



Work Package 2

National Report: Estonia



DAPHNE PROJECT: “PROPOSING NEW INDICATORS:
MEASURING VIOLENCE’S EFFECTS. GVEI”

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Introduction

The GVEI project is targeted to design of social indicators for measuring and shedding light on the effects of domestic violence in all dimensions of the women's life. During the project more specific target was defined to look at gender violence effects in intimate partner relationship (IPV) and in workplace violence (WV). At this stage of the project women's voices were collected (by interviews) and these voices should be used for the design of indicators. Additional information was gathered through expert interviews and focus groups.

The IPV has studied in Estonia since 2000. Data are still poor, but an attempt to improve the data collection principles and the quality is discussed. For example, in Estonia, serious health damages from violence are hardly ever found in trauma statistics, because '*serious health damage*' requires a sick leave over four months. And in a case of the serious damage to health there should be a loss of at least 40% of the capacity for work. For example broken bones and losing one eye means 30% loss of the capacity for work, therefore losing one eye after violence incident is not serious health damage.

Gender violence is linked with values and attitudes in society. Bancroft¹ (2006) has studied men who abuse women and the impact those men have on the lives of both women and children. He states that violence is based on attitudes and values, not emotions like it is often thought. He argues that a perpetrator can only change, when one makes corrections in attitudes. Bancroft lists types of abusive men², the central attitudes that drive them and the characteristics of each type.

Estonia is still a country with slow progress in development of gender equality. In a sphere of egalitarian sexual attitudes and gender equality Estonia is lagging behind the Nordic countries. Haavio-Mannila and Kontula (2003) have studied differences across decades and countries in acceptance of the sexual double standard (SDS) in attitudes toward marital infidelity and women's initiating sex. They also looked at the relationship between the SDS and sexual satisfaction. Results of their study shows, that Finland in the 1990s was more egalitarian than Finland in 1971, or Estonia in 2000. Study results show also that egalitarian sexual attitudes were positively related to sexual satisfaction.

The Gender Equality Act in its very mild version entered into force in 2004. There is no special act on family violence in Estonia. Existing legal framework does not offer definitions and measures tackling the family violence. The Penal Code differentiates cases of family violence according to the result (acts of violence, serious health damage, manslaughter), not according to the content. Investigation and conviction is dependent not only by legal framework, but victim can influence all stages of criminal procedure from application to the court case.

¹ Lundy Bancroft's homepage. <http://www.lundybancroft.com/pages/articles.html>

² The Demand Man, Mr. Right, the Water Torturer, the Drill Sergeant, Mr. Sensitive, the Player, Rambo, the Victim, the Terrorist and the Mentally Ill or Addicted Abuser.

Estonia has lost a pattern of traditional family forms. Also extended families, which were more common in the late 1980s, are losing their importance. Half of children are born out of wedlock. According to the EU survey data, in 2006 about 42% out of all families were so-called 'traditional families' and 13% out of parents are lone parents³. But in same time studies show that more important than family structure is children's relationship with their parents (Mossige, Ainsaar, and Svedin 2007: 27). Childhood home has enormous impact to child and her or his intimate relations in the future. They have higher risk to find a partner or acquaintance, who can use violence toward them (Soo, 2006).

1. Violence against women in Estonia

The IPV has studied in Estonia since 2000. Kase (2001) has edited a well-balanced book about domestic violence, where interviews with women and experts and also a theoretical part are presented. The first national survey on IPV has been prepared and will be carried out in 2008. There are few data about violence against women, but the new survey should give more insight into the topic.

A problem of violent men is hard to accept for society. Positive fact is that there are more people today who understand that this problem is wider and more serious than expected. Männik (2005) has studied clients of the Tartu Women's Shelter. She stresses to the need of shelter, social housing, support services, awareness rising among policemen, investigators, prosecutors, judges and wider public to understand complexity of the intimate partner violence.

According to a national-wide survey with sample size about 1000 males and females, every fifth adult women admitted to be a victim of violence during a year (Pettai and Proos, 2003). 9% of all women reported about experiences of physical or physical and mental violence. 4% had been a target of sexual violence. 7.3% of women had got injuries by reason of violence (1.3% even life-dangerous injuries). The most prevalent injuries were bruises, next came different type of fractures. In spite of severe injuries the majority of victims did not see the doctor. 12% of injured women were hospitalised and 20% applied to getting help from the doctor. 17% of injured women recognized that they needed medical help but did not apply to anywhere. These data were important tool for strategic planning (Action Plan... 2007).

Ladõnskaja (2007) has studied violent deaths in 2006, and states that there are more men among all victims. Out of women two age groups are dominating, these are women under 35 or women over 50 years old. The most frequent case of death is beating to the death, injuries from knife and injuries in head. The most common place for violent death is

³ "Family 2006 in 46 Council of Europe Member States",
http://www.coe.int/t/E/Com/Press/Source/figures_family2006.doc

victim's home. In recent years, among priorities of the work of Estonian Police is also mentioned tackling domestic violence⁴.

Mostly it took ten days for women to recover from injuries (Pettai and Proos, 2003). 54% of all victims missed work or school due to violence, but every third injured woman continued going to work. The results indicated that 72% of victims had some long-lasting health disorder. Every fourth reported having backache or headache, 15% of victims had problems with eyesight or cardiovascular disorder.

In addition, it appeared that the vast majority of victims had serious consequences on their mental health. Almost all victims complained of a steady condition of stress and tension. Many of them mentioned being nervous (82%) and depressed (74%). A half of victims had felt indecisiveness and hopelessness. According to the results of a survey with medical practitioners, every second gynaecologist had come across battered pregnant women in their work (Kase, Pettai, 2003). One third of gynaecologists knew incidents in their practice where pregnancy had ended with miscarriage caused by beating.

Police Prefecture in West-Estonia carried out an additional data gathering during a year of 2004. Police officers filled a questionnaire concerning all cases of reported family violence (Kase, Pettai, 2005). The results of this action showed that intimate partner committed 70% of all cases of family violence and the vast majority of perpetrators were men. Only one fifth of all reporting cases were verbal violence (so called family quarrel). All other cases included physical and/or sexual violence. A quarter of perpetrators had threatened to kill their victim. In addition, the results indicated that one third of perpetrators had been aggressive formerly and even convicted for it. This refers that aggressive behaviour has become an everyday practice to solve problematic situations.

Police officers also registered the consequences of committed violence. According to this 'register' 28% of all violent incidents ended up for victim with easier or severe injuries. The longer the cohabitation has lasted, the more severe can be injuries for women. The highest risk of getting injured was for women at ages of 30-49 years. Especially remarkable is a fact that 82% of children living in violent homes are witnesses of violence between parents, but a third of them are victims.

2. Method and data

Qualitative research method and thematic analysis were used in current study. Data consists of personal interviews with women experienced gender violence in intimate partnership (IPV) or in the workplace (WV). Respondents were found through personal contacts of the researchers. Finding women through social workers and women's shelters

⁴ "It is also important to acknowledge the increasing role of the police in solving cases of domestic violence." <http://www.politsei.ee/?id=1095>

was avoided in order to reach also these women who have never looked for any intentional help or got any help for other reasons.

Altogether there were thirteen experts interviewed for current study. Private interviews on WV were held with two experts and nine of the experts were interviewed in focus groups. Altogether there were held three focus groups: two of them focused on IPV and one on the topic of WV. Each of the focus groups consisted of three experts.

Two extra conversations on WV were held with experts of labour relations. Unfortunately these conversations did not meet our expectations, as the experts did not consider gender aspect to be relevant to their everyday work.

Length of the interviews varied from 45 minutes to 3,5 hours. All of the private interviews and focus groups were recorded. About half of interviews were fully transcribed, while another half was repeatedly listened and only relevant quotes for current report were transcribed.

2.1 Sample

Sample consists of 12 interviews with women experienced IPV. These interviews are named as Piret1 to Piret12. Seven interviews were carried out with women experienced gender violence at work and are marked as Viia1 to Viia7.

The age of the women varies from 19 to 64 years, and the average age of respondents is 42,6. Not all of them have children, but those with children are married or cohabitated. Women interviewed live in all over Estonia and the interviews were made at their homes, quiet cafés or office setting.

Piret1, 51 years old, has three sons at the age of 14-24 years, lives with the two youngest sons. She has separated from her husband, but not divorced. She owns a flat and a car and lives in a small town. She works hard and makes long hours to make the ends meet. She comes from a solid family with an authoritarian father. Piret1 has experienced psychological as well physical abuse. Her husband has also been violent to his mother, manipulates with the younger son, and demonstrates his emotional instability.

Piret2, 49 years old, has four children at the age of 9-18 years. She is married for the second time. The first marriage turned out to be violent in less than a year and she decided to get divorced. As she said herself: *'it was very clear that I do not like to be battered'*. Her second marriage was based on a sincere love - she admired her nice and successful scientist husband. The husband liked his work, but did not like domestic work or taking daily care for their small children. He was constantly away – on a business travel or stayed at his office. It was a *'marriage through phone'* in 1988-1998, *'marriage in crisis'* in 1998-2001 and divorce process in 2001-2004. Piret2 says that her husband

'infiltrated away or out filtrated'.⁵ Former husband moved to another marriage and has two children, but still struggles to get children two times a year – during the Easter and the Christmas Eve, because these days are very important in Piret2 life. Piret2 has stayed into their flat with four children, but she should pay half of dwelling price *'to buy from former husband his part which was half of the flat'*. Piret2 has suffered mostly from *'refined'* psychological violence and has lost a ground for years, it was a mental torture and brainwashing.

Piret3, 28 years old, has two children at the age of 3-6 years, the first child from the first cohabitation and owns a small house in a countryside. Her current marriage has lasted for three years. She has tried to separate for couple of times, but has not succeed once and for all, as she breaks and takes her husband back again. The first cohabitation was with a businessman, who had a lot of money and many lovers. For several times Piret3 has attempted to commit a suicide. As her current husband has been convicted, he cannot get a loan from a bank and due to monetary duties he has no property. He is a gambler with excellent communication and manipulation skills. Husband's jealousy issues make him call Piret3 for about 40 times an hour. Piret3 pays all of the housing costs and leasing, as well for husband's cell phone etc. Piret3 has a job and asks for monetary support from her low paid mother. Piret3 has experienced psychological as well physical violence.

Piret4, 28 years old, is single, lives alone, owns a car and a flat in Tallinn and a well-paid job. She started to cohabit with a schoolmate, when she was 18. They lived in boyfriend's parents' big house, as they had a demanding, but successful business. The real governor in this family was boyfriend's mother. Piret4 and her partner were good in studies and both of them hold master's degree. The last five years out of seven years of cohabitation were violent. Separation took place four years ago, but Piret4 still suffers from fears and memories. She experienced physical as well sexual violence.

Piret5, 54 years old, has two children at age of 30-33 years. After 21 years of marriage she is currently divorced. Her older daughter has got problems in her cohabitation as well and younger daughter is disabled and has severe social phobia⁶ - unability to go to public places. Piret5 has grown up with a single mother. In the past her husband has worked for armed forces and passed courses in martial arts. The husband was extremely jealous, stalking her wife from place to place. Piret5 had troubles on finding a new job, because in small town, where they used to live, her husband was a notorious person. In a divorce process she got a lot of help from her attorney. According to her own words, she has experienced *'everything'*.

Piret6, 48 years old, has two near twenty years old sons who are still going to high-school. She divorced many years ago and is currently single. As a result of divorcing and due to privatisation process in early nineties, she has had enormous economic losses. She had a happy childhood and kind parents. As a young woman, she got married to an orphan. In order to teach disabled children, she graduated university in *'special education'* and has taken various courses in psychology. She noticed the *'strange'*

⁵ Est imbus ära

⁶ A fear to be in public places, incapable to cope alone. It is some kind of panic disorder.

behaviour of her husband straight from the beginning, but considered it to account for his orphanage. In the beginning her husband was violent in public places, but later on the violence gained ground to their home. The husband was a psychopath. Piret6 has experienced psychological, physical as well sexual violence.

Piret7, 47 years old, has four children at the age of 16-25 years, husband is being violent towards her as well as the children. The husband loves two of the children and hates the other two, as they were '*unplanned*'. Her health has become considerably poorer and as a result of her declining health, she started to lose her position at work. She dropped from a managerial position to charlady and is currently unemployed, meeting the ends on a low disability pension. The husband has learned battering without bruises. She has experienced psychological, physical as well sexual violence.

Piret8, 19 years old, a child under one year. Was in cohabitation for 3-4 years, recently separated and has come back to home. Husband owned a flat, but was unemployed young computer games addict and extremely jealous. He had problems in childhood home and has heavy psychological burden. He was evil to Piret8 and also violent to baby. Baby's safety was a main reason for separation. She has experienced a physical and psychological violence. **Piret8** is a daughter of **Piret7**. Piret7 was '*a planned*' child and father loves her.

Piret9, 59, one child 35 years old, 2 grandchildren. Piret9 has experienced a physical violence for 15 years in her first marriage and now she cohabitates with a former policeman, currently a grouchy retired old man, blaming wife and national state in poor and boring life. Piret9 was divorced near 20 years ago, but her former husband has destroyed also his next wife's life (she become alcoholic, unemployed and unable to pay for a flat). Piret9 has many hobbies and she is very active, but has depressing memories and evil partner. For her the home was always the unsafe place.

Piret10, 62 years old, has two adult sons in their thirties, lives in violent marriage for 38 years. Her health has worsened from year to year and she is a charlady now. She has struggled with cancer for 10 years. Sons' cohabitations have broken and they are also violent and there was an abuse of alcohol. Piret10 has experienced a physical violence for years and still hopes that husband will not beat any more. She calls violence by husband '*a punishment*'.

Piret11, 28 years old, has a 7-years old child, widowed five years ago. She was grown up in a family, where father was violent and alcoholic. Piret11 has zero tolerance to alcohol and this is a requirement to her partner. Husband was controlling and workaholic, very devoted to his job. He was a middle manager of guards, a part of power structure. Then he started to drink. He contributed a lot to control and isolated his wife. After he has beaten her and threatened her with murder, Piret11 decided to divorce. During a divorce

period, five years ago he came to the living place and shot two times his wife and then killed himself. A two years old child has seen it. Piret11 recovered a long time, lost job due to physical disability, and was afraid that she was made guilty in murdering his husband. Piret11 lives with a son, very hard to find partner who is abstainer.

Piret12, 36 years old, 3 children under 5 years old. Has lived in free cohabitation eight years and during the interview she lived with kids, she has been separated for couple of months ago. She owns the flat from the beginning and she has savings to cope in economic sense. Male partner was 10 years older, self-confident, had two marriages behind and three adult children from former relationships. He was home centred and was not interested to go out, but he was incapable to accept partner's hobbies, activities and relationships (girlfriends) outside home. A main problem was emotional abuse by older partner. He used verbal and emotional abuse, such as continuous degrading and belittling. Children have heard that their mother is stupid. Interviewer also noticed non-acceptance of mother by their children.

Viia1, 51 years old, specialist, was in middle management position while workplace violence occurred. She is a person of ideas and she is very good in organising people and events. She has made own decisions, which were not accepted by new male chief (elected position). The male chief was afraid to be seen not the most important and clever man. He wanted to be an engine of ideas and initiatives. The most important thing was not a result, but a process, how ideas come from the top and are *'exactly fulfilled'* by subordinates. He started to stop initiative from *'down'* and made working impossible to persons, whom he found to be *'not submissive enough'*. It was a period of too many duties up to *'something was not ready'*. Viia2 was expected to leave the job, she has struggled for a half of year, and then she decided to give up. Viia2 actually lost herself, she was sad to loose a job she was dedicated for many years. She has accepted lower and lower position of jobs, tried to get out from depression and insomnia with a help of alcohol and got addiction. Today she has experienced unemployment and she accepts temporary low paid jobs.

Viia2, 51 years old, researcher, who is expert in some topics and she has gained international reputation. A new, younger male *'boss'* started to check everybody and added more and more duties and tried to take ideas, credits and a workgroup. In science is so easy to take somebody's ideas. Gender violence appeared more in a form of fulfilling ambitions of young male colleague, where the end justifies the means. In such rivalry cases gender often plays an important role, and many myths accompany in such games. These actions are *'legitimate'*, because *'men should be better than women'*, *'men are better managers and more target oriented'*, *'men have a vision, women are suitable for fulfilling different tasks'*, *'women do not want to take responsibility'*. There were colleagues who got into hospital, somebody tied, and I was the next. I have tried to prove myself and I was not given up. I made all unpaid and dull extras he asked me to do. I was lucky, that he has got so many enemies and now he has left. I was able to cope with this stress due to active sporting. After that struggle Viia2 feels such of energy, because she can do her work.

Viia3, 58 years old, a civil servant, has worked in this job nearly all her life. She has got department level manager's position. And then this position was needed for a young

*'party comrade'*⁷. She understood the situation later, but was very confused, when all her work was from one point *'not done good enough'* and there were found some *'mistakes'*. Somebody in her office was asked to look for *'something'* to force her to leave the position. She was very depressed for a while, but when she understood *'the goal'*, she applied for lower position job in same office. And then everything was OK again. She has said that she thought that she was right and there was *'no sense to struggle, when your position is desired by somebody's favourite'*. There is nowhere to complain. And there is no sense to make you sick, just to leave a violent place.

Viia4, 33 years old, office worker, had a chief, who started to make different suggestions after two week a work. There was proposed dinner for two, lunch for two, weekend for two etc. She was lucky that hands were kept off, but psychological harassment was every day presented. In the beginning he was quite kind with salary, company car and trust. I have said clear no and then there appeared *'a period of punishment'*. After understanding that this harassment never ends, she started to look for a new job. Leaving a company without having a new job was impossible, due to loans and housing costs. She believes that there is no help in such cases and there is only one way to cope such situations – leaving a job. Work stress comes with a person into intimate relationship and to the family. Now she has another job.

Viia5, 35 years old, has experienced *'a period of favours'* by the chief and then has passed *'a period of punishment'*. In the period of favours a boss sent her to the training courses to abroad and these courses were not in her field, but she was afraid to refuse. She has felt herself uncomfortable and incompetent. The change of periods was without transition, and a cause remained unclear. During the punishment period colleagues kept apart, the most of them made alliance with the chief. They have declared with the CEO that Viia5 is doing nothing for their organisation.

Viia6, 51 years old, a clerk, felt unpleasant treatment many years ago. A male chief asked her all the time to come to him and told something to do. Then he has got new idea and he asked Viia6 to come again and have a new task, often opposite to the former one. It was hard to understand is he thinking in such a way or he just wanted to see a female subordinate. She is looking back to the case and she has no idea whether there was some possibilities to educate the lazy manager, who has assumed that younger female can do all his work.

Viia7, 21 years old, a nurse, has worked in different hospitals for three years, has said that there is *'a pretty lot of sexual harassment'* in hospital. Harassment depends very much on a person. Harassers are mostly doctors, but sometimes also patients. Sex jokes are often used and the junior nurses and nursing students experience severe harassment. Medical profession and organisation is very hierarchical and sexual harassment is unspoken topic. Educational system offered a course about ethics and medicine. Sexual harassment and equal treatment was not under the discussion, some information comes from the media. There is a suggestion, that the Estonian Nurses Union gives advice. For example, in 2008, in training plan, there is no one course planned about sexual harassment in nursing.

⁷ Seltsimehelik kohus

2.2 Sample of experts

There was expected to make two or three group interviews using focus group methodology. In the beginning it was very hard to get experts due to their busy schedule or there was also a rejection from the Labour Inspectorate that they do not have gender violence cases from Estonian workplaces. Finally there were three focus groups (FG1, FG2, and FG3), one group discussion with the people from the regional Labour Dispute Office and two expert interviews (prosecutor and social worker responsible of the regional victim support service).

In the FG1 participated three persons, one was a head of the women's shelter and two others were psychologists. One was involved in municipal social work with families and family counselling and the other was a psychologist who has mostly worked with women from shelter. All of these people had a long experience in this field. FG1 had a moderator and one researcher made remarks. The main topic was about IPV.

Three participants of the FG2 were from shelter and police. There was a head of the first women's shelter in Estonia (established in 2002) and an official from the Preventive Service⁸, who had also an experience of the victim support service experience. The third person was the head of the new unit in police – Service of the Crime of Violence⁹. The main topic was about IPV.

The third focus group (FG3) was on WV. Participants were from the gender equality institutions. In Estonia governmental bodies for improving gender equality are the Department of Gender Equality at the MoSA, Gender Equality Commissioner and Chancellor of Justice.

All focus groups have showed that these people know very well each other and they are in active cooperation. They use their contacts and they say that networking is very important.

All expert interviews (group and personal interviews) were transcribed and quotes were translated into English.

⁸ Preventsioonitalitus

⁹ Vägivallakuritegude talitus

3. Violence in intimate partnership – women's perspective

3.1 Understanding gender violence in intimate partnership

Respondents have said that if there are used expressions like 'family violence', 'intimate partner violence', 'violence against women', then this is quite clear and there is no need to look for more 'polite' and 'softer' expressions. They have said that it is more understood due to some articles and events, which were publicly discussed in the media during the last decade. Piret5 has said:

During my marriage I have experienced everything. Physical and so on. I have read that you classify violence to physical violence, and (...). What else? [After hearing an answer] He has beaten me and humiliated me on repeated occasions. I have here two scars [points to the face]. The scar under the eye I have got when he was hitting me by handset and this other one (...) I do not remember any more. And on my chest I had huge bruises. He was very tactical. /---/ Something in his past had such serious effect on him. I think that he was out of his mind from time to time.

Piret5 has said that if there was a 'fray' in an air, she tried to escape, to leave her home. A word 'fray' is used seldom, it is used more often when there are many people involved in the physical conflict.

In many interviews the situation has no name, women are in troubles to say in general form, what was happened. Interviewees describe different actions and conflicts in quite details, but it seems, that still a lot was not said. Piret11 has said about their life:

It was a talk without dignity, it was like, (.), but there was nothing, eh (.). It was just like, he was in good mood and then it suddenly disappears. Near every day there was some kind of irritation and there was a lot of such (.)...insoluble things for me, and these things were impossible to solve.

Interview data show, that during the Soviet period there was nowhere to turn in domestic violence case and many women have stressed, that in this sense situation has improved and today police is 'more' ready to react. But only couple of these women have called to police. In some cases police did not react. The head of shelter has commented, that women should be taught, what should be said to get police immediately to victim's home. It was occurred that there is a 'special wordings' for different institutional representatives, which makes them to react.

One respondent (Piret10, 62) has been in violent relationship all her life (38 years of marriage), and she mentions words like 'evil', 'violent'. But she refuses to say that she has a violent relationship. She has an opinion, that there are 'battered women', who look really terrible, but they are guilty:

But there [in her relationship – AL] was not such big violence... Sometimes I had black eyes, bruises. /---/ But I have seen seriously beaten women, but these women were also guilty themselves.

She calls it many times like ‘punishment’:

Only one time I have called a police, it was called ‘militia’ in this period of time. It was when my husband burst and the militia came and my husband got sanctions at the workplace in public meeting (during the Soviet time there were special ‘courts of comrades’). He got furious. Then he punished me. And I have these punishments enough and I did not wanted get more to be punished. Due to ‘militia-case’ I have got enormous punishment, all these hair pulling and hitting. Main hits were targeted to my head, back and he wrenched my hands. But I never had a call any more. This was the one and the last time to look for help. Even now he asks me whether I would like to call to the police and then I answer: ‘No. Not any more.’

Women do not use work conflict, but they use a softer form in Estonian language like ‘tõli’ (more near to the word ‘disagreement’). Women have said that a cause of ‘disagreement’ and conflict was often a jealousy. May be one case (Piret2) was an exception, but in the rest of cases out of 12, the jealousy was an important reason for impolite and violent behaviour. Women do not want to speak, what ‘*all was there happen*’, when the conflict started. They are picking some examples to explain the recall. Some men are so jealous, that they call even woman’s daily work as ‘*gallivant around*’¹⁰

There is also a jealousy combined with being envy for all other relationships partner has. Not only other men were suspected and tried to keep apart, but also girlfriends. Violent partner puts efforts to get their partner isolated. Studies on domestic violence stress multiple aspects in a continuum of process of violent partnership¹¹. A perpetrator puts more efforts to make allies with ‘*officials*’ than to make allies with other members of kin. More educated and mostly temperate men are more concerned with influencing on public image of themselves, who are victims of ‘*a nervous and instable wife*’.

Couple of interviewees have mentioned that physical abuse is hard to cope, but emotional abuse is even worse. There was a case (Piret1), where physical abuse was almost missing, but there was constant ‘emotional abuse’ according to definition from the ‘Power and Control Wheel’¹². There are listed steps of emotional abuse like putting her down (1), making her feel bad about herself (2), calling her names (3), making her think she’s crazy (4), playing mind games (5), humiliating her (6), making her feel guilty (7).

¹⁰ Est *ringi aelema*

¹¹ Domestic violence occurs when one intimate partner uses physical violence, coercion, threats, intimidation, isolation, and/or emotional, sexual or economic abuse to maintain power and control over the other intimate partner. /---/ Most victims suffer multiple forms of abuse. Verbal and emotional abuse, such as continuous degrading, belittling, or fault-finding behaviour, may be more subtle than physical harm, but is no less destructive to victims. (Domestic Violence Overview.
http://www.law.indiana.edu/pop/domestic_violence/)

¹² Power and Control Wheel. http://www.ncdsv.org/images/Power_and_Control_wheel_NCDSV.pdf

3.2 Gender violence effects

3.2.1 Health

Indicators: traumas of physical violence (bruises etc), loss of work capacity; psychological harm (fears, anxiety, stress, lack of self-confidence, insomnia, tiredness, pill addiction), psychosomatic diseases, cancer, suicide attempts; and sexual violence (sexual assault, attempted rape) miscarriages.

Head traumas are very common traumas in violent relationship. These traumas are often not reported and victim just waits that pain from contusion and bruises will disappear. Women know already, that a black eye takes two weeks. Often results of head traumas are underestimated¹³. Piret1 is a doctor by education and she met a husband due to sport, they both liked sporting. Piret1 has said that before marriage he noticed that his future husband was behaving badly with his mother. They have talked about it and the husband promised that this is never going to happen to you. But husband has changed and in connection with daily life organisation misunderstandings appeared. It is a classic in the IPV development: milder verbal conflicts, prescriptions to the wife, insubordination, and physical punishment.

Piret1 has said that after her husband has hit her with a closed fist, she has felt that her brain was beating like heart, there was a brain contusion. According to the symptoms, she thinks that a cheekbone was also broken and there was a head trauma. Headache persisted for two months. She did not go to doctor due to a shame, because as she was a doctor herself, everybody knew her:

I did not want this 'black'¹⁴ [shame – AL] to my mother-in-law and to myself.

She was aware what doctors say: *'Even if your head injury appears to be less severe, and your symptoms are mild, it may be possible that you have had significant damage to the brain or its surrounding structures.'* (Pri-Med)

Looking for the place to hide is the next step. If possible, then mother's place is used. Piret1 went to her mother for a while. She has said:

But I was unable to run away from my responsibilities. If I have taken a mission then I should perform. I wanted to realize it. And may be this mission is to re-educate this (...), this or to live in a different way, to explain the violence and to

¹³ Intraparenchymal hemorrhages (bleeding) and contusions (bruising) occur within the brain itself rather than between the brain and the skull. Both of these injuries can be caused by either a direct impact to the brain or an indirect injury, in which the force of an impact on one side of the brain causes the brain to bounce or ricochet within the skull. This causes a second area of damage on the side of the brain opposite the original impact.

Head trauma also can cause swelling inside the brain and a potentially deadly increase in pressure inside the skull. Head injury also can seriously damage brain cells (neurons). In some cases, these cells are destroyed immediately by the impact of a head injury. In other cases, the damaged neurons take longer to wither and die (Pri-Med).

¹⁴ Slang is used: *'Ma ei tahtnud seda bläkki oma ämmale, ega ka endale loomulikult.'*

make causes of this violence visible to this person and to deal with this violence and to stabilize this person. To lead him back to the normal condition. I have felt that this is my life goal and I should try hard /---/ to carry hard load like a horse and this is my life goal. And I went back.(...) I went several times back again. I tried to be more modest and not to irritate him¹⁵.

A phrase 'leading him back to the normal condition' shows, that Piret1 is sure that her husband was 'normal' and she¹⁶ still believes that to change husbands 'conditions' is possible.

But often it is impossible due to long distances. Also Piret7 has used mother's home as a shelter during her whole marriage.

Some women have lost in some or in another form capacity to work or to continue with the former job. Piret11 has got serious injuries in the neck and in the arm and her hand and fingers have lost former mobility. Piret7 has lost due to worsening health many jobs:

Arthritis has progressed. This is always worse when I have some emotional stress.

Women have experienced different chronic diseases. Piret2, Piret7 and Piret10 had a cancer. All of these cancers were gynaecological and women have survived. Piret10 has said that her hands started to tremble. Her doctor has advised to talk to somebody about daily problems and to share the worries:

I have tried to talk to somebody, to my friends and sometimes to my mother. But my mother is already 87 years old, and her heart is sick, what can I talk to her!

Piret7 and Piret10 have been in hospital and there was nobody to help after operation. Husband and adult children were not able to understand their condition. And in countryside there is a lot hard work to do like to carry water, take care of big animals like cow etc.

Mental impairment is one result of serious psychological trauma. Women in violent relationship live like in the fog and their action seems weird. Caring for children and in same time preparing a suicide is possible in their lives. Piret3 has made many suicide attempts during her first cohabitation. Piret7 has talked about how worried she was for their children ('husband did not love all of them', 'youngest son has told, that he experiences school bullying', 'daughter was so heavily beaten and she was covered with bruises' etc). In same time, during her worst periods she has prepared a suicide, she has thought how to prevent her funeral costs, she prepared to hang herself under the eyes of children.

Her cohabitation has been quite stressful. During the transition period her partner has lost a job and started to drink. Four children needed for care. Economic and psychological

¹⁵ 'Aga loomulikult ei saanud ma ju oma kohustust jätta. Kui ma olin ju võtnud endale eluülesande, siis ma pean selle lõpuni viima. Ja võib olla eluülesandeks ongi see, et seda nagu ümber kasvatada või ümber elada, et see vägivald, et selle põhjused nagu kuidagi tuua välja ja sellega tegelda ja et viia see inimene tagasi normaalsesse seisundisse. Ma olen endale võtnud, et ma pean seda inimest vedama, kasvõi tori hobuse suurt raskust, see on mu eluülesanne. Ja ma ikkagi läksin tagasi ja ma lootsin, et ehk asjad paranevad. Ma mitu korda läksin tagasi. Ma püüdsin olla tagasihoidlikum ja mitte teda ärritada ja, ühesõnaga, mitte anda põhjust.' (Piret1)

¹⁶ She is a doctor with a scientific doctoral degree.

pressure worsened health of Piret7. She got sick and husband has found a healthier and younger partner. This happened about ten years ago, when the partner promised to leave her and has told to children, that *'I have found a better woman than your mommy.'* Piret7 has lost a weight and got a cancer. During this hard period her partner has decided to come back to the family and he has experienced a deep depression, promised to die. When he did not die, he was really disappointed and accused the wife that his love affair ended. He performed himself every day like a person who needs a special treatment. In one day Piret7 has taken a rope and planned to hang herself, because she had a such feeling that she *'cannot live with him and she cannot live without him.'* (Extract 1):

1. *And then I have hanged a rope...*
2. *I have made a contract about my corpse,*
3. *which should be given for clinical research after my death*¹⁷.
4. *I have put a rope*
5. *and then children were astonished.*
6. *Among them was also my sister's son,*
7. *whose father has hanged himself.*
8. *And then this kid said that*
9. *'look, she wants to go to my dad.'*
10. *And then I started to think that, my god,*
11. *I should be really fool that*
12. *I am not able to live. /---/*
13. *And then we have survived this*
14. *and now we are the family.*
15. *We share our money and income... '.*

On line 1 and 4 Piret7 is talking about her concrete activities, when she planned to commit a suicide by hanging. And she has made earlier steps with thinking about avoiding her funerals and funeral costs (lines 2-3). She was so occupied with her thoughts and action and she was unable to notice children around her (lines 4-5). And then there is one child, whose comment about deceased father awakened her (lines 6-9). From one side it was planned action and from other side it was happened under the eyes of children. This Extract 1 shows an agonised thinking of persons, who do not see an exit from violent relationship.

Common symptoms, which were reported by many women, were tiredness, fears, anxiety, insomnia, exhaustion, and eating disorders. Accompanying symptoms were low self-esteem, lack of self-confidence, and self-accusing. Piret11 may have Post Traumatic Stress Disorder (PTSD), because her husband shot her and then killed himself under her eyes:

¹⁷ Medical research centres need bead bodies and then people do not need to worry about funerals.

Piret11 has tried to keep herself busy and therefore her physical recovery was quite good. She even started to drive a car again:

I attempted to smother all this and to smother my emotions. I tried not to think about that, I did was not involved with this, but I tried to do other things. I had only two nightmares during a last five years, which were connected with a blood and these things. I have thought that I was efficient in coping with ... and there were no problems. But then a year and half ago my spirit collapsed.

A cause for collapse was her son's question 'When I will have a daddy?'

I have felt that I am not able to be anyhow and I have started to look for help. I went to psychologist. The psychologist started to dig in my soul and he dug everything. And he has said 'A young lady, you are all broken. Then I have been in the therapy for a year. Some things were unravelled and clarified, but... I think that all these things did not effect on me as it is thought. Actually, I cannot say. May be I am not yet understood this entire thing and it is still deep in my heart. But in the therapy some of these things were discussed and clarified.

Women's attitudes towards violent partners were not so much dominated by anger, but by sadness and sometimes mixed with sympathy to their partner. Piret10 has said that 'my husband is seriously ill, he is alcoholic.' Now, when he gets older, there appear other health problems. Piret10 is pity that husband's health is worsening. Piret7 finds also positive sides of her husband and she has said that 'in the fact, he is not a bad person. /--- / And actually I should say that I am living with a very good grandfather'.

We can only guess, that women have experience more **sexual abuse** that they told us. Hanson Frieze (1983) has studied relations between battering and rape. Her study results show that out of battered women, one third reported to her that they had been forcibly raped, and two-thirds reported that their husbands had pressured them into having sex. Piret10 has said that when he was drunk, then I was forced to go with him to bed:

If he was drunk, and did not want to have sex with him, then all these serious conflicts started. Then he

Sometimes I was forced to conform to his requirements, I had to be with him against my will.

Some interviewees have said that they have experienced a rape. As a result of the rape the victim may experience emotional and physical trauma. And there are so many rape myths around, that there is hard to get any support. Then there is still 'a woman's duty' argument. Finklehor and Yllo (1985) have written a book about marriage as 'a licence to rape'. People may think of marital rape as just a bedroom squabble, where he wants sex, she's not in the mood, and he wins. Women feel so shamed that they prefer to live with this burden in silence, such things are not discussed. Women in such a violent sexual relationship with a husband may find little or no help from outside the family.

of support from family and friends is also often a problem. Only in some cases interviewees have made some allies. For example Piret10 had a neighbour (she), who has helped her if Piret10 had to do extra work. The neighbour was a victim of violence herself, therefore, 'she really understood, what it is all about'.

The most of rapes accompany with power demonstration. There is a need to express power and dominance over another person and sex as the weapon is used. Sometimes intoxication promotes violent event. This happened to Piret4, where after party together with friends her partner got violent. They were in tiny summer cottage with thin walls. She has cried for help and friends must have heard it, but nobody has come:

May be they just thought that we have some sex play. (Piret4)

Feelings of grief and loss were expressed in her story. And after the rape she decided to leave the partner. It was hard, because they have lived together many years. The rape was a break in an important relationship. However, there have been some conflicts and the partner has used physical violence earlier, but has promised that this will never happen again.

Women in violence do not have own life and own space. A violent partner can come everywhere and take everything. Some women have tried to write a diary, but there was always a risk, that the partner can find it:

I had written a diary and there was a place where I have put my troubles and miseries. My husband has found it. He was so angry. He cried on me and promised to publish it in local newspaper. (Piret5)

Women's experience with **therapy** is diverse. Piret2 collapsed emotionally when husband started to behave in a very strange way and suggested that Piret2 is crazy. During last ten years she has separated, divorced and passed many group therapies. She has read many books about psychology. She has looked for explanations and some piece in her soul. She has gained more self-confidence, but avoids relationship with men. She is writing short stories and looks for creative actions in her daily life.

Piret4 has participated in some groups and she also has a personal therapist in recent years. The trauma was four years ago, but she still has problems to find a new partner, whom she can trust. She suggests that personal therapist is much more effective than group therapies. Also people are very different and it is hard to say, what suits to different persons. Piret7 is until today in violent marriage, she has got from the family therapy some optimism, but she has not taken serious steps for changing her life. Piret7 has stabilised her thoughts and she got to know more about women's problems:

In the group [Gordon's Functional Family Therapy (FFT)] I have realised, that it is OK with me. There were women who have experienced much more scary things than me. And then I have understood that a problem lies not in myself...

Women have experienced a traditional medicine, but the psychiatry is very pill-centred. Therefore help from different therapies has been more effective. Looking for help depends on information (different therapies, projects, free of charge programs etc), education, and former experience. Psychologists are often thought inaccessible due to a high price. It appeared, that there have been many projects, were some trainings or consultations were available. Nobody has mentioned that they have got psychological help through victim's support service.

The most effective help is probably a change in a life.

Health problems of children are often accompanying with domestic violence. Unhealthy children are extra burden to the victim and victim's health.

There are several effects of the IPV on children. Two most general ones are connected with health problems and communication problems. Many children out of families with violence get some chronic disease like *juvenile arthritis* or *asthma* or they face with *hyperactivity*. They are often wetting the bed. Piret1, Piret2 and Piret3 have talked about this problem, which has lasted for a long time. Piret1 and Piret3 have said that they had to wash clothes without automatic washing machine. Many Estonian households in countryside do not have sewerage.

Children's health problems appear in a more serious or milder way. Piret5 has disabled daughter, Piret10 has sons who are alcoholics. It is hard to claim about reasons. Some women in violent relationship make a link between disease and the nervous situation at home (Piret2, Piret5, Piret7, Piret10), but sometimes they do not suspect the connection (Piret3).

Thinking about links between children's health problems and home was more related to women who have studied more or less psychology or medicine or with women, who are out of the situation and they look back to their life.

3.2.2 Relationships and social life

Indicators: isolation, hiding a real problem, blaming themselves and justification of violent partner, legitimating the male supremacy, fear to loose children

Isolation is one of results of the IPV. Even the closed relatives like a mother, tend often to make ally with male partner. Mothers in Estonia tend also to think as old-fashioned moralists who think that *'a grouchy women deserve to be battered once in a while'*, *'men do not hurt when women do not nag'*, *'women should have patience'* etc. Even some of interviewees have expressed a thought that some women deserve some beating:

Some women in the group have behaved in a way that I had a feeling that I want to hit them. Their stories were grating, they expressed themselves like they were supplicate a beating.(Piret7)

Nobody believes a victim story. The batterer could appear to the public *'nice, polite, shy, quiet, non-assertive'*.

Victims themselves try to believe that their partners are better persons that it appears. Victims are praising their partners where possible. They argue that *'he is not so bad'*, *'actually he is not so cruel'*, *'he is very nice when he is abstinent'*, *'in spite of alcohol problem, he is laborious'*, *'he is very clever in his work'*, *'he is a good grandfather'*, *'talented specialist in his field'* etc.

Data show that role of the mother is different. There have been strong, tough and controlling mothers and there were supportive mothers. Piret1, Piret2 and Piret6 had emotionally supportive mothers. Piret3 has mother's economic support, Piret7 was one, who suspected that Piret8 is in trouble with her husband and encouraged Piret8 to come with a baby back to childhood home. Piret4 and Piret5 were grown up with lone mothers, but these mothers had emotional stress themselves. Piret9 and Piret10 have said that they did not want to say anything to their mother, and Piret10 has said that her mother is already too old to ask to listen unpleasant details of the daughter.

Piret11 had controlling mother who had a life with alcoholic. Mother asked her daughter to call to her every day. Mother was against psychologists and support groups:

I have thought already that I have recovered and everything was OK with me. But if I look back to my life, I think now that I had to go to psychologist already during my school years. Once I tried to visit psychologist, this was advice from my friend's mother. But my mother was so much against that. She argued that this is very bad and unwise activity. She has argued that going to psychologist gives a bad reputation. I am pity that I have listened my mother too much. During all my life my mother had controlled immensely my life. May be she tried so hard, because she was afraid that my life is going so bad as heir's life.

Beside evil and missing fathers there were also caring and supportive fathers. Piret1 had quite authoritarian father, father of Piret2 was often a babysitter. Piret6 had got good advice and emotional support from the father (except in choice of husband).

Many interviewees have seen alcohol abuse in their families and they afraid of alcoholics. Piret11 has said that she is so scared, when she sees that somebody is drunk. She has said, that she has got 'a shellshock', when one of male guests was irritated and banged his fist on table. Piret11 just run out of the room. And she scares to communicate with people who are ready to take couple of drinks.

Sometimes it seems to interviewees, that some important relatives tend to fuel their partner's emotions.

There was some incitement by his mother and sister. They have told that I was guilty. Even if he got a STD¹⁸, chlamydia, then they have blamed me. But I never had chlamydia. Then they [mother and sister - AL] had blamed me that I was a bad in cooking and housekeeping. They said that I was not capable to rear children. /---/ then my husband came back from this other woman. Then also his mother and sister started to support our family and me. But until then I was nobody in eyes of my children.

Children witness one or more incidents of violence. In our study there was one case, where two years old son was a witness to father's shooting and suicide. Physical violence is sometimes tried to hide from children, but a verbal abuse and intimidation is often watched and listened by children. Children learn not to respect and to sympathise to victim, but they learn authority with accompanying force. There should be a long-lasting effect to their future lives and intimate relations.

Women from violent relationship have double burden from the past and from the future. They are so scared to make another mistake. What is common to all these women? They all blame themselves and even give some justification to their partner's behaviour.

The exercise of physical control is often seen as legitimating the male supremacy. It is hard to say how much in these cases men have enjoyed a feeling of supremacy. All these violent men seem somehow to download their stress and fears.

¹⁸ Sexually transmitted disease. Most women who are infected with Chlamydia will have no symptoms whereas men are more likely to notice symptoms.

3.2.3 Economic

Indicators: financial (in)security, poverty, economic dependence, national welfare system, informal support

Frequent consequence of domestic violence is unemployment and financial insecurity. There were different sources of economic dependence. The first possibility is that women had relationship and got children and they never had own income (Piret9). In some cases women got into worse economic situation after separation/divorce/widowing and housing costs, taxes and support for children takes all their income (Piret1, Piret2, Piret11).

About half of women out our interviewees were economically independent, but in better economic situation are only two women (Piret4 and Piret12). Piret4 does not have children; she has own dwelling and a good job. Piret12 has been in former marriage and has got a heirdom.

Some of them have got monetary support from their parents, mostly from mothers (Piret3, Piret8). Older women get sometimes a support from their children (Piret59). But there are many respondents, who have poor income or missing income and they have nowhere to ask for help. Some national support schemes exist to support poor households.

Living in a sparsely populated area with small kids is useful tool for –locking’ a mother at home. Piret3 has lived in countryside near Tallinn:

I did not know anybody there, I had no friends. I was at home with a baby.

There are several paths in loosing economic independence. Due to the family benefit, some period after the childbirth is more secure in economic sense in recent years. Even non-working parents have the right to parental benefit for 18 months after childbirth. For example Piret8 is one of such parents. But she is thinking to the future and she afraid to put an end to her cohabitation. She escaped with her baby from direct physical violence, and her mother Piret7 says:

Piret8 is keeping here a low profile. She has not yet said NO, she has not said that this is over now. She will not say it for any case.

Piret11 is a widow. When a father passed away, their son was two years old. They are actually expected to get survivor’s pension. **Survivor's pension** is one of the types of state pensions. **The right for the survivor's pension** have in case of the death of the provider the family members who were under his/her maintenance. A pension will be granted to a child, parent or widow(er) independent from the fact if they were under the maintenance of the provider or not. Problem with survivor’s pension is that this is linked with years in employment. If a young parent dies, a survivor’s pension is very small, if older person dies, then there are more years in employment and money ids bigger. This is truly unfair and unequal treatment of children and widowed spouses. As Piret11 is only 28 years old and her husband was under 30, the monetary support from the state is very small.

3.2.4 Housing

Indicators: ownership, ownership after divorce, social housing, bonding ties in community and at home, availability of temporary dwelling (shelter)

In Estonia more property belongs legally to men, because men want to say, that I have a house or I have bought a new car. The majority of adult people want to live in house, not in flat in big house. Piret10 has told that her husband was angry that she has bought a house, but owner was her husband. This was a sign of unconditional love from the Piret10 side, but husband was not satisfied. He found always a 'good' reason to hit his wife. One of blames was that:

Now you have bought a house and I am up to my neck in trouble. I do not want a house.

In the Piret10's narration there is also an extract, that husband is enjoying a higher position in society, because he is an owner of house now.

House is good place to live, but house isolates and keeps people busier compared with living in a flat. Piret5 has told that her extremely jealous husband was once so angry that made a fire and burned a house and car. Also a cattle-shed with some animals was burned down. Husband himself just run away, Piret5 has called to fire brigade and tried to save some belongings.

Physical violence occurs often in night and victim has no clothes or negligee, and there is nowhere to go. In Estonia in 2008, there are only four shelters. There are also some dwelling applied for victims on project basis, but as women have told us, not always properly used. Piret7 has said that these rooms were used like hotel or social housing. One period a man with poor health lived there and it was easier for social workers to take care of him. In one night, when Piret7 has asked for the room, a project manager has said:

/---/ try to cope yourself or go to sleep in kindergarten. I am not going to help you at night.

3.2.5 Labour

Indicators: job loss, inability to find a job, accepting low status job, low career motivation, involuntary job choice

Many women have taken the first vacant job and they do not say about their lost career possibilities. These women have so many other worries, that to bemoan the career is not an issue. Some of them have said that they had more capabilities than they were able to use in their work. Piret9 could be an artist, Piret11 was a good cashier, but she has lost her job due to trauma with her hand.

Piret7 had high position job in the local community, but due to worsening health she accepted lower status jobs. Former colleagues exercise some power demonstrations on her, may be to emphasise changed positions in the work organisation and in the community.

Piret5 has talked about her boring work in hard working conditions (cold and dark), which was organised by his husband to her:

I had a talent and capacity to perform much more challenging work, but I was unable to get another job, because everybody knew us. And they were afraid of my scurrilous husband who made scandals everywhere. Once there was a manager's assistant's job vacant, but our chief has said that I should have it, but they cannot offer this job for me due my husband, who comes and arranges something terrible.

A jealous husband wants to see their partner at work or to keep her at home. In the same time, two incomes are desired. There were male partners, who have called to their wives many times an hour.

I was always tired, but I have never given up with work. I have changed a job. I had a middle manager's position, very nervous with plans and deadlines. Sometimes we have worked a long day and after midnight. /---/ And sometimes also children came to the workplace, when a father was drunk. Our workplace was not far from the home. And after such hard workday husband found me fault that I have been with other men etc. Once he has locked the door and we were not let in. We were lucky, that my mother lived not far from this place [6 km –AL] (Piret10)

It is also emotionally stressful for men to accept a good position of their wife and a higher income as well. Piret1 has said that her husband did not support degree studies and sis not share a joy of a good job of his wife.

3.2.6 Legal

Indicators: [legal framework](#), [legal aid](#), [legal knowledge](#), [awareness of police etc](#),

Having a call to **police** is used more than some decades ago. It is connection with changed attitudes of policemen and also with development of communication technologies. Piret10 has said that she has called to the militia twenty years ago. And it was useless and her husband was more violent after the call. She has heard that the police have been changed, but she is afraid of husband's anger.

Piret7 has told that she has called to police 10 years ago. Then policemen did not come, they have said that this is 'an internal affair'. But today, Piret7 and Piret8 (mother and daughter) have called to police, when Piret8's partner has come to their place one night, and shouted and burst there, then police came:

Attitudes have changed a lot. The world has enlarged also to the police.

Before leaving a partner, Piret8 has tried to call to police. But the partner has taken cell phones and she was scared also for the baby:

I was unable to have a call. I was also unable to run away. All these beatings started during a night and where to go without clothes and to without baby.

Piret12 has told that she does not want to report to police, because it is impossible to take a complaint back. All applications will be registered in the police office.

Piret3 has reported some cases in police. She was encouraged to report by doctors and sister. She feels some security, because her husband has been convicted already, has probation, and when he is violent again, and then he will be imprisoned.

Piret2 has passed quite long divorce process in the court. She is sure that laws are made by older married men, who are securing men's position **after divorce** by family law. Children are often manipulated, because a departure point of judges is that '*we are safeguarding children's position and we are protecting children's interests*'. If mother gets after divorce poor economic situation, then children are given to father if he wants. There are even cases, where men have applied a restraining order for a mother. After divorce a mother can easily loose everything – a living space and children.

Out of our sample three women were divorced and lived alone. Piret2 and Piret5 have been quite 'successful' in divorce process, because they have children and living space. Piret2 has paid together with four children half of their dwelling price to former husband and father. It appears that husband has a right for half of dwelling, in spite of the fact, that four children have stayed with mother.

Piret2 and Piret5 have said that without legal advice it is impossible to protect own interests. Piret2 has also experience of so called 'subsidised legal aid'. It was just an occasion that she has passed her court cases quite well, but she has learned every paper and act with deep dedication and she asked advice from everywhere¹⁹. But attorneys paid by state are not dedicated to solve problems of poor client, they just come to the court, often without homework (preliminary work).

Piret11 was threatened that there will brought a charge against her, because she was a suspect in her husband's murder. And she has felt that law enforcement structures wanted to have to see her guilt, because her husband has worked on power structure and prison like institution had low reputation already. It was unpleasant fact that the prison guard had a weapon at home and used it against his wife and himself²⁰.

¹⁹ Piret2 has a slogan: '*Be the first with your information and talk to everybody.*' She says that it works, because there is always someone who knows somebody etc. And in the end there is an expert advice. And you get it, if people know, what is your problem.

²⁰ *This happened about two weeks before divorce. He has waited for me /---/. He entered to my place, started to beat me and threatened me with unloaded gun. Two years old child has seen it and run away, escaped [earlier he has promised to kill a wife, a child and then himself]. He wanted to run the get the child, but I run to the door and wanted to escape, but I was looking my keys for a while. Then he caught me and took his gun. He loaded the gun and shot me two times. /---/ The first bullet went to my arm and another to the neck. And then, I do not remember it, but witnesses have said that then he has checked, did I stayed alive or not. [he was sure that she was dead, because there was a lot of blood, and Piret11 is still alive only for the quick emergency help] He has stooped on me and then he shot himself./---/ This was his personal registered gun. He has studied in the police academy and he was working as prison guard. He*

Piret7 lives in countryside and had a call to the local **shelter** project manager, but she was told that *'I am not planning to come to help you during a night. Please try to find another solution or go to sleep to the kindergarten'*.²¹

Psychological help is sometimes sought, but knowledge about the content is low and information about subsidised support system by state is not known.

Piret1 has said that she never turned for help. It was connected with shame and she was afraid that in small place²². Piret2 has totally another strategy. In the beginning of mental terror she was confused and tried to understand what is going on. After repeated blaming by husband that she was crazy, Piret2 went to psychiatric clinic for consultation. Psychologists gave to her advice to participate in some group therapies and she participated in groups. She said that it was useful, but it should be a good advice, which therapy to use. For example, the Gestalt therapy²³ gives an impressive impact for a short time, but then there should go something else on. Otherwise it may cause an additional harm to a victim of violence.

Piret4 and Piret6 have studied psychology subjects during her studies and she was aware what to expect. Piret4 has participated in many group therapies and also used a personal therapist. She has suggested that a personal therapy is more effective for 'typical' Estonian. Piret6 has not turned personally, but in connection with her work she communicated with many professionals of education.

Piret7 has passed some project based Gordon training course (FFT), and she got an impression that there are so many other people in trouble. Sometimes this also gives some consolation.

There were many women, who had never met a psychologist. Piret3 has been in troubles for many years, had many suicide attempts, but has not talked to psychologist. Piret5 wanted to turn to psychologist, but mother has warned her not to contact psychologist, because *'what people might think about you'*.

had a licence to have a gun for many years. I was afraid it, because I have seen him and he was unpredictable. But you cannot go to police and to say that he might be kill you. There was a fear, but there was nothing to do.

He has planned everything. At least the main part of it. His mother and grandmother have said that he was arraged and finished his things. He has handed in his resignation from the workplace...(Piret11)

²¹ Today only four women's shelters exist and no shelters in countryside.

²² Estonia is a small country and it is typical for estonian society that people know each other. But from other side there is possible to escape, but you are expected to change a region and your workplace should support your anonymity and invisibility.

²³ There is an explanation about change by gestalt therapy researchers (Wikipedia): "In what has now become a "classic" of gestalt therapy literature, Arnold Beisser (1970) described gestalt's paradoxical theory of change. The paradox is that the more one attempts to be who one is not, the more one remains the same (Yontef, 2005). Conversely, when people identify with their current experience, the conditions of wholeness and growth support change. Put another way, change comes about as a result of "full acceptance of what is, rather than a striving to be different" (Houston, 2003).

4. Violence in the workplace – women's perspective

4.1 Understanding gender violence in the workplace

Understanding gender violence at workplace is very diverse. It depends on person's age and life and work experience. Younger people are just looking for the work and they *'do not think ahead'* about unpleasant management and colleagues. Older people have seen and heard *'everything'*. They are more prepared to understand the situation, which tends to lead to unpredictable results.

Lamesoo (2005) has studied perception of sexual harassment among nurses (21 interviewees) and she found a clear link with age and using a word *'sexual harassment'* and speaking directly about *'physical advances'*. All (eight) respondents under 30 years of age were spoken about some unpleasant experiences in their daily work. In same time, older nurses did not speak about their negative experiences, or their *'did not mean'* such experiences as harassment, or they tried to be loyal employees, who do not talk about their working conditions and atmosphere.

From other side, younger people with higher self-esteem are more ready to *'make things clear'*. They try, as they say *'to put somebody in his place'*. They are more ready to look on evidence and define male suppression as harassment. Older women take it more like expression of *'men's character'* and *'natural men's behaviour'*. For women is easier to speak about experiences in the past and not to talk about unpleasant situation they have *'just now'*. Older women are more ready to accept the state of situation, because they are not ready to make serious changes in their life and afraid to loose a job.

Power and gender relations tend to favour men. Sometimes also competition to the higher position is the case. Some persons could be very nice before they get a power in the organisation. Everybody wants to stay in the winner's shoes:

It is pointless when it comes to power. The male boss has got all the power and everybody 'voted' for him, although they should have seen that I was the victim. But nobody supports the weaker part...(Viia5)

There is also a component of time. Time is running and works for women to liberate them from being *'sex objects'*. Such women, who have themselves experienced some form of gender violence, are sometimes very intolerant towards younger female colleagues. May be they even thinking that their younger colleagues are not good enough to avoid *'equivocation'* and *'suspicious suggestions'* by male colleagues. There is somehow thinking that *'I was able to survive, they also should try'*.

Gender violence at work is more looked through the lens of erotic relations at work, which are more accepted in countries with patriarchal culture and traditional gender role acceptance. This is directly linked with lower gender equality in society.

Haavio-Mannila has studied sex and sexuality in Nordic countries and in Estonia, Russia and Poland (Haavio-Mannila 1994; Haavio-Mannila and Kelam 1997; Haavio-Mannila and Kontula 2003). Haavio-Mannila (1994: 20) states that eroticisation of male-female friendships was common in Tallinn²⁴:

People enjoyed flirting at work. There were not many romances in the workplace, and those who had fallen in love with a co-worker seldom had sexual relationships with the object of their feelings of attraction. Unfortunately there is no data on sexual harassment.

Haavio-Mannila (1994) explains more tolerate attitudes towards erotic relations at work in Estonia and Poland with limited number of public places.

In the communist countries, school and workplace were the main markets for finding partners because there were fewer other public meeting places like restaurants or public dances than in the West. At present, the enjoyment industry - restaurants, discos, night clubs - is rapidly expanding in the former communist countries and provides public places for people for finding mates. Thus the erotic loading in the workplace may diminish as it is not any more the main environment where men and women can meet each other.

Viia4 has said that in the beginning it was exciting to have a light flirt. I have seen it as relations of good friends:

It was always lovely to come to work and to have a light flirt. To think that you see him and to guess do you see him today or not. But it was always stayed decent. And I was unable to see in it something bad. (Viia5)

Women express an opinion that knowledge and attitudes about gender equality and gender violence has changed during the last five years:

I had bad experiences many years ago (in 1999-2001) and I have changed couple of jobs later on. I think that this was quite a long time ago. Since then, many changes have taken place in Estonia. I hardly believe that such things are going on in nowadays Estonia in 2008. Is it really possible? But from other side, there are so many different people... May be it happens also today. (Viia5)

Sexual harassment is understood as a very serious form of unwanted sexual offence. Women are not aware about how sexual harassment is defined the Gender Equality Act²⁵. To the question about naming the unpleasant incident in her former workplace, Viia4 has answered that 'maybe, it can be said that it was sexual harassment'. Then she added, 'but

²⁴ Capital of Estonia.

²⁵ According to the Act: 'Sexual harassment' occurs where, in any subordinate or dependent relationship, **any form of unwanted verbal, non-verbal or physical activity or conduct of a sexual nature** occurs, with the purpose or effect of violating the dignity of a person, in particular when creating a disturbing, intimidating, hostile, degrading, humiliating or offensive environment and the person rejects or submits to such conduct as it is a direct or indirect prerequisite for getting hired, maintaining the employment relationship, participation in training, receipt of remuneration, or other advantages or benefits.' Now (2008) there is proposal to widen a circle of persons and subordinate-dependent relationship will be removed.

it was not like direct harassment or that he had torn my clothes off or something like that...’.

4.2 Gender violence effects

4.2.1 Health

Among Viia1 to Viia7 there was nobody who has experienced physical violence at work. Women have experienced diverse forms of male mastery. In most cases it was hard psychological burden and the most of women have left the violent workplace. Viia3 is sure that to continue to work in place full of conflicts is unhealthy and unwise decision.

The most common problem with health was a depression and many of these women have used sick leaves for a while. They have lost a willingness to go to the work. But in same time it was not complete peace at home, because all these problems were also there.

Feeling of loneliness and isolation makes people sick and depressed. To cope with the isolation is very hard. Many symptoms appear in same time like loneliness, discredit, losing a work capacity and feeling of burnout. In the beginning people do not understand, what is going on, but *‘you feel that you cannot communicate with your colleagues any more’*:

My colleagues just kept quiet, they probably knew what was going on and what would happen (that I have to leave) but nobody talked about that and nobody supported or warned me. (Viia5)

It was not about my job, I did not feel that I couldn’t do my job. But it was about human relations, I felt that I am not capable to socialise with others in normal way. (Viia5)

Viia1 has lost the dedicated job. She was sporting when she was younger, and she continued physical activities also after job loss. But it was not enough to avoid insomnia. Due to insomnia she started to look for a relaxation in alcohol. She has got serious addiction.

Viia2 was an athlete herself and she is doing some sports every day. During the winter she also goes to ice swimming. She has said that without physical activities she is unable to work and maintain her spirit during more stressful periods.

4.2.2 Relationships and social life

If you go to the new workplace it is hard to guess what kind of organisational culture is created, visible or ‘is practiced’. There are your direct duties and then there are deadlines

and then there is a help to colleagues. In small firms people do many things and even an employment contract is saying in a general way the conditions and obligations²⁶.

Sometimes one could be confused and it is hard to guess, what is actual work obligation and what is a tradition of the firm and what is just personal proposal:

He planned the skiing trip and he asked me to come along and told that the company will pay for all travel and accommodation. And I felt that I have to go, as it had been my duty or something...(Viia4)

And relationship at work depends of the period of employment. There are two extremes with maybe something in between: 'a discovery and promises', 'cooperation period with expectation by perpetrator' and then there is 'punishment'. In the beginning it is '**a discovery and pleasant cooperation period**':

It was very pleasant, I felt we have very good team and it was good to talk about personal things and maybe even to flirt a little bit.(Viia5)

He favoured me and this made me feel important....(Viia5)

Every person is flattered about recognition and attention and it is not only connected with work experience:

He was so important man and I was flattered if he has chosen me...Now I think that I was so young and there was a little bit of both – my feeling of sympathy towards my boss and my own ambitions that let me feel myself important when I participated in these international courses where he sent me.(Viia5)

Then follows a clear or step by step another period, where **offensive climate** is created, more and more extra work is given, and looking for employees mistakes and poor work performance.

I think he wanted to 'mould' me somehow, wanted me to be his assistant and as I preferred to work alone with my own tasks that I liked more, he got angry. Yes, I think I was saying more NO than YES in any sense and he did not tolerate it. (Viia5)

I was in big stress, as he controlled me, I could not be late. I was running around like a thief, I remember the feeling of keeping alerted all the time....(Viia5)

Learning from own experiences teach women to overestimate their communication and openness in the new workplace:

²⁶ An employment contract is an agreement between an employee and an employer under which the employee undertakes to do work for the employer in subordination to the management and supervision of the employer, and the employer undertakes to remunerate the employee for such work and to provide the working conditions prescribed in the agreement between the parties, a collective agreement, law or administrative legislation.

The first couple of weeks were quite normal and he asked if I have a partner or children and I told him that I live alone. Now I think that it was a mistake, at least I should have told him that I have a partner... (Viia4)

Harassed employees try different tactics to avoid the conflict. One of the tactics towards harasser is 'to remain invisible and imperceptible. Viia4 has told how she tried to look modest and not demonstrative:

I wear high-necked sweaters at work and never used any make-up to look like as inexpressive as possible.

Viia4 does not understand, why they were punished with extra work, when they have put a distance and 'behaved properly':

I did not answer to his proposals and never participated in activities he invited me (like parties in his country house, visits to the theatre or club) and as I was quite resolute, he stopped to ask me out or so. But then he started to tease me with different tasks that were not my duty at all....

4.2.3 Economic and housing

The most of women, who have experienced scary situation in their workplace, have left the workplace. Women have used different strategies for leaving. All of them started actively to look for a job. Piret4 has said that it was impossible to leave 'nowhere', because housing costs, loans and other duties were expected to be paid.

Viia1 had also near full responsibility at home and economic duties put her family under the pressure. She was not able to cope in other workplaces due to alcohol problems. Today she has only temporary jobs, but she is satisfied with that, because unemployment is much worse.

4.2.4 Labour

The most of women interviewed have found a new job and they go on with their life. Viia1 was unable to recover from the job loss, she felt sad that she has lost the job, where she has put so much of her energy.

Prejudices and incredulity of male bosses:

If I went to the new job, I had quite strong prejudices if I noticed that I would have male boss again, but everything is OK and I have not had any problems in this new place....(Viia4)

4.2.6 Legal

In Estonia, there is no court case on gender violence at work due to unequal treatment, discrimination of sexual harassment.

Women do not know where to go with 'such' problems at work and they do not know where to go. They are also suspicious that nothing will happen and they just lose their energy:

I was looking for a new job, I did not want to fight, because, anyway, I could not work there any more. (Viia4)

Some women have said that *'I am not ready to continue in this workplace, and I do not care about punishment of the boss, but I want that names of such bosses are known and newcomers should know, what is going to be happen.'*

Extract from the interview with Viia4 shows clearly the situation in Estonia.

Extract from the interview with Viia4:

Interviewer: *Do you know that harassment is prohibited by Gender Equality Act?*

Viia4: *No, I did not know anything about this Act.*

[Interviewer explains the content of the act and procedure]

Viia4: *Anyway, I did not want to work there any more! Certainly not!*

5. Gender violence from experts' perspective

5.1 Understanding gender violence: IPV

Understanding gender violence depends on the qualification and experience of the expert. The family psychologist has said in the FG1 that many women use a word '*violence*' to describe their situation, but they [professionals - AL] prefer to use '*softer*' versions like experience of '*thrashing*' (Est *klohmima*) or '*punching*' (Est *klobima*). For example, social workers tend to use softer words instead of '*violence*', like '*to clobber*'. On the other hand, experts mentioned that women themselves might use abstract or non-specific words instead of talking about violence at home.

Women have experienced **different forms of violence**. There is physical violence, mental terror and there are also different forms of **coercion**. There are lives, where male partner prescribes everything, he will say what a woman can do and what not to do, with whom is good to communicate and with whom is not, where a woman may go and where not. With emotional abuse there appears also sooner or later physical violence. And where is already physical violence, then often there accompanies sexual violence.

When women talk about the relationships with their husbands, they sometimes say that our relations are '*not very good*' or that '*he just pushed me*', instead of talking about direct and clear violence...

Intimate partner violence (IPV) can also grow to **the family violence**, where a woman is a victim in partner relationship and can be also victim of grown up children's abuse. As the IPV has been often lasted for decades, children learn not to respect their mother and may be violent against their mother. Victim's support workers have seen many older women, who suffer from violent sons. There is also a possibility that abused women start to '*download their stress on their children*'.

Attitudes in society are very important to diminish or to fuel gender violence. Experts mentioned that in society there are many myths or common beliefs about domestic violence as a social problem. Most of them seem to help to diminish the problem of gender violence or to run away from unpleasant topic and have the feeling that it is not my problem so the problem does not exist. This kind of beliefs are very dangerous, because attitudes in society towards violence have the crucial importance in fighting against gender violence:

Men are more violent, raging and wild anyway....

All what is taking place at home, has to remain at home...

Double standard towards sex and sexuality is a widely existing phenomenon in many societies. Experts, who have received trainings on gender and domestic violence have slightly different vocabulary compared with officials who work with law enforcement system. 'Gender aware' experts even have talked about gender system and double standard. Traditional gender system reflects a disparity between women and men. Besides of different roles that are omitted to women and men, there exists double standard, when women and men are treated differently, for example awarded or punished for different things. Talking about gender violence cases, double standard exists mostly in court procedure, as seen in following quotes:

Standing there, nice and well-suited man and asks: "Do you believe that I really did something like that?"

I believe that polite, intelligent and nice men will have much bigger chances to get off easy.

versus

Women who have 'a stain on their apron' are totally unprotected. I mean women with alcohol problem, those who have had many sexual intercours and children with different men, whose children are behaving badly etc.

And then they will come and point the finger to the woman and say: "You cannot cope with your children. You are a bad mother."

5.2 Understanding gender violence: Workplace violence

Experts have stated that there is confusion with terms – the key question is how widely we define gender violence in workplace. Gender equality experts say that there is totally wrong understanding about harassment in our society:

All that is gendered is automatically harassment, all these discriminations and inequalities and so on...

Experts have expressed opinion that a word ‘violence’ at work is too emotional (Est *räige*) for Estonian society. From other side there is nothing used instead. For example ‘at the work’ is not used. ‘Bullying’ is closely linked with harassment (Goldman and Lewis 2006). It is behaviour that is offensive, intimidating, malicious or insulting. A word bullying is widely used to describe conflicts in schools.

Also expression of ‘gender violence’ (Est *sooline vägivald*) is alien for wider public²⁷:

In Gender Equality Act (entered into force in 1st of May 2004) there is defined ‘direct discrimination based on sex’, ‘indirect discrimination based on sex’ and ‘sexual harassment’. And I think that sexual harassment is clearly gender violence, but all these discriminations are not.

You cannot define discriminating environment as violence in workplace.

If you talk about violence against women, the first thought is about partnership violence...

If there is violence there MUST be offender and if we talk about prostitution or discrimination that should be gender violence as well, it is very complicated to see the clear offender here...

All this ‘gender’ topic is taboo issue to discuss²⁸:

Statistics shows that petitions based on gender (discrimination) are not so common as those with discrimination based on disability or nationality. These people are much more active...

These ‘gender befouled cases’ have lack of credibility...

²⁷ “Samuti on võõras sõna ‘sooline vägivald’ sellise üldise vägivalda nimetusena, mis käibiks nii PV kui WV kohta.”

²⁸ “Soovärk on tabuteema üleüldse...”

5.3 Gender violence effects in intimate partnership

Experts from the law enforcement agency have said that there are gaps in legal framework, but victim's confusion and instability is a serious issue in investigation process and in filing court cases.

Near all experts mentioned an important role of media and they were worried about IPV media portrayals.

Some experts have mentioned that the Victim Support Service *'is not functioning at all'*,

Victim support service started in Estonia in the mid-nineties on a basis of voluntary work and NGOs. Victim support offices were established in some counties in 2001. The national victim support service was established in 2005, there was established the Victim Support Service Network and 35 specialists started their work. The network partners are from police, emergency service, health care, and social workers, different NGOs. Unfortunately the service exists during the traditional working hours and support is not available in evenings, nights and weekends. The most time consuming task is dealing with damage compensation applications, there are no services for counselling and preparing victim for the court trial.

Experts have estimated that about 25-33% of cases will reach to the Victim Support Service. Officials in these offices have said that they have got higher workload in the recent years. Local government is supposed to provide social services in their area, but in reality it is often ignored. For example, there is the Victim Support Service in the Tartu County. This Victim Support Office of Tartu offers services for inhabitants from Tartu free of charge²⁹, but customers from neighbouring municipalities are expected to pay for the service. In same time municipalities are not ready to pay for services offered to local people by the NGOs. Victim Support Service buys a service from certified psychologists and there is a ceiling set for a person per year³⁰. This service is available only through the Victim Support Service and an application about the violent incident to the Police is required.

There are many contradictions. For example according to the law victim support service should be available by regions and damages should be compensated. For example in Tartu, this office of service is put into the closed institution, to the house for detainees³¹. Nobody wants freely to enter to this house. If victim of violence wants help, she or he should go there and explain to policemen what is her/his problem and where she/he wants to go.

²⁹ This means, that municipality pays for the service.

³⁰ It is 4350 EEK (278 EUR) in 2008.

³¹ Arestimaja

From other side, the victim support official has said, that she knows nobody who has got any compensations for the serious health damage. Because requirements are so unrealistic and near impossible to fulfil³².

In general, all participants of the focus groups admitted the complexity of effects of gender violence in partnership. Effects of gender violence (as described to women's health, housing, legal status, economic condition e.g. income, work and career, children, social relations, relationships and intercourse with men) cannot be separated from each other as these are closely related and even overlapping.

5.3.1 Health

All the experts agreed that domestic violence has huge impact to woman's physical and emotional health. Some of these effects are direct or with short-term character like direct injuries, but most of the effects have an impact in long-term perspective, these are sometimes hidden, but definitely lessen the woman's life quality.

Long-lasting physical violence have an impact to the woman's emotional and mental health....

In general, women who came to our shelter looked really tired and exhausted. They seemed to have lost their strength of will and their general condition was really bad...

Physical health problems can also be divided into direct and indirect effects of violence. Sometimes women do not want to go to the doctor or they will hide the reason of their injuries, so about these cases it is very hard to detect what was really happened.

About half of these women seek for medical help, another half try to cure themselves at home... So it means many incurable injuries....

It is very common to fall against something...Sometimes they are on sick leave because of depression or other mental problems...

³² The provision of victim support services shall be ensured by the Social Insurance Board in accordance with the principle of regionality (§ 4, 1). The Social Insurance Board shall co-operate with state and local government authorities and legal persons in providing victim support services, involve and supervise victim support volunteers and organise training for such volunteers (§ 4, 2). The **Victim Support Act** defines 'a crime of violence' (§ 8, 1). The crime of violence is an act committed against the life or health of a person which is punishable pursuant to criminal procedure and as a result of which the injured person:

- 1) dies;
- 2) sustains serious damage to his or her health;
- 3) sustains **a health disorder lasting for at least six months.**

This Act also lists different types of material damages caused by a crime of violence and foresees an extent of a compensation in an amount of 70% out of total material damage (§ 10).

On the other hand, fixating the injuries with doctor means easier legal procedure later on, if the woman does not want to start it at once, exact dates and descriptions give valuable evidence for later procedure.

We always tell the women, that the first and most important thing that you can do is to go to the doctor and let to write down all the injuries you have...

Domestic violence has always impact to woman's emotions and mental health and it causes mixed emotions, feeling of hopelessness, lower self-esteem etc. Mental health has also an impact to the physical condition

The extreme humiliation the woman undergo...

Maintenance capability and adequate notion have been drastically diminished....

One woman told us, how she was walking on the ice in March, hoping that the ice will break and some solution will come. Mental exhaustion is very common....

Talking about the cases of verbal or emotional violence, there might be effects to the woman's physical health, beginning with somatic symptoms and ending with real health problems like constant headaches, heart diseases or whatever....

5.3.2 Relationships and social life

Women who suffer violence at home, often do not want to talk with other people or just keep distance, because they feel ashamed and are afraid that nobody cannot help them or understand them.

They are happy, if they do not have to talk with anyone in the shelter...

We organised a Christmas party for women and their children, but only few women wanted to participate...

We organised a therapy group for women, and we had a big problem with getting the group together...

Members of violent families live like in capsule....

Even their relatives or colleagues do not know that they are living in the shelter...

Children do not talk about it in school, they feel ashamed...

Distrust and sense of hopelessness towards other people...

Less contact with other people is sometimes a type of violence, when a man uses the situation for his own good.

Contacts with other people and social networks are decreasing, sometimes it is the aim of the violent man, and so it is much easier for him to have control over his victim...

We had a woman, whose husband was working abroad and came here only once in a month. But if this woman wanted to go out with her friend, she phoned to her husband and asked for permission, because she was afraid that she would be busted anyway...Such a brainwash...

Contacts with other men are different. Sometimes women hope to get free from violent partnership with the help of another man. As practice has shown it is mostly hopeless attempt, because there is included woman's hope for new and happier relationship, but as long as woman is in victim status, it would not succeed.

Unfortunately we have had cases when women seek for help from other men to get free from violent husband, but normal men stand out from this kind of relationship...

Women often believe that in next relationship all will change, sometimes it is so, but sometimes unfortunately not....

Some of the men try to solve the situation with wild justice and to punish the violent husband by themselves. Experts stressed that they always try to avoid wild justice and to convince these men to quit their idea, as there could be very tough consequences.

One man asked from his female colleague: *"What is going on? Maybe you need help? It has happened before that men get attacked on empty streets at night"*? But sometimes (mostly these are brothers of these women) there has been an outburst of anger to kill or to beat up this violent husband.

Special attention has to be paid to the problems of children who live in violent family and are witnesses of violence from day to day. Children's behaviour might be a good indicator for teachers, attendants or childcare workers to find that something might be wrong at home. Although it could be conflicting and different children might react in different way.

If the child is violent in school, there must be a reason, but often they are not violent, they are shy and modest and no one suspect that something might be wrong at home...

A child often accuses himself: he is behaving badly, he is wetting the bed, he is having bad results at school and when his parents decide to break up, he thinks, it is because of him.

Children from 'proper' family, nobody even thinks that something might be wrong at their home...

Responsibility goes over to the children...

Most experts brought out the long-run impact connecting with children who are living in violent family and they told that it is the most serious problem that accompanies with domestic violence – ruined lives in childhood.

For me the most disturbing is the essence of this type of crime. Domestic violence is producing violence and may do it in very long perspective... Children get the value system of their families...

Children carry this experience along to their own relationships. They are unable to create normal relationships: boys often take over their fathers' behaviour and start to act violent and girls search for 'bad guys' because this kind of behaviour is familiar for them

The stress of violence stays with children even when they are grown-ups. One young woman, whose father had been violent, described how she got so frustrated when her mother called and cried and described how she had been beaten again, that she throw her phone against the wall. Also she often goes out and look for others' company to relax and have a party and to forget the problems, she knows that these people are not very good company, but....

Experts who are working in the shelter have seen how women who are coming with small children behave with their children. They have noticed problems in the relationship of mothers and children.

Women who are suffering violence tend to punish their children more harshly than they will do in normal situation. And they are using more violence....

Children's behaviour is totally unpredictable. The father's authority is high, children obey father's orders, but the mother's authority is low and when they come to the shelter, children get free from father's rules and their mother cannot discipline them...We have had such outrageous rumbles there...

Of course, children are often the victims of violence. There have been cases when this has happened accidentally and is therefore harder to discover.

Children can be injured accidentally, for example when a man throws something towards his wife and a child is just on the way....

5.3.3 Economic effects

Explaining why women often do not start with legal procedure and even are not turning to the police, all experts agreed that it is because of strong economic dependence. In violent partnership the status of a man is higher than that of woman. It could be emotional power that is in most cases connected with economic power. And in very many cases the woman does not have any income and she is completely dependent on her husband.

Woman who wants to leave her violent husband and if she has not any income...she has to take the children, rent a flat with a price that has boomed up in Estonia, where she will get all this money.....

Economic or emotional or whatever dependence is sometimes so strong that even if the woman is turning to police, next day she will go and say that she does not want any procedure and she quits her testimony. But this kind of action will befool the reputation of the cases of partnership violence...

If the violent man gets the monetary penalty, he will tell his wife that he cannot give money to the children, he has to pay the penalty. Maybe next time the woman does not turn to court any more, she will weigh up the costs and benefits and decides to live as it is. Sometimes woman's choice not to leave might be very rational and realistic.....

Another myth about domestic violence says that it the *disease of poor people*.... Women with higher social status therefore feel themselves especially ashamed and they are hiding carefully the situation at home. They are also often in economic dependence, although on 'higher level'.

We have had many women who belong to the upper class and if we want to know more about them, they just turn around and leave....

Woman who owned an empty flat, could not leave from her violent husband, because she thought that this flat is too small for her, she could not live there...

Life-standard is so high: houses, cars, travelling, expensive hobbies, children's education, it is very hard to go downwards....

Single parent with minors have a right to get alimony from other parent. The former partner rarely pays it. It is complicated to apply for alimony, because in Estonia this is a duty of applicant to find the former partner. Number of 'successful' court cases shows extremely small efforts. For unpayment of alimonies only 122 persons were convicted in 1998 and in 2003 there was only 30 convicted persons³³. In 2007, there were attempts to improve a situation and make a legal framework friendlier to a parent, who will have daily care of children.

³³ Statistics Estonia. www.stat.ee

5.3.4 Housing

In many cases women do not have anywhere to go from her home. Acquisition of flats is favouring men in very many cases. Renting the flat is very expensive, social housing is rare and not given to everybody. In this sense there are many unsolved problems in social security system and social service for victims is clearly defective.

If she does have address registration or she owns a flat, she does not get social service for housing

They are living in the shelter, but I think that over the week it is abnormal...

It is absurd, when a woman with four small children has to run away from home in the middle of night, instead of this man, who actually should leave...

5.3.5 Legal

The percentage of started legal procedures of all cases of domestic violence is very low.

If we talk about legal proceedings, then only 5-6% of victims turn to police. Police gets a call after 30-40 violence episodes or many years of suffering. Criminal proceeding is started over very small percentage of all cases.

There are many reasons. Some of them are coming from deficient legal system and lack of common understanding of all institutions towards domestic violence (see also revised Estonian country report)

Legal service from the state is nonsense, women themselves have to be active and competent in legal issues...

After 50 years of extremely accusing state, the pendulum has moved totally to the other side: criminals are secured with all legal rights. Men can send letters and make telephone calls from prison and threaten their wives to kill or to burn their property, rapists have the right to question their victims in the court etc. The situation is so absurd....

We can help the victims who let us to help....

The other types of reasons are victim driven. The background is connected with multiple dependencies and social problems of women who are suffering violence. Most of the cases collocate woman's strong economic dependence, housing problems, childcare

problems and low psychological strength that lead to unnatural decision to stay with violent husband.

The biggest problem for legal proceeding is a victim herself. Woman who had suffered violence many years, her both arms had been broken, she had lost her one eye and she told in the court, that they should not imprison her husband, because he is the only breadwinner in the family and so on. The prosecutor could only ask, how long it is possible to fight with windmills.

We call these 'Friday night call-outs'. Mostly women ask us to take the drunk and violent husband away, they want a solution for this one night and not more...But sometimes this short breathing time is really valuable for a woman

Women are not forced to start the legal procedure, because of not frighten them back to cooperate with helping institutions³⁴. Most experts had a view that it is not right to force the woman if she is not ready, but to offer her support and give instructions what is the BEST thing to do. And of course, to deal with the violator and to isolate him from his victim.

If we force the women to start the procedure, maybe next time they would not turn to the police any more.

There has been problems with child care workers; women do not want them to know about the real situation, they are afraid that childcare will take the children away. Then these women just pretend that everything is all right.

5.4 Gender violence effects in the workplace

We asked officials from different institutions to join to the focus group and to speak about gender violence in workplace. Beside supervision of working environment and safety, the Labour Inspectorate should carry out extra judicial proceeding of misdemeanour to the extent prescribed by law, and carry out and resolve petitions of

³⁴ According to the Code of Criminal Procedure (§ 71) is accepted a refusal to give testimony for personal reasons. The following persons have the right to refuse to give testimony as witnesses:

- 1) the descendants and ascendants of the suspect or accused;
 - 2) a sister, stepsister, brother or stepbrother of the suspect or accused, or a person who is or has been married to a sister, stepsister, brother or stepbrother of the suspect or accused;
 - 3) a step or foster parent or a step or foster child of the suspect or accused;
 - 4) an adoptive parent or an adopted child of the suspect or accused;
 - 5) the spouse of or a person permanently living together with the suspect or accused, and the parents of the spouse or person, even if the marriage or permanent cohabitation has ended.
- (2) A witness may refuse to give testimony also if the testimony may lay blame on him or her or a person listed in subsection (1) of this section for the commission of a criminal offence or a misdemeanour.

persons on working environment issues and resolve individual labour disputes pursuant to procedure prescribed by law.

Written answer from the Legal Affairs Department of the Labour Inspectorate, 180108:

In the legal acts concerning the Labour Inspectorate is said about prohibition of unequal treatment of employees. However, there is no possibility to discover such unequal treatment cases in process of routine control. Also employees, who have suffered due to unequal treatment, are not eager to report about the cases and to file a charge.

The labour Inspectorate does not collect statistics about cases of violence at work. Due to above mentioned reasons there is very complicated to find officials from the Labour Inspectorate, who have experiences with cases of gender violence at work. Therefore we do not see necessity to discuss these themes in the group interview.

A labour dispute resolution body has jurisdiction over disputes, which arise between employees and employers. A head of the regional labour dispute office (he) has said that according to law they have obligation to look through different petitions of persons³⁵. He told that there has 'not been such claims that somebody has told about the boss who excesses with advances or or (...) /---/ Unfortunately, or just luckily, we do not have such cases.'

We can assume that the labour dispute experts are actually not ready to encourage people to apply to their office, because they hope, that 'such' complaints go to the Chancellor of Justice's Office. A person applying for employment shall submit to a labour dispute resolution body or to the Chancellor of Justice an application containing the facts in proof of the discrimination.

An expert from the Chancellor of Justice's Office has said:

Labour Inspectorate of Tallinn told us that they have not had any harassment cases under procedure. They told that they could not take them to procedure because there could be only moral loss and not any material loss... I wonder what kind of reason is that!

Investigating occupational accidents is much easier, these cases are much clearer.....

Another official from this office (she) has mentioned many times a word 'discrimination', she did not use a word 'harassment', not even once. She has stressed that all case are confidential, but there is no one case about claiming on discrimination. The most of complainers are men and the most of claims is about unpaid wage or in connection with termination of employment contracts. She has said that 'such things will

³⁵ The Labour Inspectorate should follow implementation of the Employment Contract Act, Holidays Act, Working Time Act, Wages Act, Employees Disciplinary Punishments Act.

be not made public. People do not want any special attention, in spite of serious problems. In such cases everything will be reported in media and so on.'

The Labour Inspectorate officials even did not mention that they should also follow an implementation of Gender Equality Act. According to the Employment Contract Act, direct and indirect discrimination is prohibited (§ 10²). Word 'harassment' occurs in the act, but a word 'gender' is missing³⁶. A word 'sex' is used instead 'gender'.

5.4.1 Cases of gender violence

The best experts on gender violence dispute cases are the Gender Equality Commissioner and officials from the Chancellor of Justice's Office³⁷.

They are talking about the case, where 'her boss made her different proposals and if she refused, he started to search for mistakes in her work to make her leave... or just made her situation as uncomfortable as he could...'

The state that to finding evidence for harassment cases is really-really hard:

Many cases are similar to partnership violence cases. The victims take their testimony back and you never know if the violence (discrimination) stopped or not.

Our procedure is voluntary, we can go on with it if opposing part agrees with procedure – conciliation procedure. If not, this case is just fading away...

Then there is also a problem of legal aid and attorneys, who are specialised to the discrimination and harassment cases. A weakness and ineffectiveness of subsidised legal aid by state was again an issue:

³⁶ For the purposes of this Act, harassment shall be deemed to be a form of direct discrimination on any of the grounds (grounds of sex, racial origin, age, ethnic origin, level of language proficiency, disability, sexual orientation, duty to serve in defence forces, marital or family status, family-related duties, social status, representation the interests of employees or membership in workers' associations, political opinions or membership in a political party or religious or other beliefs). Harassment shall be taken to occur where unwanted conduct or act, either verbal, non-verbal or physical, takes place against a person in a relationship of subordination or dependency with the purpose or effect of violating the dignity of the person and of creating a disturbing, intimidating, hostile, degrading, humiliating or offensive environment, and the person rejects such conduct or tolerates it for a reason that it affects his or her access to office or employment or in order to maintain the employment relationship, have access to training, receive remuneration or have access to other advantages or benefits (§ 10², 4).

An instruction given to a person to discriminate against another person shall be deemed to be discrimination (§ 10², 5).

³⁷ Chancellor of Justice has also Ombudsman's duties in Estonia.

Lawyers offered by state do not have the same motivation as attorneys who get some rich client. Discrimination cases are very complicated and not very rewarding in monetary sense.

We do not have specialists with necessary legal qualification to deal with workplace violence or harassment or discrimination cases.

Our legal system supports proceedings of clear and easier cases – complicated and harshly provable things are just fading away, these cases are not reaching to the court.

Knowledge about equal treatment, discrimination and sexual harassment is low, but it is increasing:

Those who have already decided to turn and seek for help, they mostly have acknowledged the essence of discrimination and they feel that they have been mischief somehow.

Women with small children already know that discrimination coming from the fact that they have small children is gender-based discrimination.

The Gender Equality Commissioner has her office since 2005. Unfortunately, there are only two persons as all the office staff, included the Commissioner herself³⁸. The most close partners in the work on national level are The Gender Equality Department at the MoSA, the Chancellor of Justice and NGOs. For example, the Labour Inspectorate and scientists have not mentioned in the Commissioner's report (Soolise... 2007: 54). However, there have been communications.

The Gender Equality Commissioner has stated that 'we do not have feedback; the procedure is ending with the opinion of the commissioner':

We have had couple of quite strong cases for court proceedings, but these victims did not do it. And I think they just wanted to let their employers to know that those had behaved badly and made something wrong. And that's it!

One woman told that she did not want any compensation, she would like information about her employer made publicly available, and so others could keep away from this company or employer.

One woman who suffered discrimination in workplace because of children described that her self-esteem was decreasing; she started to think that she had lost all her competence and brains during the pregnancy...

Women feel themselves guilty anyway, when they get children and go to work. And if they are treated badly, it double burdens their guilt: " Why should I go to work, if everybody expects I should stay home and raise my children?"

³⁸ According to the Statutes of Gender Equality Commissioner, the Commissioner has a long list of duties and shall publish an overview of his or her activities on the Commissioner's website once a year.

If I try to solve something and it succeeds, I will be the victim anyway because I have to quit my job, I cannot stay. And what might come next, I cannot go to another employer, or another, because rumours have already spread out... Estonia is so small....

Conclusions and recommendations

Women have learned to understate the severity of the violence in their life. They have learned not to think about the negative effects to their own and children's lives. They have even learned to reject violence in their daily lives. Women diminish a seriousness of negative consequences to their health and life. This is a kind of coping strategy. It could be a result on low self-esteem, and result of continuous intimidation by a male partner. Women have learned to be 'nobody' (*Est mitte keegi*). Their stories are often presented as the life through the eyes of a 'nobody'.

Interviews show an isolation of victim. Bancroft (2006) has described how abusive men seek 'allies' to help them justify or continue with their abuse. An abuser often 'considers himself the victim', who feels that he 'deserves allies'. And male perpetrators are very good in finding allies and 'good looking and polite' men take extra advantage. It is often cross gender issue, where attractive men can get credits from female officer. Social workers in the child welfare office tend to believe a men's story. Also chiefs of male partners tend to serve men's interests – not to pay alimony and maintenance to the children. This is actually surprising, why chiefs are ready to hide income of their employees who have been violent and do not have willingness to take responsibility for own kids. Such behaviour contributes to violence in society. Society's attitudes towards domestic violence should be changed and help end abuse and not to help abuser.

Gender equality laws are weak and general, position of gender equality commissioner is modest due to inadequate emotions and intolerance towards 'importing' gender equality into Estonian society, where 'women and men have equally worked hard in the fields and fight for the freedom'. Studies on parliamentary debates on gender equality show patriarchal values (Kukk 2003, Laas 2003a and 2003b).

Laws tend to be 'too soft' towards perpetrator and mostly a fine is paid for wife beating and causing many injuries and serious trauma. Some laws seem to sound as a total absurd and to contribute to the feeling of impunity. For example prosecutor can terminate investigations on an IPV case due to 'lack of public interest'. Ibrus (2007) has studied two cases of heavily battered women, where criminal offence was not indicated. Criminal proceedings were terminated according to the CoPC³⁹ § 202 due to 'event of lack of public interest in proceedings and in case of negligible guilt':

³⁹ Code of Criminal Procedure

*If the object of criminal proceedings is a criminal offence in the second degree and the guilt of the person suspected or accused of the offence is negligible, and he or she has remedied or has commenced to remedy the damage caused by the criminal offence or has paid the expenses relating to the criminal proceedings, or assumed the obligation to pay such expenses, and **there is no public interest in the continuation of the criminal proceedings**, the Prosecutor's Office may request termination of the criminal proceedings by a court with the consent of the suspect or accused. (CoPC § 202, 1)*

From other side there is also a prosecutor's voice, which argues that 'a main problem combating with domestic violence is a victim'. There was a court case, where a wife has got many broken bones and got almost blind after beating. And a prosecutor worked hard to get to offender five years real imprisonment. And then in the court, victim declares suddenly that 'offender is my only carer and who does daily shopping and brings to me some food if my husband will be imprisoned'. And offender has got probation. This nullifies all attempts made by prosecutor.

A new structural unit the Estonian Police⁴⁰ is expected to be effective in combating with crimes of violence. There is also a suggestion that police should have a bit more power to decide whether there was a case of violent crime or not. But according the words of Otsalt (Mis paneb... 2007) the main idea of forming a new structural unit was low traffic culture, tackling drug abuse, school bullying and e-crime. He did not mention family violence.

It seems that a feeling of impunity is encouraging men for violent behaviour and they even not to try to stop the violence. A fine for wife beating is very delicate and doubtful way of punishment because often are persons who factually pay up this fine. One can ask who is finally punished. A short imprisonment (it is called shock imprisonment) should be much more effective in creating a negative hero and disaffirmative atmosphere around him. Experts have thought that harsh sanctions help to change also attitudes. There are no men who swank in pub, that they have beaten their wife to death. Men prefer not to talk about their violent behaviour at home. It should be a shame to say at workplace that I was arrested, because I have caused physical harm to my wife.

Then appears another problem: This is missing vacancies in prison. Experts have said ironically that 'we have got a list of conscripts to the army service and to the prison'.⁴¹ Penal Code allows imprisonment even when a victim feels pain and when she or he is threatened:

*Threat (PC, § 120), physical abuse (PC, § 121) and torture (PC, § 122) are qualified as **acts of violence**⁴². A threat to kill, causing **health damage** or causing significant damage to or destroying property, if there is a reason to fear the realisation of such **a threat**, is punishable by a pecuniary punishment or up to one year of imprisonment. Causing **damage to the health** of another person, or **beating**, battery or other physical abuse which causes **pain**, is punishable by a*

⁴⁰ Vägivallakuritegude talitus

⁴¹ Some convicts of traffic accidents are waiting to the free cage in prison.

⁴² vägivallateod

pecuniary punishment or up to 3 years' imprisonment. Continuous physical abuse or abuse which causes great pain is punishable by a pecuniary punishment or up to 5 years' imprisonment.

Bancroft stresses to importance of societal norms and attitudes, which may enable men to continue their abusive behaviour. Interview data show that social workers, policemen, mental health professionals, attorneys, law enforcement officers and others often are not trained in domestic violence and do not understand the dynamics of abuse, which allows abusers to continue their behaviour.

Action Plan of the Ministry of Social Affairs (MoSA) for 2008-2011 (2007: 9) states that one of main obstacles in improvement of gender equality is low awareness linking gender inequality and wider social problems (inflexible labour market, prostitution and trafficking, IPV, suicide). Action Plane foresees further development of violence prevention and the Victim Support Service System.

Civil servants and voluntary workers have got training on domestic violence. Less training is dedicated to the workplace violence. Legal framework is weak and officials do not see a reason why to study this phenomenon. People can read handbook about violent men and there are more books about self-help.

There is huge need for public debates about risk and consequences of violent behaviour in family. Interviews show that times are changing, however attitudes change very slowly. Sometimes mothers from violent relationship can unconsciously guide their daughter to become a victim by teaching their children to accept and to conform to violence. Many mothers think that cohabitation is important 'for children's happiness', material security is more important than suffering from violence, wives should be submissive to avoid violent incident.

Isolation of victim of violence is quite common. Victim is often misunderstood or unbelieved by relatives, closed friend and colleagues. There is a need for awareness rising about gender violence. Victim-blaming attitudes are quite common in society and even among public servants who deal with parties of domestic violence. People tend to put more efforts to the thoughts about victim's 'wrong' behaviour and still it seems that effective analysis of violent person's behaviour is lagging behind.

Experts' opinion was that there should be looked through the possibilities of removal of violent person from home. Today this is possible only when a crime of violence finds evidence and if a violent person is very drunk. In the rest of cases battered women and other dependents should leave the place. In Estonia number of shelters is small and in some places these shelters are also not available 7/24.

Then there is a question about who owns the living place. It is often the case that women do not have other place to go and owner is husband. But there were many cases, where a woman owns a dwelling, but a partner does not leave the place for years. Therefore restraining order should be implemented in more effective way and restraining order should be easy of access (more in Annex 2).

To get away from the violent partner could be often an only 'solution' for the victim, but this does not solve a problem of the violent man. He will find the next partner and sooner or later a new victim appears. Among the interviewees was one woman, whose ex-

husband has ruined already the next wife's life. Therefore it is 'is a continuing challenge to understand the emotional underpinnings of such behaviour, the sources of aggression, hostility, anger, hate, rage, and violence (Menninger 2007).

Doctors⁴³ are expected to declare cases of violence. Often they do not or they do it not in time, but later. For police immediate reporting is important to find evidence. Victims themselves try to hide a real cause of harm and *'just falling'* is a common lie. Doctors whether do not recognise violent case or they underestimate severity of the case. They not instruct victims to apply for further help (Keller 2008). It should be mandatory and immediate reporting to police and the first psychological support should be provided. Doctors' active participation in discovering violent crime could contribute for combating family violence.

Bancroft (2006) teaches women how to survive and improve an abusive relationship; how to determine how dangerous an abuser is and when it is impossible to rectify a situation; and how to get out of a relationship safely. This is very important that such a book from therapist and lawyer is available in Estonian. There is a hope that such empowering books give women the tools they need to get back in control of their own lives. Women's empowerment is very important.

Interviews have showed low knowledge about workplace violence. Respondents did not know what is going on, when offensive atmosphere occurred, they were unable to understand gender relations at work and they had no idea, how to name things and where it should be reported if they want to. Action Plan of the MoSA for 2008-2011 states that in 2007-2013 more resources will be spent to awareness arising about labour and industrial relations (2007: 17). Capacity building of the Labour Inspectorate is also foreseen (2007: 17-18).

Kaaristo has studied battering in Estonian village hundred years ago and concludes that alcohol abuse has been often a case and too much drinking in taverns has negative consequences and has become a serious social problem. The same result also turned out from analysis of police statistics – 80% of all reported cases of family violence were committed being drunk (Kase, Pettai, 2005). However, it was supposed that violence incidents committed by abstinent men reach seldom to police statistics. From the IPV interviews appeared too that alcohol was not the only reason, but in four cases out of twelve, the alcohol played an important promoter of violence. In nowadays Estonia there is also other addictions like drug addiction and gambling. And somebody should pay all costs in direct and indirect sense.

A role of alcohol in gender violence cases should be more widely debated. Galvani (2006) has studied women's views on the role of alcohol in men's violence to them. The results of the research show that women do not blame alcohol for their partner's violence; they hold the men, not their alcohol consumption, responsible for their actions.

Alcohol is nearly 7/24 available in all over Estonia. Because of serious crimes due to alcohol abuse, many campaigns in local municipalities have taken place, but mostly *'business community'* was a winner and *'entrepreneurship should be promoted'*. In 2007, Tallinn has limited the time of selling alcohol in retail trade and alcohol is not available

⁴³ Especially doctors in emergency care and in the traumatology and orthopaedics clinics

in shops after 8 p.m. up to the morning. According to Retail trade in alcoholic beverages is permitted at public events. In 2007, during the national 10th Youth Song Festival, there were no alcoholic beverages on sale. This exception should be used more widely without excuse. Action Plan of the MoSA (2007: 32) foresees work on national alcohol policy and access to alcohol and negative consequences should be more debated. Unfortunately, plan is too general in defining more concrete measures.

It is highly ironical that money from gambling supports many activities to diminish harm in society caused from gambling (orphanages and cultural events etc). According to the Gambling Tax Act 12,7% shall be allocated for supporting investments in regional programmes related to children, young people, families, elderly persons and disabled persons, out of which the major part of that shall be allocated for supporting projects (§ 7, 2, para 3). All orphanages in Estonia have a form of NGO and get the most of their funding from the gambling tax.

A special attention should be paid in educational process and awareness rising. Parents and teachers should be paid more attention to children who have affective behaviour and cannot cope with their gear, anger, and aggression. Anti bullying programs could contribute to the less violent future. Awareness about violence should be improved. Still myths about violence by stranger are prevalent in preventive education. Talking about violent friends and family members is important. However, violence can arise in nice people after the deep changes in personal life and status (marriage, unemployment etc), or changes in society, included basic societal changes (changing rules, structures, positions).

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Annex 1. Sample

Table. Sample description, Estonia

Cou ntry	Name	Age	Ethnicity	Have been divorced, separated formerly (yes-Y, no- N)	Current marital status*	Living together with a partner (yes-Y, no- N)	Number and age of children	Educ. (basic-B, secondary- M, tertiary- H)	Employment status (unemployed- UE, full timer- FT, part timer- PT, leave-L)	Living in urban or rural area (over 100000 inhab-C; 10001- 100000-T; under 10000-U)
EE	Piret1	51	Est	N	Married	N	3 (14-24)	H	FT	U
EE	Piret2	49	Est	Y	Divorced	N	4 (9-18)	H	Self-employed	T
EE	Piret3	28	Est	Y	Married	Y	2 (3-6)	H	FT	U
EE	Piret4	28	Est	Y	Single	N	-	H	FT	C
EE	Piret5	54	Est	N	Divorced	N	2 (31-33)			
EE	Piret6	48	Est	N	Divorced	N	2 (18-19)	H	FT	T
EE	Piret7	47	Est	N	Married	Y	4 (16-25)	M	UE	U
EE	Piret8	19	Est	N	Separated	N	1 (under 1)	B	L	U
EE	Piret9	59	Est	Y	Cohab	Y	1 (35)	M	FT	T
EE	Piret10	62	Est	N	Married	Y	2 (35-38)	M	UE	U
EE	Piret11	28	Est	N	Widowed	N	1 (7)	M	FT	U
EE	Piret12	36	Est	Y	Separated	N	3 (2-4)	H		
EE	Viia1	51	Est	N	Married	Y	3 (20-25)	H	PT	T
EE	Viia2	51	Est	N	Married	N	3 (15-25)	H	FT	U
EE	Viia3	58	Est	Y	Married	Y	3 (35-40)	H	FT	T
EE	Viia4	33	Est	N	Single	N	-	H	FT	C
EE	Viia5	35	Est	N	Married	Y	2 (1-5)	H	L	C
EE	Viia6	51	Est	Y	Married	Y	3 (15-30)	H	FT	U
EE	Viia7	21	Est	N	Single	N	-	M	FT	T

*Actual marital status: single, married, cohabiting (living with a man), separated, widowed,

Annex 2. Legal problems

Temporary removal of violent person from home

To call to police is complicated due to missing phone, threats from partner side or due to fear for the future when a violent partner is back at home. The homepage of the Estonian Police instructs that:

The police will react to all calls as soon as possible, but we always give priority to calls requiring rapid reaction, for instance when the crime was committed immediately prior to the notification and its perpetrators are still in the vicinity of the crime scene (1); the crime is still in progress (2); it is a serious offence against the person, etc (3)⁴⁴.

There are only two conditions to take a person from home to the closed institution. Taking a person out of the dwelling is possible only if a person is a suspect or a person should have at least a medium intoxication. The police has the right to pursuant to the procedure provided by Acts and other legislation, detain or hold in custody persons suspected of the commission of criminal offences (Police Act, § 13, 5).

A **suspect** may be detained for up to forty-eight hours without an arrest warrant issued by a court. A suspect may be detained for **up to forty-eight hours** without an arrest warrant issued by a court (Code of Criminal Procedure, § 9, 1).

In case of alcohol abuse (intoxication) it is possible that arrest takes as long as alcohol level in blood declines. The most commonly used test is breath analysis. Police can arrest a person who's behaving poorly in public place. From somebody's home one could arrest if alcohol in blood (BAC⁴⁵) is higher than 1,5 ‰ (permille). Mostly a moderately drunk person with BAC 1,0 ‰ behaves inadequately, but there is not allowed to take such person from his home to the closed institution. For this reason, if moderately drunk and violent man is 'acting' in home settings, it is hard to get him out of there and mostly a woman and minors should leave the violent place. Only in some places in Estonia women's shelters exist, in sparsely populated areas there is no one. Women try to escape to some friends or relatives, if possible.

Matters on petition⁴⁶ are placing of persons in closed institutions (Code of Civil Procedure, § 475, 6) and imposition of a restraining order and other similar measures for the protection of personality rights (ibid, § 475, 7). If the court conducts proceedings in the matter of application of measures in order to protect a personality right in connection

⁴⁴ <http://www.politsei.ee/?id=1128>

⁴⁵ **Blood alcohol content (BAC) or blood alcohol concentration** is the concentration of alcohol in blood. It is usually measured as mass per volume. For example, a BAC of 0.02% means 0.2 ‰ (permille) or 0.02 grams of alcohol per 100 grams of individual's blood, or 0.2 grams of alcohol per 1000 grams of blood.

⁴⁶ Est *Hagita menetlus*

with a family relationship, the provisions regulating family matters on petition additionally apply (ibid, § 544, 2). Before applying a restraining order or another measure for protection of personality rights, the court shall hear the person with respect to whom application of such measure is requested and the person in the interests of whom proceedings are conducted for application of such measure.

Where necessary, the court shall also hear the persons close to the persons specified above, and the rural municipality or city government or police authority of the residence of the persons (ibid, § 545). Where necessary, the court may secure a petition for application of a restraining order or another measure for protection of personality rights or apply provisional legal protection by a ruling. As a measure of provisional legal protection, measures for securing the action may be applied pursuant to the procedure for securing an action (ibid, § 546).

Restraining order

Restraining order is not a prevention, but it is a measure helping the criminal procedure. A temporary restraining order is possible to apply before the court and restraining. According to the Code of Criminal Procedure **a temporary restraining order** (not longer than 3 years) could be applied to a suspect or accused for protection of private life or other personality rights of the victim with the consent of the victim and at the request of a Prosecutor's Office. The person suspected or accused of a crime against the person or against a minor may be prohibited to stay in places determined by the court.

§ 141 1. Temporary restraining order

(1) For protection of private life or other personality rights of the victim, a person suspected or accused of a crime against the person or against a minor may be prohibited to stay in places determined by the court, to approach the persons determined by the court or communicate with such persons at the request of a Prosecutor's Office and on the basis of an order of a preliminary investigation judge or on the basis of a court ruling.

(2) The temporary restraining order is applied to a suspect or accused with the consent of the victim.

(3) In order to issue a ruling on application of temporary restraining order, a preliminary investigation judge shall examine the criminal file and interrogate the suspect or accused and, where necessary, the victim with a view to ascertaining whether the request for temporary restraining order is justified. The prosecutor and, at the request of the suspect or accused, the counsel shall also be summoned before the court or the preliminary investigation judge and their opinions shall be heard.

(4) A ruling on temporary restraining order shall set out:

- 1) the reasons for the temporary restraining order;
- 2) the conditions of the temporary restraining order.

(5) A victim, a Prosecutor's Office, a suspect, accused or his or her counsel may file an appeal pursuant to the procedure provided for in Chapter 15 of this Code against application of temporary restraining order or refusal to apply temporary restraining order.

(6) A copy of a ruling on establishment of temporary restraining order shall be submitted to the suspect or accused and victim and sent to the police prefecture of the residence of

the victim. A preliminary investigation judge or court shall also immediately notify other persons whom the restraining order concerns of the application of temporary restraining order.

(14.06.2006 entered into force 16.07.2006 - RT I 2006, 31, 233)

§ 141 2. Verification of reasons for application of temporary restraining order

(1) A suspect or accused or his or her counsel may, within three months after the application of temporary restraining order, submit a request to the preliminary investigation judge or court to verify the reasons for the application of temporary restraining order or to amend the conditions of application of temporary restraining order. A new request may be submitted three months after the reviewing of the previous request.

(2) A preliminary investigation judge or court shall review a request within five days as of the receipt thereof. The prosecutor, victim, suspect or accused and, at the request of the suspect or accused, his or her counsel shall be summoned before the preliminary investigation judge or court.

(3) A request shall be adjudicated by a court ruling. A ruling made in reviewing of a request is not subject to contestation except in the case when the conditions of the temporary restraining order are amended.

(14.06.2006 entered into force 16.07.2006 - RT I 2006, 31, 233)

§ 141 3. Amendment and annulment of temporary restraining order at request of victim and Prosecutor's Office

(1) At the request of the victim or at the request of the Prosecutor's Office and with the consent of the victim, a preliminary investigation judge or court may amend the conditions of the temporary restraining order or annul the temporary restraining order.

(2) In order to issue a ruling on amendment of the conditions of or annulment of the temporary restraining order, a preliminary investigation judge or court shall examine the criminal file and interrogate the suspect or accused and the victim with a view to ascertaining whether the request is justified. The prosecutor, victim, suspect or accused and, at the request of the suspect or accused, his or her counsel shall be summoned before the preliminary investigation judge or court.

(3) A copy of a ruling on amendment of the conditions of or annulment of the temporary restraining order shall be submitted to the suspect or accused and victim and to another person whom the restraining order concerns.

(14.06.2006 entered into force 16.07.2006 - RT I 2006, 31, 233)

Restraining order is also possible to apply **according to the Penal Code** (§75, 2 para 7). Taking into consideration the circumstances relating to the commission of the criminal offence and the personality of the convicted offender, the court may impose the following obligations on the convicted offender **for the period of supervision of conduct** not to stay in places determined by the court or communicate with persons determined by the court. At the request of the victim, the court may apply, for protection of private life or other personality rights of the victim on the basis of § 1055 of the Law of Obligation Act, the restraining order with a term of up to three years to an offender

convicted of a crime against the person or against a minor (Code of Criminal Procedure, § 310 1)

Serious health damage vs physical abuse

Causing serious damage to health is very complicated to report, because there are certain requirements (**lasts over four months** and capability to work loss should be remarkable).

Causing of health damage which results in a danger to life (1); a severe physical illness (2); a severe mental disorder (3); miscarriage (4), a permanent mutilating facial injury (5) or the loss or cessation of functioning of an organ (6), is punishable by 4 to 12 years' imprisonment (Penal Code, § 118).

Acts of violence could be serious, but a definition is soft. Physical abuse (*Est kehaline väärkohtlemine*) occurs when damage to the health of another person is caused, or beating, battery or other physical abuse which causes pain, is punishable by a pecuniary punishment or up to 3 years' imprisonment (Penal Code, § 121).

For getting victim support in a form of compensation, when 'a crime of violence' was stated, a health disorder should last for at least six months.

Alimonies

Receiving alimony has been near impossible in cases of missing goodwill from former the parent who has left children. In February 2007, the Riigikogu passed the **Alimony Act**, initiated by the Government of the Republic⁴⁷. The Act ensures alimony to a child whose parent does not fulfil his or her maintenance obligation. Pursuant to the Act, the alimony is paid during 90 days in the amount of one third of a child allowance daily rate, i.e. EEK 4,500 total at present. The Act stipulates as the precondition for receiving the alimony, the institution of proceedings against a person who has the obligation to maintain a child. The purpose of the Act is to ensure the maintenance of a child in a situation when one parent has turned to the court with an alimony claim, but judicial and execution proceedings have not been completed yet. According to the opinion of the authors of the Act, 90 days would be sufficient for the court to solve either an application for securing an action or an expedited procedure for the payment order, and the parent would be able to initiate an execution proceeding. According to the authors, the purpose of the Act is also to encourage the parents to have recourse to the courts more actively than before, because many single parents have apparently resigned to the thought that no alimony will be paid and have not even attempted to protect their children's rights in the court.

Escaping violent relationship: Divorce and property disputes

⁴⁷ Riigikogu website. http://www.riigikogu.ee/?id=42453&parent_id=41993&langchange=1

Before 2007, a state fee of 300 kroons was supposed to be paid upon the filing of a statement of claim for divorce (The State Fee Act⁴⁸, § 37, 4). Up to 2006 a fee for property debates was a fixed sum (2600 EEK⁴⁹):

A state fee of 2600 kroons was supposed to be paid upon the filing of a statement of claim for division of property in a divorce case (The State Fee Act, § 37, 6).

In 2007, there was made a change in State Fee Act⁵⁰, and fees for court proceedings on property claims were connected with a market price of property:

Upon the filing of a statement of claim, a state fee shall be paid on the basis of the value of the action pursuant to Annex 1 to this Act or in a fixed amount⁵¹ (§ 56, 1)

Such fee is too high and not accessible for many women in a violent relationship. There is a right to apply for a fee exemption, but then there is a need for special advice to teach how to prepare a package of required documents. For justification a price of living space an expertise of mortgage should be done and this is about 1000-2500 EEK⁵².

Exemption from payment of state fees in court cases if maintenance support for a child is claimed:

A state fee is not charged for a review of an application for expedited proceedings in a matter of a payment order in a claim for maintenance support for a child or an action for claim for support (§ 22, 1, 2).

Pure divorce registration is accessible in monetary sense:

A state fee of 400 kroons should be paid for the registration of a divorce (The State Fee Act, § 37, 299).

⁴⁸ State Fees Act (consolidated text from 2003) RT I 1997, 80, 1344; Full text in RT I 2001, 55, 331 [Est. RT= Riigi Teataja (State Gazette)]

⁴⁹ Fixed rate 1 EUR = 15,6466 EEK, 2600 EEK = 166 EUR

⁵⁰ State Fees Act (consolidated text from Feb 2007), RT I 2006, 58, 439

⁵¹ According to the Annex 1 of the State Fees Act applying for property of 0,5 MEEK, a fee of 22750 EEK should be paid and for 1 MEEK, a fee of 37750 EEK should be paid.

⁵² About 64-160 EUR.