

# Update Hall's Sentencing

## Service 192 — November 2023

### Legislation

The Corrections Act 2004 has been amended by the Natural and Built Environment Act 2023, effective 24 August 2023.

The Parole Act 2002 has been amended by the Natural and Built Environment Act 2023, effective 24 August 2023.

The Public Safety (Public Protection Orders) Act 2014 has been amended by the Natural and Built Environment Act 2023, effective 24 August 2023.

The Sentencing Act 2002 has been amended by the Natural and Built Environment Act 2023, effective 24 August 2023.

### Commentary

#### Sentencing

##### Introduction: Principles of Sentencing

Commentary has been updated in the following paragraphs:

- I.4 — Determining the appropriate sentence – uniformity of approach; consistency in sentencing: see [I.4.2].
- I.5 — The nature and gravity of the offence: see [I.5.6], [I.5.11].
- I.6 — Circumstances of the offender: see [I.6.1], [I.6.2], [I.6.8], [I.6.10], [I.6.12].
- I.7 — Behaviour or circumstances of the offender subsequent to the offence: see [I.7.1], [I.7.3].

#### Sentencing Act

Commentary has been updated in the following paragraphs:

- Part 1 — Sentencing purposed and principles, and provisions of general application: see [SA18.1], [SA26.8], [SA27.2B].
- Part 2 — Sentences, orders, and related matters: see [SA45.9], [SA46.1], [SA81.1], [SA102.1], [SA102.2], [SA102.2A], [SA102.5], [SA103.2], [SA104.1], [SA104.2A], [SA106.1], [SA107.2].

#### Sentencing Levels

Commentary and notes have been updated for the following provisions:

- Crimes Act 1961, ss 128(1)(b) — Sexual violation by unlawful sexual connection, 134(1) — Sexual connection with young person under 16, 135 — Indecent assault, 171 — Manslaughter, 171 — (Motor) Manslaughter, 188(1) — Wounding or causing grievous bodily harm with intent to cause grievous bodily harm, 189(2) — Injuring with intent to injure or with reckless disregard for safety, 189A — Strangulation, 228 — Dishonestly taking or using document,

- 232(1) — Aggravated burglary, 232(2) — Armed with a weapon with intent to commit burglary, 236 — Assault with intent to rob.
- Land Transport Act 1998, s 36AA(1)(a) — Reckless driving causing death.

## **Appendices**

Commentary has been updated in the following paragraphs:

- Appendix I — The Sentencing Process: see [APPI.2.11].