



03 JUL 2025

President Kingham
Chair
Queensland Law Reform Commission

Dear President Kingham

I refer to the release of the Queensland Law Reform Commission's (QLRC) Consultation paper 'Non-fatal strangulation: Section 315A review; A holistic review of the non-fatal strangulation offence' (the Consultation Paper) and to the roundtable discussion on 28 April 2025 led by Deputy Chair Judge Anthony Rafter and Commissioner Glen Cranny with Queensland Corrective Services (QCS), Queensland Police Service, Youth Justice and Security Providers.

QCS thanks the QLRC for the opportunity to participate in the roundtable discussion and welcomes the opportunity to provide a written submission and input into the QLRC's review of non-fatal strangulation and the proposals and questions posed in the Consultation Paper. QCS acknowledges the QLRC proposals contained in the Consultation paper, including the proposal to expand the scope of the non-fatal strangulation offence beyond domestic settings which would repeal and replace the existing provision of 315A of the *Criminal Code Act 1899* with three new offences including 'unlawfully doing particular conduct that restricts respiration and/or blood circulation' (Offence 3 under Proposal 1).

QCS is committed to creating a safe working environment where officers and offenders can interact without the fear of violence, physical harm, intimidation or threatening behaviour. Legislative provisions contained in the *Corrective Services Act 2006* authorise corrective services officers to use force in particular circumstances, which includes physical restraint and the use of accoutrements. Use of force in corrective services facilities may also be lawful under other legal frameworks.

The use of force by QCS staff is subject to a robust and rigorous governance process. QCS also recognises that it must act or make decisions in a way that is compatible with human rights under the *Human Rights Act 2019*.

The current non-fatal strangulation framework within domestic settings under 315A of the *Criminal Code Act 1899* has a maximum penalty of seven years imprisonment. The proposed framework would create three new offences to replace the existing one offence under the current section 315A, with maximum penalties of 14, seven and 10 years respectively.

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QCS appreciates the QLRC considering these impacts as part of the review.

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Yours sincerely

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Paul Stewart APM
Commissioner