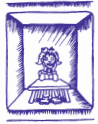
Am I in an Abusive Relationship?

If your answer is YES to some of these questions, it is likely that you are living with domestic abuse.

Does your partner:

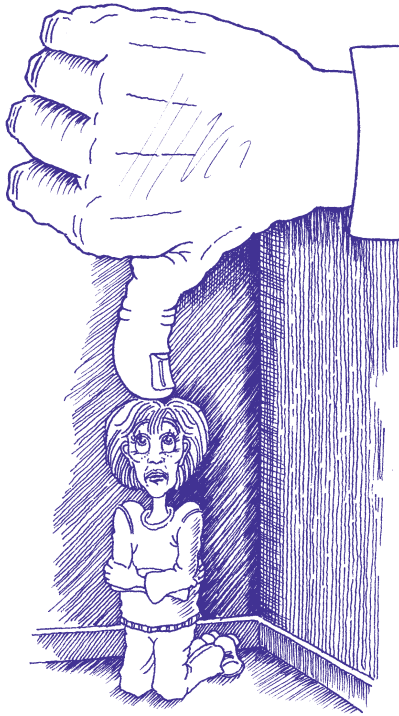
- Control who you see and what you do?
- Put you down and humiliate you?
- Hurt you physically – for example by hitting, slapping, kicking or biting you?
- Make you have sex when you don't want to?
- Control how the money is spent?
- Not want you to have your own friends?
- Threaten to take the children away?
- Destroy your things or smash up the furniture?
- Threaten to harm himself if you leave?
- Turn into a nicer person outside the home?
- Apologise after attacking you and promise he won't do it again – but he does?





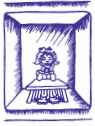
Am I in an Abusive
Relationship?

*Domestic
abuse can be
emotional,
sexual, mental
and/or
physical.*



Are you:

- Afraid for yourself and/ or your children?
- Feeling guilty or ashamed about what is happening?
- Isolated with no one to talk to?
- Afraid to express an opinion when he is around?
- Not beaten physically, but torn apart emotionally?
- Hiding bruises or making excuses for injuries caused by him?
- Finding it hard to be enthusiastic about life?
- Always watching what you say or do so he won't get angry?
- Feeling like you're going mad or wishing it was all over?



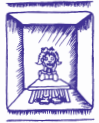
Am I in an Abusive
Relationship?

Many women are in relationships with men who try to control them, make them afraid, or physically harm them. Women from all walks of life and of all ages find themselves in abusive relationships. Abuse can begin at any time – at the beginning of a relationship or after many years together.

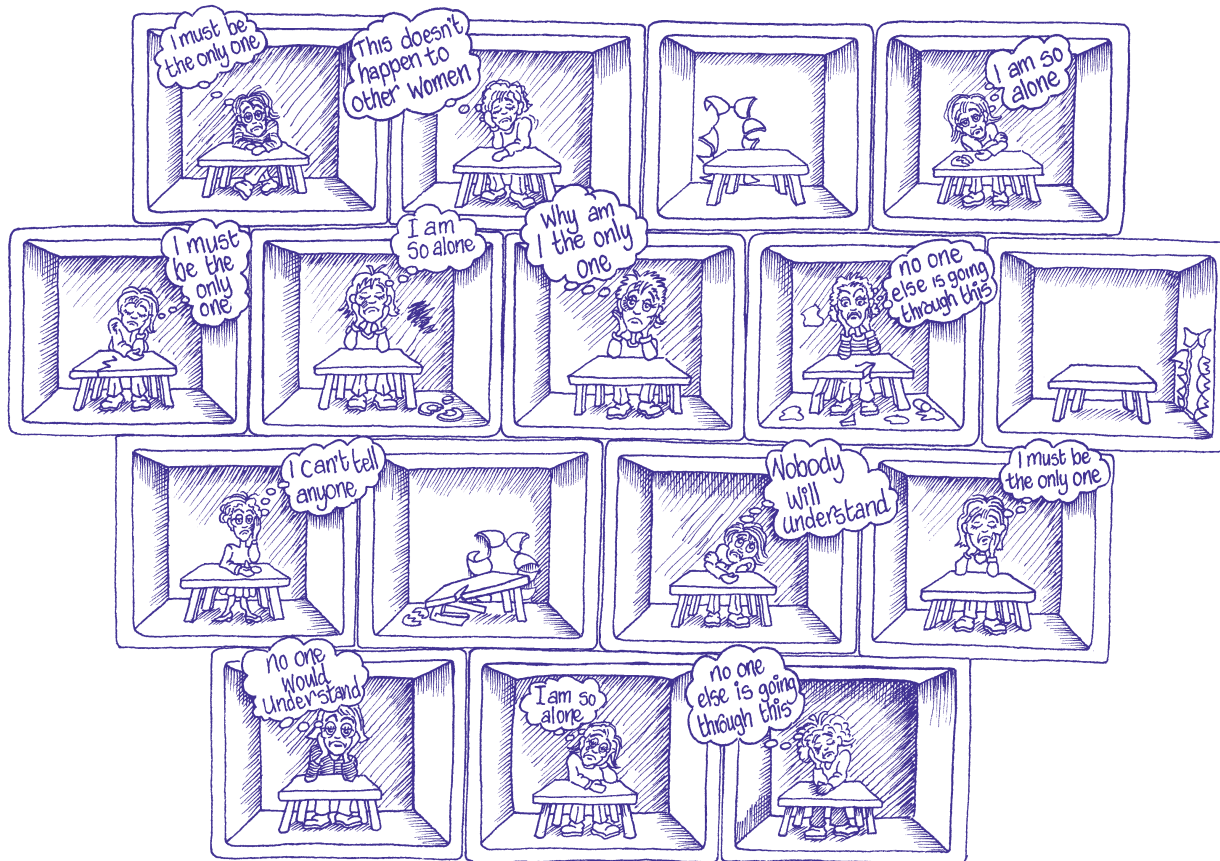
It is not easy to accept that someone you love and have trusted is being abusive towards you. Many women blame themselves or make excuses for his behaviour until they recognise the abuse for what it is.

“It took me years to recognise what it was. I was always making excuses for him. If he wasn’t in work, I said that he was fed up from not being in work. Excuses all the time. Then when he was in work, I’d say it was because he had a hard day at work. I couldn’t do anything in the house without arguments, always arguments” (Alison’s story).

YOU ARE NOT ALONE



Am I in an Abusive Relationship?





YOUR BILL OF RIGHTS¹

Am I in an Abusive
Relationship?

YOU HAVE
THE RIGHT
TO CONTROL
YOUR OWN
LIFE AND TO
CHANGE IT IF
YOU ARE NOT
HAPPY WITH
IT AS IT IS.

¹ From
'Pattern
Changing for
Abused
Women'
(1995),
Goodman and
Fallon, Sage
Publications.

You have the right to
put yourself first.

You have the right to
be safe.

You have the right to
earn and control your
own money.

You have the right to
be treated with
respect.

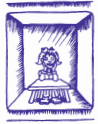
You have the right to
be human – NOT
PERFECT.

You have the right to
ask questions about
anything that affects
your life.

You have the right to
your own privacy.

You have the right to
your own opinions, to
express them, and to
be taken seriously.

You have the right to
make decisions that
affect you.



Am I in an Abusive
Relationship?

You have the right to
grow and change (and
that includes changing
your mind).

You have the right
NOT to be responsible
for other adults'
problems.

You have the right to
love and be loved.

You have the right to
make mistakes.

You have the right to
say no.

You have the right not
to be liked by
everyone.

You have the right to
be angry and protest
if you are treated
unfairly or abusively
by anyone.

YOU HAVE THE RIGHT
TO BE YOU





Breaking the
Silence

BREAKING THE SILENCE

Who can I tell about it?

If you decide that you want to talk to someone, you can call a helpline. Women's refuges and support services have helplines especially for women in abusive relationships. Alternatively, pick someone to tell who you know and trust and feel will listen to you – it may be a friend, a family member or your doctor.

Women's Aid FREE National Helpline



1800 341900

10AM-10PM, 7 DAYS A WEEK

You may feel that you cannot talk to anyone about your situation. However, many women who have been in abusive relationships say that taking the step of talking to someone helped them to cope with the situation and to protect themselves. It is important to tell the person you talk to about your concerns for your own safety. For example, you can ask her or him not to call you at home when your partner is there if you believe it is unsafe.

"Before I would never talk to anyone. I didn't think that anyone could do anything, so what was the point? Then I went to the refuge and told my story to the refuge worker. She helped me to realise that things can be different, and that there are people who want to help me and my children" (Carol's story)

MAKING THE DECISION TO STAY IN OR LEAVE THE RELATIONSHIP

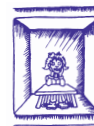
"I made the decision to stay in the relationship. At that time it was the right decision for me. At the moment I am in the refuge. I know if I make the decision to leave it will be because I want to, and not because somebody is telling me to." (Phil's story)

It is important to give yourself time out to think about what is the best thing for you to do. You need to make the decision that feels right for you. You may decide that you want to make a new beginning in an independent life away from the abuse. You may decide that you want to stay in the relationship with the hope that the abuse will end. You may decide that you need a break from the relationship for a while.

It may not feel like it is your decision to start with! You may feel that you can't think about what you want, but only what he wants. Take one day at a time and see what seems to be the right thing to do for now.

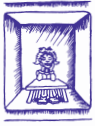
It is not always easy to work out what to do for the best. You will make a decision when you are ready. You know your own situation better than anyone else. For some women, a decision is quickly made. For others, it is a long process. Many women leave and return to the relationship several times.

This guide aims to give you information about options for the future for you and your children. This information may help you decide what to do.



Making the
decision

You need to
make the
decision that
feels right for
you.



Other options that may help you to make decisions about your future include taking part in:

- A support group for women in abusive relationships;
- Individual counselling;
- A personal development course.

You can find out more about these options from your nearest women's refuge or support service.

"It's just being able to go and talk and knowing that the women in the support group are in the same boat.....you know, it makes a whole heap of difference knowing that you're not on your own"
(Amanda's story)

Can individual counselling help?

Counselling is a confidential talking therapy where you have the opportunity to explore your feelings and concerns. A good counsellor will help you to decide what it is you want to change and how you want to change it.

If you go to individual counselling it may help you, but it will not stop his abusive behaviour. If you are considering it, ask a women's refuge or support service for the names of counsellors who have experience of domestic abuse situations.



Making the
decision



Can the abuse stop but not the relationship?

"It started before we got married but I thought it would change. It went on for twelve years before I left. It was just the pattern of the marriage" (Eileen's story)

Usually, once domestic abuse starts, it gets worse as time goes on. It's rarely a once-off event. There may be good times in the relationship, but tension builds up again and the abuse returns. He may tell you that he is sorry and promise to change, but the promise is broken again and again.



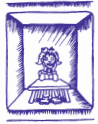
Making the
decision

If he accepts that he is doing something seriously wrong, and he takes action to change, there is a chance that he may stop his abuse. While this is possible, it does not happen very often.

It is important to remember that he is responsible for changing his behaviour – not you. For example, has he:

- Accepted that he is doing something seriously wrong?
- Taken responsibility for stopping the abuse?
- Made the 'phone calls or contacts that may lead to him changing?
- Joined a programme to help him change his behaviour?
- Started going regularly to one-to-one counselling to help him change his behaviour?
- Made any changes?
- Stopped being abusive?

It is important
to remember
that he is
responsible for
changing his
behaviour –
not you.



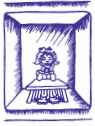
Making the
decision

Do you see clear signs that he is stopping his abusive behaviour? For example, do you:

- Feel safe?
- Give your opinion freely without feeling intimidated when he is around?
- Go out with your friends or family when it suits you?
- Go to bed and sleep when it suits you?
- Have equal control over important household decisions, such as money and the children?
- Believe he is likely to change?
- Believe he has changed?
- Believe, if things have improved, that they will still be like this in six months?

If things have
improved, will
they still be
like this in six
months?

"In the beginning it was not every week or month but twice a year or so. He'd always had a temper, but he never took it out on me, until I said something he didn't agree with then I'd get a thump. Even though I felt I was right, he'd have to be right. The more kids I had the more the abuse became." (Irene's story)



Making the
decision

Men who
abuse do it to
control their
partner.

Can couple counselling help?

Couple counselling may make a difference if your partner wants to make changes and stop abusing. Couple counselling (or marriage guidance counselling) involves you both meeting with a trained counsellor to talk about your situation and working out how the future can be different. It can help you decide if you want to stay in the relationship or to separate.

Couple counselling is not appropriate for many couples in abusive relationships. The abuse can stop you from communicating freely and safely with the counsellor about your relationship. For example, your partner may intimidate you before, during or after the counselling session. Organisations offering couple counselling usually meet with each individual separately to assess whether they think they can help.

Why do men abuse?

Generally, men who abuse do it to control their partner. The abuser may believe that, as the man, he is the head of the household or family and has the right to make all the decisions. This is not true. You have the right to make decisions that affect you. You have your right to your own opinions, to express them, and to be taken seriously.

Society makes it easier for abuse to continue by ignoring the seriousness of domestic abuse. This is partly because, in the past, many people believed that what went on in people's homes was their own private business, including domestic abuse.



Now, the law states that domestic abuse is a crime. It is recognised that women have the right to a life free from abuse. All society must say no to domestic abuse if it is to end.



Does alcohol cause abuse?

Your partner does not abuse because he drinks. Alcohol may change his behaviour or trigger abuse, either when he has had too much to drink or when he wants a drink and can't get one.

He may blame the drink and you may think he is right. However, alcohol is not an excuse for abuse.



Staying in the
Relationship

STAYING IN THE RELATIONSHIP

What can I do to protect myself?

If you are staying in the relationship, either just for now or for the long term, you can take steps to help protect yourself from the abuse.

- **Ask for help**

Women's refuges and support services can offer you support and information to help you to protect yourself. See the Contacts section (page 72) for their 'phone numbers.

"I forget now what brought it to a head but a friend of mine was here one Monday. He'd gone off for the day and left me penniless. I'd no milk. I'd no food. I'd no cigarettes. I had nothing and I was really annoyed at him and I told her about it and she said I should do something about it. So I contacted the refuge and that was the best thing I ever did.....We were married for eleven years when I contacted the refuge. I was going over to the refuge for about a year for advice visits....." (Pat's story)

- **Make a Safety Plan**

A 'Safety Plan' will help prepare you for action if at some point you need to leave the house in a hurry to protect yourself and your children.



Staying in the
Relationship

You can make your own Safety Plan using the leaflet in the pocket at the back of this guide. The leaflet sets out the steps to take to make a plan, and has spaces for you to fill in to complete your own plan.

You may feel that your partner will never be abusive towards you again, but it is still a good idea to make a Safety Plan. If you ever need to put it into action, it will be ready. If you do not have a safe place to keep it, you may find that just reading through the leaflet will help you to think through some important issues.

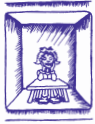
- **Call the garda if you feel threatened or are in danger**

If you feel you are in danger at any time you can call the garda. They have a duty to help and protect you. See the section, What can the Garda do? (page 31) for more information.

- **Seek legal protection**

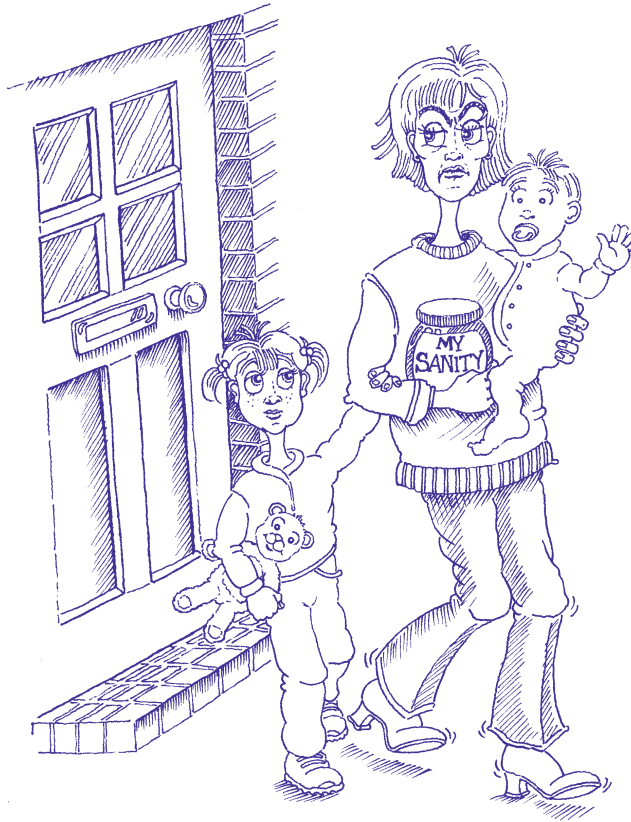
You can take legal action to help protect you from the abuse while you are in the relationship. The best option for many women is to apply for a safety order from the district court. This requires your partner not to use or threaten abuse towards you and the children. If he breaks a safety order the garda can arrest him. See the section, Legal Protection from Domestic Abuse, (page 33) for more information on your legal options.

You can make
your own
Safety Plan
using the
leaflet in the
pocket at the
back of this
guide.



Leaving the
Relationship

LEAVING THE RELATIONSHIP



"I think it's great to be out of it.
It's a fantastic sensation to be free again. It's
fantastic to be responsible for your own life
which I feel I am now, totally responsible for my
own life and my children's lives.

But you need to be realistic about it.

There are a lot of obstacles.
The main one being that you're taken out of this
relationship, your home, financial situation and
you're out there on your own"

(Chris's story)



Love can make it hard to leave; so can fear. Many practical and emotional issues will probably be on your mind if you leave the relationship, either for a short break or permanently.

It can be difficult to deal with everyday practical issues when your emotions are in a whirl. For many women, the priority is to sort out the immediate practical issues. Then, step-by-step, you can deal with other issues.

"I just stood it for so long and then I got up one morning, a Friday, and I just walked out"
(Lily's story)

Immediate Practical Issues

- **Can I get him to leave the home?**

You can ask your partner to leave the home. If he doesn't agree to go, you may be able to apply for legal protection that will force him to leave, for example, if you are a tenant in rented accommodation or the owner of the home.

However, many women decide that it is safer for them to leave the home in the short-term. You may feel that you and/or the children would be put in danger if you asked him to leave. You may need to leave quickly, and not have the time to think about anything else.



It's not fair that you may be the one to leave the home when he is the one being abusive. In the long term, you may be able to return home in safety and have him leave.

See the section, Legal Protection from Domestic Abuse (page 33), and the section, Your Home (page 63), for more information.

- **Where will I go?**

It is best to go to a place where you will feel safe. This may be to someone who cares for you, such as a friend or relative, or to a women's refuge. Refuges offer safe emergency accommodation to women and children getting away from abusive relationships. You could also go to a hotel or a B&B in the short-term if you feel safe there.

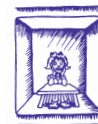
See the section, Who can Help? (page 23) and the section, Staying in a Refuge (page 27), for more information on women's refuges.

- **Can I bring the children with me?**

Bring the children with you if it is safe to do so, and they want to come with you. See the section, Your Children (page 51), for more information.

- **How will I support myself? And the children?**

If you don't have enough money to get by, you can apply for emergency payments through the Community Welfare Officer (CWO) at a health centre. This will keep you going while you sort out your situation. See the section, Your Money (page 59), for more information.



- **Will my partner find me?**

If you are afraid that he will find you, you can contact a women's refuge and/ or support services or the garda and they will help you take steps to protect yourself from him and feel safe.

It's usually a good idea to keep the place you are staying secret from him, especially if it is with family or friends. If you have a mobile 'phone you may decide to turn it off, especially at night, so he can't contact you (you can arrange to speak to other people at a pre-arranged time). You could change your mobile 'phone number by getting a new SIM card.

You may be able to apply for legal protection to prevent him from approaching you. See the section, Legal Protection from Domestic Abuse (page 33), for further information.

"I went home once after four months in the refuge. He used to come to the door crying saying it would definitely never happen again, making all kinds of promises.....I had to go back myself to find out that it definitely wasn't going to work. It was all part of a process and I had to know for myself and go back and try.....one more time. It was grand for about a month when I went home and then it all started up again" (Eileen's story)

Your Options

		
		
		
		
		23
		
	Who can help?	
		
		
		27
		
	Staying in a Refuge	
	What can the Garda do?	31
	Legal Protection from Domestic Abuse	33
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WHO CAN HELP?

Can I get help and support?

Yes. You are not alone. Domestic abuse is a serious issue, and many organisations are committed to supporting women survivors of domestic abuse and their children.

Women's refuges and support services are dedicated to helping and supporting women who are in abusive relationships or starting an independent life away from an abusive relationship. They are independent of state services, and are usually run by women for women. Almost every county has at least one women's refuge or support service.

Other organisations and people can also help, such as your doctor, your health board, the garda, community groups, women's groups, your local Citizen Information Centre or law centre.

How do I get in contact with a women's refuge or a support service?

Most counties have a women's refuge and/ or a support service. They are all listed in the section, Contacts (page 70). You can contact the refuge or support service nearest to where you live, or one that is outside your area. They can all offer you support.

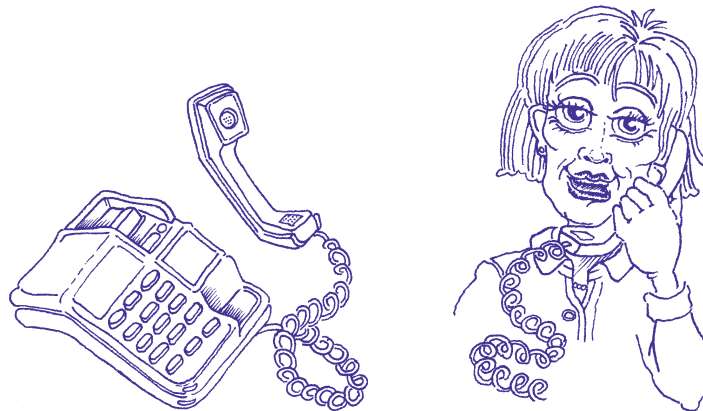
Many women first make contact by calling on the 'phone, or by going directly to the centre. Others get in contact through the health board, the garda or their doctor.



Who can help?



Who can help?



Women's Aid FREE National Helpline



1800 341900

10AM-10PM, 7 DAYS A WEEK

The main difference between a 'refuge' and a 'support service' is that a:

refuge provides accommodation to women and children as well as the services listed below;

support service provides the services listed below but does not provide accommodation directly.



Who can help?

What kind of help do women's refuges and support services offer?

They provide safe breathing space where you can think things through and discuss your options.

Most of them offer:

- **A Listening Ear** - you can talk to someone about your situation. This may be on a telephone helpline and/ or face-to-face;
- **Information** - you can get information to help you make decisions or protect yourself;
- **A Safe Place to Stay in a Hurry** - if you need to get away from the abuse, they will immediately organise safe accommodation for you and your children. This is most likely to be in a women's refuge. Most women's refuges have childcare facilities;
- **An Outreach Service** - you can ask for someone to come and meet you in a safe place near you, rather than going to the centre. More and more groups have this service;
- **Support Groups** - you can join a support group or a personal development programme for women in abusive relationships;
- **Help with Getting other Services** - you can get help with sorting out your situation with other agencies or organisations. This may be in relation to legal issues, money, accommodation, counselling, your health or schools for your children;
- **Court Accompaniment** - if you go to court, you can get help with preparing and other issues, and someone can accompany you to court on the day.



Your own circumstances may influence your options for seeking help.

Who can help?

"Many Traveller women who do disclose the violence against them have an added fear of being discriminated against by the institutions to which they go for help"
(from 'A Way Forward', Violence Against Women Project, Pavee Point)



Whatever your circumstances, you have the right to services that meet your needs.

STAYING IN A REFUGE

Almost 5,000 women and children spend time in a refuge in Ireland each year
(2000, National Network of Women's Refuges and Support Services)



Staying in a Refuge

What will happen when I go to a refuge?

The refuge is open 24 hours a day to women in abusive relationships and their children. Refuge workers will attempt to support you in whatever decisions you make.

When you first arrive, a refuge worker will welcome you in. She will sit down with you in a private room to talk to you. If you have children with you, they can stay with you or they may go to the playroom if it is open.

The refuge worker will usually ask you a few questions about your situation, and you can ask her any questions you have about the refuge. If you're too upset to talk, or the children need to be settled immediately, you will not have to answer any questions until you have had a rest.

You will be shown to your room, and given any emergency supplies you need, such as nappies, clothing, food, baby-food and toiletries. Any other issues will be left for later in the day or the next morning, after you've had a good rest. When you are ready, you will get a chance to go into detail about your story with a refuge worker. She will talk you through options available to you.

All women in the refuge are asked to respect each other's privacy and to keep everything they hear or see confidential for safety reasons.

Refuge workers will attempt to support you in whatever decisions you make.



Staying in a Refuge

Is it safe in the refuge?

Yes. Security is a priority. There are security systems and ground rules to help people live together in safety. Partners won't be let in, and no information will be given to them. You can be accompanied to appointments outside of the refuge if you are feeling unsafe or anxious.

How will I get to the refuge?

If you have your own car, or there is a bus or train, you can make your own way there. Otherwise, you could ask a friend or relative to bring you, or get a taxi. If the garda are at your house when you decide to leave, they can bring you and your children to the refuge in a garda car to ensure your safety.

Will I have my own room?

You and your children will have your own room or flat. You may share some of the facilities with other women and children.

Where will I go if the refuge is full?

Somewhere suitable is found for everyone looking for emergency accommodation at the refuge. If the refuge is full, the safety of your situation will be assessed, and you will be offered a place in a refuge in another area or in B&B accommodation. If you are worried about your safety in B&B accommodation, or find that the children are not happy there, tell the refuge, and they will help sort things out.



Can all my children stay in the refuge?

All refuges can accommodate families of up to 6 people. Many refuges have space for families of 10, and some can accommodate families of any size. If you have a large family and the refuge does not have enough space, they will find you another safe place to stay.



Staying in a Refuge

Many refuges have an age limit for boys, and a few have an age limit for girls. The age limit is different depending on the refuge, but is usually 14 or 16. If you have teenage boys and the refuge cannot accommodate them, the refuge will help you find a safe place for them to stay. In some cases, the whole family can stay in B&B.

Will the children be happy in a refuge?

Children are usually happy to be away from the tension of the home. They may miss their friends, but may make new friends with children from other families in the refuge.

Most refuges have playrooms and they can make arrangements for pre-school and school. Special activities are arranged, such as swimming or days out, especially during school breaks. This can help if the children get bored. The childcare worker in a refuge is a listening ear for children and mothers.

How long can I stay in the refuge?

In most refuges you can stay as long as you need. Some have a limit but they will always ensure you are going somewhere safe.

Do I have to pay to stay in the refuge?

Yes, but it is a minimal amount. Basic items, such as bread, milk and clothes, are usually provided when you first arrive. Arrangements will be made for you to meet the CWO (Community Welfare Officer) to sort out your money situation.

WHAT CAN THE GARDA DO?

The garda are responsible for protecting you and enforcing the law.



What can the
Garda do?

All garda have standards that they must follow. The most recent standards for responding to domestic abuse were introduced in 1997. When investigating an incident of domestic abuse, garda should:

- Talk to you and your partner in separate rooms, so your partner cannot hear what you say;
- Have a female garda available to help and support you, if that is what you want;
- Arrest the abuser where they have the power to do so, for example, if he has broken a court order or seriously assaulted you;
- Give you information on your legal options, including how and where to apply for legal protection;
- Tell you about the services in your area that may be able to help;
- Use a garda car to take you and your children to a safe place away from the abuser, if you want to go;
- Give you their names in writing, plus the name and 'phone number of the station;
- If he is arrested, recommend that the abuser is not granted station bail;
- Call back to you at least once in the following month to give you information about any investigation and to check that everything is OK.



What can the
Garda do?

All garda should be aware of this policy.

You are within your rights to expect that any garda will do what it says above.

If they don't do what it says above, what can I do?

If you have any difficulties with the garda response to your situation, you can raise the issue with the superintendent in charge of your garda station. He/ she has responsibility for making sure that the policy is followed, and that you and your children are protected. Alternatively, you can contact the local inspector with responsibility for making sure garda policy on domestic abuse is followed. You can also ask your women's refuge or support service to help you follow-up on the situation with the garda.



Garda - 999 or 112

**anytime you feel threatened or in danger 'phone the garda
(for some mobile 'phones you must use 112)**

LEGAL PROTECTION FROM DOMESTIC ABUSE

The legal action that is right for you depends on your own particular situation. If you are thinking of applying for legal protection, it is a good idea to talk to someone who is familiar with the law and how it works. This may be a solicitor or someone with legal knowledge from a women's refuge and support service.



Legal Protection
from Domestic
Abuse

This section looks at:

- The main laws used for getting legal protection from domestic abuse and how to apply;
- Getting a solicitor and applying for Legal Aid;
- Going to court and evidence.

Information on legal action to do with your children, such as custody and access issues, is outlined in the section, Your Children (page 51). Information about the law and your rights to maintenance is outlined in the section, Your Money (page 59). Judicial separation or divorce is another option offering some protection from domestic abuse to women who are married to their abuser. Information about judicial separation and divorce is not included in this guide. If you want to find out more about them, contact a solicitor or a women's refuge/ support service.

The Main Laws and Applying for Legal Protection

Most women who look for legal protection from abuse use the Domestic Violence Act, 1996. Sometimes the Non-Fatal Offences Against the Person Act, 1997, is used. These 2 Acts are outlined here. Other laws are relevant in certain situations.



Legal Protection
from Domestic
Abuse

1. THE DOMESTIC VIOLENCE ACT, 1996

A judge can make an 'order' under the Domestic Violence Act. This is often the most useful type of protection. The garda can arrest and charge a person who breaks an order. The two main types of order are a safety order and a barring order.

A SAFETY ORDER

A safety order requires a person not to use or threaten abuse towards you and the children. If the abuser lives with you, he does not have to leave the family home. If he lives apart from you, it requires him not to watch you or be near your home.

A safety order can be given for any number of years up to a maximum of five.

If you are married to your abuser, you can apply for a safety order at any time. If you are not married to your partner, you can apply for a safety order if you have been living with him for 6 months out of the last 12 months.

A BARRING ORDER

A barring order requires a person not to use or threaten abuse towards you and your children. It requires the abuser to leave the house and stay away from where you live. A barring order usually puts more restrictions on the abuser than a safety order, so the criteria for getting it are stricter.

A barring order can be given for any number of years up to a maximum of three. If you are married to your abuser, you can apply for a barring order at any time. If you are not married, you can apply for a barring order if you have been living with him for 6 of the last 9 months. As a barring order excludes a person from the home, you must show that you are living in accommodation in which you have at least the same tenancy or ownership rights as your partner.

If you are considering taking legal action, contact a solicitor.

This guide is not an interpretation of the law.



Legal Protection
from Domestic
Abuse

You may have to wait about 2 weeks, or until the court next sits in your area, for the court hearing to decide on your application.

While you are waiting for the court hearing, you can get immediate protection by applying for a protection order or interim barring order. Protection orders are granted more frequently than interim barring orders.

A PROTECTION ORDER

Is a temporary safety order lasting until the court hearing.

AN INTERIM BARRING ORDER

Is a temporary barring order. It is only given in exceptional circumstances.

You may be able to get Legal Aid to help with legal costs.



Legal Protection
from Domestic
Abuse

Can an order be renewed when it runs out?

Safety orders and barring orders can be extended or renewed if you have been abused, or threatened with abuse, during the last 6 months while the present order was in force.

For this reason it may be important to consider taking further long-term legal action when you have an order in place. For example, you may want to apply for a legal separation or divorce. This can give you added protection when the order comes to an end. Ask your solicitor for further advice if you are in this situation.

Does a barring order stop him from seeing the children?

If a barring order is granted, the court may, at the same time, agree visiting or access arrangements for the children to see their father. It is important that you prepare for this before going to court and get legal advice from your solicitor.

Think about what arrangements you would like to see in place and why. Consider not only what you think is best for the children, but also your own safety and convenience.

For more information on legal action and your children see the section, Your Children (page 51).

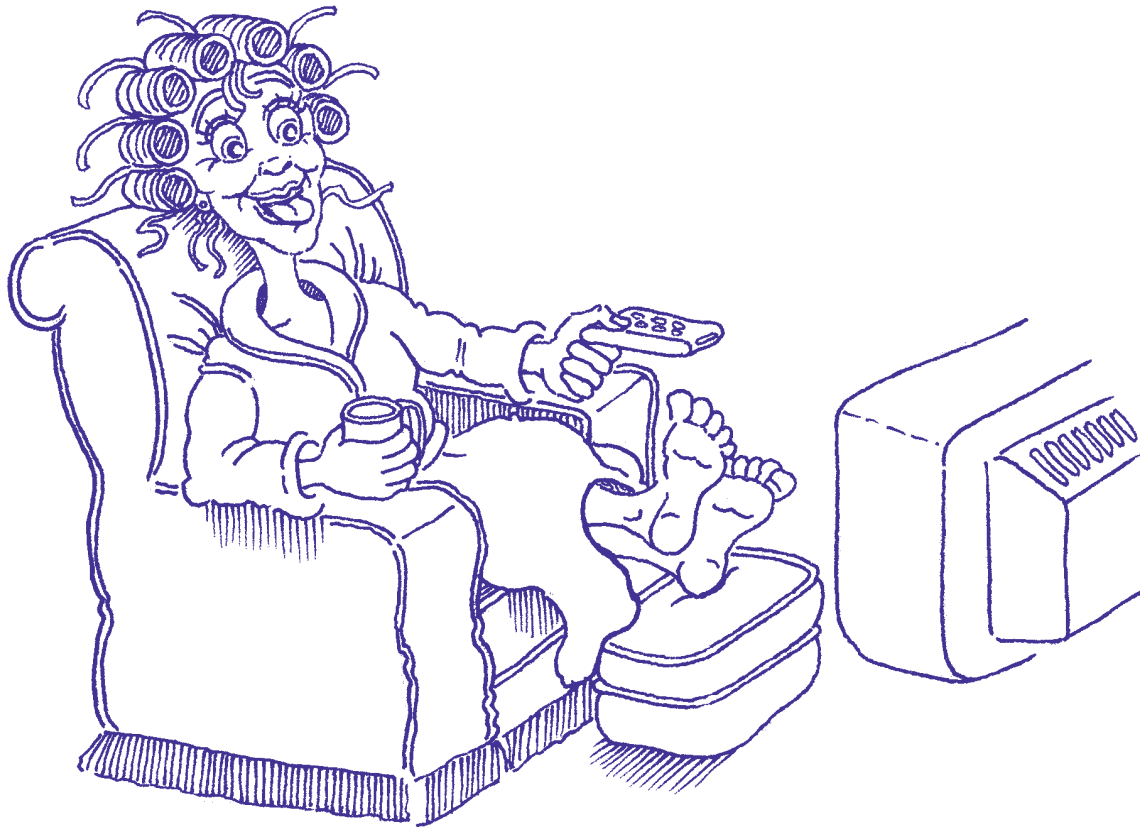
If you are considering taking legal action, contact a solicitor.

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Legal Protection
from Domestic
Abuse

You may be
able to get
Legal Aid to
help with
legal costs.





Legal Protection
from Domestic
Abuse

Applying for an order

Each year the civil courts deal with over 5,000 *barring order* applications and 2,000 *safety order* applications (*Safety and Sanctions*, 1999).

How do I apply for a safety or barring order?

You make the application yourself. The health board can apply for an order to ensure your safety and/ or the safety of your children, but this does not happen very often. If you have a solicitor, you can ask him or her to apply for you.

Barring orders and safety orders are applied for separately. If you have not decided which one to apply for, you can apply for both on the same day. Some women apply for both and then seek legal advice to decide which one is likely to be most appropriate for their situation.

To make the application yourself, first 'phone or call into your nearest district court and speak to the court clerk. You may need to make an appointment. The court clerk will help you make the application. You can ask someone from a women's refuge or support service to help.

A court date will be set immediately and you will get a copy of the application and the court summons that will be sent to your partner. You will need to give the clerk your partner's address.

If you are
considering
taking legal
action, contact
a solicitor.

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of the law.



Legal Protection
from Domestic
Abuse

How do I apply for a protection order?

You apply for a protection order at the same time as you apply for a safety or barring order. Tell the clerk that you also want to apply for a protection order.

The clerk will arrange for you to see the judge in his/ her private quarters. When you see the judge, ask him/ her to grant a protection order until the court hearing for the safety or barring order. Your partner will be informed about it as soon as possible.

How do I apply for an interim barring order?

You apply for an interim barring order at the same time as you apply for a barring order. Tell the clerk that you also want to apply for an interim barring order.

The clerk will arrange for you to see the judge in his / her private quarters. When you see the judge, ask him/ her to grant an interim barring order until the court hearing for the barring order.

Interim barring orders are only granted in exceptional circumstances where the evidence of domestic abuse suggests it is justified. Your partner will be informed about it as soon as possible.

You may be able to get Legal Aid to help with legal costs.



Legal Protection
from Domestic
Abuse

What should I do once I have an order?

You will be given a copy of your order, and the district court will also post a copy to your local garda station. Keep a copy of the order on you at all times.

If you want to be sure that your local garda station gets a copy as quickly as possible, you can post a copy to them yourself or take it in and get them to make a photocopy of it. It is a good idea to go to your local garda station to ask for their help and back-up in case you have to call them out. Check what hours they are open and, if they are not open at night, ask them which station you should call if you have a problem.

If you think your partner may cause trouble when the order is granted, you can arrange to stay in a refuge or with a friend for a few nights until the immediate danger is over.

If you have an interim barring order or a barring order, you may want to change the locks on your home.

If you are considering taking legal action, contact a solicitor.

This guide is not an interpretation of the law.

How much will it cost?

Applying for an order is free, though if you go to court you will have to pay for a solicitor or something towards the costs of a solicitor if you are receiving Legal Aid. More information on Legal Aid is given later in this section.

2. THE NON-FATAL OFFENCES AGAINST THE PERSON ACT, 1997

This Act provides important protection in certain situations. It covers a wide range of situations, including domestic abuse, harassment and stalking. Unlike orders under the Domestic Violence Act, you don't have to be married to or living with the abuser for 6 months to be protected.

The Act states that it is an offence to:

- Threaten to kill or cause serious harm to you or your children;
- Harass you. Harassment includes constantly following, watching, pestering or communicating with you;
- Force you to do something that you have a right not to do, or force you not to do something that you have a right to do. The force used may be:
 - violence or intimidation;
 - damage to your property;
 - stalking, such as constantly following you from place to place, watching your home, watching where you work, or following you and making a scene in a public place.

Conviction for offences under this Act can mean a fine or imprisonment. If he is harassing you, the court may order him not to communicate with you and to stay away from your home and/ or your place of work.



Legal Protection
from Domestic
Abuse

You may be
able to get
Legal Aid to
help with
legal costs.



Legal Protection
from Domestic
Abuse

How can I get protection under the Non-fatal Offences against the Person Act?

The garda are responsible for prosecuting under this Act. Therefore you cannot take a case yourself, but you can make a complaint about the abuser to the garda, and ask them to prosecute. To make a complaint you have to make an official, signed statement to the garda. If you are not sure how to do this, or want to talk to someone about taking this step, ask your women's refuge or support service for help.

Once you have made a complaint, the garda will investigate the case, and a file will be sent to the Director of Public Prosecutions (DPP). The DPP will make a decision on whether to prosecute or not. The garda will lead the prosecution if there is a decision to go ahead.

If you are
considering
taking legal
action, contact
a solicitor.

This guide is
not an
interpretation
of the law.



Legal Protection
from Domestic
Abuse

Getting a Solicitor and Applying for Legal Aid

Do I need a solicitor?

If you are applying for an order under the Domestic Violence Act, it is a good idea to get a solicitor. He or she will have a detailed knowledge of the options available and how things work. You don't need a solicitor for the first stage of applying, but a solicitor can be important if you go to court.

If the garda are taking a case against your abuser under the Non-Fatal Offences Against the Persons Act, 1997, you do not need a solicitor, as the prosecuting garda/solicitor will be making the case against the abuser. However, you may want to get legal advice from a solicitor so you know what to expect.

You may be
able to get
Legal Aid to
help with
legal costs.

How do I find a solicitor?

One option is to contact your nearest women's refuge/ support service. They will be able to give you names of solicitors who have experience of domestic abuse cases.

If you are thinking of applying for an order, you will need a solicitor familiar with family law. Family law is a part of civil law. 'Civil law' is about protecting your private rights as a citizen.

If you want legal advice about the Non-Fatal Offences against the Person Act, you will need a solicitor familiar with criminal law. 'Criminal law' is concerned with prosecuting people who break the law.



Legal Protection
from Domestic
Abuse

How can I afford a solicitor?

If you don't have much money and are thinking about applying for an order, you can apply for Civil Legal Aid through your local law centre.

What is Civil Legal Aid?

The Legal Aid Board provides Legal Aid and advice in civil cases to people who are on low incomes. The Board will provide the services of a solicitor and, if necessary, a barrister, at low cost.

Issues covered by Legal Aid Board services include:

- domestic violence;
- legal separation;
- divorce;
- maintenance;
- custody of children.

How do I apply for Civil Legal Aid?

You can contact any of the law centres run by the Legal Aid Board for an appointment. There are 32 law centres across Ireland [see the section, Contacts (page 70)], for help with finding out the number of your nearest law centre. All law centres have solicitors who are familiar with domestic abuse and the law.

If you are considering taking legal action, contact a solicitor.

This guide is not an interpretation of the law.



Legal Protection
from Domestic
Abuse

You may have to wait a short time before getting an appointment at a law centre, though priority is usually given to domestic abuse cases. If a date has already been set for your court hearing, they will try to see you before the court date.

The law centre staff will assess your income to decide if you are eligible for Legal Aid. They will base their calculations on your 'disposable' income – that is, what is left after certain allowances are made for costs such as dependents, rent, mortgage repayments and income tax. They can advise you about what legal remedies are available.

How much do I have to pay if I get Legal Aid?

All people receiving Legal Aid must pay a contribution for services. The amount you pay for services will depend on your disposable income. If you are dependent on social welfare, you will pay the minimum. If you have a higher income but are still eligible, your contribution will be more.

At the moment, the minimum contribution is £4 (5.08) for legal advice, and £23 (29.21) for representation in court for an order. This is under review (November 2001).

You may be
able to get
Legal Aid to
help with
legal costs.



Legal Protection
from Domestic
Abuse

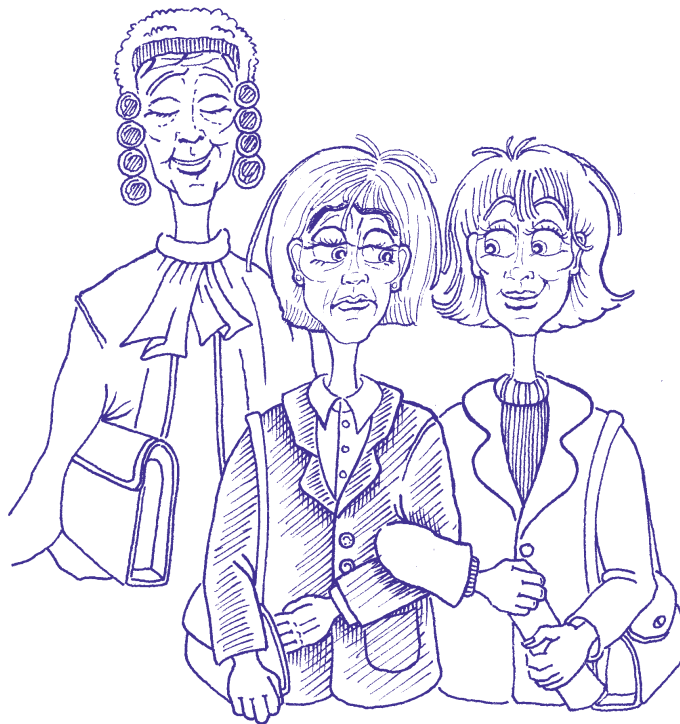
GOING TO COURT

How do I get ready for going to court?

It is important to prepare for going to court. You will need to prepare evidence and concentrate on the most essential things that need to be said to the judge to help your application. This is the time to get a solicitor if you haven't got one already. S/he will guide you through the preparations and answer any questions you have.

If you are considering taking legal action, contact a solicitor.

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Legal Protection
from Domestic
Abuse

Can I get support for going to court?

Yes. Most women's refuges and/ or support services offer support to women going to court. The refuge/ support worker can meet with you before the court hearing, and talk through what is likely to happen. She can help you prepare your evidence. She will probably not be allowed to go into the court, but can accompany you to court on the day and wait for you outside.

What will happen at the court hearing for an order under the Domestic Violence Act?

The hearing is held in private. The only people allowed in are you and your solicitor, your partner and his solicitor, plus any witnesses including the garda. The media and members of the public are not allowed in.

The judge will hear the evidence from both sides. You may be asked to give evidence to the court yourself. Your solicitor will ask you questions that let you talk through your evidence step by step. Your partner and any witnesses may also be asked to give evidence. If, at any time, you don't understand what you are being asked, ask the judge to explain.

After the evidence has been given, the judge will make a decision on whether or not to grant an order. If it is granted, it is effective as soon as your abuser has been informed.

In some situations, the solicitors make most of the representations in court, and you and your partner may only have to give brief evidence, if any. However, it is more likely that you will be asked to give your evidence to the court.

You may be
able to get
Legal Aid to
help with
legal costs.



Legal Protection
from Domestic
Abuse

What will happen at the court hearing for a case under the Non-Fatal Offences Against the Persons Act?

The prosecuting garda/solicitor will make the case against the abuser on your behalf. This means that you do not have a solicitor to represent you directly, though the prosecuting garda/solicitor may ask you to answer questions as a witness. The case is heard in a public court.

It is a good idea to get legal advice from your own solicitor, if possible, before the court hearing. It may also be helpful to:

- Introduce yourself to the garda taking the case;
- Ask to see your statement before the court hearing, so you can remind yourself of what you said;
- Ask the garda to introduce you to the prosecuting garda/solicitor.

If you are considering taking legal action, contact a solicitor.

This guide is not an interpretation of the law.

EVIDENCE FOR COURT

"The hardest thing was to stay focused and not get into talking generally about the abuse or getting upset. Because I didn't have physical injuries it was important that I was clear and told him the whole story as it happened to me" (Jane's story)

The judge will make his decision based on the evidence presented at the court hearing. The judge needs to hear about:

- the effects of the abuse on you and your children;
- any fears you have about your safety and your children's safety;
- the effects on your mental and physical health.

The truth of what happened to you may be your most powerful evidence. Other evidence that backs it up can help confirm what happened. It is important to think carefully about the events that most clearly support your application as evidence in court. You can get help with doing this from your solicitor or a women's refuge/ support service.

What may be useful as evidence?

The evidence that can be used to support your case depends on your individual situation and the particular case you are taking.



Legal Protection
from Domestic
Abuse

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Legal Protection
from Domestic
Abuse

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of the law.

Evidence may include one or more of the following:

- Dates and descriptions of the most serious incidents of emotional, mental, sexual and/ or physical abuse;
- Records from your doctor or the hospital detailing injuries;
- Records/ reports from your doctor and/ or the hospital detailing the stress you experienced as a result of the abuse;
- Records/ reports from the garda detailing times when they were called to the house;
- Signed statements of complaint that you have made to the garda;
- Records/ reports from a social worker or counsellor who is familiar with your situation;
- Statements from friends, family, neighbours or anyone else who witnessed the abuse;
- Photographs of injuries or damage to property, with the date and name of the person who took the photo;
- Records/ reports of visits to any women's refuge/ support service, rape crisis centre or other support services.

You may find it helpful to write down what happened and when it happened. You can do this at any time, and keep the notes or diary in a safe place. If you don't feel able to write it down yourself, or fear it is not safe, you could ask a friend to do it. You could tell a friend what happened, and he/ she can write it down and keep the notes for you.

YOUR CHILDREN

What are the effects on children of living in a home where there is domestic abuse?



Your Children

"....one night he came in drunk and I wanted to take the kids home to see my mum for her birthday and he said no. He started screaming and roaring all these things at me... and then he ran upstairs and got the kids out of their sleep and when I tried to stop him he started hitting me and the kids were trying to push him away, crying, begging him to 'Leave mammy alone'." (Carrie's story)

Children are often more aware of what's going on than adults realise. They are very sensitive to the atmosphere of the house, and in many situations see or hear the abuse directly or its consequences.

Each child responds differently to domestic abuse. One child may cope well, while another may be very upset.

One child may cope well, while another may be very upset.

Fear, distress, confusion and disruption are frequent effects. Children may feel ashamed or blame themselves for the situation. Some children have difficulty sleeping or have nightmares. Some children lose interest in school. Some older children may want to help or protect their mother. The abuse can have both short-term and long-term effects on children.



Your Children

How can I help my children through it?

"I thought maybe they were safe from it all, but....it's not until you leave that you realise that they were actually experiencing it as well. I used to think, oh, I'll keep quiet, they won't know"
(Deirdre's story)

You can help your children by giving them the opportunity to talk and listening to what they say. Children can benefit from talking to someone they trust.

Children want to be told what is going on. If you are planning any changes, let them know. Think about what is appropriate and safe to tell them, depending on how old they are.

Most women's refuges and support services have support groups for children or have a childcare worker who can listen to your children and help them.

Will the children be taken into care?

Your partner may use many tactics to control your behaviour and stop you from leaving. One tactic often used is telling you that you are a 'bad mother', and that he will have the health board take the children from you if you try to leave.

It is the policy of the health boards to keep children at home whenever possible. A social worker can help you put together a Safety Plan or bring you to a safe place, if that is what you want.



-
Your Children

"I don't know why I believed him, I don't know why. Just, maybe it was just drummed into me for so long that I was a bad mother, I believed what he said. I thought they (professionals) must be saying this" (Danielle's story)

What should I do if I am concerned that my partner is being abusive towards the children?

If you feel that your children are not safe when your partner is around, contact any person who you think can help. This may be a women's refuge/ support service, the garda, a social worker or other health board worker or your doctor. Arrangements will be made for the situation to be investigated once your concerns have been reported to health board workers with special responsibility in this area, or to a member of the garda. The safety and best interests of the child are always the most important consideration in any investigation.

"I heard a choking sound from the bedroom. I walked in and he had my son by the throat... he wouldn't let go no matter how much I begged and pleaded..." (Catherine's story)

If you have any questions about reporting your concerns about child abuse or want more information, contact your public health nurse or someone else in the health board with special responsibility in this area.



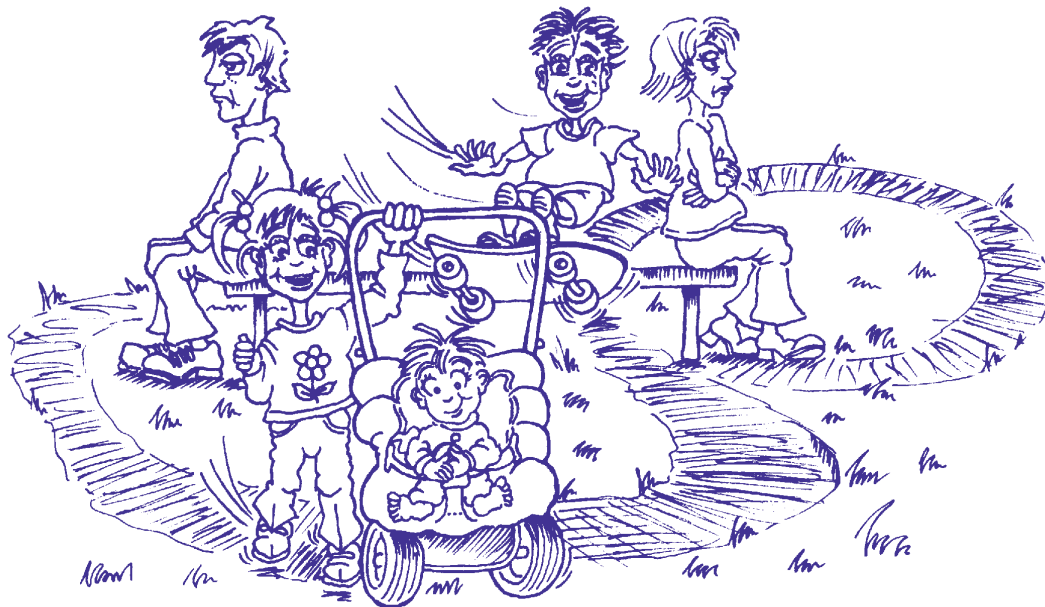
Legal Action and Your Children

What arrangements can be made for the children?

If you leave the relationship, you may need to think about what kind of arrangements you want to make with your ex-partner in relation to the children.

If you are considering taking legal action, contact a solicitor.

This guide is not an interpretation of the law.





Your Children

Arrangements can be made in several ways:

- You can agree on arrangements informally between yourself and your ex-partner, without the involvement of specialist services;
- You can agree on arrangements between yourself and your ex-partner through your solicitor, without going to court;
- You can take legal action and go to court for a decision on arrangements;
- Your partner can take legal action and go to court for a decision on arrangements;
- You and your partner can meet with the Family Mediation Service to try to make arrangements without taking legal action and going to court.

How it actually happens will depend on your own particular situation. A history of abuse can make it difficult to establish satisfactory informal arrangements. If you go to court, the judge will always put the interests of the child first when making a decision.

It is important to get a solicitor familiar with family law if you or your ex-partner decides to take legal action. You will need advice on preparing for court and legal representation on the day of the court hearing. You may be entitled to Legal Aid to help with legal costs (see the section, Legal Protection from Domestic Abuse (page 33), for more information on Legal Aid).

You may be able to get Legal Aid to help with legal costs.



Your Children

If you want to find out more about the Family Mediation Service, you can contact them directly. See the Contacts section (page 70) for the 'phone number of your nearest service.

Will the children live with him or me?

If you bring the children with you when you leave (or they stay with you in the home and he leaves), they will usually be able to stay with you unless your partner applies to court for custody and is successful.

If you are considering taking legal action, contact a solicitor.

This guide is not an interpretation of the law.

'Custody' is the legal term for the day-to-day care and management of the children. If you do not bring the children with you when leave the relationship (or they leave with him), you can apply to court for custody. If you are successful, the children will live with you.

Custody is most likely to become an issue if you are married and the marriage breaks down. Custody can be awarded to one parent only (full custody) or can be shared between both parents (joint custody). The court will make a decision in the best interests of the child or children.

If you have a barring order, arrangements relating to custody issues will usually have been put in place as part of the court hearing for the barring order. If the barring order is granted on the basis that he is a danger to you and your children, he is unlikely to be granted custody while the order is in place.



Your Children

If the children live with me, does he have the right to see them?

If you and your ex-partner cannot agree on visits informally between yourselves, he can apply to the court for an 'access' order to give him rights to see the children. Access is the name for legally arranged visits or contact between the child and the parent that does not live with the child.

Generally, the father is likely to get access since, in law, it is understood that it is usually better if the child has a relationship with both parents.

However, if there is proven evidence of abuse of the child by the father, access may be denied or supervised. The health board investigates all allegations of child abuse. Supervised access means that someone else will have to present at all times during his visit with the children.

The same applies in reverse: if the children are living with him, and you want to get access, you can apply to court for an access order if you cannot make arrangements informally between yourselves.

You may be able to get Legal Aid to help with legal costs.

Do I have to meet him to exchange the children for visits or access?

If the court decides that visiting or access by the non-residential parent is in the best interests of the child, the court may set the time, place and duration of the visits or access.

You have the right to put forward your opinion on the arrangements that you would like to see in place. Consider not only what you think is best for the children, but also your own safety and convenience. It is important that you prepare for this before going to court and get legal advice from your solicitor.



Your Children

If you feel the arrangements are unsafe, there are a number of steps you can take to improve the situation. You could:

- Ask someone else to be involved, such as a friend or a family member;
- Arrange to exchange the children in a public place where you will have help close by and witnesses if he becomes abusive. For example, in a shopping centre with security cameras, in a Family Resource Centre, or near the garda station;
- Apply to the court for the arrangements to be changed. Ask your solicitor for help if you are in this situation.

If you are considering taking legal action, contact a solicitor.

This guide is not an interpretation of the law.

If you have a barring order, visiting or access arrangements may have been put in place as part of the court hearing for the barring order.

Do I have to let him see the children before the court hearing on access?

If you genuinely believe that the children will not be safe, you do not have to let him see them. However, in general it is considered important by the court for children to have the opportunity to see both their father and mother.



YOUR MONEY

"We had quite a big house...and we would have appeared to be affluent, but....he controlled the money – I couldn't get cash" (Liz's story)

Many women living in abusive relationships depend on their partner for money. This can be part of the pattern of abuse. Your partner may be on social welfare or a company director – in both cases it is likely that he will control the money.

When you leave an abusive relationship, your money situation may change in two ways. Firstly, you may now have greater control over how money is spent. Secondly, the amount of money you have for yourself and the children may change significantly.

Where will I get the money to start again?

There are various sources of financial support that can keep you going while you sort out your situation. If you don't have enough money to meet your basic needs and those of your children, you are entitled to receive payments from the health board and/ or social welfare system.

Who can I talk to about applying for financial support?

You can get information on your entitlements to financial support from your nearest CIC (Citizen's Information Centre) or women's refuge/ support service. They can also help you apply.

If you have debt problems and want help with them, you can talk to someone in your nearest Money Advice and Budgeting Service (MABS). They don't make payments but can help you with managing



Your Money

You may now
have greater
control over
how money is
spent.



your money. They work out a budget with you, negotiate with your creditors and advise on rights and entitlements. If there are debts, MABS can advise you on whether you are responsible for paying them. If they are your ex-partner's debts you may not be responsible. See the Contacts (page 70) section for help with getting the 'phone number of your nearest MABS.

What assistance can I get from the health board?

If you have little or no money, you can apply to the health board for payments to meet your immediate basic needs (for example, food, clothes, rent, heating, nappies). You may also get help from the health board while you wait for a decision on a social welfare claim.

The Community Welfare Officer (CWO) will assess your individual situation and give you a decision on payments. Your application may be speeded up if you can bring official identification for yourself and your children (eg. birth certificate, passport) to the CWO, and evidence of your income (eg. entitlement books, payslips). CWOs are based in local health centres.

To find out more about the types of payments and how to apply, 'phone or call into your local health centre and talk to the CWO. He or she can also advise you about your entitlements to social welfare. Some health boards also provide information on their website and/ or on a free 'phone number.

What assistance can I get from social welfare?

Social welfare is responsible for a wide range of payments including lone parent's allowance (One Parent Family Payment), disability benefit, unemployment assistance and unemployment benefit.



You will have your individual situation assessed by social welfare staff to find out if you are eligible for a payment. You can apply for a social welfare payment at your nearest social welfare office.

Your Money



You may be able to get Legal Aid to help with legal costs.

Can I get money from my ex-partner?

Your abuser may be required by law to financially support you and your children. The payment is called maintenance. Maintenance is usually a regular on-going payment, but may include a property transfer or a lump sum payment.

Maintenance arrangements can be made by agreement between you and your ex-partner. If you can't agree on the level of maintenance, or if the arrangements are not satisfactory, you can go to



Your Money

court for a 'maintenance order'. Either partner can go back to court at any time to ask for a change in the amount of maintenance.

By law both parents have financial responsibility towards their children. It does not matter if you are married, unmarried, divorced or separated. If you are applying for a lone parent's payment from social welfare, you may be required to apply for maintenance from the children's father. While you are waiting for a decision on maintenance you may qualify for money from the CWO (health board).

What if he doesn't pay?

Inform the court if he breaks the maintenance order by not paying you the right amount of money at the right time, as steps can be taken to enforce payment. You can ask your solicitor to do this. If he carries on refusing to pay, social welfare will take your reduced income into account if you make a claim. You may also apply for Supplementary Welfare Allowance from the CWO (health board) if you are left with no income.

What if he plays games over the maintenance?

It is important to arrange a way for payment that you are comfortable with, and that minimises the risk of further abuse. One option is to ask for the maintenance to be paid through the court. The court can order that maintenance is paid to the district court clerk who then passes it on to you.

If he's paying maintenance, does that mean he has the automatic right to see the children?

No. Paying maintenance does not give a parent any visiting or access rights. Visiting rights depend on agreement between you and your ex-partner, or on an access order granted by the court.

If you are considering taking legal action, contact a solicitor.

This guide is not an interpretation of the law.

YOUR HOME

"It's not easy...I just wonder...where do I go from here? Or where, where, am I going to get accommodation?" (Ger's Story)



Your Home

In the long term, there are a number of options for where you can live independently of your ex-partner.

Can I return to live in the same home as before?

You may be able to live in the same home as before, and have your ex-partner leave. If your partner does not agree to go, you may be able to take legal action to force him to leave. You will need to seek legal advice to see whether it is appropriate in your case.

There are a number of options for where you can live independently of your ex-partner.

How will I find a new place to live?

It may take a lot of time and effort to find a place that is right for you, but it is possible. You can get help from a women's refuge and/ or support service.

Safety is usually the first consideration. Often women look for a home in a new area where they will not come into contact with their ex-partner.

The main options are:

- Private rented accommodation;
- Local authority accommodation;



- Applying to a voluntary housing scheme, for example, Respond or Sonas (see Contacts section (page 70) for their 'phone numbers);
- Buying a home.

Most women moving out of refuge accommodation to live independently of their partner take up private rented accommodation. It is often expensive and difficult to find, but is more accessible in general.

How can I afford to rent?

If money is tight, you may be eligible for rent allowance to help with the cost. The Community Welfare Officer (CWO) at your local health centre will be able to give you information on rent allowance. You may also be able to get help from the health board with basic items necessary for your home.

Can I apply for local authority accommodation?

If you are homeless due to domestic abuse you can apply for local authority accommodation. You can also apply if you are on a low income. You can find out more information, and apply, at the housing department of your local authority. Someone from a women's refuge/ support service can help you with your application and accompany you to appointments.



Your Home

The local authority will assess your situation to see if you qualify. If you are successful you will usually be put on a waiting list until suitable accommodation becomes available.

“While I was in the refuge I was put on the housing list and I became priority on the list.

A house came up where I originally came from so I wasn’t too far away from my family”

(Ciara’s story)

Some local authorities are more aware than others of the accommodation problems that can face women who have left abusive relationships. When you meet with someone from the housing department, tell them that you have left an abusive relationship. Make sure that he/ she is aware that they need to be very careful with information about your situation, otherwise you may be put in further danger. Tell them if you do not want to live in certain areas because you are concerned about your safety.

If you had to leave local authority accommodation because of an abusive relationship, you should tell the local authority why you left and when. If your partner has damaged the property explain this to them and that it was not your fault.

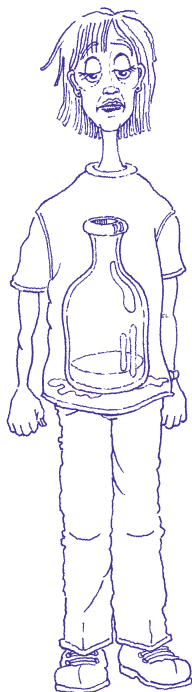


Your Health

YOUR HEALTH

Many women minimise the effects of domestic abuse on their health. You may try to hide your physical injuries or not get medical attention for them. You may be under severe mental and emotional stress, but not recognise that the main cause is your partner's abusive behaviour.

You can take steps to improve your health and well-being.



"Abuse takes different forms doesn't it?

It doesn't necessarily have to be physical, I mean, verbal abuse can be just as hurtful. It is very hurtful and can take longer to get over. When you're having something repeatedly said to you, like the name calling, then that's how you see yourself..." (Pat's story)



Your Health

Your Mental Health

Domestic abuse causes more than bruises and physical injuries. Women often say that coping with the emotional and mental abuse is the most difficult.

65% of women who experience abuse from a partner reported suffering from depression
(Making the Links, 1995)

If you think you are suffering from stress or depression, it can help to talk to someone. The first step may be going to your doctor or calling a helpline. Other options include joining a support group for women in abusive relationships or going to individual counselling.

Your Sexual Health

You do not have to take part in any sexual activity with which you are not comfortable. Your partner has committed the crime of rape if he forces you to have sex with him when you don't want to. Rape is a crime both if you are married and if you are unmarried. Rape within marriage has been a crime in Ireland since 1991.

Your partner
has committed
the crime of
rape if he
forces you to
have sex with
him when you
don't want to.

If you are raped or sexually assaulted by your partner, you can contact your nearest rape crisis centre for help. See the section, Contacts (page 70), for rape crisis helpline numbers.



Your Health

Your Physical Health

If you are injured by your abuser, seek medical attention unless you believe it is unsafe to do so. Many women delay getting help. This can lead to further health problems in the future.

Ask a friend or relative to go with you to the doctor or hospital if it is difficult to go by yourself. If your partner comes with you, try to talk to the nurse or doctor alone to explain about your injuries and get the best help with recovery.

Even if you're not thinking of seeking legal protection now, you may change your mind later. The record of your visit to the doctor or hospital may be useful as evidence of the abuse at that stage.

Pregnancy

"....the beating started with the first slap when I was pregnant...before the beatings he pushed me around, left me very bruised but he didn't hit me" (Carrie's story)

For some women, the abuse starts when they are pregnant. It is important to keep all your appointments with the doctor or hospital when you are pregnant. This can give you some support, and link you in with other services that can help.



Your Health

Addiction

Some women in abusive relationships turn to drink or drugs when they are feeling low. You may do this to block out what's happening. Tranquillisers are prescribed by the doctor for some women. Tranquillisers are medicines used to treat anxiety, depression and insomnia. If you have been on tranquillisers for more than a few months, your doctor should reassess your condition and whether you should continue to use them. There is a risk you will become dependent on them.

If you think you may be addicted to alcohol or drugs or medicines and want to get help, contact your doctor, 'phone a helpline, or join a local support group.

**You can take steps
to improve your health
and well-being.**





Lean on Me

CONTACTS

2009 Update

The cartoon illustrates the concept of contrasts in a social context. It shows a grid of 20 small rooms, each with a person sitting at a table. The person's thought bubble expresses a feeling of isolation or being the only one. The thoughts are: 'I must be the only one', 'I am so alone', 'Why am I the only one', 'no one else is going through this', 'I can't tell anyone', 'Nobody will understand', 'I must be the only one', 'no one would understand', 'I am so alone', and 'no one else is going through this'. The word 'Contrasts' is written in large, stylized letters across the middle of the grid.

Contents

WOMEN'S REFUGES AND SUPPORT SERVICES



Contacts

Women's Refuges
and Support
Services



Women's
Refuge






Women's
Support
Services

EASTERN REGION





DUBLIN

-  Aoibhneas Women's Refuge
(North City)
-  Office: (01) 8670805
Helpline: (01) 8670701
-  24 hours



DUBLIN

-  The Anu Centre
-  Blanchardstown Women's
Refuge
-  (Full Refuge Service – due
to open late-Summer 2009)






DUBLIN

-  Dublin 12 Domestic
Violence Service
-  Office: (01) 4087737
-  Helpline: (01) 4563126
Mon-Fri 9am-2pm






DUBLIN

-  Inchicore Family Resource
Centre
-  (01) 4545239
-  Mon-Fri 9.30am-5.00pm



DUBLIN

-  Rathmines/Northern Area
Health Board Women's Refuge
-  (01) 4961002/4961322
-  24 hours



DUBLIN

-  SAOIRSE Women's Refuge
(Tallaght)
-  Office: (01) 4630400
-  Helpline: (01) 4630000
Mon-Fri 9am-5pm






DUBLIN

-  Women's Aid
-  Office: (01) 8684721
Freephone: 1800 341900
-  (10am-10pm)
Mon-Fri 9am-5pm






KILDARE

-  Teach Tearmainn
-  Office: (045) 449524
Helpline: (045) 438461
-  Mon-Fri 9am-5pm
Mon 7 pm-9pm
Sat 12-2pm



WICKLOW

-  Bray Women's Refuge
-  (01) 2866163
-  24 hours



Contacts

Women's Refuges
and Support
Services

WOMEN'S REFUGES AND SUPPORT SERVICES

MIDLANDS REGION



LAOIS



Laois Support Service
against Domestic Abuse



Office: (057) 8671100



Mon-Fri 9.30am-4.30pm



LONGFORD



Longford Women's Link
(043) 41511



Mon-Fri 9am-5pm



OFFALY



Offaly Domestic Violence
Support Service



Office (057) 9351796
Helpline (057) 9351886



Mon-Fri 10am-4pm

MIDLANDS REGION



WESTMEATH



Esker House Refuge



Office: (090) 6474122



24 hours



CLARE



Clare Haven Services



Office: (065) 6842646

Refuge: (065) 6849777

Helpline: (065) 6822435



24 hours



LIMERICK



ADAPT Services



(061) 412354

Freephone: 1800 200 504



24 hours

MID-WESTERN REGION



LIMERICK



Southill Domestic Abuse
Project



(061) 313025



Mon-Thurs 9am-5pm
Fri 9am-1pm



TIPPERARY NORTH



Ascend



Office: (0505) 23999/23379



Mon-Fri 9am-1pm &
2pm-4pm



LOUTH



Drogheda Women's Refuge



Helpline:
(041) 9844550/9844998



24 hours

NORTH-EASTERN REGION

WOMEN'S REFUGES AND SUPPORT SERVICES



Contacts

Women's Refuges
and Support
Services



Women's
Refuge





Women's
Support
Services

NORTH-EASTERN REGION





LOUTH

-  Dundalk Women's Aid
-  Helpline:
(042) 9333244/9333245
-  24 hours



MEATH

-  Meath Women's Refuge
-  Helpline (046) 9022393
-  24 hours



MONAGHAN

-  Tearmann Domestic
Violence Services
-  Office: (047) 72749
Helpline: (047) 72311
-  Mon-Fri 9am-4pm

NORTH WESTERN REGION



DONEGAL

-  Women's Domestic Violence
Service
-  Office: (074) 9129725
Helpline: (074) 9126267
Freephone: 1800 262 677
-  24 hours






DONEGAL

-  Inishowen Women's Outreach
-  Office: (074) 7373337
Helpline: (074) 9373232
-  Mon-Fri 10am-1.30pm



LETTERKENNY

-  Letterkenny Women's Centre
-  Office: (074) 9124985
-  Mon-Fri 9am-5pm

NORTH WESTERN REGION



SLIGO

-  Domestic Violence Advocacy
Service
-  Helpline: (071) 9141515
-  Mon-Fri 9am – 5pm



CARLOW

-  Carlow Women's Aid
-  Office: (059) 9173552
Freephone: 1800 444944
-  Mon-Fri 9am-5pm



KILKENNY

-  AMBER
Kilkenny Women's Refuge
Project
-  Office: (056) 7771404
Helpline: 1850 424244
-  24 hours

SOUTH-EASTERN REGION



WOMEN'S REFUGES AND SUPPORT SERVICES

Contacts

Women's Refuges
and Support
Services

This list includes the main domestic violence services for women. Your nearest refuge/ women's support service can give you information about any other services in the area that may be relevant or important to you.

SOUTH-EASTERN REGION



TIPPERARY SOUTH



Cuan Saor Women's Refuge
and Support Service



Office: (052) 27557

Freephone: 1800 576757

🕒 24 hours



WATERFORD



Oasis House



Office: (051) 370367

Helpline: 1890 264364



24 hours



WEXFORD



Wexford Women's Refuge



Office: (053) 9121876

Freephone: 1800 220444



24 hours

SOUTHERN REGION



CORK



CuanLee Refuge



Office: (021) 4277698

🕒 24 hours



CORK



Mna Feasa



Office: (021) 4212955

Helpline: (021) 4211757



Mon-Fri 10am-2pm



CORK



OSS CORK Domestic
Violence
Information Centre



Office: (021) 4222979

Freephone: 1800 497497



Mon-Fri 9am-1pm



CORK



West Cork Women against
Violence Project



Office: (027) 53847

Freephone: 1800 203136

Mon-Fri 10am-1pm

🕒 Tues 10am-4pm



CORK



YANA

North Cork Domestic
Violence Project



Office: (022) 53915



Mon-Thu 9am-5pm



KERRY



ADAPT Kerry Women's Refuge



Office: (066) 7129100



24 hours

WOMEN'S REFUGES AND SUPPORT SERVICES



Contacts

Women's Refuges
and Support
Services



Women's
Refuge



Women's
Support
Services

WESTERN REGION



GALWAY



COPE

Waterside House Women's
Refuge



(091) 778750 / 565985



24 hours



GALWAY



Domestic Violence Response



Office: (091) 866740



Mon-Fri 9.30am-4.30pm



MAYO



Mayo Women's Refuge and
Support Service



(094) 9027519/9025409



Helpline: 087 6569672



Mon-Fri 9.30am-5.30pm



Sat-Sun 11am-3pm

WESTERN REGION



ROSCOMMON



Boyle Family Life Centre
Office:



(071) 9663000/9663840



Mon-Fri 9am-5pm

Safe Ireland National Contact:



(0902) 79078

If you are unsure about which refuge or support service to contact,
you can call Safe Ireland and they will help you find the right one for you.



Contacts

Rape Crisis Centres

RAPE CRISIS CENTRES

Carlow ☎ 1800 727737

Cork ☎ 1800 496496

Donegal ☎ 1800 448844

Dublin ☎ 1800 778888

Galway ☎ 1850 355355

Kerry ☎ 1800 633333

Kilkenny ☎ 1800 478478

Louth ☎ 1800 212122

Mayo ☎ 1800 234900

Mid-West ☎ 1800 311511
(Limerick, Clare & Tipperary N.)

Nenagh ☎ 1800 541122

Offaly ☎ 1800 323232

Sligo ☎ 1800 750780

Tipperary S. ☎ 1800 340340

Waterford ☎ 1800 296296

Westmeath ☎ 1800 306600

Wexford ☎ 1800 330033

LEGAL ISSUES



Contacts

Legal Issues

Legal Aid Board Law Centres

There are 32 law centres across the country. You can find their number in the 'phone directory, or you can call 1890 615 200, and ask for the number of your nearest law centre.

District Courts

There are 45 district courts across the country. You can find their number in the 'phone directory, or you can call the National Court Services Board on (01) 888 6000, and ask for the number of your nearest district court.

The Family Mediation Service

The Family Mediation Service is a state service to help couples who are separating, or have separated, to negotiate their own separation terms. Issues for mediation are ongoing parenting, maintenance, the family home, property and other problems relating to separation. Both partners have to contact the service for an appointment. It is not a legal service, but can help to sort out issues so you do not have to go to court.



Contacts

Legal Issues

LEGAL ISSUES

The Family Mediation Service

Athlone ☎ (0906) 420970

Castlebar ☎ (094) 9035120

Cork ☎ (021) 4252200

Dublin ☎ (01) 8728277

Dundalk ☎ (042) 9359410

Galway ☎ (091) 509730

Letterkenny ☎ (074) 9102240

Limerick ☎ (061) 214310

Tallaght ☎ (01) 4145180

Tralee ☎ (066) 7149726

Wexford ☎ (053) 63050

Other Legal Services

AIM Family Services

Confidential information and advice

National Contact: (01) 6708363

Mon-Fri 10am – 1pm

Coolock Community Law Centre

Legal aid and advice

Office: (01) 8477804

FLAC (Free Legal Advice Centres)

National Contact: (01) 8745690

Information and referral line: 1890 350 250

Provides information and legal advice to people who cannot afford the price of a solicitor.

Available in several locations across the country.

GENERAL INFORMATION AND SUPPORT SERVICES



Contacts

General
Information and
Support Services

Citizen Information Centres (CICs)	Free, confidential local service providing information on your rights and entitlements, including money, legal and housing issues	National Contact: 1890 777 121 There are a number of CICs across Ireland. See telephone directory/Golden Pages for your local CIC
The Samaritans	Crisis helpline	National Contact: 1850 609 090 (24 hours) Also have local telephone numbers See telephone directory/Golden Pages
Irish Countrywomen's Association Helpline	Provides a counseling service, telephone support and information for ICA members	National Contact: (01) 6680453
OPEN (One Parent Exchange and Network)	Network of local groups for single parents	National Contact: (01) 8148860 Ask for contacts for local groups



Contacts

General
Information and
Support Services

One Family	Offers advice and support to single pregnant women and single parent families	National Contact: Office: (01) 662 9212 Helpline: 1890 662 212
Alliance Victim Support Group	Provides practical help and emotional support to victims of crime	National Contact: (04838) 871708 Ask for contacts for local groups
Pavee Point	Training and resource centre for Travellers, with a violence against women project	National Contact: (01) 8780255
The Irish Refugee Council	Promotes support for refugees and asylum-seekers	National Contact: (01) 7645854
Barnardos	Support to families and information on childcare and parenting	National Contact: (01) 4530355 or 1850 222 300
GLEN	Gay and Lesbian Equality Network	National Contact: (01) 4730563



Contacts

General
Information and
Support Services

Malicious Calls Bureau	Helpline for unwanted calls	Eircom Helpline: 1800 689 689
Senior Helpline:	Helpline for older people	National Contact: 1850 440 444
Disability Federation of Ireland	A network for people with disabilities	National Contact: (01) 4547978
ISPCC (Irish Society for the Prevention of Cruelty to Children)	Information and support to children and parents	National Contact: (01) 6767960 Childline: Freephone 1800 666 666
Parentline	A listening service for parents under stress	National Contact: (01) 8787230



Contacts

General
Information and
Support Services

SERVICES FOR MEN WHO ABUSE

MOVE (Men Overcoming Violence)	Provides intervention programmes for men who abuse/ male perpetrators of domestic abuse	National Contact: (065) 6848689 Carmichael House, Dublin 7: (01) 8724357
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COUPLE COUNSELLING SERVICES

ACCORD (Catholic Marriage Counseling Service)	Provides marriage and relationship counseling. 50 branches throughout the country.	National Contact: (01) 5053112 LoCall Helpline: 1890 227 427 Ask about local services
Marriage and Relationship Counselling Service	Provides marriage and relationship counselling. 12 locations throughout country.	National Contact: (01) 6785256 LoCall Helpline: 1890 380 380 Ask about local services

MONEY ISSUES



Contacts

General
Information and
Support Services

Community Welfare Service (Health Board)	Provides payments to meet your basic needs	Contact a CWO (Community Welfare Officer) in your local health area. See telephone directory/Golden Pages
Social Welfare	Provides a range of Social Welfare payments.	Contact your local Social Welfare Office. See telephone directory/Golden Pages.
MABS (Money Advice and Budgeting Service)	Information and advice to people who are in financial difficulty. There are MABS offices across Ireland.	Helpline: 1890 283 438 See telephone directory/Golden Pages.



Contacts

General
Information and
Support Services

ACCOMMODATION ISSUES

Community Welfare Services (HSE)	Provides payments to meet your basic needs	Contact a CWO (Community Welfare Officer) in your local health centre
Threshold	Advice and information for people with housing problems	National Contact: (01) 6786096 Mon-Fri 9.30am-5.00pm Thurs 5.30pm-7.30pm
Sonas Voluntary Housing Association	Transitional housing for women and children who are homeless and have been living in a refuge	National Contact: (01) 8309088
Respond!	Housing Association Provides family housing to tenants	National Contact: (081) 8357901
Focus Ireland	Housing information and advice	National Contact: (01) 8815900
Local Authority	Provide accommodation	See telephone directory/ Golden Pages

ALCOHOL AND ADDICTION



Contacts

General
Information and
Support Services

Al-Anon	Self-help groups providing support for adults affected by someone else's drinking	National Contact: (01) 8732699 Ask about local groups
Alcoholics Anonymous	Self-help groups providing support for people who are alcohol dependent	National Contact: (01) 8420700 Ask about local groups
Al-Ateen	Self-help groups providing support for children affected by someone else's drinking	National Contact: (01) 8732699 Ask about local groups
Narcotics Anonymous	Self-help groups providing support for people who are dependent on drugs	National Contact: (01) 6728000 Ask about local groups



Contacts

General
Information and
Support Services

SEXUAL HEALTH/PREGNANCY

CURA	Pregnancy counselling and after care service	National Contact: 1850 622 626 Ask about local groups
Irish Family Planning Association	Provides a comprehensive sexual health and family planning service at local centres	National Contact: (01) 8069444 Ask about local centres

MENTAL HEALTH

AWARE	Assistance and support for people suffering from depression	National Contact: (01) 676 6166 Ask about local groups
Bodywhys	Help, support and understanding for people with eating disorders (anorexia and bulimia nervosa)	National Contact: 1890 200 444 Ask about local groups
GROW Community Mental Health Movement	Facilitates group support meetings and provides information and referral service Over 100 groups nationally	National Contact: (021) 4277520 Ask about local groups

This image shows a single sheet of white paper with horizontal orange ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins or other markings on the paper.



WHO WAS INVOLVED IN PRODUCING THIS INFORMATION GUIDE?

Many thanks to the many, many people who contributed to the information guide project.

The Project Team included:

- The women working in the ADAPT Training Centre, in particular the Project Group (Bernie, Anne, Suzanne, Marie, Majella, Kay);
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Quotes from women stories have been taken from the following sources:

- Alison, Eileen, Irene, Pat, Lily, Carrie: from Cris Mulvey et al (1994), ‘Silent No More, The experience and support needs of women in Abusive Relationships’, Women’s Aid;
- Sharon, Liz, Ger: from Mary McGrath (2001), ‘Starting from Scratch, Exploration of Housing and Financial Services to Women who Experience Domestic Violence’, ADAPT Services Limerick;
- Amanda, Deirdre, Danielle: from Caroline McGee (2000), ‘Childhood Experiences of Domestic Violence’;
- Chris, Ciara, Carol, Jane, Phil: from women who have been involved with ADAPT Services, Limerick;
- Catherine: from Saunders, A. (1995), ‘It Hurts me Too: Children’s Experience of Domestic Violence’, WAFE, SWNI, Childline.

Names have been changed to protect identity.

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