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To: [REDACTED]
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Hi there

I am an Emergency Physician at GCHHS and was also employed here as a Forensic Physician in 2020-2022 during which I presented evidence primarily for NFS and sexual assault cases. I also wrote our local guideline for management of NFS. I continue to work in an Emergency setting where I see victims of strangulation.

Regarding the specific items you have requested feedback on.

the terms 'chokes', 'suffocates' and 'strangles' should be defined and, if so, in what way

The ambiguity and overlap in these terms is probably not appreciated by many. Also, these acts occur in violent settings where varied means of manual force may have been applied and where victims may have limited recall of precisely which mechanism was used. A 'catch all' explanation rather than individual definitions may be the best approach, such as 'any means in which manual force or instrumentation of the face or neck prevents normal respiration/breathing'.

- the requirement that the choking, suffocation or strangulation must occur 'without the other person's consent' should be removed or amended**

I must be missing something, as this seems logical to include in the description.

- the offence should apply to conduct that is not committed between those in a domestic relationship, or is not 'associated domestic violence' under the *Domestic and Family Violence Protection Act 2012***
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- While I don't have a legal background, having the crime apply to all manner of NFS under a criminal code appears safest for the community.
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- the current maximum penalty of 7 years imprisonment reflects the gravity of the conduct**

No comment.

- the offence should be able to be finalised in the Magistrates Court.**

No comment.

Kind regards
Kim Bruce