

### **What Will Happen If I Am Dependent on my Spouse's Immigration Status?**

If you are a victim of domestic violence you can apply for independent immigration status. Independent immigration status means that you will no longer be dependent on your spouse and they will have no say in whether you must leave or stay in the country. It is recommended that applications are made while you are in Ireland. You should have some form of current immigration status such as the dependent of an Irish national or of a foreign national who has immigration permission to live in Ireland. If your status has expired, an application can still be made but you must give a reason why it was not renewed. When you fill in your application, it is recommended that you include documents such as protection orders and medical and Garda reports. Applications should be made in writing to General Immigration Division, 13/14 Burgh Quay, Dublin 2. There is no application fee. In the event of the application being successful the normal registration fee will be applied. If you are successful in receiving independent immigration status, you will receive the same level of status that you held when you were dependent on your spouse. The only difference is that they will have no control over your stay in the country.

### **Can I Apply for Social Welfare Payments if I Leave an Abusive Relationship?**

Yes. If you decide to leave an abusive relationship, you can apply for social welfare payments. It is recommended that your first step is to speak with a Community Welfare Officer. Depending on your situation, you can apply for the Basic Supplementary Welfare Allowance, which is a weekly allowance for those who can not meet their family needs. You may also apply for the Exceptional Needs Payment, which is a once off payment. Applicants will be means tested for both of these types of social welfare payments.

### **Useful Contacts and Links**

Garda Domestic Violence & Sexual Assault Investigation Unit,  
Tel: (01) 6663430, 6663435  
Email: [dvsau@iol.ie](mailto:dvsau@iol.ie)

An Garda Síochána - [www.garda.ie](http://www.garda.ie)  
In an Emergency - call 999 or 112

Cosc - [www.cosc.ie](http://www.cosc.ie)  
Tel: (01) 4768680

Womens Aid - [www.womensaid.ie](http://www.womensaid.ie)  
Freefone 1800 341 900

Safe Ireland - [www.safeireland.ie](http://www.safeireland.ie)  
Tel: (090) 6479078

AMEN - [www.amen.ie](http://www.amen.ie)  
Tel: (046) 9023718

Free Legal Advice Centre - [www.flac.ie](http://www.flac.ie)  
Tel: (01) 8745690

Crime Victims Helpline [www.crimevictimshelpline.ie](http://www.crimevictimshelpline.ie)  
Tel: 1850 211 407

Samaritans - [www.samaritans.org](http://www.samaritans.org)  
Tel: 1850 60 90 90

### **Refuge Centres in Dublin**

Aoibhneas Refuge - Coolock  
[www.aoibhneas.org](http://www.aoibhneas.org)  
Tel: 01 867 0805

Rathmines Women's Refuge  
Tel: 01 496 1002

Saoirse Women's Refuge - Tallaght  
[www.saoirsewomensrefuge.ie](http://www.saoirsewomensrefuge.ie)  
Tel: 01 4630000

Viva House Refuge – Bachelors Walk  
[www.domesticabuse.ie](http://www.domesticabuse.ie)  
Tel: 01 866 2015

# Domestic Violence

*Information for Ethnic Minority Communities*



Cairde  
19 Belvedere Place,  
Dublin 1.

Tel: 01 8552111  
[www.cairde.ie](http://www.cairde.ie)

### ***What is Domestic Violence?***

Domestic violence is the use of physical, sexual, financial or emotional abuse by one person over another. Domestic violence can happen to a man or a woman. An abuser can use domestic violence to gain power and control over their victim. Domestic violence can happen in many forms. The following are examples of different types of abuse:

- **Physical abuse** involves the destroying property, hitting and kicking.
- **Sexual abuse** includes rape and using force.
- **Financial abuse** involves controlling your money and making you account for money you have spent.
- **Emotional abuse** includes name calling, isolating you and putting you down.

### ***Who Does it Affect?***

Domestic violence can happen to anybody at any time. Domestic abuse can happen to any gender, age, class, race or religious belief. Remember, there is no 'type' of woman or man to whom it happens, and there is no 'type' of home in which it happens. Domestic violence threatens the safety and welfare of the victim and their family members.

### ***Make a Safety Plan***

If you, or someone you know is in an abusive relationship, forward planning is very important. Having a ready made bag with some of your necessary items would be helpful, especially when you decide to leave an abusive relationship. When you decide to leave, whether for a short period or long term, it is recommended that you take some or all of the following items if you can do so safely. These items can include: money, credit cards, mobile phone, list of important contacts, spare car keys, driving licence, passport, important documents (birth certs, medical records, visa records, benefits books), clothes, photographs. If you are not safe, leave as soon as you can. You can return to the house at a later stage with a Garda to get some of your things

### ***Where Can I Go if I Want to Leave My Home?***

If you are experiencing domestic violence, you can seek refuge in emergency accommodation. There are four centres in Dublin which aim to help women and children who wish to escape abuse. There are no refuge centres for men. All of these centres accept self or agency referrals. A key worker will be assigned to each family and a care plan will be developed. Each of these centres aim to empower women and help them take back control of their lives. In most centres you will find play areas for children and kitchen facilities. The length of stay varies depending on the woman's situation. You can stay there for a minimum of 1 night. Some centres may have waiting lists.

### ***What Types of Legal Protection Can I get?***

A legal order is designed to protect you and your children from further violence or threats of violence. There are four types of legal orders that you can apply for. These are:

- A **Protection Order** is a temporary safety order. It gives protection to the applicant until the court decides on a safety or barring order application.
- An **Interim Barring Order** is a temporary barring order. It lasts until the barring order application is heard in court and a decision is made.
- A **Barring Order** requires the violent person to leave the family home. The order also stops the abuser from further violence or threats of violence. It can last for up to 3 years.
- A **Safety Order** is an order of the court which stops the violent person from further violence or threats of violence. It does not require the abuser to leave the family home. It can last for up to 5 years.

### ***How Can I Get an Order?***

An application for a barring order or a safety order can be made in your local District Court Office. If you live in Dublin you can go to the Dublin District Family Law Office. Their address is: Ground floor, Dolphin House, East Essex Street, Dublin 2. You can make an application to the Dublin District Court Offices in Swords if it is closer to you. It is recommended you have legal representation for a full court hearing. It is advised that you bring proof of your identity such as a passport or driver's licence to your hearing. Reports from your GP, hospital or the Gardaí will be of benefit to you during your hearing. You can apply for a protection order or an interim barring order while you are waiting for a decision in relation to a barring order or safety order.

### ***What Type of Legal Help Can I Get?***

If you are living in Ireland and you are experiencing domestic violence you can apply for Free Legal Aid. Free Legal Aid can provide you with advice and help with resolving your problem. In order to apply for Legal Aid, an application must be filled in and sent to any Legal Aid office, known as law centres, located in Ireland. There are thirty law centres around the country where you can make your application. If your case is in the District Court located at Dolphin House, in East Essex Street, Dublin 2, you can apply for legal aid at our office there. Applications are available from any law centres or they are free to download and can be found on the Citizens Advice website. Applicants will then be financially assessed and if you are eligible for Free Legal Aid you will have to pay a small contribution. Contributions start from €130.