

## SUMMARY



**Date considered:** 14 September 2022

### **Sentence**

1. The offender is serving an extended sentence of 6 years, comprised of a custodial term of 3 years and an extended period of supervision on licence of 3 years.

### **Test for release**

2. Before it could direct release, the Tribunal had to consider whether it remains necessary for the protection of the public from serious harm that the offender should be confined.

### **Decision**

3. The Tribunal was not satisfied on this matter, and directed release subject to licence conditions.

### **Reasons for decision**

4. In reaching its decision, the Tribunal considered:
  - a) the circumstances of the index offence, and any offending history;
  - b) formal risk assessments prepared on the offender;
  - c) the offender's conduct since sentence, and intentions if released;
  - d) all relevant information in the dossier; and
  - e) the evidence heard at the hearing.
5. The offender spent almost 3 years in the community prior to their recall to custody. It would appear that this is the longest period of time that the offender has remained in the community and has refrained from further offending. It was clear from the offender's evidence that they have learned a salutary lesson from their recall to custody.
6. The panel considers it to be of significance however, that the offender did not further offend during this time. Prior to their recall to custody, there were no considerable concerns regarding their overall level of compliance and engagement with supervision.
7. Both the prison-based and the community based social workers are supportive of the offender's release. Since their recall the offender has not presented any management problems in the custodial environment and has evidenced a determination to comply fully with supervision in the community and continue to engage with professionals.
8. The panel unanimously agrees with the views of both social workers. Furthermore, the panel are satisfied that the offender did not evidence any

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behaviour in the community which would lead the panel to conclude that it is necessary for the protection of the public from serious harm that they require to remain confined in custody.

9. In all of the circumstances, the panel recommend the offender's release subject to licence conditions.