

Crime prevention policy	
EU- priority	Organised Property Crime
Country	Estonia
Year	2018

## 1. Overview of the field

### Definition of the crime

**Offences against property** are stipulated in the Penal Code and could be crime or misdemeanour by type. If appropriate, the aggravating circumstances are listed in subsection 2 of each paragraph, as well differences in penalties for legal persons.

#### - Offences against ownership

##### o **Illegal Appropriation of Thing**

**§ 199.** Larceny is taking away of movable property of another with the intention of illegal appropriation.

Aggravating circumstances for the same act are the following: the object of the act is a firearm, ammunition, explosive substance or radiation source; the object of the act is a narcotic drug or psychotropic substance or a precursor thereof; the object of the act is an object of great scientific, cultural or historical significance; committed by a person who has previously committed theft, robbery, embezzlement, acquisition, storage or marketing of property received through commission of an offence, intentional damaging or destruction of a thing, fraud or extortion; the act is committed publicly, but without the use of violence, committed on a large-scale basis; committed by a group; committed by intrusion; or the act is committed systematically.

**§ 200.** Robbery is taking away of movable property of another by use of violence with the intention of illegal appropriation.

Aggravating circumstances for the same act are the following: the object of the act is a firearm, ammunition, explosive substance or radiation source; the object of the act is a narcotic drug or psychotropic substance or a precursor thereof; the object of the act is an object of great scientific, cultural or historical significance; committed by a person who has previously committed robbery, or manslaughter in connection with robbery or for the purpose of any other personal gain, or extortion; committed by causing serious damage to health; committed on a large-scale basis; committed by a group; committed by using a weapon or any other object used as a weapon, or by threatening to use a weapon or any other object used as a weapon; committed by intrusion.

**§ 201.** Embezzlement is illegal converting into his or her use or the use of a third person of movable property which is in the possession of another person or other assets belonging to another person which have been entrusted to the person.

**§ 202.** Acquisition, storage or marketing of property received through commission of offence.

- **Damage to Property**
  - § 203. Injuring or destruction of thing of another, if significant damage is thereby caused
  - § 204. Injuring or destroying a cultural monument, archival record, museum object or museum collection in a manner which causes significant damage.
  - § 205. Damaging or destroying of a cultural monument, museum inventory or museum collection through negligence in a manner which is dangerous to the public or causes major damage.
  - § 206. Interference with computer data - illegal alteration, deletion, damaging or blocking of data in computer systems.
  - § 206<sup>1</sup>. Unlawful removal and alteration of means of identification of terminal equipment used in an electronic communication network.
  - § 207. Hindering of functioning of computer systems - illegal interference with or hindering of the functioning of computer systems by way of uploading, transmitting, deleting, damaging, altering or blocking of data.
  
- **Offences against All Types of Property**
  - § 209. Fraud - causing of proprietary damage to another person by knowingly causing a misconception of existing facts for the purpose of significant proprietary benefit.
  - § 210. Benefit fraud. For the purposes of this section, “benefit” means a payment made without charge or partly without charge out of the funds of the state budget or a local government or other public funds to a person engaging in economic activities, or a tax incentive for promoting economic activities. Receipt of a benefit by use of fraud or use of a benefit for purposes other than its intended purpose is punishable.
  - § 211. Investment fraud
  - § 212. Insurance fraud
  - § 213. Computer-related fraud - causing of proprietary damage to another person through unlawful entry, alteration, deletion, damaging or blocking of computer programs or data or other unlawful interference with data processing operation for the purpose of proprietary benefit.
  
- **Extortion**
  - § 214. Extortion
  
- **Unlawful Use**
  - § 215. Unauthorised use of thing - temporary unauthorised use of movable property of another.
  - § 216. Unlawful use of electricity, natural gas or thermal energy through an illegal connection to the network.
  - § 216<sup>1</sup>. Preparation of computer-related crime
  - § 217. Illegal obtaining of access to computer systems by elimination or avoidance of means of protection.
  - § 217<sup>1</sup>. Use of terminal equipment with unlawfully removed or altered means of identification in an electronic communication network by a person who is aware that the identification code has been unlawfully removed or altered.
  
- **Abuse of trust**
  - § 217<sup>2</sup>. Abuse of trust - illegal use of the right arising from law or transaction to dispose of assets of another person or assume obligations for another person, or violation of an obligation to comply with the financial interests of another person if such act results in significant material damage but does not contain the necessary elements of an offence provided for in § 201 of Penal

Code.

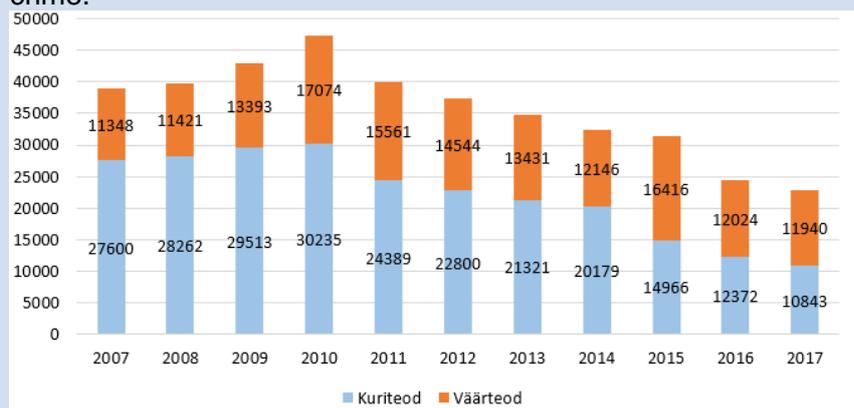
- **Petty Offences against Property**

**§ 218.** Offences against property involving objects or proprietary rights of small value (. The offence is misdemeanor, if damage committed by an offence to an object is no more than 20 daily allowances (except for offences committed using violence or other aggravating circumstances). Currently, the minimum daily rate is 10 euros (Penal Code § 44).

For specifications, please see the Penal Code in English in the State Gazette at the following link <https://www.riigiteataja.ee/en/eli/509012018005/consolide#aace2563-66e9-45a4-83e3-8119f954de20>.

### Assessment of trends and developments

Over the years property crimes have been the most registered crimes in Estonia. Property crime's share of the overall registered crimes have decreased from year to year making 40% in 2017. One of the reasons behind the decrease is the change of the law, which indicates if damage committed by the offence is more than 200 euros, it is considered a crime.

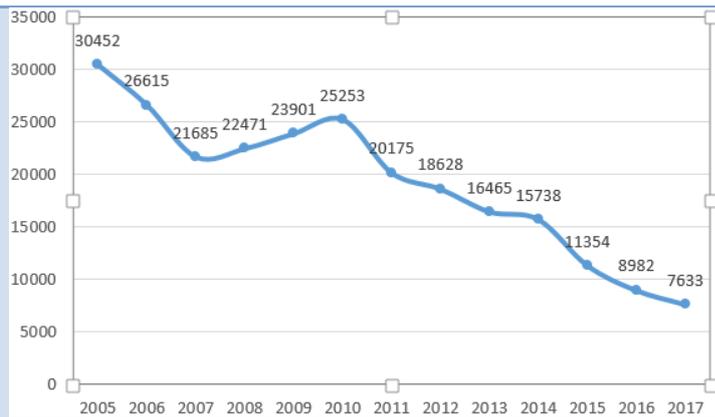


Graph 1. Registered property crimes in the years 2007-2017  
(blue: crimes, orange: misdemeanours)

The most common type of property crime in Estonia is theft, making 70-84% of all property crimes during the past 10 years, followed by fraud (6-14%) and embezzlement (2-6%). During 2006-2008 3% of the property crimes were robberies, but since then it has decreased, being under 2% of all property crimes.

### Recent overview of statistics and research

Theft is the most common type of crime in Estonia in 2017, making 28% of all crimes registered and 70% of registered property crimes (in 2016 31% and 73%). There were 7633 registered thefts in 2017, 1349 less than in 2016 (-15%). 56% of thefts were registered in Harjumaa region (the capital of Estonia, Tallinn, is situated in Harju County. In total, there are 15 counties in Estonia).



Graph 2. Registered thefts in the years 2005-2017

The most frequent places of commission were shops, streets, vehicles, apartments and dwelling-related buildings (garage, cellar, outhouse etc.). Electronics, wallets with cash and bank cards and identity documents were the most commonly stolen items (the shopliftings are not considered). The shopliftings made 37% of all thefts in 2017 (2016: 29%). Most of the shopliftings were organised and systematic.

Research shows that in 2017 51% of thefts were informed to police, in 2016 the same statistics were 46%, but the difference in the indicators remains within confidence limits.

According to public opinion study of 2018, the perception of safety related to thefts has increased: threat of thefts from home and holiday homes and cars (49% 2016 → 25% 2018) and pickpocketing and/ or thefts on the street (43% 2016 → 18% 2018). Although, after risk situations in traffic, risk situations in the internet are perceived as the second most common threats followed by the threat of thefts.

The data on the situation of property crime in Estonia is provided mainly by the Police and Border Guard Board, Ministry of the Interior and Ministry of Justice. The Police presents operational overview on the reported crime situation, for the period of 5, 9 and 12 months of each calendar year. The Ministry of Justice presents the annual crime statistics report for the 12 months which is considered to be the official statistics. If needed, more focused analyses will be conducted on property crime. In addition, the public opinion polls are conducted.

## 2. Crime strategy and coordination

### Objectives of the crime strategy

Currently, in Estonia there is no specific strategy on Organised Property Crime. However, there are several general strategies that raise the issue of property crime and its prevention.

**Criminal Policy General Principles** are Parliament level strategic guidelines, which set general guidance for the area and describe general goals. The objective of the criminal policy is to reduce re-offending and criminal damage in cooperation with education and social systems, communities, local governments and private sector.

**Development Plan for Internal Security** is adopted on the government level in which

security is foreseen in a **broader perspective** as combination of national security concept, ensuring law and order and fighting against offences, including property crimes, and different aspects that influence security are taken into consideration (social, medical, educational, economic well-being, globalization, demographic situation etc.).

The processes of updating of the Criminal Policy General Principles until 2030 in coordination by the Ministry of Justice and Development Plan for Internal Security for the years 2020-2030 in coordination by the Ministry of the Interior are currently ongoing.

As part of Criminal Policy General Principles and Development Plan for Security, the Minister of Justice and Minister of the Interior set **priorities for police and prosecutors related to tackling organized crime**, including priority crimes and monitor fulfilment of these priorities. The priorities are crimes by minors, violence in close relationships and against children, cyber-dependent and cyber-enabled crimes, economical fraud, foremost bankruptcy and tax evasion.

### Role of prevention in the crime strategy on state/regional/local level

Prevention is essential part of the crime and safety strategies both at the state, regional and local level.

In addition, in coordination by the Ministry of the Interior, Estonia is finalizing a **concept on multidisciplinary prevention**, focused on children and youth. It is a science based guideline for policy makers and others in decision making and resource allocation. Remarkable part of social and health problems are connected and can be prevented by enforcing protective factors such as social skills, etc. This is why it is needed to have a multiagency agreement on efficient prevention which can reduce need for specific prevention activities and duplication.

### Implementation of the policy (which level is responsible for the implementation and how is the implementation coordinated?)

The system for implementing the crime and safety strategies enables to ensure comprehensive, coordinated, multidisciplinary and systematic approach to the reduction and prevention of crime both on the political and expert level.

The implementation of the **Criminal Policy General Principles** is coordinated by the **Ministry of Justice**. Every year, the Government of the Republic reports to the Parliament on the state of play of implementation of the General Principles. The **National Crime Prevention Council**, led by the Minister of Justice, gathers at least 2 times in a year to discuss and decide on issues of importance and give advice to the Government and advise the local governments. The Members of Estonian Parliament, ministers of justice, police, education, social and finance, heads of criminal justice, social and education institutions, representatives of NGOs and experts, etc. are involved in this work. Currently, two working groups on expert-level are under this council, including **working group on prevention on local level** which if necessary, discusses also practices on prevention of property offences and presents proposals to local governments.

The implementation of the **Development Plan for Internal Security** is coordinated by the **Ministry of the Interior**. Responsibility for safety and security is shared and ensured in

cooperation by proactive people, non-governmental organisations, volunteers, private companies, local governments and state authorities. Thus, one important tool in achieving a safe country are the **County Safety Networks**. There are in total 15 safety networks all over Estonia, one in each of the 15 counties, which gather all the relevant actors in county. These networks are main partners for the Ministry of the Interior in creating safe and secure communities, amongst others through prevention. In order to enhance safety in its area of governance according to the specific needs and crime rate in the specific county, each safety council drafts a plan which is approved by the Ministry of the Interior. Activities focus on development of safer communities, ensuring of enhanced rescue capability, organisation of competent and rapid help, prevention of crises and increasing preparedness for emergencies, increasing internal security, balanced citizenship and migration policy, liable and secure identity management and enhanced border management. The aim is to create better living environment through use of smart, optimal and effective technology and IT solutions, decrease threat to life, health, property and constitutional order and ensure competent and rapid help.

### Stakeholders (working groups, specialised agencies, partners, etc)

Working with communities encompasses a broader range of actors than strictly law enforcement agencies. Thus, all the local leaders have to take responsibility.

On state level:

- Ministry of Justice, Ministry of the Interior,
- Police and Border Guard Board, Estonian Academy of Security Sciences,
- etc.

On local and community level:

- The local governments (in total there are 79 in Estonia) have a pivotal role to play in creating safer living environment, as well, unions of municipality governments, and, especially related to prevention, the educational establishments, County Safety Councils (in total 15).
- Apartment associations.
- Different private companies, f. ex. shopping centres, entertainment facilities.
- Estonian Neighbourhood Watch (ENHW) Association. Individuals are the most active participants in crime prevention through the Neighbourhood Watch movement, through creation of the neighbourhood watch sectors, and patrol units in the neighbourhood.
- Volunteers. Assistant Police Officers and their Union (Eesti Abipolitseinike Kogu). Assistant police officers can have special tasks regarding prevention. In general, the numbers of volunteers are on the rise taking into account all different security volunteering possibilities. At the same time, there are people who are not formally organised, but who help fellow citizens in specific criminal episodes by either catching robbers, thieves or helping victims or actively notifying the police about committed crimes. These people individually show civil courage. Since 2004 civil courage awards are given as recognition to these brave and courageous citizens by the Minister of Justice, who is acting also as the head of the National Crime Prevention Council.

Please also see “Implementation of the policy” for information on National Crime Prevention Council and its working group on prevention on local level and 15 County Safety Networks.

### Participation in European/ international networks, working groups, etc.

Estonia takes part in the activities of the European Crime Prevention Network, including the working group on the European Focus Day on domestic burglary, as well, in the activities of the Europol and Interpol.

### 3. Good practices

#### Overview of recent good practices, prevention programs, etc.

In general and foremost, police focuses on prevention of theft (§ 199 and following of the Penal Code) – police carries out prevention activities related to theft of bicycles ([Bike-ID](#)), in addition, awareness actions to prevent theft from cars (items left in cars). Police collaborates with apartment associations and amusement agencies to reduce pick-pocketing. Also, films are made related to thefts and scams for students.

Police organized project "lock or lose" as in everyday work, police is confronted with reports of theft that, in one way or another, could have been prevented, for example by locking bike or door. The idea of "lock or lose" is to remind everyone of the simple principles of keeping their property safe and secure and invite people to lock their door, window, or property.

The Police has created an opportunity for people and associations to contribute themselves to the prevention of thefts by focusing on the problem. In addition to tips on the police homepage, you can print a [flyer](#) and download [a poster](#) that can be easily used if needed, in a visible place in home, for example in the hallway, in order to remind your relatives of the importance of locking the doors, windows, etc.

Each police prefecture (in total 4 in Estonia) has their own smaller prevention project based on the needs of the communities.