

TEMPLATE POLICY PAGE

Category:	Youth Crime
Country:	Estonia
Year:	2015

Main policy page/trends:

In 2014, 1342 criminal offences committed by juveniles were registered in Estonia, which is 19% less than in 2013.

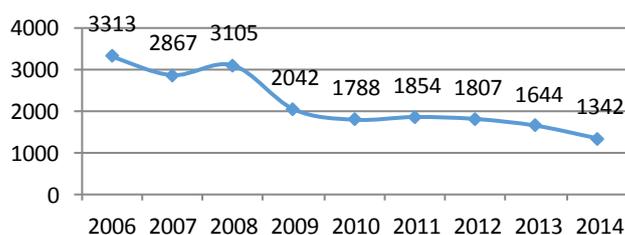


Figure 2. Number of registered criminal offences committed by juveniles in 2006-2013

The offences of physical abuse (44%) and larceny (42%) form the biggest proportion of juvenile criminal offences.

In 2014, most of juvenile misdemeanors were violations of alcohol (34%), tobacco (25%) and traffic (23%) acts.

In 2013/2014 the 3rd ISRD research was carried out in Estonia and the main results are following:

1. **The International Self-reported Delinquency Study (ISRD) was conducted in Estonia for the second time.** The study's target group was students of the 7th – 9th grade across Estonia. Data was gathered from December 2013 to February 2014. A total of 3,658 children were questioned. 2,863 children from Estonian-speaking schools and 795 children from Russian-speaking schools responded to the questionnaire.
2. **The prevalence rate of offences among children has declined when compared to 2006**, but has increased concerning some individual offence types. Compared to 2006 when less than 2% of children stole something from a store or a shopping centre, this rate has increased to 3.4% in 2014.
3. **The prevalence rate of violence-related offences has markedly decreased.** In eight years, the proportion of children having participated in group fights has dropped from 7% to 4% and that of children carrying a cut-and-thrust weapon has also decreased. While 10% of children in 2006 responded that they carry a weapon-like item (a knife, a chain, a baseball bat, etc.), that proportion has dropped to 6% in 2014.
4. **According to the study in 2014, the prevalence rate of juvenile**

trying of alcohol and cannabis has declined somewhat when compared to 2006. 68% of children questioned in 2014 have tried alcohol at some point in their life, while that proportion was 87% in 2006; 12% of children participated in this study have tried hashish and marijuana at some point in their life, yet 16% of those questioned eight years ago had experimented with cannabis products.

5. **Less girls than boys commit violent offences and serious property offences.** The prevalence rate of committing less serious property offences is not different for boys and girls.
6. **Alcohol consumption is more widespread among girls while cannabis consumption is more widespread among boys.** 46% of girls questioned in 2014 reported that they have consumed alcohol in the month preceding the study; that proportion was 41% among boys. At the same time, 5% of boys and 3% of girls admitted to having consumed cannabis in the past month.
7. **Russian children commit offences more frequently than Estonian children.** There are differences in almost all offence types studied, except sales and mediation of narcotics where there are no statistically significant differences between Russian and Estonian juveniles.
8. **Alcohol consumption is more widespread among Estonian juveniles,** while cannabis consumption is similar among Russian and Estonian juveniles. Hard drugs are more frequently consumed among Russian juveniles.
9. **In 2014, every 5th child of 13-16 years of age has been victimized by theft.** The proportion of being victimized by theft has increased from 19% in 2006 to 22% in 2014.
10. **7% of children reported that they have been hit or injured severely enough in the past year** to require medical assistance. This proportion has increased when compared to the previous study: in 2006, less than 5% reported that they have been attacked.
11. 16% of children have experienced bullying online, via e-mail or texting; 6% of children have experienced threats of violence or use of violence against them on the basis of their religion, language, skin tone, social status or other hate crimes during the year preceding the study.
12. **More girls than boys are victimized by cyber-bullying and theft.** 19% of girls and 12% of boys questioned in the study reported being victimized by cyber-bullying. 23% of girls and 20% of boys have been victimized by theft.
13. **In absolutely all offences studied, Russian children are victimized more frequently than Estonian children.** Russian children are victimized two times more often by cyber-bullying and three times more often by an assault.
14. **As a rule, being victimized is not reported to the police.** Most frequently, the police are notified if a child is victimized by theft or robbery. The police learn of every 5th incident among the two latter, while 4 out of 5 incidents remain hidden. The least known are incidents of hate crimes (10%) and cyber-bullying (7%). More boys than girls being victimized are reported to the police. The police receive reports of Russian children being victimized more frequently than reports of Estonian children being victimized, except robbery incidents. Becoming victimized by robbery is reported to the police two times more frequently in the case of Estonian children (25%) than in the case

of Russian children (12%).

15. **Most often, children are victimized by crime at school or in vicinity thereof.** Children have reported that 48% of hate crimes, 44% of attacks and 22% of robberies that they have experienced took place in the school building or the school yard.
16. **22% of children have been victimized by school bullying, 17% have bullied others.** The proportion of bullies is three times higher among those children who have been victimized by school bullying, compared to those who have never experienced school bullying. More girls than boys are victims of school bullying and rather more boys than girls are bullies. Most frequently, children tell their friends (27%) or parents (25%) about being victimized by school bullying; 24% of children never tell anyone about their worries with bullying.
17. **Low socioeconomic status of a child's family or living with a single parent is not a risk factor of children committing offenses.** At the same time, children living with a single parent are more at risk of abusing alcohol.
18. **Parents' awareness of the child's activities is a significant protective factor.** This means knowing with which friends, where and how the child spends their free time. Children coming from families with good relations between children and parents, where parents support their children emotionally and monitor their activities and where children inform their parents about their life, are less often subject to offences. With all other circumstances characterizing the relations within the family being equal, the most important protective factor is the parents' awareness of the child's activities.
19. **A risk factor of children committing offences is tensions and conflicts in the family.** 12% of children who participated in the study reported living in a family where the parents have alcohol or narcotics problems. 11% of Estonian children reported their parents having drug addiction problems, while 16% of Russian children did so. Alcohol and narcotics problems of parents are a risk factor of children committing offences. Violent conflicts in the family are also a risk factor of children committing offences.
20. **Corporal punishment and physical abuse of a child increases the risk of the child committing an offence.** During the year preceding the study, 15% of juveniles had been corporally punished by their parents and 4% had been physically abused. Among the girls who responded to this study's questionnaire, 5.6% were physically abused during the past year (3.1% among the boys) and 18% of the girls (13% of the boys) were subjected to corporal punishment. Corporal punishment is used more often against Russian juveniles; 21% of them were subjected to corporal punishment during the year preceding the study, while that proportion was 14% among Estonian juveniles. 3.5% of Estonian and 7.6% of Russian juveniles reported being abused.
21. **A total of 17% of minors reported that one or both of their parents work abroad.** The most frequent situation is that the father works abroad (14% of the respondents); 2% of the minors reported that their mother works abroad and 1% reported that both of their parents work abroad. While 15% of Estonian juveniles have one or both parents working aboard, that proportion is 24% among Russian juveniles.
22. **Juveniles living alone or with remote relatives or acquaintances**

	<p>taking care of them are more at risk of committing offences. The risk of minors committing offences increases somewhat if their father starts working abroad (from 18% to 20%) but it increases significantly if their mother does so. Where the parents have started working abroad, the children are more at risk of committing offences and risk behaviour if they live alone or if remote relatives or acquaintances take care of them, compared to the situation where grandparents or older siblings take care of the child.</p> <p>Ministry of Justice (2015). Crime in Estonia 2014.</p> <p>Report of The ISRD-3 research, full report is available here: http://www.kriminaalpoliitika.ee/isrd, English translation is unpublished.</p>
<p>Relevant legislation:</p>	<p>Offences against children are described in the Penal Code in chapter 11 division 2 as follows:</p> <p>144. Sexual intercourse with descendant (1) Sexual intercourse or commission of another act of sexual nature by a parent, person holding parental rights or grandparent with a child or grandchild is punishable by two to eight years' imprisonment. [RT I, 13.12.2013, 5 - entry into force 23.12.2013]</p> <p>(2) The same act, if committed by a person who has previously committed a criminal offence provided for in this Division, is punishable by three to eight years' imprisonment. [RT I, 13.12.2013, 5 - entry into force 23.12.2013]</p> <p>§ 145. Sexual intercourse or other act of sexual nature with child (1) Engagement in sexual intercourse or commission of another act of sexual nature by an adult person with a person of less than fourteen years of age is punishable by up to five years' imprisonment. (2) The same act, if committed by a person who has previously committed a criminal offence provided for in this Division, is punishable by two to eight years' imprisonment. (3) The same act, if committed by a legal person, is punishable by a pecuniary punishment. [RT I, 13.12.2013, 5 - entry into force 23.12.2013]</p> <p>§ 145¹. Buying sex from minors (1) Engaging in sexual intercourse or committing another act of sexual nature with a person of less than eighteen years of age for monetary payment or any other benefit, is punishable by up to three years' imprisonment. (2) An act specified in subsection (1) of this section, if committed against a person of less than fourteen years of age, is punishable by up to five years' imprisonment. (3) The act specified in subsections (1) and (2) of this section, if it was committed by a person who has previously committed a criminal offence provided for in this Division,</p>

is punishable by two to eight years' imprisonment.

(4) An act specified in subsection (1) or (2) of this section, if committed by a legal person,

is punishable by a pecuniary punishment.

[RT I, 13.12.2013, 5 - entry into force 23.12.2013]

§ 147. Inability of person of less than ten years to comprehend

Within the meaning of the offences provided for in this Division, a person is deemed to be incapable to comprehend if he or she is less than ten years of age.

§ 175. Human trafficking in order to take advantage of minors

(1) Influencing of a person of less than eighteen years of age in order to cause him or her to commence or continue commission of a criminal offence, begging, engagement in prostitution or working under unusual conditions or to appear as a model or actor in the manufacture of a pornographic or erotic performance or work, but it does not contain the necessary elements of an offence provided for in § 133 of this Code, and a person aiding in other manner in the activities specified in this section of a person of less than eighteen years of age, is punishable by two to ten years' imprisonment.

(11) The same act if committed by a person who has previously committed a criminal offence provided for in this section or §§ 133 to 1333, § 1751 or §§ 178 to 179, is punishable by three to ten years' imprisonment.

(2) The same act, if committed by a legal person, is punishable by a pecuniary punishment.

(3) For the criminal offence provided for in this section, the court shall impose extended confiscation of assets or property acquired by the criminal offence pursuant to the provisions of § 832 of this Code.

[RT I, 13.12.2013, 5 - entry into force 23.12.2013]

§ 175¹. Requesting access to child pornography and watching thereof

(1) Knowingly requesting access to child pornography or knowingly watching a pornographic performance involving a person younger than eighteen years of age or of a pornographic or erotic performance involving a person younger than fourteen years of age is punishable by a pecuniary punishment or up to two years' imprisonment. [RT I, 23.12.2014, 14 - entry into force 01.01.2015]

(2) The same act, if committed by a person who has previously committed a criminal offence provided for in this section or §§ 175 or 178 to 179, is punishable by up to three years' imprisonment. [RT I, 23.12.2014, 14 - entry into force 01.01.2015]

(3) The same act, if committed by a legal person, is punishable by a pecuniary punishment. [RT I, 13.12.2013, 5 - entry into force 23.12.2013]

§ 178. Manufacture of works involving child pornography or making child pornography available

(1) Manufacture, acquisition or storing, handing over, displaying or making available to another person in any other manner of pictures, writings or other works or reproductions of works depicting a person of less than eighteen years of age in a pornographic situation, or a person of less than fourteen years of age in a pornographic or erotic situation, is punishable by a pecuniary punishment or up to three years' imprisonment.

(11) The same act if committed by a person who has previously committed a criminal offence provided for in this section or §§ 175, 1751, 1781 or 179, is punishable by one to three years' imprisonment.

(2) The same act, if committed by a legal person, is punishable by a pecuniary punishment. [RT I, 13.12.2013, 5 - entry into force 23.12.2013]

§ 178¹. Agreement of sexual purpose for meeting with child

(1) Making a proposal for meeting a person of less than eighteen years of age who was not capable of comprehending the situation, or a person of less than fourteen years of age, or concluding an agreement to meet him or her, and performance of an act preparing the meeting, if the aim of the meeting is to commit an offence of sexual nature provided for in §§ 133, 1331, 141-1451, 175, 1751, 178 or 179 of this Code with respect to the specified person, is punishable by a pecuniary punishment or up to three years' imprisonment. [RT I, 13.12.2013, 5 - entry into force 23.12.2013]

(11) The same act if committed by a person who has previously committed a criminal offence provided for in this section or §§ 175, 1751, 178 or 179, is punishable by one to three years' imprisonment. [RT I, 13.12.2013, 5 - entry into force 23.12.2013]

(2) The same act, if committed by a legal person, is punishable by a pecuniary punishment. [RT I 2010, 10, 44 - entry into force 15.03.2010]

§ 179. Sexual enticement of children

(1) Handing over, displaying or making otherwise pornographic works or reproductions thereof knowingly available to a person of less than fourteen years of age, or showing sexual abuse to such person or engaging in sexual intercourse in the presence of such person or knowingly sexually enticing such person in any other manner is punishable by a pecuniary punishment or up to three years' imprisonment. [RT I, 13.12.2013, 5 - entry into force 23.12.2013]

(11) The same act if committed by a person who has previously committed a criminal offence provided for in this section or §§ 175, 1751, 178 or 178¹ is punishable by one to three years' imprisonment. [RT I, 13.12.2013, 5 - entry into force 23.12.2013]

(2) The same act, if committed by a legal person, is punishable by a pecuniary punishment.

§ 179¹. Illegal enabling of work with children

(1) Hiring a person in a position or service as a person working with children or enabling such person to work with children in another manner, if the person is prohibited by law to work with children, and authorising issue of an activity licence by an authorised person for work with children, if this is prohibited by law, is punishable by a fine of up to 300 fine units.

[RT I, 13.12.2013, 5 - entry into force 23.12.2013]

(2) The same act, if committed by a legal person, is punishable by a fine of up to 3200 euros.[RT I 2010, 22, 108 - entry into force 01.01.2011]

§ 180. Exhibiting cruelty to minors

(1) Handing over, displaying or knowing making available of works or reproductions of works promoting cruelty in another manner to a person of less than eighteen years of age, killing or torturing of an animal in the presence of such person without due cause or knowing exhibiting of cruelty to him or her in another manner is punishable by a fine of up to 300 fine units.

(2) The same act, if committed by a legal person, is punishable by a fine of up to 3200 euros.

[RT I, 12.07.2014, 1 - entry into force 01.01.2015]

§ 182. Inducing minor to consume alcohol

Inducement of a person of less than eighteen years of age by an adult person to consume alcohol is punishable by a pecuniary punishment or up to one year of imprisonment.

[RT I 2004, 88, 600 - entry into force 02.01.2005]

§ 182¹. Sale of alcohol to minors and purchase of alcohol for minors

(1) Systematic selling or buying of alcohol to a person of less than eighteen years of age by an adult person is punishable by a pecuniary punishment or up to one year of imprisonment.

(2) The same act, if committed by a legal person, is punishable by a pecuniary punishment.

[RT I, 12.07.2014, 1 - entry into force 01.01.2015]

Relevant legislation in English and in Estonian can be found in <https://www.riigiteataja.ee/en/eli/ee/Riigikogu/act/519032015003/consolide>

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