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CARE4TRAUMA

IMPROVING GENDER-BASED VIOLENCE VICTIMS SUPPORT SERVICES
AND THE ACCESS TO JUSTICE THROUGH TRAUMA-INFORMED CARE

State-of-Art Assessment Country Report: Estonia



Women's Support and
Information Center
There is a way out of violence!



**Trauma Informed Care approaches in Gender-Based Violence cases:
The State of the Art in Estonia**

Trauma4Care Project – Country Report, November 2022



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Care4Trauma

Improving GBV victims support services and the access to justice through Trauma-informed Care

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State of Art Report – Estonia

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Introduction

Domestic violence (intimate partner violence) and violence against women have been in the spotlight in Estonia for a long time, and although there are positive signs of improvement, this issue needs to be addressed consistently. It is estimated that nearly twice as many Estonian women (64%) have fallen victim to physical violence at home than European women (35%). Likewise, significantly more cases involve abuse by family members (58%) as compared to the European average (Ministry of Justice, 2022). Furthermore, approximately 30% of domestic violence victims have children. Whether they are directly abused or witnesses, these children are negatively affected, however, in Estonia they are not universally seen as victims in need of specialized types of support. Although various legal and policy actions have been undertaken, such as the criminalization of numerous forms of violence, Estonia has no specific law on violence against women. Also relevant are the 13 domestic violence shelters that are active in the country but are generally underfunded.

This report is divided into three parts. The first section concentrates on gender-based violence prevalence in Estonia, how survivors can access justice, and what obstacles they face. The second part analyses national, regional, and local legislations, policies, guidelines, and victim surveys regarding trauma-informed-care. The third section summarises the findings of the previous section's analysis with an emphasis on the strengths and weaknesses of current legislation and policy.

PART I - Overview

Prevalence of Gender Based Violence in Estonia

Although it is generally believed that domestic violence in Estonia has declined over the previous twenty years, it is difficult to say this with certainty, as national level statistics were not reliably collected and reported before 2010. During this time, societal awareness and understanding of what constituted domestic violence as well as policy-responses were quite low, which further puts into question data from this time.

However, as awareness of domestic violence and policy responses began to increase, so did reporting of domestic violence, so that between 2011 and 2019, the number of reported DV crimes gradually increased. However, this increase has stopped in the last two years. In 2021, 25 982 crimes were registered, out of which 3,760 were registered domestic violence crimes (6% decrease compared to 2020). Domestic violence crimes accounted for 14% of all crimes, and 50% of violent crimes. The majority (83%) of domestic violence crimes were physical abuse, followed by threats (10%), sexual violence (5%) and other crimes (2%). 27% of domestic violence crimes involved a child victim or witness. Intimate partner violence accounted for the largest share of domestic violence. The typical perpetrator of domestic violence was a man in his 40s. The youngest perpetrators of violence were teenagers, and the oldest were more than 80 years old. Most of the violence cases were committed against women and girls, but there were also cases with a male victim and, in some cases, violence between same-sex couples. According to the police, the proportion of cases where minors were indirect or direct victims of domestic violence has remained stable in recent years (27%) (Ministry of Justice, 2022).

According to preliminary data, the number of homicides and murders (including attempts) related to domestic violence fell to the lowest level in recent years: three cases were recorded in 2021. The number of intimate partner violence killings and murders (including attempts) decreased the most (2021: 2; 2020: 10) (Ministry of Justice, 2022).

In addition to violent crimes, domestic violence can also take the form of harassing stalking. Approximately four out of five cases of harassing stalking (77%) were committed by a current or former relationship partner, other family member or relative, three-quarters of which consisted of harassment committed by digital means, where the victim was disturbed via a mobile phone, e-mails, the Internet, social media, or a digital camera (Ministry of Justice, 2022)..

Almost a fifth of adults have experienced sexual violence in childhood. 17% of adults aged 17-74 have experienced sexual violence by an adult before the age of 15. 6% of people had experienced attempted rape and 3% had experienced rape in childhood (Norstat, 2021).

In 2021, 3814 new domestic violence cases reached victim support (involved 4129 victims/persons), and 2079 victims turned to women's support centres. 166 women and 131 children needed safe accommodation. Women aged 25-49 turn to support centers the most. There were 80 women with disabilities.

[Estonian Legal Framework for GBV/DV](#)

The Code of Criminal Procedure (kriminaalmenetluse seadustik) and the Victim Support Act (ohvriabi seadus) serve as the two main legislative acts that determine victims' rights. The definition of a victim in Estonian legislation is in accordance with Directive 2012/29/EC.

Estonia has no specific law on violence against women, intimate partner violence or domestic violence but does criminalize numerous forms of violence. In domestic violence cases, the Articles of the Penal Code apply. The Penal Code references only two acts of violence: threat and physical abuse. The article on torture was repealed on the 1st of January 2015¹.

Domestic violence is mostly criminalized under the offenses of the Penal Code (PC), such as physical abuse, offenses causing health damage (e.g., danger to life, offenses causing severe mental disorder, Article 118 of the Penal Code) and stalking (Article 157.3 of the Penal Code). Two offenses hazardous to health are criminalized:

1) causing health damage that results in danger to life or a health disorder that persists for at least four months or which results in partial or no work ability, which is punishable by four to twelve years' imprisonment.

2) causing severe health damage through negligence, which is punishable by a pecuniary punishment or up to one year's imprisonment.

Article 121(2)(1) of the Penal Code defines physical abuse as "Causing damage to the health of another person which causes pain and is punishable by a pecuniary punishment or up to one year's imprisonment. Subsection 2 of the article stipulates that if physical violence **causes**

¹ Although it was added to Chapter 17 OFFENCES RELATING TO OFFICE - This brings the punishment for torture into line with the UN Convention against Torture.

health damage which persists for at least four weeks; is committed in a close relationship or relationship of subordination; or committed repeatedly; then it is punishable by a pecuniary punishment or up to five years' imprisonment. Subsection 3 indicates that these acts are committed by a legal person, then it can be punishable by a pecuniary punishment.

Articles 118 and 120(1) of the Penal Code article could also be applied in cases of psychological violence/abuse and manipulation also, as a threat to kill, cause health damage or cause significant damage to or destroy property can be punishable by a pecuniary punishment or up to one year's imprisonment. However, due to inadequate wording in the Penal Code and missing case law, it is hard to press charges on this in Estonia. This is because there must be a reason to fear the realisation of such threat, however there is no standard set for what is an appropriate amount of justification for such a realization.

Parties in domestic violence cases could be relatives and people who share their living space. Intimate partners are seen as current or former spouse, cohabitee or partners.

Offences endangering life and health are also criminalised. This includes placing in danger (Article 123) and refusal to provide assistance (Article 124), on both occasions the act is punishable by a pecuniary punishment or up to three years' imprisonment.

Unlawful deprivation of another person's liberty is punishable by a pecuniary punishment or up to five years' imprisonment (Article 136).

Illegal use of another person's identity is a violation of fundamental freedoms (Article 157.2). Transmission of personal data that establishes or may enable to establish the identity of another person, grant of access to the data or use thereof, without the consent of that person, to knowingly cause a misconception of that person by means of assuming that person's identity, if the damage is caused thereby to the rights or interests of another person that are protected by law, or to conceal a criminal offence, is punishable by a monetary fine of up to 1200 EUR² or up to three years' imprisonment.

Another area addressed by Estonian law is stalking, which is punishable due to amendments of the Penal Code according to the Istanbul Convention requirements, entered into force on the 6th of July 2017. It is translated as a harassing pursuit. Article 157.3 stipulates that repeated or consistent attempts to contact another person, watch him or her, or interfere in the privacy of another person against the will of such person in another manner if the intent or effect thereof

² Technically the fine is set as being up to 300 fine units and one fine unit currently equals 4 EUR.

is to intimidate, humiliate or disturb the other person in any other manner. Convicted offenders can be sentenced to a pecuniary punishment or up to one year's imprisonment. However, in practice, imprisonment rarely occurs.³

The Penal Code also provides Articles about actions regarding perpetrators (emergency barring order, restraining order, detention, imprisonment, participation in social programs). If there is a court case, there is possible offender management (probation, participation in social programs). Sentences are often conditional.

The victim's right to receive help in Estonia is currently not guaranteed because, according to the current rules, support services are never automatically given. Even if the state already knows about a person's need for help (i.e. the victim goes to the police her/himself or the police learns of the incident of violence in some other way) this is not enough to trigger support services. To overcome this barrier in domestic violence cases, an information sheet is used by the police, where the victim must give consent to transfer their data to victim support services.

In the case of all other victims of violence and crime, information is not shared between agencies even when authorized by the victim. Instead, they must submit an electronic application to receive state legal aid. The form is accessible at the web page of the Ministry of Justice as well as in each court and attorney's law office. However, evidence from practice and research confirms that emotional barriers such as depression, fear or shame make it difficult for victims of violence to ask for help. Furthermore, some victims such as disabled or older ones may need help in filling out the application. Also, only applicants proving that they are low income are eligible, which adds additional barriers.

The framework of existing health and social care policies for victims of gender-based violence

Currently, the action plan for the prevention of intimate partner violence 2019–2023 is being implemented. The plan is based on five general objectives:

- victims are protected and supported;
- people who use violence must be held accountable for their actions;
- specialists are knowledgeable and professional;

³ Between 2017 and 2021, only 176.6 cases were reported on average, per year.

- tools support specialists;
- there is regular field monitoring.

Several concrete actions set by the Action Plan includes:

- Development of the victim support system;
- Having MARACs in all counties and making sure these are funded after the end of support from the European Social Funds in 2021;
- 24/7 victims Support line;
- Improving the data and information exchange solutions of the Police and Border Guard Board

Recognition of and action against domestic violence started in earnest with the founding of the first women's shelter for victims of violence in 2002 in Tartu. Currently (2022), there are 13 NGOs that provide women's support services in all regions (15 counties) of the country. They receive approximately 1,1 million EUR of support from the state, disbursed primarily from the Social Insurance Board, which is responsible for delivering Victims Support Services under the Ministry of Social Affairs. This is generally believed to be not sufficient to meet the level of need.

In addition to a lack of funding, the philosophical approaches towards service delivery are quite different. One set of shelters believe that the focus should be on the provision of victim support services funded via service contracts with government, and ideally shelters would be taken into government. The other group believes that shelters should remain independent from the state, so that they can have flexibility in designing services, such as to carry out education and prevention activities and so that they can engage in advocacy and seek additional funding where possible. As a result of this disagreement, there is a lack of concerted action within the sector that can sometimes hinder efforts.

The Violence Prevention Agreement 2021-2025 (Ministry of Justice) stipulates that in order to prevent and tackle intimate partner violence, "specialists are provided with knowledge of trauma-informed approaches and victims with trauma experiences are provided with appropriate assistance." There is a curriculum for **training material** on violence against women developed and adopted by Regulation No 23 of the Minister of Health and Labour of the

7th of June in 2017.⁴ This course on VAW is compulsory for people who provide victim support services (e.g. shelter staff).

The pilot project on the MARAC model (Multi-Agency Risk Assessment Conference) started on the 1st of September 2015, coordinated by the Social Insurance Board. The implementation of MARAC started in 2016 and by 2019 had been extended to other regions and by 2022 now covers all of Estonia. The risk assessment model currently used is Domestic Abuse, Stalking and Honour Based Violence (DASH)⁵.

The Ministry of Justice is responsible for the implementation of the Istanbul Convention. The Republic of Estonia Social Insurance Board organizes national Victim Support Services and implements national programs and policies. Victim support is a free public social service aiming to retain or improve the victim's coping skills. National victim support centers are in all major towns in Estonia. Victim support helpline 116 006 of the Social Insurance Board provides prompt assistance to people who have fallen victim to an offense, negligence, mistreatment, or experienced physical, psychological, economic, or sexual violence. The service is free of charge to callers and available 24 hours a day. Helpline callers have the option to remain anonymous. Assistance is provided in Estonian, Russian, and English.

If calling is impossible or one does not want to discuss their problems by phone, victims can request counsel and assistance via online chat at www.palunabi.ee. The online counseling service is available 24 hours a day in three languages.

Victim Support helps, e.g., if you have fallen victim to domestic violence and intimate partner violence, violence against children, sexual violence, human trafficking, harassing stalking, accidents, cybercrime, etc. Offices of victim support centers are close to police stations but independent of the police. This works well as it allows more victims to be identified and access the assistance/help/advice needed.

The specialist of Victim Support offers support and initial counseling to claim damages, referring to the right professionals (psychotherapists), psychosocial crisis care, or family therapy. The provision of victim support services includes counseling and assisting victims in communicating with state and local government authorities and legal persons. In addition to

⁴ Regulation available in Estonian at: <https://www.riigiteataja.ee/akt/113062017009>; Course outline available in Estonian at: <https://www.riigiteataja.ee/akt/lisa/1130/6201/7009/SOMm23lisa.pdf#>

⁵ <https://www.dashriskchecklist.co.uk/>

counseling and, in more severe cases, compensation, the victim of crime may, based on the law, claim compensation for the cost of psychological care.

Victim Support also advises specialists: doctors, social workers, and teachers. Social Insurance Board Victim Support offers training (psychological first aid, assistance to victims of hate crimes and human trafficking, etc.), counseling, and necessary instructional materials. They also train volunteers.

In addition to helping the victim, the organization has different support mechanisms to stop the violence and find a way to a nonviolent life, e.g., the Non-Violence Helpline, and group and individual counseling.

The Social Insurance Board also operates women's support center services which are outsourced from specialized NGOs. The women's support center is a compound service to help women who have fallen victim to violence escape such violence and attain an independent ability to cope. The centers provide a safe environment, counseling, and, if necessary, temporary accommodation for the woman and the children accompanying her. Support Centers also provide information and support to the relatives of the victims. The centers are required to offer case-based counseling, psychological counseling, legal counseling and provide shelter service. According to the Women's Support Centre Service Description "The purpose of case-based counseling is to help the victim understand their situation and the opportunities available to them and to help make a decision for breaking the cycle of violence, to acknowledge the necessary steps, and to begin their gradual implementation." The main purpose of case-based counselling is to provide emotional support, assess security risks, identify the individual needs and finding solutions, provide information about rights and obligations, give information about relevant services (including outside the centre), refer to appropriate services.

The prerequisite for compensation for psychological help is the initiation of criminal proceedings in accordance with the current law. However, in the case of psychological violence, proceedings are often not initiated because the act does not fit into any crime or there is no evidence. Sometimes the procedure is not initiated even in the case of an experience of physical or sexual violence, e.g. too much time has passed since the incident.

A large number of victims do not go to the police, and this is the case regardless of whether it is physical, sexual or mental violence (FRA, 2014), so there is not even the possibility of a procedure. Children who witness violence, but whose parent's violence is not prosecuted, are a cause for concern. Therefore, the right of a family member to receive psychological help

through victim assistance does not extend to them. But witnesses to violence or crime can also be very traumatized.

Primary health care is free of charge for health insured persons. Psychotherapists service is free of charge for the client and is available through victim support service institutions (psychotherapists are mostly subcontractors to women's support centers, paid on contractual basis, contract holder is the support center, which has a contract with the Social Insurance Board).

PART II - Mapping of current provision of trauma-informed-care and access to justice and related gaps in Estonia

Study aim

This part focuses on analysis of Estonian national and regional legislation in regards to trauma-informed-care. The aim of the analysis is to map current strengths and positive aspects and concerns and negative aspects in Estonian legislation and policies in regards to trauma-informed-care.

Method and Procedure

The research consisted of mapping the relevant documents and assembling documents accordingly and then scrutinize these according to the pre-defined indicators. The documents were divided into three categories: Strategic level documents (e.g. legislation, national administration guidelines, charters and strategic plans); Organisational level policy documents; and Organisational level procedure documents.

Data analysis

The Estonian dataset consisted of national administration guidelines (45%), legislation (18%), service documents (18%), a organisational level policy document and a strategic document. Three documents (27%) contain a direct reference to the word trauma.

In total, 27% of all selected documents reflected no trauma-informed principle. Approximately 27% reflected one principle, 18% reflected two principles, 28% reflected three or more principles (table 1).

Table 1.

Document name	Document type	Trauma-informed principles reflected
Code of Criminal Procedure	Legislation	2
Victim Support Act	Legislation	4
Strategy' Estonia 2035'	Strategic plan	0

General Principles of Criminal Policy	National administration guidelines	1
The Violence Prevention Agreement 2021-2023	National administration guidelines	1
Well-Being Development plan 2023-2030	National administration guidelines	0
Population Health Development Plan 2020-2030	National administration guidelines	0
Internal Security Development Plan 2020-2030	National administration guidelines	1
Development plan of the Ministry of Justice 2019-2022	Organisational level policy documents	2
General Quality Guidelines for Estonian Social Services	Service documents	5
Women's Support Centre Service Description	Service documents	4

Recognition

Two documents (18,2%) include the concept of recognition. Recognition is reflected in the Victims Support Act and the Women's Support Centre Service Description. Section 67 subsection 2 of Victim Support Act set out training requirements for persons directly providing services:

The person directly providing the service must have completed in-service training on the subject of violence against women or completed the subject addressing violence against women at a university.

This clause ensures that the person directly providing the service has deep understanding of the specifics and nature of violence against women, background of the problem in the society and understanding of victim's behavior, but also how to avoid stigmatization.

Women's support center service is a compound service which objective is to contribute to rescue from violence of a woman who has fallen victim to violence against women and achievement of independent ability to cope by providing safe environment and counselling and, if necessary, temporary accommodation for the woman and the children accompanying her (Victim Support Act § 6⁵ subsection 1). In the purpose of the Women's Support Centre Service Description the service provided must among other things:

base on understanding the nature of violence against women and domestic violence and focus on human rights and well-being of the victim.

base on integrated approach considering relations between the victim, perpetrator and children and wider social contexts of those relations.

Guidelines provide detailed description of basic principles how to support a woman who has fallen victim so that she could find feel secure and find her strengths. The principles are based on recognition that GBV has pervasive nature and impact on the victims relationships and difficulties to seeking support. To provide service it is necessary to understand different aspects related.

Establishing emotional safety

Approximately half (54%) of the documents included the concept of establishing emotional safety. The criteria that were reflected were safe physical environment and providing information about services and/or situation. Establishing emotional safety was reflected for example in the Code of Criminal Procedure (RT I 2003, 27, 166). The Code of Criminal Procedure provides the rules for pre-trial and judicial procedure concerning criminal offences and the rules for mandating the enforcement of dispositions rendered in criminal cases. Section 37² subsection 1 of Code of Criminal Procedure is about assessment of protection needs of an individual victim:

The proceedings authority is obligated to assess whether any circumstances are present that amount to a reasonable cause to believe that an individual victim requires special treatment and protection in criminal proceedings.

The clause ensures that person's sense of well-being and security are supported, and harmful consequences minimized. Victims receive timely individual assessment to identify whether

and to what extent they need special protection. Victims that have suffered considerable harm due to the crime, are provided psychosocial crisis assistance and if necessary, will benefit from special measures in the course of criminal proceedings. The measures must be prescribed by the Code of Criminal Procedure. For example, it might be allowed a hearing to take place without the presence of the public (Code of Criminal Procedure § 12) or interviews with the victim are carried out in premises designed or adapted for that purpose so that the physical environment should minimize possible triggers:

As a result of the assessment, a decision is made concerning which of the means provided for by this Code for ensuring the safety of the victim it is possible to employ, as well as whether the interview with the victim should be conducted in premises adapted for their special needs or by, or with the participation of, a specialist trained to interview victims with special protection needs or, if possible, by the same person throughout the proceedings (Code of Criminal Procedure § 372 subsection 3).

In case of GBV, it is possible to ask for female interviewer and doing so can help to create a safe environment and avoid possible re-traumatization. Under clause 11 subsection 1 § 38 of the Code of Criminal Procedure the victim has right to:

make an application to be interviewed or examined by a person of their sex if the case concerns sexual violence, gender violence or a criminal offence committed in a close relationship – except if the interview is conducted by the prosecutor, or if the examination is conducted by the judge, or if this would interfere with the course of the proceedings.

General Quality Guidelines for Estonian Social Services states under criterion 'availability and affordability' that:

The availability of up-to-date and comprehensible information to the target group of the service will be ensured. Information about possible services is provided in a comprehensible way.

Two important aspects are reflected – providing information and providing the information in the way the victim understands. It must be taken into account that different people have different basic knowledge and different ability to understand, and experienced trauma can make it for the victim difficult to be in contact with their surroundings and, therefore, to

understand the information provided. What is clear to the specialist providing information may not be so clear to the victim.

Restoring choice and control

Two documents (18,2%) included the concept of restoring choice and control. Restoring choice and control was reflected in General Quality Guidelines for Estonian Social Services and Women's Support Centre Service Description (both service documents).

According to General Quality Guidelines for Estonian Social Services the social service provider must follow generally accept quality principles specified in the guidelines when providing social services. These principles are mandatory among others in the case of providing women's support service. The quality principle on the 'empowering nature of the service, involvement and human rights' states criteria on empowering of a person:

The person is informed and is aware of their rights, opportunities, obligations and responsibilities in achieving the goals of using the service.

The development of the person's independence is supported.

The person is encouraged to identify and formulate their real needs and is supported in implementing them.

The person is given motivating feedback on their developments.

and defines empowerment:

Empowerment – deliberate encouragement of people's capacity to act, including will, sense of responsibility, legal awareness, competence and skills, so that they have more opportunities to participate more actively and meaningfully in development, planning, organization and management. When a person is empowered, their ability to represent themselves in different situations increases (self-definition, expression of their opinion, awareness of rights, etc.). The person's independence from services and assistance will increase.

Implementing the criteria contributes to the growth of a woman's self-awareness and supports her understanding of her own capabilities and the principle that she can change the course of events herself.

Facilitating connection

Three documents (27,3%) included the concept of facilitating connections. The concept was reflected in the Victims Support Act, also in the General Quality Guidelines for Estonian Social Services and Women's Support Centre Service Description.

Section 6⁵ subsection 3 of Victim Support Act set that women's support center service consists among other services of:

provision of safe temporary accommodation, if necessary, to the victim and her children and crisis counselling of the victim and her children.

Most women contacting women's support center are parents. The children may not be directly victims but usually they are eyewitnesses and are considered victims as well. Often a mother comes to centre with her child or children. Giving women the opportunity to take children with and providing also counselling is one way of supporting on sustaining parenting relationships. Second, when the child is with the mother and the mother has sense of control, she can better focus on empowering herself and coping with the situation. In the opposite case, it may happen that concern about the child's well-being prevents her from focusing on other issues.

Avoiding re-traumatization

Almost half (46%) of the documents included the concept of avoiding re-traumatization. Guidelines and policies present the concept as one of the goals. The concept is also reflected in legislation. For example, § 290¹ subsection 1 sets of Code of Criminal Procedure set out the special rules concerning statements made during pre-trial proceedings by and underage witness:

On a motion of a party to judicial proceedings, the court may decide not to summon a minor and to allow a statement made by the minor during pre-trial proceedings to be presented as evidence, provided the statement was video recorded and the defense counsel had the opportunity to put questions to the witness during pre-trial proceedings about the facts constituting the subject matter of evidence (...)

The intent of the clause is to avoid unnecessary traumatization of already traumatized child during pre-trial and judicial procedure. By video recording the interviews and allowing its use in court proceedings it is possible to limit the number of unnecessary interactions and retelling the story to multiple people. The child is only interviewed once in the presence of specialist trained for that purpose and henceforth, video recording will be used in the proceedings..

Cultural competence

None of selected documents included the concept of cultural competence.

Secondary trauma

Three documents (27,3%) included the concept of secondary trauma. The General Quality Guidelines for Estonian Social Services states the quality principle on good working arrangements and quality management of the organization states:

The physical and mental safety of employees shall be ensured in accordance with the specifics governing the provision of services. Risks related to the work environment are assessed regularly.

Representatives of many professions are constantly exposed to events that are rather traumatic for the average person and are therefore at increased risk of burnout and secondary trauma. Among other, it includes several professions working in the social and legal protection system.

PART III - Conclusions

Current strengths and positive aspects of the legislation and policy

The new Victim Support Act is to come into force from 31st of March 2023. The field of victim support has developed very rapidly in recent years and the current law no longer meets expectations. The new law aims to improve the availability and quality of victim support services and make it more victim friendly.

There are no fundamental problems concerning the law enforcement or trauma-informed practices in the Estonian legal system. Except for one, all relevant principles of trauma-informed practices are more or less represented. According to a survey conducted in 2017, more than half (60%) of victims consider the Estonian legal protection system reliable and generally transparent (Espenberg, et al, 2017).

Current concerns and negative aspects of the legislation and policy

Gender-based violence as violence that is directed against a person on the basis of their sex or gender is not regulated sufficiently. Estonia has no specific law on violence against women but does criminalize numerous forms of violence. In Estonia, there is no specific intimate partner violence or domestic violence offence. In domestic violence cases Articles of the Penal Code apply. Estonian law in general defines violence against women as gender based and women as special kind of victims⁶ but help and support provided is mainly based on victims needs in general than gender-based (except for the women's support centre service). There is little or no recognitions of the pervasive nature of GBV and its wide-ranging impact on victims.

The law enforcement system has instead adopted practises that express the formal implementation of the Directive 2012/29/EU. The system can be bureaucratic and does not necessarily fulfil victims' needs (Espenberg, et al, 2017). In 2022 research was conducted about secondary victimizations during interrogations of crimes against the person in Estonia. It was concluded that more than half of interviewers were aware of re-traumatization and its causes. Still, they tend to prioritize the collecting the evidence and other information required over well-being of the victim. It was also concluded that interviewers have certain prejudices about victims, such as how "real" victims are expected to act or whether they have physical injuries

⁶ By section 6⁵ subsection 2 of Victim Support Act a victim of violence against women is a woman to whom physical, sexual, mental or economic harm or suffering has been caused either in her public or private life by gender violence committed against her or a threat thereof.

or not (Arge, 2022). So, it might be said that there is some basic knowledge about re-traumatization, but not enough understanding. The principle of prioritizing vulnerability of the victim, their needs and avoiding re-traumatization is reflected in several documents analyzed but this is not implemented enough.

The concept of cultural competence was not reflected at all in the documents analysed. Studies have found a positive relationship between ethnocultural empathy and multicultural counseling competence (Tittler, et al., 2022). So, it is crucial to raise awareness about different cultures among specialists and the public. Without the knowledge it is not possible to understand each woman in the context of their experiences and cultural background and offer support they can accept. The more one knows the more it is possible to understand and provide support when it is needed.

Providing information to the victim is one of the important aspects that needs to be addressed. The principle is reflected in legislation, but it can be rather formal and does not take into account the victim's personality, knowledge, nature of the trauma etc., which could reflect the victim's receptiveness. In order to assess protection needs of the victim, it is important to explain also victim's rights and the possibilities of using them to people closest to the victim. They can later help to understand if needed. Victims' understanding of their rights is also hindered by administrative/legal bureaucracy, specialists' lack of ability to explain rights in a simple and comprehensive way, or to explain their rights when the victim does not understand the necessity of the rights and purpose of their use (Espenberg, et al, 2017).

In summary it can be said that several shortcomings in Estonian legislation occur primarily at the level of implementation. There are also some principles that should be recognized and prioritized at higher levels. For example gender based violence as a specific type of violence, but also the understanding that as time goes on, the need for understanding people from different cultures, their traditions and cultural values increases also in the law enforcement system.

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