

# Update Hall's Sentencing

## Service 185 — August 2022

### Legislation

The Prisoners' and Victims' Claims Act 2005 has been amended by the Reserve Bank of New Zealand Act 2021 effective 1 July 2022.

The Victims' Rights Act 2002 has been amended by the Pae Ora (Healthy Futures) Act 2022 effective 1 July 2022.

### 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.5 — The nature and gravity of the offence: see [I.5.6], [I.5.11], [I.5.14].
- I.6 — Circumstances of the offender: see [I.6.12].
- I.7 — Behaviour subsequent to the offence: see [I.7.5].
- I.8 — Factors not to be considered as aggravating: see [I.8.6].

#### Sentencing Act

Commentary has been updated in the following paragraphs:

- Part 1 — Sentencing purposed and principles, and provisions of general application: see [SA24.2], [SA24.6], [SA24.8], [SA27.4].
- Part 2 — Sentences, orders, and related matters: see [SA84.7], [SA85.6], [SA86.4], [SA86C.3], [SA87.8], [SA102.1], [SA103.2], [SA104.1], [SA104.2], [SA107.2].

#### Parole Act

Commentary has been updated in the following paragraphs:

- Introduction: see [PA1.18].
- Part 1A — Extended supervision orders: see [PA107C.2], [PA107C.3], [PA107F.4], [PA107G.1], [PA107H.1], [PA107I.1], [PA107I.3A], [PA107I.3B], [PA107IAA.1], [PA107IAA.5], [PA107P.1], [PA107R.1].

#### Sentencing Levels

Commentary and notes have been updated for the following provisions:

- Crimes Act 1961, ss 117(e), 128(1)(a), 128(1)(b), 129, 132(3), 171 — (motor) manslaughter, 188(1) — wounding with intention to cause grievous bodily harm, 189(2), 189A, 193, 202C, 210, 220/223(a), 223(6), 231, 235 — aggravated robbery, 249(1), 269, 306.

- Family Violence Act 2018, s 112.
- Misuse of Drugs Act 1975, ss 6(1)(a) — importing a Class A controlled drug.

## **Appendices**

Commentary has been updated in the following paragraphs:

- Appendix I — The Sentencing Process: see [APPI.2.11], [APPI.3.6].
- Appendix II — Appeals Against Sentence: see [APPII.6], [APPII.6.2].