

Domestic Abuse is **NOT** a private matter

Ascend Domestic Abuse Service for Women - North Tipperary



**MANAGING
ACCESS SAFELY
FOR YOU AND
YOUR CHILD**

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As a caring parent, you are the most important person in your child's life, especially in times of stress and conflict at home. It is important for children to know that they are never to blame for domestic abuse.

ALL CHILDREN HAVE THE RIGHT:

- To be safe, cared for and protected from violence, abuse and neglect.
- To be brought up by their parents in a family where they are safe.
- To be heard and have their wishes taken into account in decisions that affect them.
- To be treated with dignity and respect.

CHILD ACCESS

Refers to the right of the parent with whom the child does not live to spend time with the child.

The welfare of the child is the most important factor that parents should consider. It is a child's right to see both parents and access by the parent they are not living with will only be denied if the court believes that it is not in the best interest of the child.

You can request the time, place and duration of access visits and can request supervised access where another adult is present during visits if you are worried.

HOW CAN I PLAN ACCESS?

You may be able to agree on a plan with the children's father informally about arrangements for custody and access to your child. You may also need to plan how to raise your children even though you are living apart. This can include agreement on day-to-day contact and on arrangements for holidays and special events such as birthdays, communion, confirmation etc.

You can contact the **Family Mediation service** in Nenagh to help you reach an out of court agreement. **Tel: 061-214310.**

In the event that you cannot reach an agreement, you can make an application to the court to decide which parent will have custody of the child and what access the other parent will have. Ascend can support you with this process.

Applications are most commonly brought in the District Court Area where the children live. The judge will decide what is in the best interest of the children. The Order of the judge may be appealed. There are penalties for failure to follow the court order.

SAFETY FIRST

- When you are arranging for your child to visit their Dad it may be safer to meet in a neutral venue or ask a third party to do the hand-over.
- If violence breaks out between you and their Dad it is critical that your child knows not to intervene and how to keep themselves safe.
- Keep communication with your ex-partner about access brief and to the point. Do not get drawn into long message exchanges about things that are not related to access.
- Try to keep communication through text message so that there is a record. If you receive a threatening, rude or offensive message save it and contact the gardaí.
- If a protection, safety or barring order is breached in any way contact the gardaí immediately.

THINGS TO AVOID DURING ACCESS:

- Over-compensating for time spent away from them.
- Upsetting the routine established by the primary carer including bed-times.
- Forcing the child to take sides between parents.
- Speaking negatively about the other parent.
- Communicating with your ex-partner by passing messages through your child.
- Quizzing the child for information about the other parent.
- Not turning up for agreed access or changing the arrangements at the last minute.

DURING YOUR TIME WITH THE CHILDREN:

- Be consistent in your parenting and disciplining of the children.
- Allow the children to show their upset at the separation.
- Allow the children to speak openly and lovingly about the other parent.
- Reassure your children that they are loved by both of you despite the separation.
- Respect the views of older children.

SUPPORTING YOUR CHILD

- Some children can appear anxious before or after going on their access visits. You can help them find a sense of safety and security by offering your love and support.
- Remind the child one or two days before the access is due that they are going on their visit. It may help to have a calendar in your child's room so they can mark off the days to the next access visit.
- Help your child to pack for their visit. This will help to make sure that they do not forget any special things like a special toy or book.
- If you are worried about your child's safety during access, you can contact your solicitor and social worker. You can contact the Social Work Duty and Intake Team at **067-46660**.
- Try to pick a fun, quiet activity or have a favourite meal ready for when they return.
- If the child is angry or upset on return try not to ask them lots of questions, instead focus on their feelings e.g. 'you seem very angry do you want to talk?' If the child doesn't want to talk that's ok, maybe they just need a hug.
- If your child's behaviour has changed in a way that worries you can contact Ascend to discuss supports for your child. The following services may also be of assistance:

TLC Kidz is a group programme that provides nurturing, non-judgemental support for children affected by Domestic Abuse.

Tel: 0504-20018.

Family Support Services are for families and individuals who need help. The main focus of these services is on early intervention aiming to promote and protect the health, well-being and rights of all children, young people and their families.

Roscrea: 0505-23379. Nenagh: 067-31800. Thurles: 0504-22169.

Barnardos can offer support and resources for children and teenagers in Thurles affected by domestic abuse.

Tel: 0504-20018.

Treoir is the National Specialist Information Service for unmarried parents and their children, providing clear and up-to-date information free of charge to parents who are not married to each other and to those involved with them.

LoCall: 1890 252 084 or 01 6700 120

WHAT IS CUSTODY/RESIDENCE?

Custody is the day-to-day care of the child. Married parents are automatically joint custodians of the children born to them. In the case of an unmarried or cohabiting couple, the mother is sole custodian unless it is otherwise ordered by the court. Children live primarily with the parent who has custody. Where an order for joint custody is made both parents are involved in the care of the children, including over-night care, though not always on an equal basis. Custody, sole or joint, implies a duty to care for the child.

GUARDIANSHIP

A guardian of a child is the person who cares for the child and who makes all the major decisions in their life e.g. where they live, schooling, religion, medical procedures. The parents, if married, are joint guardians of a child.

If the parents are not married to each other and if there has been no signed agreement or court order, the mother is the sole guardian of that child. An unmarried father can apply to the local court to be appointed guardian. If the guardians cannot agree about major decisions about the children, they can apply to the district (local) district court and ask the judge to make the decision.

PASSPORTS

If a guardian of a child wishes to apply for a passport for that child and the other parent/guardian fails or refuses to consent, the applying guardian may make an application to the district (local) court to dispense with the consent of the other parent/guardian.

MOVING AWAY

If a guardian of a child wishes to move to live in another country or another part of the country with the children and the other parent/guardian fails or refuses to consent, the applying guardian may make an application to the district (local) court to ask the judge to make an order permitting them to "move away".

GRANDPARENTS' RIGHTS

Grandparents can apply to court to have contact/access to their grandchildren. There is a two-stage process. They must first apply to court to get permission to bring an access application and if this is granted they can then bring the application to have a judge decide on what access they should have.



Ascend Domestic Abuse Service provides support and information to women who have or are experiencing domestic abuse in their intimate relationships. The service is managed by North Tipperary Development Company (NTDC) and funded by Tusla, The Child and Family Agency and Commission for the Support of Victims of Crime

For information or an appointment with Ascend contact:

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