

Scoping Document

DA Strangulation 2026

A. Introduction

The Domestic Abuse Act 2021 came into force on 7th June 2022, aiming to strengthen the response to domestic abuse across agencies, protect and support victims and hold perpetrators to account.

Part of the key changes introduced by the Act, included the introduction of several new criminal offences. These new offences recognised some of the specific methods of domestic abuse committed by perpetrators, which had previously risked falling through a gap in available legislation. Amongst these new offences were stand-alone strangulation and suffocation offences.

There are no legislative definitions of strangulation or suffocation, but CPS Legal Guidance provides a description that may be applied for strangulation as: *‘the application of force or pressure by the defendant to the victim’s neck, whether using their hands or other means’*. Strangulation does not require proof of a consequence such as impeded breathing or circulation. For suffocation, the word should be given its ordinary meaning which is to: *‘to deprive a person of air which affects their normal breathing’*.¹

These high-harm, high-risk behaviours are considered to be clear indicators of escalating harm and the potential for an attack to be fatal. and are a common feature of domestic abuse cases. In the first year of the offence being in force, there were 23,817 reports of strangulation and suffocation made to the police rising to 39,360 in the year 2023-2024.² The Institute For Addressing Strangulation reports that 1 in 4 women, accessing community and refuge services reported having experienced strangulation or suffocation.³

In our Business Plan for 2026-2027,⁴ we set out our intention to undertake an Inspection which focusses on how the Crown Prosecution Service (CPS) handles strangulation and suffocation cases where the offending occurs in a domestic abuse context.

The 7 June 2026 marks four years since the coming into force of these offences and it is appropriate to evaluate how they have embedded and consider how the CPS approaches cases of strangulation and suffocation, including the effectiveness and

¹ [Strangulation and suffocation](#)

² [Police Data on Strangulation and Suffocation Offences - Institute for Addressing Strangulation](#)

³ [What is strangulation? - Institute for Addressing Strangulation](#)

⁴ [2026-27-Business-plan.pdf](#)

consistency in flagging, charging and prosecution. We will assess the level of service delivered by the CPS to victims, identifying aspects of good practice, and making recommendations where further work is needed.

Continuing in our commitment to the voices of victims being heard as part of driving improvements and building public confidence in the criminal justice process, this inspection will engage with leading individuals and organisations advocating on violence against women and girls, domestic abuse, and on strangulation specifically.

In preparing this scope, we have benefitted from insight provided by the Institute for Addressing Strangulation, SafeLives UK and the Domestic Abuse Commissioner's Office. We are grateful for their time and contributions. Discussions with these organisations, have informed the methodology set out below, and the focus of the file examination questions which will be used to scrutinise casework.

B. Inspection Question

How effective is the CPS in identifying, charging and prosecuting domestic abuse strangulation or suffocation, and in supporting and safeguarding victims throughout the prosecution process?

C. Aims and Criteria

The aim of the inspection is to answer the following questions, with reference to the following criteria:

1. Are the s75a and s75b Serious Crime Act 2015 offences, as introduced by the Domestic Abuse Act 2021, properly understood and applied by Prosecutors in pre-charge reviews?

- 1.1 Prosecutors recognise and identify incidents of strangulation and suffocation at an early stage.
- 1.2 Prosecutors understand and correctly apply the elements of strangulation and suffocation offences.
- 1.3 Prosecutors apply the guidance at paragraph six of the Code for Crown prosecutors⁵ on selection of charge(s) appropriately, including in cases with multiple offences, so specific strangulation or suffocation offences are considered and charged where appropriate.

⁵ [The Code for Crown Prosecutors | The Crown Prosecution Service](#)

1.4 There is consistent application of CPS legal guidance on strangulation and suffocation cases.

1.5 There is demonstrable awareness in the legal decision making of case reviews of the specific risk implications relevant to cases involving strangulation or suffocation and risk assessments are actively considered.

1.6 Evidence-led prosecutions are considered in relevant cases , including where the victim refuses to support a prosecution.

1.7 Pre-charge reviews are clear in how the elements of the strangulation or suffocation offence are to be proved, including any specific lines of enquiry relevant to these offences.

1.8 Prosecutors work together with police, from an early stage, to develop robust case strategies ensuring communications achieve pragmatic action plans and timely responses.

1.9 Prosecutors are maximising opportunities (including digitally and face-to-face) to communicate with police partners to explain decision making and the evidential value certain lines of inquiry can bring to an effective prosecution.

2. Following a suspect being charged with strangulation and/or suffocation does the CPS build robust prosecution cases post-charge?

2.1 Post-charge reviews are clear in how the elements of the strangulation or suffocation offence are to be proved, including any specific lines of enquiry relevant to these offences.

2.2 Following significant events in the case, good quality reviews are conducted which deal appropriately with any required change to case strategy.

2.3 Prosecutors consider any ongoing risk to the victim throughout the life of the case, seeking further information or updated risk assessments, where required.

2.4 The acceptance or rejection of any basis of plea is appropriate (taking into account CPS Legal Guidance) and the specific elements of the case.

2.5 Where decisions are made to stop or discontinue a case on the basis that the victim has withdrawn their support for a prosecution, the possibility of an evidence-led prosecution has been appropriately considered

2.6 Prosecutors work together with police, from an early stage, to develop robust case strategies ensuring communications achieve pragmatic action plans and timely responses.

2.7 Prosecutors are maximising opportunities (including digitally and face-to-face) to communicate with police partners to explain decision making and the evidential value certain lines of inquiry can bring to an effective prosecution.

3. Did the CPS fulfil their responsibilities to the victim, including appropriately managing safeguarding risks and ensure that they were sufficiently supported throughout the prosecution process?

3.1 Appropriate applications in respect of protective orders, bail and remand are made to ensure that victims are properly protected throughout the prosecution process. The increased risk to the victim due to the presence of strangulation or suffocation is highlighted and brought to the attention of the court at the appropriate opportunities.

3.2 Correspondence from the Witness Care Unit, IDVAs or other support service raising any issues or queries on behalf of victims is dealt with in a timely manner with effective actions.

3.3 Special measures and reasonable adjustments are properly considered from the outset, and applications are made to enable victims to give their best evidence.

3.4 Appropriate Orders are sought on conviction or acquittal.

4. Do the CPS have an effective strategic approach to driving improvement in the prosecution of strangulation and suffocation cases?

4.1 Prosecutors are aware of and access available offence-specific training and guidance materials.

4.2 Best practice and lessons learned in strangulation and suffocation cases are identified and effectively cascaded within Areas, across CPS Direct, and across the organisation.

4.3 The CPS effectively engages with third sector organisations to develop offence-specific knowledge and to drive improvement.

4.4 Cases involving strangulation and suffocation in a domestic abuse context, are accurately flagged to allow for effective monitoring.

4.5 The CPS engages at a strategic level both at Area and national levels with the police to address issues and drive improvement of the prosecution team approach to cases involving allegations of suffocation and strangulation in a domestic context.

D. Methodology

Modes of Inspection

The inspection will comprise:

- an examination of 140 cases from across the 14 CPS geographic Areas.
- document review. We will review a limited number of documents from the CPS.
- onsite inspection activity in three CPS Areas and with CPS Direct.
- Interviews with national leads
- Interviews with third sector groups that support victims of suffocation and strangulation offences
- Dip sample of the accuracy of flagging of cases on the CPS's case management system.

Choice of Areas

We will request further specific documentation and attend on-site to interview relevant individuals in three CPS Areas. These Areas have been selected on the basis that they represent a spread of geographical Areas, a range of caseloads and CPS engagement with the third sector:

- North West
- London South
- West Midlands

A significant proportion of strangulation/suffocation cases are charged under the threshold test by the CPS out-of-hours service (CPSD). For this reason, we will also

request materials from CPSD as well as conduct interviews and focus groups with CPSD Prosecutors and managers.

Whilst it is recognised that strangulation and suffocation offences are prosecuted in central casework divisions, we do not intend to include central casework divisions in this inspection. The nature and scale of those cases are not easily comparable to those dealt with on Area.

File examination

We will examine a total of 140 cases.

Area charged cases:

To assess the approach to strangulation and suffocation cases across the CPS, we will examine ten files from each of the 14 CPS geographical Areas which involve a s75a SCA 2015 or s75b SCA 2015 strangulation or suffocation offence. Of the selected files:

- Two cases will be files where the CPS decided to take no further action (NFA).
- The remaining eight files will be taken from the most recent charged cases which were finalised within the last two years. These will include three Crown Court cases, three magistrates' court cases and two RASSO cases.
- Given the volume of cases charged by CPSD, a minimum of four of the ten cases per Area selected will be ones reviewed at pre-charge by CPS Direct.
- The file sample will include a mixture of cases which had a successful outcome and an unsuccessful outcome.

Case monitoring flag checks

From October 2025, the CPS started marking suffocation and strangulation cases with a flag. We will dip-sample three separate categories of cases from that date. We will dip-sample three separate categories of cases, namely:

1. 25 cases per Area that have been flagged as BOTH Domestic Abuse (DA) and Strangulation/Suffocation (SS). We will check to see if both of these monitoring codes have been applied accurately and in line with the CPS definitions and Guidance.

2. 15⁶ cases per Area that have been flagged as Strangulation/Suffocation but NOT Domestic Abuse. We will check to see if the case is flagged correctly as Strangulation and whether the lack of DA flag is correct, or if a qualifying relationship between the parties has been missed.
3. 50 cases per CPS Area which have been charged as assault occasioning actual bodily harm. Half of these cases will have Domestic Abuse flag, half will not. We will check to see if the allegation was one that also involved evidence of strangulation or suffocation and should have been flagged as such.

Where we consider that the case should have been flagged as Strangulation/Suffocation- these cases will be referred to an Inspector to consider whether any Strangulation or Suffocation offences were capable of being charged. These cases (subject to a maximum of 3 per CPS Area) will be subject to full File Question Set, and form part of our file examination.

Data

The CPS publishes data on cases flagged as domestic abuse. It does not publish data on strangulation cases. A strangulation/suffocation monitoring code (also known as a flag) was introduced in October 2025 but data is not yet available.

E. Interviews

We will interview staff from CPS Headquarters & National leads, CPS Direct and Areas we are visiting. We will also approach third sector organisations representing the voice of victims.

F. Document requests

Material from CPS Headquarters and the CPS Areas we are visiting will be requested to form part of our document read.

G. Proposed timescales

⁶ Where there are not 15 cases for the Area, we will review the full amount available.

The inspection team consists of the lead inspector plus four legal inspectors. The inspection will commence in early July and we will publish the inspection report in spring 2027.

