

# CPS publishes new guidance on non-fatal strangulation and suffocation laws

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The new legal guidance from the Crown Prosecution Service (CPS) assists lawyers considering criminal charges

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As key measures of the Domestic Abuse Act 2021 come into force, the Crown Prosecution Service (CPS) released new legal guidance to aid lawyers considering criminal charges for non-fatal strangulation and non-fatal suffocation.

Under the Domestic Abuse Act 2021, a person commits an offence of non-fatal strangulation if they intentionally strangle another person. An offence of non-fatal suffocation is where a person does any other activity that affects someone's ability to breathe and constitutes battery.

The CPS guidance includes a non-exhaustive list of how these offences can manifest. Prosecutors are encouraged to consider when it would be appropriate to use them rather than alternative charges such as actual bodily harm, grievous bodily harm and battery.

The new offences have the sentencing power of a maximum of five years' imprisonment.

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- [New strangulation and suffocation laws will help protect victims](#)
- [Non-fatal strangulation or non-fatal suffocation](#)

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