

# **Prosecution and Sentencing of Strangulation and Suffocation Offences**

An analysis of data from Ministry of Justice  
June 2022 – June 2023

**Lead Authors: Harriet Smailes and Marianne McGowan, IFAS**  
**Published: April 2024**



Institute For  
Addressing  
Strangulation

## Introduction

In early 2024, the Institute for Addressing Strangulation (IFAS) received data from the Ministry of Justice (MoJ), following a Freedom of Information request, pertaining to strangulation and suffocation offences prosecuted and convicted between June 2022 to June 2023. Presented in this report is the data provided by the MoJ for the first year of strangulation and suffocation legislation (up to 6th June 2023).

Although there are limitations to these data as noted by the MoJ, we have built upon our understanding of prosecuting and convicting strangulation and suffocation offences in England and Wales by contextualising the data with findings from our [previous report on police-recorded offences](#) within the same time frame. From this previous report, there were 23,817 offences recorded across the 33 police forces who returned data to the Home Office for that period. Thirteen per cent of those offences were recorded as having resulted in a charge or summons up to June 2023. The following data presented show the outcomes of strangulation and suffocation offences after the point of charge.

All percentages stated in this report have been rounded to the nearest whole number, and percentages less than 0.5% are recorded as <1%. The language used reflects that of the data that was provided by the MoJ. Any limitations to the data and conclusions drawn, as given by the MoJ, are articulated throughout.

## Findings

The Ministry of Justice have provided the following information regarding the nature of the data presented:

*“The figures given in the table relate to defendants for whom these offences were the principal offences for which they were dealt with. When a defendant has been found guilty of two or more offences it 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.”*

### Numbers of Strangulation and Suffocation (as Principal Offences) Offences at all Courts in England and Wales from 7th June 2022 – 6th June 2023

Table 1: Breakdown of defendants prosecuted and convicted by all courts.

Offence	Number (Prosecutions and Convictions)	Conviction rate (%)
Strangulation	1367 prosecutions 650 convictions	48%
Suffocation	70 prosecutions 28 convictions	36%
<b>Total</b>	1437 prosecutions 678 convictions	47%

Data from Table 1 show that the conviction rate from strangulation and suffocation offences are less than 50%, meaning that, **in the majority of cases, defendants are not convicted after being charged with these offences.**

Table 2: Breakdown of prosecutions and convictions by sex of defendant.

Sex of Defendant	Strangulation Prosecutions	Strangulation Convictions	%	Suffocation Prosecutions	Suffocation Convictions	%
Male	1288	623	48%	66	27	41%
Female	25	3	12%	2	1	50%
Not Known	54	24	44%	2	0	0%
Total:	1367	650	48%	70	28	36%

Data from Table 2 shows the breakdown in prosecutions and convictions by sex of the defendant. **This highlights that males make up at least 94% of all strangulation and suffocation prosecutions and at least 96% of all convictions for these offences.** Although the percentage of convictions from prosecutions split by sex is also presented above, the low number of female defendants means no conclusions about potential differences in likelihood of conviction based on the sex of the defendant should be drawn from the current data.

Table 3: Breakdown of sentence outcomes.

Sentence	Number from Strangulation Offences	Number from Suffocation Offences
Immediate Custody	323 (54%)	17 (57%)
Suspended Sentence	172 (29%)	11 (37%)
Community Sentence	90 (15%)	1 (3%)
Fine	2 (<1%)	0 (0%)
Conditional Discharge	3 (<1%)	0 (0%)
Absolute Discharge	1 (<1%)	0 (0%)
Compensation	0 (0%)	0 (0%)
Otherwise Dealt With	3 (<1%)	1 (3%)
Disposal Not Known	3 (<1%)	0 (0%)
Total	597	30

*Note: there is a discrepancy between the total number of convictions by sentencing type (Table 3) and the total number of convictions in Table 2. These numbers are correct as per the data IFAS has received from the Ministry of Justice. However, they themselves have provided a note within the dataset to acknowledge that "Every effort is made to ensure that the figures presented 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. 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.". In addition "Data are given on a principal disposal basis - i.e. reporting the most severe sentence for the principal offence."*

Table 3 shows that the majority of sentences were immediate custody for the defendant for both strangulation and suffocation offences (54% and 57% respectively). In both strangulation and suffocation offences, this was followed by suspended sentence (29% and 37% of sentences respectively).

Chart 1: Breakdown of strangulation offences by sentence type and sex of defendant.

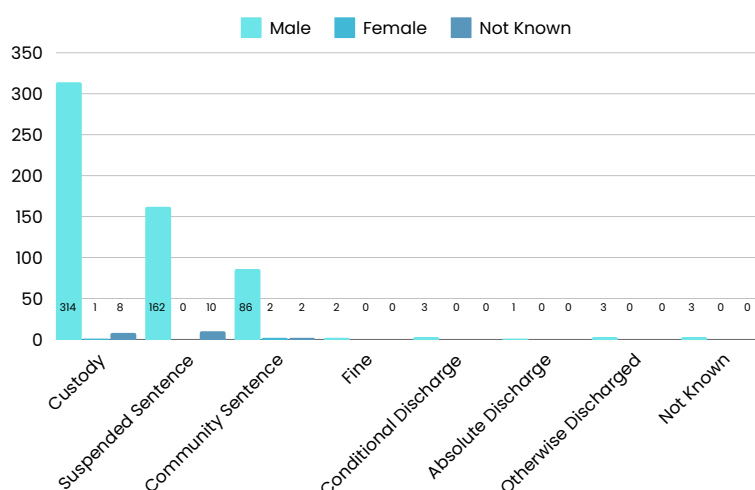


Chart 1 shows the breakdown of sentencing type by sex of the defendant. As discussed above, due to the low numbers for female and 'Not known' defendants (types of sentencing data has only been provided for four female defendants), no conclusions about the nature of sentencing due to sex of defendant can be drawn from this dataset.

## Conclusions

Taken together, these data show that there is progress that can be made in relation to the prosecution and sentencing of strangulation and suffocation offences. This progress relates to the following areas:

- Data capture and data extraction
- The outcomes of strangulation as they move through criminal justice proceedings

With regards to data capture and extraction, as noted by the Ministry of Justice, the data provided for this analysis – which only include ‘principal offences’ – has been sourced from a large dataset (multiple courts with different systems across England and Wales) and there are notable discrepancies between specifics within the datasets as a result (for instance, as noted under Table 3). This also means that the data will not include where strangulation or suffocation have been reported and charged alongside other offences such as serious sexual offences.

Helpfully, however, the data provided has been split by type of offence i.e. strangulation or suffocation, where data for previous [IFAS analyses](#) was not. With larger datasets, perhaps in the future when there are multiple years of offences to consider, this will allow researchers and those working to improve the criminal justice system to gain a better understanding of patterns and trends related to strangulation and suffocation offences that would ultimately help identify where improvements in practice could be made.

Data from the Home Office previously analysed by IFAS showed there were [23,817 reports of strangulation and suffocation](#) made to the Police (33 police force areas) over the same time period as has been reported above (June 2022 – June 2023). From these two datasets, we can conclude that 13% of reports were charged (or summonsed), approximately 6% of reports of strangulation and suffocation resulted in a prosecution, and around 3% of reports resulted in a conviction. This means less than 50% of prosecutions result in a conviction. This is lower than the conviction (from prosecution) rate of just over 59.7% for [rape offences in the third quarter of 2023/2024](#) (October–December 2023). It is important to note, however, that rape conviction rates do fluctuate and these figures are therefore not necessarily stable comparators.

It is important to highlight, however, limitations in that a proportion of the 23,817 reports from 2022–2023 will likely not have received a charging outcome by the time these data were requested. Therefore, the approximation of 6% of reports being prosecuted may alter as further charging decisions are made.

Diagram 1: Illustration of the outcomes of strangulation and suffocation cases through criminal justice proceedings.

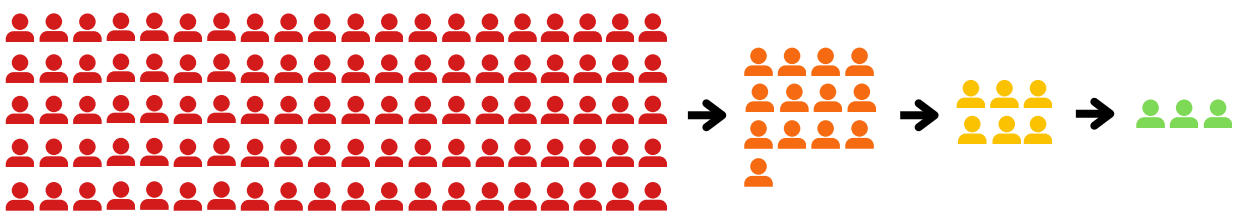


Diagram 1 illustrates how, of 100 strangulation and suffocation reports (red), approximately 13 are charged or summonsed (orange), 6 of those charged are prosecuted (yellow), and 3 result in a guilty verdict (green).

Overall, we would suggest that progress could be made in terms of the consistency and accuracy of data collection across all criminal justice services so that outcomes related to reporting offences such as strangulation and suffocation can be monitored. This has implications for all aspects of the criminal justice system and could provide learning that enhances practice including increasing victim safety and offender accountability. Our analysis of reporting strangulation and suffocation to the police within the first year of the offence legislation raises questions around the attrition of cases through the criminal justice system. Further research into this is ongoing with Bangor University in Wales. With only one year of data to consider at this stage, it is hoped that more information will help develop further the picture around prosecutions and convictions of strangulation and suffocation offences in England and Wales.

## Appendix 1

FoI questions submitted to MoJ:

[Note: not all data received in response to these questions has been presented in the above report. Some datasets were too sparse to be usefully reported on at this time.]

1. The number of offences recorded as non-fatal strangulation and/or non-fatal suffocation (separated, if possible, but combined if not possible) as per section 75A of the Serious Crime Act 2015 in England and Wales from 7th June 2022 to 6th June 2023 by criminal justice outcome for principal suspect.
2. The number of suspects convicted of non-fatal strangulation and/or non-fatal suffocation (separated, if possible, but combined if not possible) as per section 75A of the Serious Crime Act 2015 in England and Wales from 7th June 2022 to 6th June 2023 by type of sentence and sex of suspect.
3. The number of suspects remanded in custody or remanded on bail for non-fatal strangulation and/or non-fatal suffocation (separated, if possible, but combined if not possible) as per section 75A of the Serious Crime Act 2015 in England and Wales from 7th June 2022 to 6th June 2023 by sex of suspect.
4. The number of suspects directed to appear at the Magistrates Court for non-fatal strangulation and/or non-fatal suffocation (separated, if possible, but combined if not possible) as per section 75A of the Serious Crime Act 2015 in England and Wales from 7th June 2022 to 6th June 2023 by sex of suspect.
5. The number of suspects directed to appear at the Crown Court for non-fatal strangulation and/or non-fatal suffocation (separated, if possible, but combined if not possible) as per section 75A of the Serious Crime Act 2015 in England and Wales from 7th June 2022 to 6th June 2023 by sex of suspect.

## Bibliography

Crown Prosecution Service (CPS). (2024). CPS data summary Quarter 3 2023–2024. <https://www.cps.gov.uk/publication/cps-data-summary-quarter-3-2023-2024>

Institute for Addressing Strangulation (IFAS). (2024). *Strangulation and Suffocation Offences: June 2022 – June 2023. An Analysis of Police Report Data*. Published online February 2024. Accessed: <https://ifas.org.uk/wp-content/uploads/2024/02/Strangulation-and-Suffocation-Offences-June-2022-June-2023-Final-Report.pdf>

# Acknowledgements

Funded by the Home Office, the Institute for Addressing Strangulation (IFAS) was established in 2022 to raise awareness of strangulation and suffocation. This includes highlighting the associated risks and dangers, and establishing best practice for professionals working with victims, survivors and their families. Although our work primarily focuses on strangulation, we see the parallels between this and suffocation, and are therefore developing our research and understanding of this area.

IFAS would like to acknowledge the hard work and input from the whole team in their contributions to all research outputs; Professor Cath White, Harriet Smailes, Marianne McGowan, Bernie Ryan, Beth Threfall-Rodgers and Boma Wokoma.

Lastly, IFAS acknowledges that behind every statistic is a person who has friends, family, thoughts, feelings, dreams and hopes. We hope that all readers accessing our report will recognise the individual impact associated with the statistics we present.

**[contact@ifas.org.uk](mailto:contact@ifas.org.uk)**  
**[www.ifas.org.uk](http://www.ifas.org.uk)**

Charity Registration No: 1119599