

Update Hall's Sentencing

Service 193 — February 2024

Legislation

The Corrections Act 2004 has been amended by the Resource Management (Natural and Built Environment and Spatial Planning Repeal and Interim Fast-track Consenting) Act 2023, effective 23 December 2023.

Commentary

Sentencing

Introduction: Principles of Sentencing

Commentary has been updated in the following paragraphs:

- I.2 — Appellate guidance: see [I.2.3], [I.2.4].
- I.3 — The aims and objectives of sentencing: see [I.3.3].
- I.4 — Determining the appropriate sentence – uniformity of approach; consistency in sentencing: see [I.4.1], [I.4.2].
- I.5 — The nature and gravity of the offence: see [I.5.6], [I.5.13].
- I.6 — Circumstances of the offender: see [I.6.1], [I.6.9], [I.6.11], [I.6.12].

Sentencing Act

Commentary has been updated in the following paragraphs:

- Part 1 — Sentencing purposed and principles, and provisions of general application: see [SA9.13], [SA10B.4], [SA18.1].
- Part 2 — Sentences, orders, and related matters: see [SA80A.4], [SA81.8], [SA81.13], [SA83.2], [SA83.4], [SA83.8], [SA85.3], [SA102.1], [SA102.2], [SA102.2A], [SA103.2], [SA104.1], [SA104.2], [SA104.2A].

Practice Notes

The following practice note has been added:

- Solicitor-General's Guidelines for Prosecuting Sexual Violence (3 July 2023).

Sentencing Levels

Commentary and notes have been updated for the following provisions:

- Crimes Act 1961, ss 71 – Accessory after the fact, 117(e) – Attempting to defeat the course of justice, 128(1)(a) – Sexual violation by rape, 128(1)(b) – Sexual violation by unlawful sexual connection, 132(3) – Doing an indecent act on a child under 12, 134(3) – Doing an indecent act on young persons under 16, 135 – Indecent assault, 171 – Manslaughter, 173 – Attempted murder, 176 – Accessory after the fact to murder, 188(1) – Wounding or causing grievous

- bodily harm with intent to cause grievous bodily harm, 228 – Dishonestly taking or using document, 231 – Burglary, 235 – Aggravated robbery, 267(1) – Arson.
- Misuse of Drugs Act 1975, s 6(1)(a) — Importing a Class A controlled drug.

Appendices

Commentary has been updated in the following paragraphs:

- Appendix I — Appeals Against Sentence: see [APPII.5(d)], [APPII.5.1], [APPII.5.5], [APPII.5.7].

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An updated consolidated index has been included in this service.