

NATIONAL REPORT ESTONIA 2016

DETAILS REPORT WRITING ORGANISATION

Organisation writing report: EestiNaisteVarjupaikadeLiit/ Estonian Women's Shelters Union

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Representing any other organisations? No

1. ORGANISATIONS/PROGRAMMES

WHAT TYPE OF ACTIVITIES RELATED TO DOMESTIC VIOLENCE PREVENTION HAS YOUR ORGANISATION CARRIED OUT DURING THE LAST THREE YEARS?

In 2014 we applied for funding for the adaptation and implementation of a Norwegian programme for perpetrators in Estonia, but unfortunately this funding was not granted.

In 2013-2016, we implemented a Norwegian grants project providing training for employees of all women's shelters, to ensure an equal level of service in all Estonian counties. We also conducted awareness-raising training in five counties, for networking partners of shelters (i.e. police, prosecutor's office, victim support, social services, family doctors, etc.) in order to enable them to better identify cases of violence and to create a shared understanding.

In addition, we provide a helpline 1492 service to women who experience violence. It is a 24/7 free service providing emotional support and information for victims of violence and those close to them. Occasionally the helpline receives calls from perpetrators also.

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WHAT WOULD YOU DEFINE AS THE BIGGEST OBSTACLES/CHALLENGES REGARDING VIOLENCE PREVENTION TO YOUR ORGANISATION/S? PLEASE FOCUS ON THE LAST THREE YEARS.

A major problem is the lack of specialised training on domestic violence and violence against women for specialists working with victims and perpetrators, such as police, prosecutor's office, victim support, social workers, child protection, etc. There is a lack of shared understanding of domestic violence as such. Although a variety of project-based trainings have been carried out, there is no basic uniform education that could be acquired during university studies for example, or be mandatory as an additional training when undertaking a position that requires working with cases of violence.

Many services are provided in a project-based manner, thus there is always uncertainty as to whether they will be continued or not.

## 2. COUNTRY

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PLEASE GIVE AN OVERVIEW OF GENERAL SITUATION IN YOUR COUNTRY REGARDING WORK WITH PERPETRATORS.

In Estonia, there are currently no perpetrator programmes that men can turn to voluntarily (especially in cases of situational violence). Further, there are no long-term intervention programmes to which law enforcement or other public authorities can refer perpetrators, outside the prison system. Such a programme could run on a regular basis and could influence those who systematically terrorise their intimate partners or family members.

In 2006-2009, the NGO "Free from Violence" carried out a project-based programme, "Rehabilitation Support Group for Men Who Have Used Violence against an Intimate Partner".

In 2010, the prison service designed a programme, "Reducing Domestic Violence and Violence in Intimate Relationships", focused mostly on anger management. The programme is still offered in Estonian prisons.

In 2013-2014, the University of Tartu carried out a pilot project funded by the Ministry of Justice, which gathered and analysed information about intervention programmes implemented in Estonia thus far. The project developed a group therapy programme, based on previous experiences from Estonia and abroad, for men who had previously used violence in domestic settings or intimate relationships. During a two-day course, group facilitators were trained and the programme was piloted. The programme was entitled “The Programme of Inner Confidence”. Under the pilot project, group sessions were held in both Estonia and Russia, across three cities. Altogether, 56 men registered, 36 were interviewed, 34 started the programme and 24 concluded it.

The impact of the programmes has not yet been sufficiently assessed.

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PLEASE GIVE AN OVERVIEW OF YOUR COUNTRY’S CRIMINAL AND CIVIL RESPONSE TO DOMESTIC VIOLENCE, ESPECIALLY ANY CHANGES WITHIN THE LAST 3 YEARS? (I.E. WHAT ARE THE MOST IMPORTANT LEGAL AND POLICY MEASURES AND HOW HAVE THEY BEEN IMPLEMENTED?)

There is no specific law addressing domestic violence in Estonia. The provisions of the Penal Code that are applied in cases of domestic violence are those that concern serious physical harm, threats, rape, compelling a person to engage in sexual intercourse or another act of a sexual nature, sexual intercourse or another act of sexual nature using influence, sexual intercourse with a descendant, manslaughter, or murder.

Section 121 on physical abuse is used most often. This section states that damage to the health of another person, and physical abuse which causes pain, is punishable by a pecuniary punishment or up to one year of imprisonment. If this act causes health damage which persists for at least four weeks, is committed in a close relationship or relationship of subordination, and/or is committed repeatedly, it is punishable by a pecuniary punishment or up to five years of imprisonment. According to an amendment of the Penal Code enforced in 2013, there are aggravating circumstances if the offence is committed against a person who is financially dependent the offender; against a former or current

family member of the offender; against a person who lives with the offender; or against a person who is otherwise in a family relationship with the offender.

According to the Code of Criminal Procedure a conciliation procedure can be used if the facts relating to a criminal offence in the second degree are obvious, there is no public interest in the continuation of criminal proceedings, and the suspect or accused has reconciled with the victim. In such cases the prosecutor's office may request termination of the criminal proceedings by a court, with the consent of the suspect or accused and the victim. If a person with regard to whom criminal proceedings have been terminated fails to perform the obligations imposed on him or her, or commits another intentional criminal offence against the same victim within six months after termination of the proceedings, criminal proceedings will be resumed. The conciliation procedure is conducted by the staff of the national victim support service. It is very often used in cases of domestic violence and the procedures are prescribed in the Code of Criminal Procedure.

In Estonia, a victim of violence can apply for a restraining order that is valid for a maximum of three years and issued by the court. The prosecutor can apply for a temporary restraining order for the duration of criminal proceedings, and it is available for the victim under both civil and criminal law. In practice the restraining order is rarely used and often not complied with.

In 2015, a national strategy for preventing violence for years 2015-2020 was adopted. It focuses on violence between children, child abuse, domestic violence, sexual violence and trafficking in human beings. One of the sub-objectives of the strategy is to reach a situation where there are more effective approaches for perpetrators, and a lower rate of recidivism. One of the measures of the strategy is to offer an evidence-based programme for systematic batterers in order to prevent new acts of violence, while also providing support

services for victims. Counselling services must be made available for perpetrators who are potentially motivated to change their behaviour.

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PLEASE TELL US ABOUT THE PROGRESS YOUR COUNTRY HAS MADE IN RELATION TO ISTANBUL CONVENTION.

In 2013-2014, a thorough analysis of the Estonian situation was undertaken, in relation to the Istanbul Convention. Areas evaluated included violence prevention (including perpetrator intervention programmes), support for victims, punishments for perpetrators, amendments to legal acts, and changes to the victim support system. In December 2014, the government decided to sign the Istanbul Convention. According to the operational plan of the prevention of violence strategy 2015-2020, the convention will be ratified in 2017 and necessary changes will be made by that time.

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DO YOU KNOW ANY OTHER ORGANISATIONS/PROGRAMMES IN YOUR COUNTRY THAT CARRY OUR DOMESTIC VIOLENCE PERPETRATOR WORK? IF YES, PLEASE, LIST THEM.

There are no organisations in Estonia that consistently work with perpetrators.

### 3. BEST PRACTICES

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TELL US ABOUT BEST PRACTICES IN WORK WITH PERPETRATORS IN YOUR COUNTRY.

In 2013-2014, the University of Tartu carried out a pilot project funded by the Ministry of Justice, which gathered and analysed information about intervention programmes implemented in Estonia thus far. A group therapy programme was developed, based on previous experiences from Estonia and abroad, for men who had used violence in domestic settings or intimate relationships. During a two-day course, group facilitators underwent training and the programme was piloted. The programme was called “The Programme of Inner Confidence” and was first and foremost aimed at perpetrators who wanted to stop

using violence. The programme combined feminist, cognitive-behavioural and psychodynamic approaches. It focused on ways to increase inner confidence and encouraged the adoption of violence-free behaviour. The programme was available on a voluntary basis, but men (not including inmates) could be referred to take part by probation supervisors, conciliators and other officials. The group therapy was conducted by a male and a female facilitator, who both had previous experience with group therapy and were involved throughout the programme.

The programme lasted for 14 weeks, with a three-hour meeting held every week. Between 10-12 men took part, participating in a contract in which they agreed to attend all group sessions, submit all written exercises (“homework”) and define their personal objectives, i.e. the target situation they aimed to reach by the end of the group therapy.

Before the group was formed, individual 90-minute interviews were carried out, examining each potential participant’s motivations and the type of violence they had used in the past, among other important details. A follow-up interview was conducted with each participant at the end of the programme.

The participants of the pilot project were found with the help of the probation system, conciliators of victim support, and child protection and social services. Under the pilot project, group sessions were held in both Estonia and Russia across three cities. Altogether 56 men registered, 36 were interviewed, 34 of them started the programme and 24 concluded it.

Both participants and mentors reported a number of benefits resulting from the programme. However, it was also mentioned that three months is too short a time period to bring about fundamental changes in the mind-set and behaviour of men. Although the

pilot programme made a good start, participants would have to be able to continue in group or individual therapy in order to avoid relapse and to sustain violence-free behaviour.

It was suggested during the programme that partners of the male participants would turn to women's shelters to seek help. A questionnaire on the type of violence they experienced, and the results of the therapy, was developed for them. However, only one woman was reached and therefore there is no feedback from the point of view of the victims. Women's shelters were involved in the development of the programme, but they did not have input in terms of the content of the programme, nor the evaluation criteria.

In principle, the development of the Inner Confidence programme is a positive step from the point of view of women's shelters. However, it has to be acknowledged that the programme will not bring about necessary results for long term systematic perpetrators.

#### 4. NEEDS AND RECOMMENDATIONS

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WHAT HAS TO BE DONE TO PREVENT DOMESTIC VIOLENCE IN YOUR COUNTRY (REGARDING WORK WITH PERPETRATORS)?

Perpetrator programmes combining long-term group and individual therapies should be adapted to Estonian conditions and implemented. Clear funding mechanisms for the programmes should be established, and cooperation between the providers of programmes and organisations working with victims of violence should be ensured.

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WHAT ARE THE MOST IMPORTANT TASKS AND STEPS THAT YOU FEEL SHOULD BE FOCUSED ON IN YOUR COUNTRY IN ORDER TO TACKLE DOMESTIC VIOLENCE ON A GENERAL LEVEL?

All levels of education should address the topics of domestic violence and violence against women. Schools should promote a family model based on the equality of partners, and young people should be taught the skills of violence-free conflict resolution.

Specialists working with both victims of violence and perpetrators, should receive basic knowledge founded on a shared understanding of violence against women and domestic violence. This should be available during university studies or as a mandatory additional training when starting in a position that requires working with cases of violence.

Written by Eha Reitelmann, EestiNaisteVarjupaikadeLiit/ Estonian Women's Shelters Union

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