



Criminal Code (Choking in Domestic Settings) and Another Act Amendment Bill 2020



Queensland

Criminal Code (Choking in Domestic Settings) and Another Act Amendment Bill 2020

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2020

A Bill

for

An Act to amend the Criminal Code and the *Penalties and Sentences Act 1992* for particular purposes

[s 1]

The Parliament of Queensland enacts— 1

Part 1 Preliminary 2

Clause 1	Short title	3
	This Act may be cited as the <i>Criminal Code (Choking in Domestic Settings) and Another Act Amendment Act 2020</i> .	4 5

Part 2 Amendment of Criminal Code 6

Clause 2	Code amended	7
	This part amends the Criminal Code.	8

Clause 3	Amendment of s 315A (Choking, suffocation or strangulation in a domestic setting)	9 10
(1)	Section 315A(1), penalty—	11
	<i>omit, insert—</i>	12
	Maximum penalty—14 years imprisonment.	13
(2)	Section 315A—	14
	<i>insert—</i>	15
(3)	In this section—	16
	choke , a person, includes apply pressure to the person’s neck.	17 18
	strangle , a person, includes apply pressure to the person’s neck.	19 20
	suffocate , a person, includes the following—	21
(a)	obstruct any part of the person’s—	22

[s 4]

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- | | | |
|------|---|--------|
| (i) | respiratory system; or | 1 |
| (ii) | accessory systems of respiration; | 2 |
| (b) | interfere with the operation of the person's— | 3
4 |
| (i) | respiratory system; or | 5 |
| (ii) | accessory systems of respiration; | 6 |
| (c) | impede the person's respiration. | 7 |

Part 3	Amendment of Penalties and Sentences Act 1992	8 9
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Clause 4	Act amended	10
	This part amends the <i>Penalties and Sentences Act 1992</i> .	11

Clause 5	Amendment of sch 1 (Serious violent offences)	12
	Schedule 1—	13
	<i>insert—</i>	14

18A	section 315A (Choking, suffocation or strangulation in a domestic setting)
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