



# Unseen & Unheard

## Non-fatal Strangulation – A Matter of Life and Death

Round Table Discussion – 4th December 2024  
Scottish Parliament

### Contents

Chair's Foreword.....	2
Acknowledgements.....	3
Introduction – Tess White MSP .....	4
Summary .....	5-8
Background & Programme .....	9-10
Input from Speakers.....	11-15
– Professor Cath White	
– Fiona Mackenzie MBE	
– Linda Thompson	
Conclusion.....	16
Recommendations.....	17

## Chair's Foreword

It was my privilege over my years as a Member of the Scottish Parliament to attend many events, gatherings and seminars organised to inform, shape and challenge the political process. Most were worthwhile and enriched the development of ideas, increased awareness of particular problems or conditions and allowed the outside world to breach the walls of the Parliament with experience and expertise that could, and often did, make a huge difference.

This is the report of one such meeting which I had the honour to chair, ***“Unseen and Unheard: Non-Fatal Strangulation – A Matter of Life and Death.”*** I cannot overstate its impact on me. I still think of what was said, with such precise and horrifying clarity, feel the shock anew and shudder.

Non-fatal strangulation. A feature of all too many lives.

It is a topic, not just of interest, but one that confronts us with the devastating consequences of male violence and abuse perpetrated overwhelmingly on women and girls.

The presentations were serious, rigorous and underpinned with an urgency that we must act. They unveiled the all too brutal truth of the behaviour of men towards women – prostituted women describing the use of strangulation by their abusers; young girls attesting to its normalisation in their sex lives and in the expectations of young men.

This event deserves not just the attention of all who care about creating a safer and more equal world for women and girls, but a commitment to respond. It must not be filed under ...‘Well that was interesting.’ It challenges the police, the medical profession, the education and justice systems, and those working to support vulnerable women and girls. And it challenges the politicians who have the power to inform policy and provide resources to make any such changes real in women’s lives.

And I ask this question.

If you are shocked as I was. If you feel despair as I did. If you are confronted by the reality this report describes, and accept it should not, and must not, be ignored.

What now?

**Johann Lamont**

## Acknowledgements

The Board of Directors, and management of Beira's Place would like to thank the following women for their help in delivering this event and raising awareness about this most important issue, in the Scottish Parliament on 4th December 2024.

We would like to thank Claire Baker MSP and Tess White MSP for sponsoring the round table discussion and for their long-standing commitment to the issue of violence against women and girls. This issue has cross party support, which we value greatly, and this was evident on the night when 11 MSPs attended from across the political spectrum.

Of course, a crucial component of the evening was the input by our speakers, and we cannot thank them enough for giving their time and expertise on this issue. All three speakers had such broad expertise on the issue and the feedback from the invited audience on the night was overwhelmingly positive. Many of the statistics and examples given by the speakers were difficult, but important, to hear. Thanks to Professor Cath White from the Institute for Addressing Strangulation, Fiona Mackenzie MBE, from We Can't Consent To This, and Linda Thompson from the Women's Support Project for their superb contributions.

Thank you also for those who attended on the night in person, and those who joined us online.

Last, but most certainly not least, we must thank the staff who did all the hard work in the background to make the event run like clockwork.

**Jacinta Cooke**, the Office Manager at Beira's Place

**Gen Mincher**, from Tess White MSP's office

**Lesley-Anne Campbell**, from Tess White MSP's office

**Caroline Farquhar**, from Tess White MSP's office.

**Cara Maclean** from Claire Baker MSP's office

Without them, it most definitely would not have been the success it was.

### **Board of Directors**

Beira's Place.

## Introduction

It was truly an honour to sponsor this round table discussion on non-fatal strangulation (NFS) with Claire Baker MSP. My motivation to become a politician was to shine a light on issues affecting women and girls – especially their safety – and to bring them to the fore. Strangulation during sexual intimacy may have become normalised, but in no way does that make it right or safe.

The event hosted by Beira's Place was eye-opening, and I pay tribute to all those involved for bringing home the importance and urgency of this issue. The physical and psychological harms of non-fatal strangulation cannot be understated, yet few people are aware of its dangers. This must change, and I am pleased to be working cross-party with Claire Baker and Michelle Thomson MSPs to move non-fatal strangulation to the top of the policy agenda.

Building on the round table discussion, we have raised non-fatal strangulation in the Scottish Parliament with the First Minister, John Swinney, and continue to push the issue in the Scottish press. My own view is that while we can work to address NFS through the law, we must also look at the underpinning culture which has allowed sexual violence to become mainstream. This must be about prevention and appropriate punishment for the perpetrators.

Thank you to Beira's Place and the experts and campaigners who spoke so passionately about the risks of non-fatal strangulation. You have given women a voice in the Scottish Parliament, and we have heard you.

**Tess White MSP**

## Summary

Strangulation of women isn't new. It has been happening for millennia as a way of controlling, abusing, hurting, punishing, and killing women. But in the last few decades we have seen it repackaged, sensualised and sexualised, redefined as 'breath work', and sold to us as a sexually fulfilling, empowering, 'sex game' that is played out repeatedly on pornography websites and sexually explicit fiction. During this time, we have also seen an increasing number of research papers, surveys and statistics telling us that this practice is neither fun nor empowering and regardless of what it's called, it is still a gendered act of violence against women and girls.

On 4th December 2024, Beira's Place hosted a round table discussion at the Scottish Parliament with cross party sponsorship from Labour MSP Claire Baker and Conservative MSP Tess White to highlight the issue.

Claire Baker MSP has previously been the Scottish Labour spokesperson for Justice. Claire has a longstanding interest in the issues central to the event, having raised them on several occasions through parliamentary questions, and in correspondence and meetings with the Scottish Government. She has particularly focused on the need for improved data collection by police and courts, the use of consent in cases involving violence in what began as "consensual" sexual activity, the normalisation of violence in sexual activity and the wider need for culture change related to misogyny and sexism in society. Tess White has long since been an active supporter of women's issues in the Scottish Parliament specifically women's health and wellbeing, and women's safety. Her work with the Women's Rights Network Scotland on sexual assaults in mixed sex wards in Scottish hospitals, and support for the work of Beira's Place is testament to this commitment.

The organisation brought together speakers with extensive medical and research expertise, campaigning experience, and frontline practice working with vulnerable women who are often denied justice for the abuses perpetrated against them.

The speakers were Professor Cath White, Clinical Director at the Institute for Addressing Strangulation, and previously Clinical Director at St Mary's Sexual Assault Referral Centre in Manchester; Fiona Mackenzie MBE founder of the We Can't Consent To This campaigning organisation, which in 2018 led to a change in the law in Westminster and Stormont<sup>1</sup>; and Linda Thompson from the Women's Support Project in Glasgow who currently supports a programme of national work in Scotland on the harms and wider impacts of commercial sexual exploitation (CSE).

The speakers outlined the nature of non-fatal strangulation and the dangers for women and highlighted the 'mainstreaming' of strangulation of women through easily accessible pornography websites which are seriously affecting the attitudes and behaviours of young men and boys and risking the health, wellbeing, and lives of women and girls.

<sup>1</sup>At January 2025, there is no stand-alone law on non-fatal strangulation in Scotland.

These dangers were most starkly highlighted by Professor Cath White who identified the timeline whereby injury or death may occur through the act of strangulation:

- 6 to 8 seconds:** Loss of consciousness
- 15 seconds:** Bladder incontinence
- 30 seconds:** Bowel incontinence
- 2 to 3 minutes:** Cell death
- 4 to 5 minutes:** Brain death

Professor White also explained that strangulation can also result in injuries to the brain, the neck structure including haemorrhage into muscles, vocal cords, nerves, thyroid and the hyoid bone. There may also be damage to the blood vessels including carotid artery dissection which may not be visible nor identifiable in the immediate aftermath of the act but can have serious long term physical and psychological effects on the victim.

We Can't Consent To This (WCCTT), a group with a focus on the increased normalisation of violence against women in sexual relationships and the use of 'consent' to violent acts, including strangulation, during sexual contact as a mitigating factor in homicide cases carried out a survey across the UK in 2020<sup>2</sup> which highlighted the growing number of women speaking out about current or former partners who strangled them. These findings included:

- 60 homicides of UK women and 7 homicides of UK men, where the injuries were claimed to be part of consensual 'rough sex'.
- 115 UK non-fatal assaults (excepting sexual violence) where 'rough sex' is claimed by the accused.
- The first homicide of a woman with a rough sex defense was in 1972.
- In the last ten years 30 women in the UK have been killed, and 15 in the last five years, where it's claimed they "consented" to the violence.
- Of the 115 non-fatal assaults, 114 of the victims were female.
- All of those accused of this violence, and who make the claim it was "rough sex", are male.
- All the women, where they could give evidence, stated they did not consent to the violence.

#### **Carol Jarvis, 47**

2009, West Lothian

Carol was killed by her husband Harry Jarvis, by "means unknown". He is reported to have told police that she died in a "sex game gone wrong" and claimed in court that Carol had died after she had asked him to strangle her. He and Ruth Hester, with whom he was having a relationship, were charged with murder and attempting to defeat the ends of justice. Ruth was found guilty only of defeating the ends of justice.

#### **Murder, life, min term 15 years**

Provided by WCCTT

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2 million UK women have experienced unwanted "choking" or strangulation during otherwise consensual sex.

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There is no clear delineation of the category of these non-fatal assaults. Some are prosecuted as rapes, which have additional violence – that may or may not be prosecuted. Some are considered as violent assaults during what was, until that moment, consensual sex. Others are violent assaults which are presented as "rough sex", but without sexual assault. The clearest categorization of these is that they are all acts of violence which the women did not ask for, but the man accused states "she wanted" and consented to.

There is now widespread violent assault of women during sex: 2 million UK women have experienced unwanted "choking" or strangulation during otherwise consensual sex.

<sup>2</sup> CJS E and W 2020 – We Can't Consent To This

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“Extreme” is a built-in search on mainstream porn sites: Pornhub alone have 60 million pieces of content.

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Hundreds of women have disclosed to WCCTT their experiences of unbidden violence from sexual partners – some of their stories can be seen here.

- Of the 60 homicides where the defendant used a claim of “rough sex”: 45% resulted in a prosecution for manslaughter, a lesser sentence, or the death not prosecuted as a crime at all.
- 32 women were killed by current or former partners – of those most (at least 21) of the men had been abusive to the women for some period of time before the killing.
- A third of the women had met their killers the same day they were killed.
- Two thirds of the women were strangled. This is three times the rate of strangulation in killings of women as a whole.
- At least 20 women were killed by men who have other convictions for serious violence against women. These include murder, rape, attempted rape, kidnapping, assault. At least 3 of the men killed again after successfully using rough sex claims.
- In four of the recent homicides, the man watched extreme porn before or after the homicide.
- 79% of children have seen violent pornography by age 18.
- 1 in 3 mainstream porn videos show violence or aggression, with women as the target 97% of the time.

“Extreme” is a built-in search on mainstream porn sites: Pornhub alone have 60 million pieces of content. They do not fear the law. Ofcom say there’s limited evidence that watching porn drives violent offending – in fact evidence from computer games suggests the contrary.

Linda Thompson from the Women’s Support Project also highlighted the links between strangulation and pornography with figures from a 2020 briefing produced by the Encompass network showing the increased levels of abuse experienced by women in prostitution. Forty-three women who participated disclosed the types of abuses they had experienced which included:

<b>Physical violence</b>	74%
<b>Sexual violence</b> (rape, sexual assault)	68%
<b>Harassment</b>	64%
<b>Robbery</b>	34%
<b>Stalking</b>	17%
<b>Stealthing</b>	15%
<b>Attempted murder</b>	6%
<b>Unknown</b>	3%

#### **Hannah Dorans: aged 20 years**

2017, Edinburgh

Hannah Dorans was strangled by her ex-boyfriend Frazer Neil (25) – with his defence being «Fifty Shades of Grey sex game wrong». The High Court in Edinburgh heard that Hannah had finished the four-year relationship just two weeks before, but Neil could not accept she had another partner. He lured her to the flat in February 2017 and sexually assaulted her before strangling her with a cord.

#### **Murder, life, min term 19 years**

Provided by WCCTT

#### **“We need to talk to men about their responsibility.”**

Linda Thompson: Women’s Support Project.

### Other studies highlighted the direct, and increasing, link between strangulation and pornography:

- A study<sup>3</sup> that analysed 275 top selling porn videos from 2004 and 2005 showed that 28% included choking.
- A 2016 survey<sup>4</sup> of a representative sample of US adults aged 18 – 60 years, showed that one fifth of women reported being choked during sex. A similar number of men reported choking a partner during sex.
- A 2020 analysis<sup>5</sup> of 4,009 online porn videos showed that choking was among the top five in 'rough sex' movies.

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Online porn videos showed that choking was among the top five in 'rough sex' movies.

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### Beyond the Gaze study<sup>6</sup> in 2017 showed that women involved in prostitution were more vulnerable even when working indoors; they reported that:

- 45.6% experienced repeated unwanted contact
- 36.3% experienced threatening or harassing texts, calls or emails
- 33.1% no payment or the risk of being underpaid
- 31% were verbally abused.

### Other studies have also confirmed this:

- In 2008, a report from the European parliament emphasized: "prostitutes are much more exposed to violence than other women."
- Canadian researchers have demonstrated that prostitutes are between 60 and 120 times more at risk of being assaulted.
- Australian study (a country where prostitution is legal), 81% of women involved in prostitution were subjected to sexual violence<sup>7</sup>.
- According to another study, carried out in nine countries<sup>8</sup>, 71% reported physical assault: 64% were threatened with a weapon and 57% experienced sexual aggression.
- In Glasgow, 94% of street prostitutes questioned were subjected to a sexual aggression: 75% were raped by a client.
- An Edinburgh specialist health clinic in 2016, reported 40% of women selling or exchanging sex, experienced rape and sexual violence.

<sup>3</sup> Bridges AJ, et al. "Aggression and sexual behavior in best-selling pornography videos: a content analysis update. *Violence Against Women*. 2010;16(10):1065–1085. doi:10.1177/1077801210382866.

<sup>4</sup> Herbenick D, et al. Pornography use and diverse sexual behaviors: Findings from a nationally representative survey of Americans ages 14 to 60. *Journal of Sexual Medicine* (2020) 17:623. doi:10.1016/j.jsxm.2020.01.013.

<sup>5</sup> Fritz N, et al. A descriptive analysis of the types of targets, and relative frequency of aggression in mainstream pornography. *Archives of Sexual Behavior* (2020) 49:3041. doi:10.1007/s10508-020-01773-0.

<sup>6</sup> PROFESSOR TEELA SANDERS, PROFESSOR JANE SCOLAR, Dr Rosie Campbell, Dr JANE PITCHER, STEWART CUNNINGHAM

<sup>7</sup> Roxburgh, A, Degenhardt, L & Copeland, J. Posttraumatic stress disorder among female street-based sex workers in the greater Sydney area, Australia. *BMC Psychiatry* 6, 24 (2006). <https://doi.org/10.1186/1471-244X-6-24>

<sup>8</sup> [https://www.researchgate.net/publication/279716838\\_Prostitution\\_and\\_Trafficking\\_in\\_9\\_Countries\\_Update\\_on\\_Violence\\_and\\_Posttraumatic\\_Stress\\_Disorder](https://www.researchgate.net/publication/279716838_Prostitution_and_Trafficking_in_9_Countries_Update_on_Violence_and_Posttraumatic_Stress_Disorder)



## Background

The main aim of the event on 4th December 2024 was to increase awareness about the growing number of women and girls reporting that they had been strangled or choked by partners or boyfriends during otherwise consensual sex where women had not consented to the choking act.

Beira's place also aimed to reach practitioners and policy makers in health services, education, politics, and criminal justice to raise awareness that non-fatal strangulation should be recognised as an increasing danger to women's lives.

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Strangulation of women is not a new issue, the prevalence of it in pornography and the increasing access to porn by younger men and boys.

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The planning for this event grew out of increasing anecdotal information coming from survivors seeking support from Beira's Place, and from other women's support services across Scotland. We were also aware of the work done by Professor Cath White, the campaign group We Can't Consent To This, Dr Jane Monckton Smith and the Women's Support Project, amongst others across the UK.

We also knew that, although strangulation of women is not a new issue, the prevalence of it in pornography and the increasing access to porn by younger men and boys, and the growing risk to the lives of young women was concerning. Violence Against Women organisations and research by Professor Cath White, and Dr Jane Monckton Smith noted that this wasn't just an issue for young women, but for women in long term relationships whose health and wellbeing was being impacted by multiple acts of strangulation. The research also showed that non-fatal strangulation was an indicator of potential future homicide.

Beira's Place felt it was important to raise awareness about the issue. Two MSPs who have long been supportive of work on the VAWG agenda sponsored the event with Beira's Director and former Scottish Labour leader and ex MSP Johann Lamont, chairing the event.

The staff and Board of Directors at Beira's Place felt that this was an issue that had to be highlighted and recognised as not only a violence against women and girls' issue, but as a public health issue with extremely serious consequences for women and girls across Scotland.

We decided to ask three speakers to contribute to the event and were extremely lucky when all three immediately accepted. We knew that Professor Cath White had a history of work with survivors of sexual violence in her role as Clinical Director at St Mary's Sexual Assault Referral Centre in Manchester and had led on some important research projects showing the extent and serious nature of strangulation in the immediate and longer term for women's health. We hoped that her background and expertise could influence health services to increase their awareness of the issues of non-fatal strangulation and recognise it in reports of rape and sexual assault.

The work of We Can't Consent to This in raising awareness and influencing changes in the law in England and Wales has been inspirational, so we were delighted to welcome Fiona Mackenzie MBE to speak at the event. This coincided with the launch of a petition by the founder of Emily Test, Fiona Drouet, that would create a stand-alone offence for strangulation in line with the law in England, Wales, and Northern Ireland.

**“The long term physical and psychological health implications from strangulation are profound and include the risk of cardiac arrest, stroke, miscarriage, speech disorders, PTSD, depression and suicidality.”**

(Bichard et al., 2022). Cited in IFAS 'Strangulation Data Capture Survey Findings and Guidance: April 2024

The Women's Support Project has been working on issues of all forms of Commercial Sexual Exploitation, including the harm caused by pornography, for decades and Linda Thompson is the foremost expert in this field of work in Scotland. It was crucial to include this in the event, as pornography plays a significant role in influencing the attitudes and behaviours of young people, including the practice of a number of harmful sexual behaviours that can have long term negative health impacts for young women, and young men.

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## **Non-Fatal Strangulation**

### **A Matter of Life or Death**

**Wednesday 4th December 2024**

#### **Programme**

- |         |                                                                |
|---------|----------------------------------------------------------------|
| 6.00 pm | Welcome and Introduction by Chair, Johann Lamont               |
| 6.10 pm | Welcome by event co-sponsor Claire Baker MSP                   |
| 6.15 pm | Professor Cath White<br>Institute For Addressing Strangulation |
| 6.40 pm | Fiona Mackenzie<br>We Can't Consent to This                    |
| 7.05 pm | Linda Thompson<br>Women's Support Project                      |
| 7.30 pm | Q&A                                                            |
| 7.55 pm | Closing Remarks by event co-sponsor Tess White MSP             |

## Professor Cath White

Professor White has been the Medical Director of the Institute for Addressing Strangulation since it was established in October 2022. Prior to that she was the Clinical Director of the Saint Mary's Sexual Assault Referral Centre, Manchester, UK for 19 years, having started as one of the forensic physicians in 1995 specialising in the examination of women, men, and children where there has been an allegation of rape or sexual assault. She continues to undertake clinical forensic medical examinations. She has provided expert evidence on behalf of both the prosecution and the defence.

Professor White is the Immediate Past Sexual Offence Medicine Lead for the Faculty of Forensic Medicine, having held that role for over ten years. Professor White was previously a GP for 18 years.

She has been a UN Consultant on Sexual Violence and has been involved in a UNODC Project involving the establishment of sexual assault services in Palestine, 2012 –2018 and as of 2016 was also involved with a similar UN project in Egypt.

Professor White has written and published widely on the topic of clinical forensic medicine, sexual violence & non-fatal strangulation.

Professor White has been heavily involved in raising awareness of the dangers of non-fatal strangulation. Her research in this area was used as evidence for a successful call to change the law regarding strangulation in England and Wales<sup>9</sup>. Professor White was awarded the David Jenkins Chair in May 2023 by the FFLM, and appointed Honorary Professor in Criminology, University of Manchester in March 2024.

Professor White was awarded an Order of the British Empire (OBE) in the Queen's 2014 New Year's Honours List for services to vulnerable people. In 2011 awarded a Fellow of the Royal College of Obstetricians and Gynaecologists for services to women.

A number of papers from Professor White's work at St Mary's Sexual Assault Referral Centre in Manchester have shown the dangers of non-fatal strangulation:<sup>10, 11</sup> These were referred to in her presentation which covered the following:

- Increased prevalence of NFS
- Health impact & dangers– stroke etc.
- Psychiatric & emotional consequences
- Higher prevalence rates for young women
- As a crime it's diminished or minimized
- Who takes responsibility for highlighting the issue? Education? Public messaging? Do we need a whole systems approach?
- "NFS is a risk factor for homicide of women", Nancy Glass (2008), Jane Monckton Smith
- A standalone law & crime in England, Wales and Northern Ireland
- Most commonly a male perpetrator to female victim
- 'No oxygen, no memory' which creates problems for the criminal justice process
- 80% of women murdered are by strangulation. 20% of these have no external injuries

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80% of women murdered are by strangulation. 20% of these have no external injuries.

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<sup>9</sup> White C, Martin G, Schofield AM, Majeed-Ariss R. (2021) 'I thought he was going to kill me': Analysis of 204 case files of adults reporting Non-Fatal Strangulation as part of a sexual assault over a 3 year period. Journal of Forensic & Legal Medicine. <https://doi.org/10.1016/j.jflm.2021.102128>

<sup>10</sup> White C, Martin G, Majeed-Ariss R. (2004) Non-fatal strangulation in children. Analysis of case files of children reporting strangulation as part of a sexual assault. Paper for St Mary's Sexual Assault Referral Centre's 21st Annual Conference, Manchester UK

<sup>11</sup> White C, Majeed-Ariss R. (2018) Non-fatal strangulation among clients attending St Mary's SARC. Paper for St Mary's Sexual Assault Referral Centre's 16th Annual Conference, Manchester UK.

- Psychological impact, PTSD, what about women who experience repeated strangulation?
- We should be exploring what women are saying and the language they are using
- What is available for women who are not raped, who don't fit with Rape Crisis or Women's Aid?
- CW creating guidelines for A&E and presenting at other venues
- Info for survivors – on IFAS website and BP
- Need scrutiny of the police investigation – who is making decisions about prosecution?
- Survey at Bangor University – 4 questions young men are asked
- How do we educate young people? Need smarter messaging.

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“The legislation does not provide a definition of ‘strangulation’ or ‘strangles’.

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In their 2007 paper for the Journal of Emergency Medicine, Glass et al stated:

“The 1993 National Mortality Followback Survey (NMFS) of adults (22,957 decedents 15 years and older) shows that the percentage dying from strangulation was much higher for women (11.8%) than for men (1.9%) overall, and in every age group.”

Professor White also highlighted that women are six times more at risk of becoming a victim of attempted homicide and are seven times more at risk of becoming a completed homicide<sup>12</sup>, and an analysis of 204 case files of adults reporting non-fatal strangulation as part of a sexual assault over a 3-year period, showed that 36% of the victims thought they would die<sup>13</sup>.

In England and Wales, the offence of non-fatal strangulation comes under Section 75A (1) (a) SCA 2015. Professor White provided this definition in her presentation:

“The legislation does not provide a definition of ‘strangulation’ or ‘strangles’. The word should be given its ordinary meaning which is the obstruction or compression of blood vessels and/or airways by external pressure to the neck impeding normal breathing or circulation of the blood. This offence applies where the strangulation is non-fatal and does not result in the death of the victim. Applying any form of pressure to the neck, whether gently or with some force, could obstruct or compress the airways or blood flow. Strangulation does not require a particular level of pressure or force within its ordinary meaning, and it does not require any injury.”

**Professor White also identified difficulties for victims of strangulation reporting to police. These included:**

- False belief that there should always be injuries
  - Lack of medical assessment of injuries, signs, and symptoms
  - Victims not given information about NFS
  - “One word against another”.
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<sup>12</sup> Nancy Glass: J Emer Med 2008 5 (3)

<sup>13</sup> White et al: Journal of Forensic Medicine (JFLM) “I thought he was going to kill me” 79 (2021) 102128

## Fiona MacKenzie MBE

Fiona MacKenzie MBE founded the We Can't Consent To This campaign in 2018, highlighting the appalling rise of violence in sex and the criminal justice system's acceptance of 'consent' claims in defence to the killing or injury of women. The campaign, whose main aim was to achieve justice for women, won a change in the law at Westminster and Stormont in 2021 and she was awarded an MBE.

**"It's not an option to do nothing – it's not working at the moment."**

Fiona Mackenzie

Fiona now leads The Other Half, a think tank dedicated to women's interests which is pushing for a major state response to pornography harms. Fiona is also a trustee of the Centre for Women's Justice.

### **We Can't Consent to this research examined:**

- Influence of pornography
- Biggest unspoken issue today
- Men claiming consent during sex – Criminal Justice system colluding?
- After setting up campaign, contacted by hundreds of women talking about strangulation. Women's stories on the WCCTT website.
- 70% of women murdered are killed by strangulation
- There is a false narrative & acceptance that strangulation is "wanted and welcomed"
- Normalised behaviour by men
- Sudden emergence – 40% of women under 40 expect violence and strangulation
- Most men who had strangled women had abused women in other ways
- Women accused of being prudes if this is not consented to
- Article in Daily Mail – front page of Pornhub
- Shouldn't be able to claim homicide is consensual – 'rough sex'.

### **Scotland – what remains an issue**

- No firm plans to change the law in Scotland
- Femicides featuring deliberate violence – with a sexual element, are punished only as culpable homicide. These men have been believed
- Unbidden violent assault in sex has been widespread – particularly strangulation – with 175,000 Scottish women estimated to have already experienced this by 2019
- Some evidence of lack of clarity by police on whether this type of violence is a crime
- Young women think this kind of violence is normal – you're the problem (women accused of being "vanilla" in their sexual preferences)
- Strangulation in rapes not prosecuted as a separate offence – although 'assault' could carry a life sentence. In England this approach saw all charges dropped even for admitted strangulation
- Perpetrators in Scotland still see claims of 'role play' or 'rough sex' as a valid option:

Scottish News

## IN THE DOCK Edinburgh barman, 19, accused of six rapes claims porn sites led him to obsession with 'rough sex'

Vic Rodrick

Published: 18:53, 26 Feb 2020 | Updated: 16:35, 2 Mar 2020

- What would police in Scotland do with a report of strangulation?
- We need clear messaging on the serious nature of this
- Women are not listened to or taken seriously
- NFS should be listed on the charge sheet
- Perpetrators are still claiming consent
- Ultra-violent porn, web porn, strangulation, men using extreme pornography.
- Women blaming still an issue. Men are still excused for their behaviour.

*"Criminal justice failings in claims of 'consent' to violence: men are killing or injuring women and not being prosecuted, or given leniency because it may have been consensual rather than an act of very harmful deliberate violence,"*

## Linda Thompson

Linda is originally from Northern Ireland where she was involved in youth and community work, focusing on peer education. She led transnational work and managed an award winning multidisciplinary sexual health team. In Scotland, Linda led national HIV programmes developing new approaches to research and education. Linda has worked with the Women's Support Project for 16 years and currently co-ordinates a programme of national work on commercial sexual exploitation including training, capacity building, awareness raising and developing new resources.

Linda supports a national network of services supporting those in the sex industry and sits on national working groups on sexual exploitation and human trafficking. Linda's passion is highlighting lived experiences and the impact of policy on women's lives.

**"To end violence against women would be to imagine into existence a world none of us have known and to persuade people that the actions they believe impossible are the only and best way forward."**

<https://blog.oup.com/2022/05/the-possibility-of-a-world-without-intimate-violence/>

Pornography gives permission to commit violence, but it must be recognised that porn is violence

**The impact of exposure to pornography:**

- Young men are becoming more violent in their relationships
- Pornography portrays “women as homogeneous objects”
- Pornography gives permission to commit violence, but it must be recognised that porn is violence
- Pornography promotes non-consensual sex
- Choking is prevalent in pornography
- The statistics are not new – choking in pornography remains in the top five searches
- Pornography is promoted as ‘not actual violence’
- Deepfake porn and AI – new technology resulting in women getting porn made about them
- Image based abuse is also a Deepfake issue
- Stealthing is another issue that women are disclosing. Again, we need to use laws that are available
- Men are aware of the age of young women and are aware that women are not consenting.

**“We must look ‘upstream’ to change attitudes and behaviours.”**

Linda Thompson

**The issues faced by women in the sex industry were also highlighted by Linda and included:**

- Women in the sex industry continue to be injured or murdered by strangulation. It took 18 years to achieve justice for murdered woman Emma Caldwell.
- It’s important to recognise that women in sex industry face danger daily
- In 2008, a report from the European parliament emphasized: “prostitutes are much more exposed to violence than other women.”
- Canadian researchers have demonstrated that prostitutes are between 60 and 120 times more at risk of being assaulted
- Australian study (a country where prostitution is legal), 81% subjected to sexual violence
- According to a meta-analysis study, carried out in nine countries, 71% of women in prostitution experienced physical assault: 64% threatened with a weapon 57% sexual aggression
- In Glasgow, 94% of street prostitutes questioned were subjected to a sexual aggression: 75% were raped by a client
- An Edinburgh specialist health clinic for women involved in the exchange of sex, found that in 2016, 40% experienced rape and sexual violence.

**Linda concluded by highlighting that:**

- In Scotland under-25s are not culpable and though everything discussed at the event could be prosecuted using existing law, it’s clear it’s not being used
- Law on non-fatal strangulation in England and Wales is being used because it is clear
- New legislation is attractive, but we should use the legislation that is available to us now.
- Non-fatal strangulation could be charged as an assault and theoretically carry a life sentence but never does
- Some men are not violent but enjoy violating women’s boundaries
- What can politicians do? There are too many cases never entering the justice system – so how can we change this?

*“Porn is driving this. Need direction from the Government who need to take it seriously.”*

## Conclusion

That there is a research paper entitled “Non-fatal strangulation is an important risk factor for homicide of women<sup>14</sup>” should be a major concern for all of us. That there are many research papers, articles, conferences, discussions, and guidelines for the clinical management of non-fatal strangulation in acute and emergency care services<sup>15</sup>, proves how dangerous this practice is, and how it is impacting the wellbeing, and lives, of the victims who are disproportionately women, with the perpetrators being predominantly men. At the time of writing this report, the Royal College of Midwives is also engaged in producing guidelines for maternity settings while other health professionals are raising concerns about children witnessing the strangulation of their mothers within the context of domestic abuse, and the level of trauma experienced by those children.

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Strangulation is an assault, a common law offence, and under Scots Law, no one can consent to an assault.

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With the increased normalisation of strangulation (we refuse to minimise the impact of this act by using language such as ‘choking’ or ‘breath work’) among young people, and the expectation placed upon young women to act out scenes from pornography, it would appear that the place to start work on the issue would be in schools. However, highlighting the issue and the damage done by pornography is seeing a pushback from parents who feel this work should not be taking place. In addition to this, some agencies who are working with young people in school are accepting that boys are accessing porn from an early age, sometimes during primary school years, and ‘that’s the way it is’.

The mainstreaming of violence, degradation and abuse of women in pornography must not be shown as acceptable viewing by young women and men at a time when they are developing their first intimate relationships. As a society, we must refuse to accept that images shown on pornography sites are harmless or are ways in which young people learn about sex.

Strangulation is an assault, a common law offence, and under Scots Law, no one can consent to an assault. Although England, Wales and Northern Ireland have stand-alone non-fatal strangulation offences, this does not exist in Scots Law. Theoretically, this could result in a life sentence but is unlikely to do so. In fact, although this law exists, it is clearly not working for those women who report it unless there is an additional crime reported, such as rape or sexual assault. However, the Crown Office Procurator Fiscal Service in Scotland have issued guidelines to staff to raise awareness of the issue and is providing additional training for staff.

Women’s organisations have been highlighting this issue for some time with strangulation often being features of rapes, sexual assaults and domestic abuse incidents. This is the time to take the issue seriously in the work being done in schools across Scotland, particularly in the national prevention programmes that have been delivering prevention workshops for some years, and that are funded directly by the Scottish Government. It’s also time for more open discussion about the dangers of strangulation; not only that it is life threatening while the act is taking place, but also the long-term consequences for the physical and mental health of women and girls. We must completely eradicate the acceptance of women’s death and injury because of a ‘sex game gone wrong’. This is not and has never been a game.

<sup>14</sup> Glass N, Laughon K, Campbell J, Block CR, Hanson G, Sharps PW, Taliaferro E. Non-fatal strangulation is an important risk factor for homicide of women. J Emerg Med. 2008 Oct;35(3):329–35. doi: 10.1016/j.jemermed.2007.02.065. Epub 2007 Oct 25. PMID: 17961956; PMCID: PMC2573025.

<sup>15</sup> Institute for Addressing Strangulation: Feb 2024. ‘Guidelines for clinical management of non-fatal strangulation in acute and emergency settings’.



The event on non-fatal strangulation in the Scottish Parliament, hosted by Beira's Place on 4th December, brought together some remarkable women and I am grateful to all of the speakers, to Johann Lamont for chairing, to everyone at Beira's Place, and to all of those who attended, that we had the opportunity to come together to highlight the importance of this issue.

It was a privilege to sponsor the event alongside Tess White MSP, and I was pleased that other MSPs were able to join us on the night. For too long abuse like strangulation and other controlling behaviour was deemed inappropriate to talk about, and while I welcome that we have reached a point where we can be much more open about these behaviours and the need for action against such acts of violence against women, it is very clear that we still have a long way to go.

The speakers were clear on the impacts on non-fatal strangulation and their presentations were at times heartbreaking, but having the stark facts laid bare is vital to informing our actions. While there are different routes to explore in terms of improving the criminal justice approach, the normalisation of violence in sexual activity reflects a wider need to do far more to address the misogyny and sexism that exists in our society, and we all have a part to play in that.

Elected members have a responsibility not just to represent the people of Scotland, but to strive to improve our society for them. Since the event, alongside Tess and Michelle Thomson MSP, I have sought to maintain policy focus and increase the profile of this vital issue, and we will all continue to work as best we can to do so. The experience and knowledge shared by speakers on the night is something that must be heard far and wide, so we can affect the change we need to see.

I thank all those involved in bringing this event to the Parliament.

**Claire Baker MSP**

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## Recommendations

An audit of prevention programmes in schools including an analysis of behavioural and attitudinal change since the programmes began.

That a multi-agency and cross party series of events continue to take place to both tackle the cause and consequences of this increasingly prevalent and dangerous act is a key priority, as is the legislative changes required to ensure that those involved in the perpetration of such criminal activities are held to account and survivors are supported to seek the help and justice they rightly deserve.