

PROTECTION ORDER

What is a Protection Order?

A Protection Order is a temporary order (temporary safety order) that can be granted if the court thinks there are reasonable grounds to believe you or your dependants e.g. your children are at significant risk of harm from the violent person. A Protection Order will protect you until the court hearing takes place.

A Protection Order states that the violent person cannot threaten or carry out any further violence against you i.e. the applicant or any dependant e.g. your children.

The abusive person is not required to leave the home if they live with you. If the abusive person does not live with you, it prohibits them from being near or watching your home.

Who can apply for a Protection Order?

- People who are married to each other and civil partners
- Couples who are living with each other
- Any person who has had a child with someone, regardless of having lived together
- Parents against their own child if he/she is over 18 years of age
- Others living together on a non-contractual basis, e.g. brothers and/ or sisters, step-relatives

It is best to apply as soon as possible after an abusive incident.

How do you apply for a Protection Order?

You must go to your local District Court Office to make this application.

When in the District Court you can ask a staff member where to go to make a Domestic Violence Order Application

What do I need to bring?

- Proof of identity i.e. passport, driver's licence
- The abusive person's address if they are not currently living with you
- If it is not your first application against this person, any reference numbers from previous cases

Possible Outcomes

- A **Protection Order** may be put in place to protect you and is valid until the date of the Safety or Barring Order hearing (see **Safety Order** or **Barring Order** factsheet)
- A Protection Order takes effect from when the abusive person is notified of it by the court or Gardaí

It is important that you are clear about whether or not the Order has been served (that the abuser has been notified). You can do this by asking the Court Clerk if the order is being posted to the person named in the order by them, or is being served by a Garda.

You do not need legal representation for an initial application, however, it is recommended that you have legal representation for the full court hearing.

