

Statistical bulletin

Non-fatal strangulation and suffocation

Introduction

This bulletin provides information on volumes and sentence outcomes for adult offenders (aged 18 or over at the time of conviction) sentenced for offences covered by the Sentencing Council's draft Non-fatal strangulation and suffocation guideline.

There is one draft guideline proposed, covering the offences of non-fatal strangulation, non-fatal suffocation and racially or religiously aggravated non-fatal strangulation and non-fatal suffocation. Section 70(1) of the Domestic Abuse Act 2021 inserted section 75A into the Serious Crime Act 2015 creating these offences with effect from 7 June 2022.

The Court Proceedings Database (CPD), maintained by the Ministry of Justice, is the data source for this bulletin. For more information on this data source please see the 'Further information' section at the end of this document.

Additional figures for this offence, including breakdowns by demographic groups (sex, age group and ethnicity), can be found in the data tables which are available to download as Open Document spreadsheets on the [Sentencing Council: Publications webpage](#).

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Non-fatal strangulation/Non-fatal suffocation/Racially or religiously aggravated non-fatal strangulation or suffocation

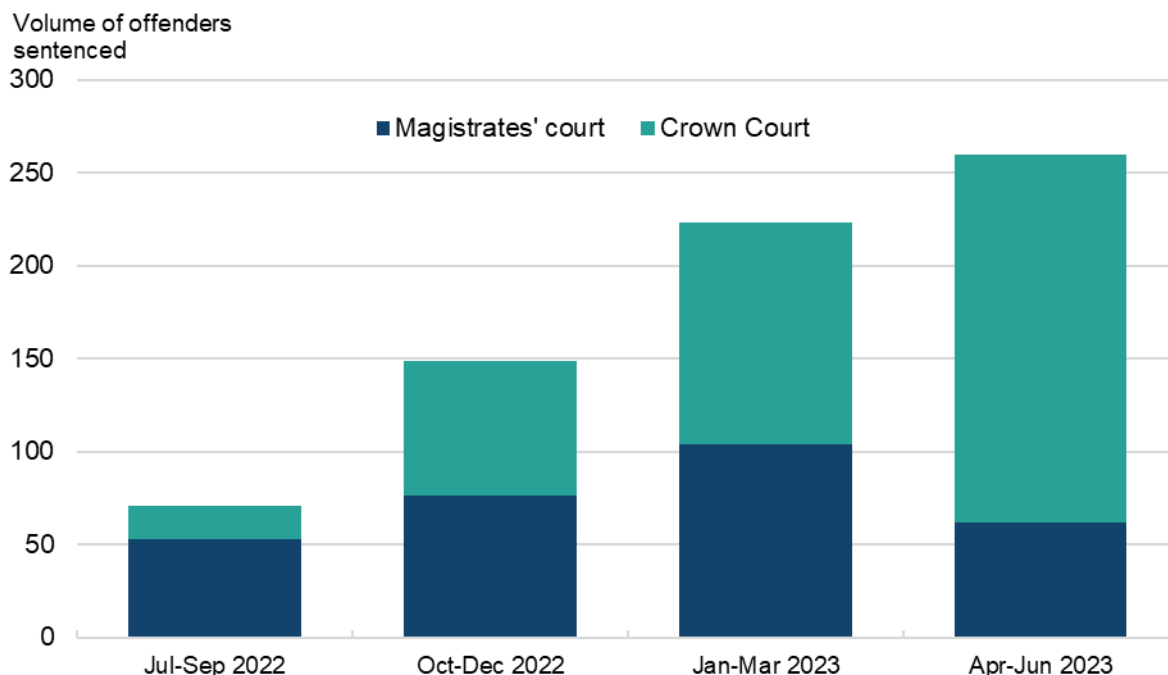
Sentence volumes

These offences came into force in June 2022. There was one offender sentenced in June 2022 who has been excluded from these published figures in order to present 12 months of data. Additionally, fewer than five offenders have been sentenced for racially and religiously aggravated non-fatal strangulation or suffocation, so the volumes have been combined with the non-aggravated offences in the published data.

Between July 2022 and June 2023 there were around 700 offenders sentenced for non-fatal strangulation or suffocation offences, with increases in each quarter since the offence was brought into force (Figure 1).

Non-fatal strangulation is triable either way and across these 12 months, 58 per cent of offenders were sentenced at the Crown Court. The proportion sentenced at the Crown Court has increased throughout this time period, from 25 per cent in July-September 2022 to 76 per cent in April-June 2023.

Figure 1: Volume of offenders sentenced for non-fatal strangulation or suffocation, July-September 2022 to April-June 2023.



Sentence outcomes

The vast majority of offenders receive some type of custodial sentence for these offences. In April-June 2023, slightly over half of offenders sentenced received an immediate custodial sentence (55 per cent) and around a third received a suspended sentence (32 per cent). Of the remaining offenders, 10 per cent received a community sentence and 2 per cent had their sentence recorded as either 'Otherwise dealt with' or unknown (see the 'Further information' section for more details).

Sentence lengths

The statutory maximum sentence for non-fatal strangulation or suffocation is 5 years' custody and for the racially or religiously aggravated offence, the statutory maximum increases to 7 years' custody.

Of the offenders receiving an immediate custodial sentence for these offences, the mean average custodial sentence length (ACSL) over the last 12 months, after any reduction for a guilty plea, was around 17 months' custody.

The ACSL for non-fatal strangulation or suffocation has been increasing steadily in each quarter since coming into force. In July-September 2022 it was around 12 months but by April-June 2023 this increased to 19 months.

Further information

Volumes of sentences

The data presented in this bulletin only include cases where the offence detailed was the principal offence committed. When an offender has been found guilty of two or more offences, the principal offence is the offence for which the heaviest penalty is imposed. Where the same disposal is imposed for two or more offences, the offence selected is the offence for which the statutory maximum penalty is the most severe. Although the offender will receive a sentence for each of the offences that they are convicted of, it is only the sentence for the principal offence that is presented in this bulletin.

Sentence outcomes

The outcomes presented are the final sentence outcomes, after taking into account all factors of the case, including whether a guilty plea was made. This is because the sentence length information available in the Court Proceedings Database (CPD) is the final sentence imposed, after any reduction for guilty plea. Sentence outcomes presented in this bulletin are therefore not directly comparable to outcomes in the sentencing guideline tables, which instead show starting point sentences before a guilty plea has been entered.

General conventions

Actual numbers of sentences have been rounded to the nearest 100, when more than 1,000 offenders were sentenced, and to the nearest 10 when fewer than 1,000 offenders were sentenced.

Proportions of sentencing outcomes have been rounded to the nearest integer. Percentages in this report may not appear to sum to 100 per cent, due to rounding.

Data sources and quality

The CPD, maintained by the Ministry of Justice (MoJ), is the data source for these statistics. Every effort is made by MoJ and the Sentencing Council to ensure that the figures presented in this publication are accurate and complete. However, it is

important to note that these data have been extracted from large administrative data systems generated by the courts and police forces. As a consequence, care should be taken to ensure data collection processes and their inevitable limitations are taken into account when those data are used.

Further details of the processes by which MoJ validate the records in the CPD can be found inside the 'Technical Guide to Criminal Justice Statistics' within the [Criminal Justice System Statistics Quarterly \(CJSQ\) publication](#).

The average custodial sentence lengths (ACSLs) presented in this statistical bulletin are mean average custodial sentence length values for offenders sentenced to determinate custodial sentences, after any reduction for guilty plea.

The result category 'Other/unknown' includes cases where the outcome categorised in the CPD was 'Otherwise dealt with', which covers multiple miscellaneous disposals, and those cases where the disposal was not known.

It is possible that the figures presented may include the courts' recovery from the impact of the coronavirus (COVID-19) pandemic, rather than a continuation of the longer-term series, so care should be taken when interpreting these figures.

Contact points for further information

We would be very pleased to hear your views on our statistical bulletins. If you have any feedback or comments, please send them to:
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Further information on the Sentencing Council and its work can be found on the [Sentencing Council webpage](#).