

Westlaw NZ

Sentencing Tracker

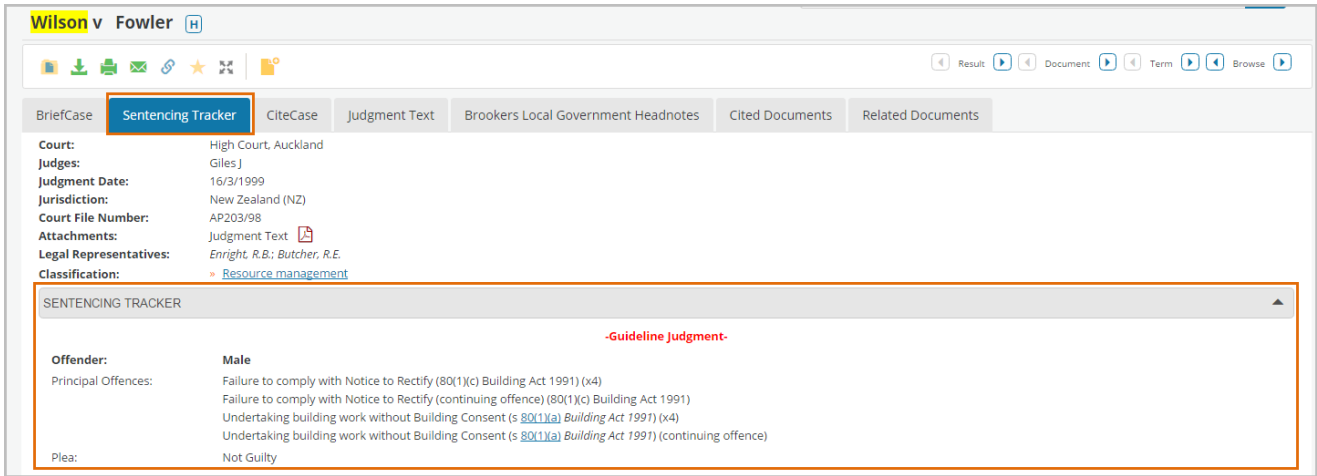
Sentencing Tracker is a comprehensive searchable collection of sentencing data in electronic format.

Sentencing Tracker includes both reported and unreported cases from 1980 onwards, and is constantly updated as sentencing decisions become available. As at the end of 2016 it contained nearly 11,000 cases

In conjunction with *Briefcase*, *Sentencing Tracker* provides descriptions (or summaries) of cases. It also provides classifications relating to the general subject matter and result of the case, within *Sentencing Tracker*.

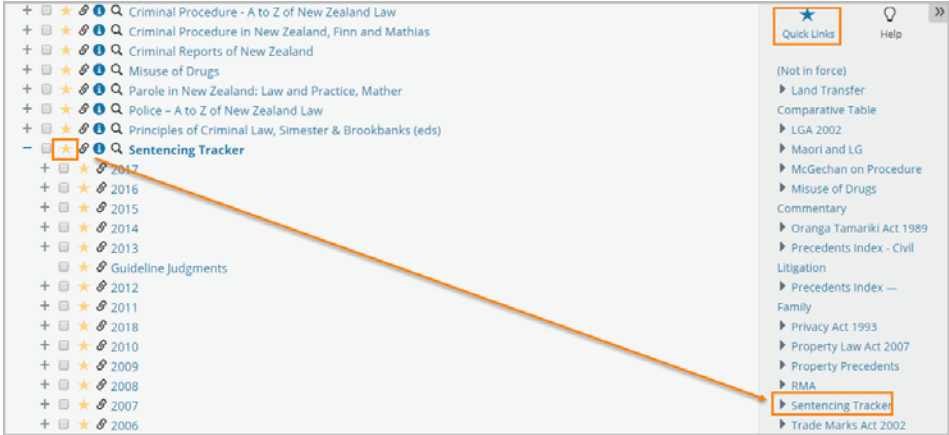
Descriptions are written by the *Sentencing Tracker* editor for all sentencing cases from the High Court or above, and for interesting or significant cases from other judicial bodies.

Descriptions are generally structured in a Sentencing Tracker style. It is practice to state the outcome of the decision, the pertinent facts and main arguments of the case, then the decision-maker's rulings.



Sentencing Tracker Template

To locate the Sentencing Tracker, browse through the Criminal databases to the *Sentencing Tracker*. To open the template, click on the Blue Title. To find the Case Source information, click on the scope icon. Sentencing Tracker can be made a Quick Link for a One Pass user.



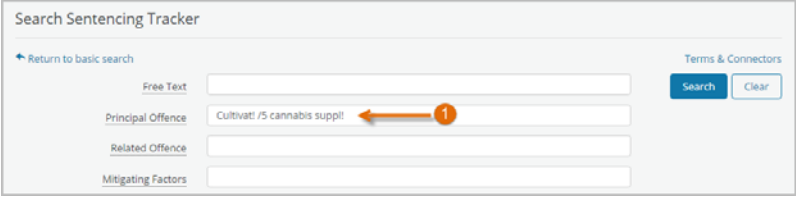
Sentencing Tracker Fields

Field	Description
Principal Offence	<i>Principal offence(s) to which the lead sentence relates(s) and any offence(s) for which cumulative terms have been imposed</i>
Related offences	<i>Less significant offences</i>
Tariff Judgments	<i>Significant judgments by the Court of Appeal or Supreme Court establishing guideline sentences for offences</i>
Appeals	<i>Whether the case involves a sentence appeal, and if so its result, and any adjustment in a custodial sentence</i>
Related Offences	<i>Offending for which concurrent sentence has been imposed</i>
Offender	<i>Name, gender and age where more than one defendant is sentenced in a judgment</i>
Plea	<i>Guilty / Not guilty / Mixed</i>
Custodial Sentence	<i>Including life, preventive detention, suspended sentences, and term of imprisonment</i>
Minimum Non-Parole	<i>When given in judgment</i>
Non-Custodial Sentences	<i>All other sentences, e.g. community work, supervision, fines, cost orders, disqualification orders</i>
Appeal	<i>General effect of appeal, including any changes to suspended sentences</i>
To be served	<i>Contains a breakdown of the custodial sentence when given</i>
Home Detention	<i>Length of any such sentence, or whether leave has been granted to apply for it</i>
Related Sentences	May include sentences which are: <ul style="list-style-type: none"> • <i>previous sentences that may be taken into account in assessing totality of offending</i> • <i>the subject of an activated suspended sentence</i> • <i>not related to the main offending</i>
Aggravating Factors Where given in judgment	Search Examples: <ul style="list-style-type: none"> • <i>"weapon" for actual/threatened use of weapon</i> • <i>"violence" for actual/threatened violence or threat to kill</i> • <i>"bail" for offending while on bail</i> • <i>"subject to sentence" for offending on parole or before expiry of existing sentence</i> • <i>"victim" for effect on, harm to or injuries caused to victim</i> • <i>"cruelty" for cruelty</i> • <i>"trust" for breach or abuse of trust</i> • <i>"vulnerable" for vulnerability of victim</i> • <i>"hate crime" for offending motivated by racism, anti-homosexuality etc</i> • <i>"premeditation"</i> • <i>"planning"</i> • <i>"previous conviction"</i>
Mitigating Factors Where given in judgment	Search Examples: <ul style="list-style-type: none"> • <i>"age" for young offender or victim, elderly victim etc</i> • <i>"guilty" for guilty plea(s)</i> • <i>"provocation"</i> • <i>"lesser role" for limited involvement in offending</i> • <i>"mental impairment" for diminished intellectual capacity etc</i> • <i>"remorse"</i> • <i>"first offender"</i>
Previous Convictions	<i>Where given in judgment</i>
Suspension	<i>Whether a sentence has been suspended, and if so for how long</i>
Counsel	<i>Names of Crown and Defence counsel</i>
Victim	<i>Gender and age where relevant to sentence</i>
Notes	<i>Crown appeals and historical offending noted, as well as other significant or helpful miscellaneous information</i>

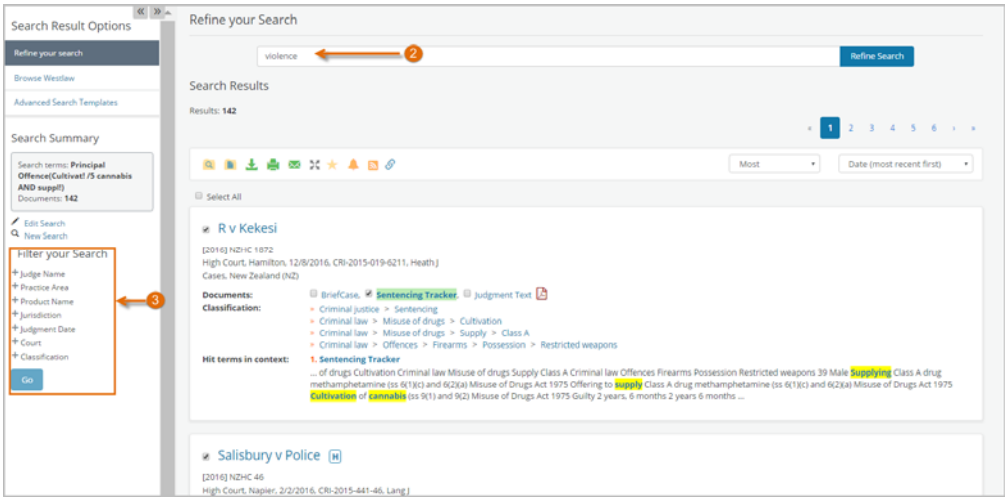
Search Examples using the Sentencing Tracker Template:

- 1. In this example: enter key words Cultivating Cannabis and Supply by Principal Offence. (*Cultivat! /5 cannabis suppl!*)

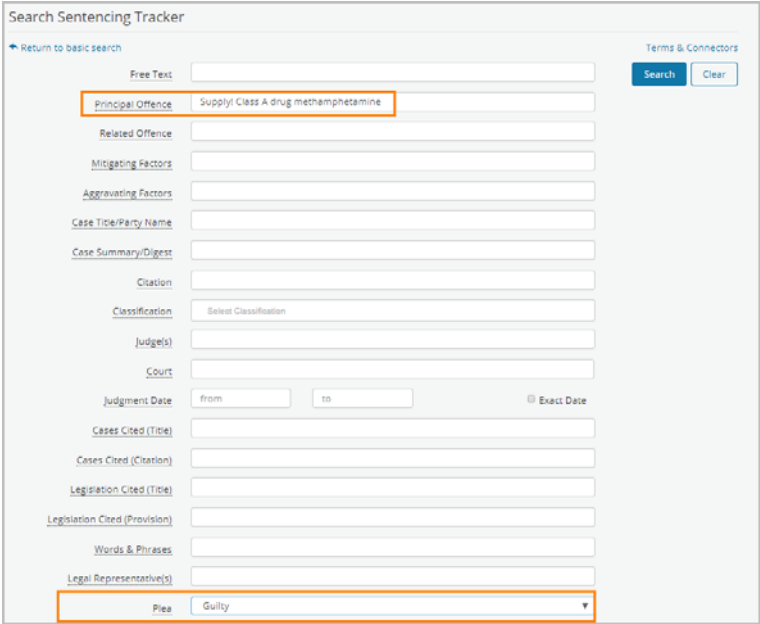
Cultivat! will return results cultivate, cultivation, cultivating, cultivated.
Cultivat! /5 cannabis will return the word cannabis within 5 words of *cultivat!*
Suppl! will return supply, supplies, supplying and supplied. As a term it will be searched for within the same principal offence



Refine your search with a term or Filter your search results. In this example, refine results by *violence*



- 2. In this example: Search by Principal Offence. *Supply of Class A Drug Methamphetamine.* We are searching for cases with a *guilty plea*.



Search for Guideline Judgments

To find a list of Guideline Judgments, click on the Blue Title "Guideline Judgments" found underneath the Sentencing Tracker.

