

Update Hall's Sentencing

Service 182 — February 2022

Legislation

The Bail Act 2000 has been amended by the Secondary Legislation Act 2021 effective 28 October 2021.

The Child Protection (Child Sex Offender Government Agency Registration) Act 2016 has been amended by the Secondary Legislation Act 2021 effective 28 October 2021.

The Corrections Act 2004 has been amended by the Secondary Legislation Act 2021 effective 28 October 2021.

The Corrections Regulations 2005 has been amended by the Water Services Act 2021 effective 15 November 2021.

The Criminal Investigation (Bodily Samples) Act 1995 has been amended by the Secondary Legislation Act 2021 effective 28 October 2021.

The Criminal Procedure Act 2011 has been amended by:

- the Secondary Legislation Act 2021 effective 28 October 2021;
- the COVID-19 Response (Management Measures) Legislation Act 2021 effective 21 December 2021; and
- the Sexual Violence Legislation Act 2021 effective 21 December 2021.

The Criminal Procedure (Mentally Impaired Persons) Act 2003 has been amended by the Secondary Legislation Act 2021 effective 28 October 2021.

The Criminal Proceeds (Recovery) Act 2009 has been amended by the Secondary Legislation Act 2021 effective 28 October 2021.

The Criminal Records (Clean Slate) Act 2004 has been amended by the Secondary Legislation Act 2021 effective 28 October 2021.

The Parole Act 2002 has been amended by the Secondary Legislation Act 2021 effective 28 October 2021.

The Prisoners' and Victims' Claims Act 2005 has been amended by the Secondary Legislation Act 2021 effective 28 October 2021.

The Public Safety (Public Protection Orders) Act 2014 has been amended by the Secondary Legislation Act 2021 effective 28 October 2021.

The Sentencing Act 2002 has been amended by the Secondary Legislation Act 2021 effective 28 October 2021.

The Victims' Orders Against Violent Offenders Act 2014 has been amended by the Secondary Legislation Act 2021 effective 28 October 2021.

The Victims' Rights Act 2002 has been amended by the Sexual Violence Legislation Act 2021 effective 21 December 2021.

Commentary

Sentencing

Introduction: Principles of Sentencing

Commentary has been updated in the following paragraphs:

- I.2 — Appellate Guidance: see [I.2.2], [I.2.3], [I.2.4].
- I.3 — Aims and Objectives of Sentencing: see [I.3.2A], [I.3.3], [I.3.4], [I.3.7].

Parole Act

Commentary has been updated in the following paragraphs:

- Introduction: see [PA1.1], [PA1.8], [PA1.13].
- Part 1 — Parole and other release from detention: see [PA7.1]–[PA7.3], [PA7.5], [PA14.1], [PA15.1], [PA15A.1], [PA25.5], [PA27.7], [PA28.2], [PA28.5], [PA28.7], [PA28.8], [PA33.1], [PA41.3], [PA43.1], [PA49.3], [PA49B.1], [PA58.4], [PA60.1], [PA62.2], [PA66.7], [PA67.1], [PA67.3], [PA68.1], [PA68.2]–[PA68.4], [PA70.1], [PA70.2], [PA104.2], [PA107.8].
- Part 1A — Extended supervision orders: see [PA107I.6], [PA107K.1].
- Part 2 — New Zealand Parole Board and amendments to other enactments relating to parole and release generally: see [PA109.2], [PA109.4], [PA109.5], [PA116.2], [PA117.1], [PA117.2], [PA118.1], [PA118E.1].

Child Protection (Child Sex Offender Government Agency Registration) Act

Commentary has been updated in the following paragraphs:

- Section 1: see [CP(CSOGAR)A1.1], [CP(CSOGAR)A1.6], [CP(CSOGAR)A1.8].
- Section 9: see [CP(CSOGAR)A9.1]–[CP(CSOGAR)A9.5].

Sentencing Levels

Commentary and notes have been updated for the following provisions:

- Arms Act 1983, s 45.
- Crimes Act 1961, ss 128(1)(a), 128(1)(b), 132(3), 138(1), 176, 188(1) — wounding with intent to cause bodily harm, 188(2), 189(2), 198(2), 208, 231, 232(1), 235, 239(2), 241(1), 243(2), 249(1), 267(1), 306.
- Films, Videos, and Publications Classification Act 1993, s 131A.
- Misuse of Drugs Act 1975, s 6(1)(a) — Importing a Class A controlled drug, s 6(1)(a) — Importing a Class B controlled drug, s 6(1)(a) — Importing a Class C controlled drug.
- Resource Management Act 1991, ss 338 and 339 — Offences against the Resource Management Act 1991.

Appendices

Commentary has been updated in the following paragraphs:

- Appendix VI — Bail: see [APPVI.8.6], [APPVI.14.2], [APPVI.14.7], [APPVI.33.4], [APPVI.33.6].