



Sentencing (Offences Against Children) Amendment Act 2008

Public Act 2008 No 109
Date of assent 16 December 2008
Commencement see section 2

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The Parliament of New Zealand enacts as follows:

- Title**
This Act is the Sentencing (Offences Against Children) Amendment Act 2008.
- Commencement**
This Act comes into force on the day after the date on which it receives the Royal assent.

3 Principal Act amended

This Act amends the Sentencing Act 2002.

4 New heading and section 9A inserted

The following heading and section are inserted after section 9:

*“Additional aggravating factors in cases
involving violence against, or neglect of, child
under 14 years*

**“9A Cases involving violence against, or neglect of, child
under 14 years**

- “(1) This section applies if the court is sentencing or otherwise dealing with an offender in a case involving violence against, or neglect of, a child under the age of 14 years.
- “(2) The court must take into account the following aggravating factors to the extent that they are applicable in the case:
- “(a) the defencelessness of the victim:
 - “(b) in relation to any harm resulting from the offence, any serious or long-term physical or psychological effect on the victim:
 - “(c) the magnitude of the breach of any relationship of trust between the victim and the offender:
 - “(d) threats by the offender to prevent the victim reporting the offending:
 - “(e) deliberate concealment of the offending from authorities.
- “(3) The factors in subsection (2) are in addition to any factors the court might take into account under section 9.
- “(4) Nothing in this section implies that a factor referred to in subsection (2) must be given greater weight than any other factor that the court might take into account.”
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Legislative history

9 December 2008	Introduction (Bill 4-1)
9 December 2008	First reading
9 December 2008	Second reading
9 December 2008	Reported from committee of the whole House
9 December 2008	Third reading
16 December 2008	Royal assent

This Act is administered by the Ministry of Justice.
