

## Non-fatal strangulation: Section 315A review

# Our Consultation Paper

Our review is about the crime of choking, suffocation or strangulation in family and personal relationships. We call this crime ‘non-fatal strangulation’.

We think the crime of non-fatal strangulation must change. We ask questions about this in our consultation paper.

We know too many Aboriginal people and Torres Strait Islander people are charged with and suffer from non-fatal strangulation.

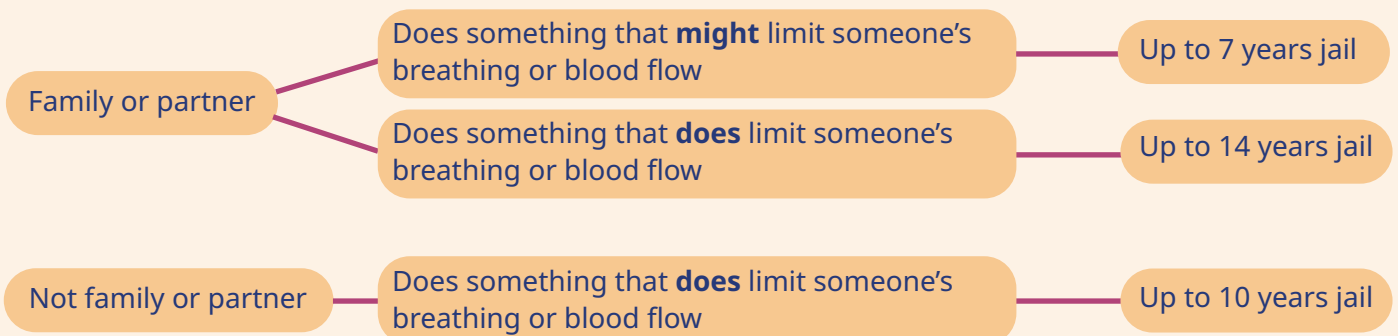
## Non-fatal strangulation between family and partners

We think it might be a good idea for the crime of non-fatal strangulation to apply when a person does something to their family member or partner that limits their breathing or the blood going to their brain.

We think it might be a good idea for the crime of non-fatal strangulation to apply when a person does something to their family member or partner that **might** limit their breathing or the blood going to their brain.

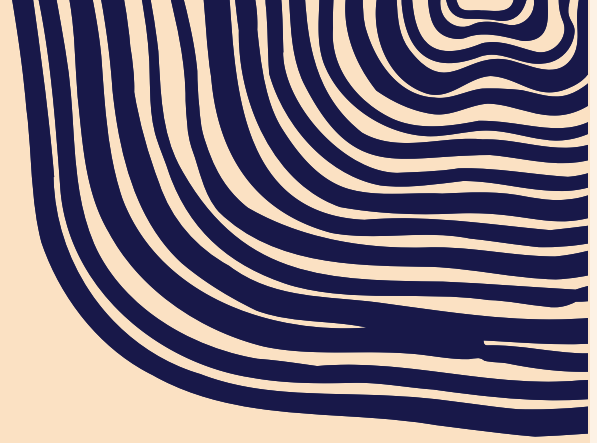
## Non-fatal strangulation between other people

We think the crime of non-fatal strangulation should apply to all people, and not just between family members or partners, when a person does something that limits another person’s breathing or limits the blood going to their brain.



## Strangulation

Strangulation is always dangerous and people might die very quickly from it. If people do not die from strangulation, they might be badly hurt for life. The impact from strangulation may not be noticed right away or it might never be noticed.



## When is it OK?

We think it is OK if non-fatal strangulation is done in self-defence or for medical treatment. The law might say this is OK.

We think it is not OK if non-fatal strangulation is done when someone is stirred up by someone else. We think it is not OK if non-fatal strangulation is done to control a child. The law might say this is not OK.

Some people think it is OK to strangle another person if they said it is OK to be strangled. Do you think it should be a crime if a person has said strangulation is OK?

## More changes to make it better

Now, a person must go from one court, called the Magistrates Court, to another court that looks after more serious crimes. This takes more time and money.

We think it is a good idea for a person who tells the judge they did the crime of non-fatal strangulation to be punished in the Magistrates Court. We think this will make it quicker and fairer.

If the person does not say they did the crime of non-fatal strangulation they must go to a court that looks after more serious crimes for a trial.

## What we want to know

We want to know what things that limit breathing or blood flow should be the crime of non-fatal strangulation. Some people think it might be putting something around another person's neck, like their hand or arm. Other people think it might be covering a person's nose or mouth or sitting on their chest.

We know it is hard for people who have been strangled to speak to the police and the court about what happened to them. We want to know how to change it to make it better.



This artwork element is called 'Listening humbly' and is part of the 'Building Trust, Crafting Connections' artwork by Gilimbaa artist Navada Currie.

## We want to hear from you

We want to know what you think about our suggestions and questions about non-fatal strangulation.

We know it might be hard to tell someone your story. Please tell us how we might help you feel safe to share your story with us.

We will respect your story and your wishes in what we do with your story.

## You can let us know what you think

Write or draw your ideas, or give us your ideas in an audio or video recording. You might send them to us by email or upload them to our website.

**We want your ideas by 6 June 2025**

**Phone:** (07) 3564 7777

**Email:** [qlrc-nfsreview@justice.qld.gov.au](mailto:qlrc-nfsreview@justice.qld.gov.au)

**Website:** [www.qlrc.qld.gov.au](http://www.qlrc.qld.gov.au)



## You can also meet with us

There will also be meetings from April until June 2025 for you to tell us what you think.

Information about these meetings will be on our [website](#), [LinkedIn](#) and in our [newsletters](#).