

Update Hall's Sentencing

Service 179 — July 2021

Legislation

The Criminal Procedure Rules 2012 (SR 2012/145) has been amended by the Criminal Procedure Amendment Rules 2021 (LI 2021/87) effective 20 May 2021.

Commentary

Sentencing

Introduction: Principles of Sentencing

Commentary has been updated in the following paragraphs:

- I.2 — Legislative 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.5.7], [I.5.8], [I.5.11].
- I.6 — Circumstances of the Offender: see [I.6.1], [I.6.2], [I.6.3], [I.6.5], [I.6.10], [I.6.11], [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 purposes and principles, and provisions of general application: see [SA4.2], [SA9.6], [SA24.1], [SA24.8], [SA26.1], [SA26.6], [SA26.8], [SA27.2A], [SA27.4].
- Part 2 — Sentences, orders, and related matters: see [SA54B.1], [SA54B.3], [SA54C.1], [SA54C.3], [SA81.1], [SA86D.2], [SA103.3], [SA104.2], [SA104.2A], [SA104.3].

Criminal Procedure Act

Commentary has been updated in the following paragraphs:

- Part 5 — General provisions: see [CPA175.1], [CPA175.2], [CPA211.1].

Child Protection (Child Sex Offender Government Agency Registration) Act

Commentary has been updated in the following paragraphs:

- Section 1 — Title: see [CP(CSOGAR)A1.1], [CP(CSOGAR)A1.2], [CP(CSOGAR)A1.4], [CP(CSOGAR)A1.5].
- Part 1 — Preliminary matters: see [CP(CSOGAR)A7.1], [CP(CSOGAR)A7.2], [CP(CSOGAR)A9.1], [CP(CSOGAR)A9.2], [CP(CSOGAR)A9.3], [CP(CSOGAR)A9.4].
- Schedule 1 — Transitional, savings, and related provisions: see [CP(CSOGAR)A Sched1.1].

Sentencing Levels

Commentary and notes have been updated for the following provisions:

- Arms Act 1983, s 45.
- Crimes Act 1961, ss 71, 103, 128(1)(a) and (b), 129, 134(2), 135, 171, 173, 188(1), 189A, 194(b), 198A(1), 209, 210, 216H, 226(1), 235, 267(1), 268, 306.
- Family Violence Act 2018, s 112.
- Misuse of Drugs Act 1975, ss 6(1)(a)–(c), (f), 9(1).

Appendices

Commentary has been updated in the following paragraphs:

- Appendix I — The Sentencing Process: see [APPI.1.4], [APPI.2.11].
- Appendix II — Appeals Against Sentence: see [APPII.2.7], [APPII.2.11], [APPII.5.12].
- Appendix V — Costs: see [APPV.1], [APPV.11].
- Appendix VI — Bail: see [APPVI.7.1], [APPVI.7.4], [APPVI.7.5], [APPVI.8.1], [APPVI.8.3], [APPVI.8.4], [APPVI.8.6], [APPVI.8.7], [APPVI.9A.1], [APPVI.9A.3], [APPVI.12.8], [APPVI.13.1], [APPVI.13.2], [APPVI.13.2A], [APPVI.13.3], [APPVI.14.5], [APPVI.14.7], [APPVI.15.1], [APPVI.17A.1]–[APPVI.17A.5], [APPVI.20.1], [APPVI.21.1], [APPVI.30.2], [APPVI.30A.2], [APPVI.30B.1], [APPVI.30B.8], [APPVI.30G.1], [APPVI.30I.2], [APPVI.30I.3], [APPVI.30L.2], [APPVI.33.3], [APPVI.33.5], [APPVI.33.6], [APPVI.33.7], [APPVI.42.3], [APPVI.43.3].

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An updated consolidated index has been included in this service.