

# Update

# Hall's Sentencing

## Service 176 — September 2020

### Legislation

The Corrections Act 2004 has been amended by the COVID-19 Response (Further Management Measures) Legislation Act 2020 and the Education and Training Act 2020.

The Criminal Investigations (Bodily Samples) Act 1995 has been amended by the Arms Legislation Act 2020.

The Parole Act 2002, Habeas Corpus Act 2001 and Victims' Orders Against Violent Offenders Act 2014 have been amended by the Contempt of Court Act 2019.

### Commentary

#### Sentencing

##### Introduction: Principles of Sentencing

Commentary has been updated in the following paragraphs:

- Sentencing Factors: see [I.4.1].
- Principles of Sentencing: see [I.2.2(c)], [I.2.3(g)].

#### Sentencing Act

Commentary has been updated in the following paragraphs:

- Part 1 — Sentencing purposes and principles, and provisions of general application: see [SA9.6AA], [SA15B.1], [SA15B.2], [SA15B.3].
- Part 2 — Sentences, orders, and related matters: see [SA104.2], [SA104.2A].
- Part 2A — Home detention: see [SA80A.1(b)], [SA80A.2], [SA80A.3(d)], [SA80A.4(aa)], [SA80A.4(ac)].

#### Parole Act

Commentary has been updated in the following paragraphs:

- Parole Act: see [PA1.18], [PA1.18(b)], [PA1.18(i)], [PA1.19(c)].
- Part 1 — Parole and other release from detention: see [PA15.3].
- Part 1A — Extended supervision orders: see [PA107B.1], [PA107C.1], [PA107C.2], [PA107F.1], [PA107F.2], [PA107FA.1], [PA107FA.2], [PA107G.2], [PA107GAA.3], [PA107H.1], [PA107I.1], [PA107I.1B], [PA107I.2], [PA107I.3A], [PA107I.3B], [PA107IAA.1], [PA107IAB.1], [PA107IAC.1], [PA107IAC.2], [PA107IAC.3], [PA107JA.1], [PA107K.1], [PA107K.2], [PA107L.2], [PA107M.1], [PA107M.2], [PA107M.3], [PA107M.4], [PA107R.1], [PA107T.1].

**Habeas Corpus Act**

Commentary has been updated in the following paragraphs:

- Habeas Corpus Act: see [HCA1.2], [HCA1.3], [HCA3.1].
- Application for writ of habeas corpus: see [HCA6.2].
- Determination of applications: see [HCA14.1], [HCA14.1(a)], [HCA14.1(b)], [HCA14.2], [HCA15.1], [HCA15.2], [HCA16.2].

**Sentencing Levels**

A new guidecard has been added called Sentencing Levels. This guidecard covers select offences, maximum penalties and guideline judgments for the following Acts:

- Animal Welfare Act 1999
- Arms Act 1983
- Commerce Act 1986
- Crimes Act 1961
- Family Violence Act 2018
- Health and Safety at Work Act 2015
- Land Transport Act 1998
- Medicines Act 2015
- Misuse of Drugs Act 1975
- Resource Management Act 1991

**Related Topics****Appendix VII — Traffic Offences**

Commentary has been updated in the following paragraphs:

- Sentencing principles applicable to traffic offences: see [APPVII.2.3(b)], [APPVII.2.4(a)].
- Sentencing practice: selected offences against the Land Transport Act 1998: see [APPVII.3.1(b)], [APPVII.3.4(b)].
- Principal penal provisions of the Land Transport Act 1998 — Licence supervision, vehicle impoundment and disqualification from driving: see [APPVII.4.4(ab)], [APPVII.4.5], [APPVII.4.8(d)].

**Index**

An updated consolidated index has been included in this service.