

# Update Hall's Sentencing

## Service 181 — November 2021

### Legislation

The Criminal Investigation (Bodily Samples) Act 1995 has been amended by the Counter-Terrorism Legislation Act 2021 effective 5 October 2021.

The Criminal Procedure Act 2011 has been amended by the Counter-Terrorism Legislation Act 2021 effective 5 October 2021.

The Criminal Proceeds (Recovery) Act 2009 has been amended by the Counter-Terrorism Legislation Act 2021 effective 5 October 2021.

The Sentencing Act 2002 has been amended by the Counter-Terrorism Legislation Act 2021 effective 5 October 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.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.5.2], [I.5.6], [I.5.14].
- I.6 — Circumstances of the Offender: see [I.6.1], [I.6.12].
- I.7 — Behaviour subsequent to the offence: see [I.7.3].
- I.8 — Factors not to be considered as aggravating: see [I.8.7].

#### Sentencing Act

Commentary has been updated in the following paragraphs:

- Part 1 — Sentencing purposes and principles, and provisions of general application: see [SA6.1], [SA8.4], [SA9.1], [SA9.2].
- Part 2 — Sentences, orders, and related matters: see [SA83.1], [SA85.6], [SA86.1], [SA86.1A], [SA86.2], [SA86.4], [SA87.1], [SA87.1E], [SA87.4], [SA87.8], [SA87.8A], [SA87.8B], [SA87.10], [SA87.11], [SA88.3], [SA89.2], [SA89.4], [SA104.1], [SA106.1], [SA106.4], [SA106.5], [SA106.6A], [SA107.1], [SA107.2], [SA143.2], [SA143.4], [SA143.5].

#### Parole Act

Commentary has been updated in the following paragraph:

- Part 1 — Parole and other release from detention: see [PA91.1].

## **Sentencing Levels**

Commentary and notes have been updated for the following provisions:

- Crimes Act 1961, ss 128(1)(a), 128(1)(b), 188(1) — wounding with intent to cause bodily harm.

## **Appendices**

Commentary has been updated in the following paragraphs:

- Appendix I — The Sentencing Process: see [APPI.2.11].
- Appendix II — Appeals Against Sentence: see [APPII.2.5], [APPII.4.4], [APPII.4.9], [APPII.4.9A].
- Appendix V — Costs: see [APPV.10].
- Appendix VI — Bail: see [APPVI.14.2].