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Criminal Justice Committee
Scottish Parliament
Edinburgh
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By email: justice.committee@parliament.scot

Dear Convener,

Thank you for your letter of 3 October 2025 relating to the issue of non-fatal strangulation.

You ask about the Scottish Government commitment to undertake a comprehensive assessment of the law in relation to non-fatal strangulation to determine if there is further action that needs to be taken beyond existing provisions in law that could be used to tackle this issue. I can confirm that work is progressing in respect of this assessment and I will provide more details once that is close to conclusion.

The existing provisions in law continue to ensure that perpetrators of conduct amounting to non-fatal strangulation can be held to account under common law of assault. The assessment however will help inform whether further steps – legislative or non-legislative – would be beneficial. Further engagement will also take place with the petitioner, Ms Drouet and other individuals and organisations who have a direct interest in this area once the assessment has been completed.

As part of developing our wider understanding, my officials have also recently met with researchers from Exeter University who have undertaken some research on non-fatal strangulation and who were also referenced in recent correspondence from Ms Drouet.

We welcome the Committee's interest in the new survey questions on non-fatal strangulation. Fieldwork for the 2025/26 Scottish Crime and Justice Survey is currently underway and will run until March 2026. As with all survey data, results will require detailed quality assurance and analysis before publication.

Findings from the self-completion module are typically published every two years, combining two survey cycles. Initial results from these questions are therefore expected to be included in the 2026/27 main findings report. However, in recognising the high level of user interest in these questions, Scottish Government analysts will review the first year of data (for 2025/26) in 2026 to assess the feasibility of publishing some findings earlier.

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We will make a commitment to providing users with an update on this work in the SCJS publication next year.

Finally, you ask about UK Government steps to bring forward amendments to their Crime and Policing Bill in relation to criminalising the act of strangulation in pornography.

When I gave evidence to the Committee on 1 October on the current LCM for the Crime and Policing Bill, I explained we were aware that possible amendments might be lodged because of the pornography review by Baroness Gabby Bertin around the possession and publication of depictions of strangulation and suffocation in pornography.

By way of update, I am pleased to confirm new offences in this area have been tabled to the Crime and Policing Bill and these extend to Scotland. This of course will trigger a need to a further supplementary LCM which would offer the opportunity for scrutiny for the Scottish Parliament in deciding whether to give consent for the Bill to extend in this way.

I hope this update is helpful to the Committee.

Yours sincerely,



ANGELA CONSTANCE

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