

SUMMARY



Date considered: 22 December 2022

Sentence

1. The offender is serving an extended sentence of 11 years, comprised of a custodial term of 7 years and an extended period of supervision on licence of 4 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 was released on licence and subsequently recalled to custody. They were acquitted at trial of the matter which led to their recall. In relation to this matter, the offender has always maintained their innocence. Prior to their recall to custody, the offender was in the community for a length of time. The community based social worker confirmed in his report that during that time there were no concerns regarding the offenders level of compliance with licence conditions.
6. Since their recall to custody, the offender has not incurred any misconduct reports and has been making good use of their time and engaging appropriately with services.
7. The offender was able to demonstrate an insight into their risks and triggers for offending. Their overall risk and needs profile are medium and the prison based social worker opines in the risk assessments that they do not appear to be seeking opportunities to cause serious harm or involve themselves in situations or events which are likely to result serious harm. Both the prison-based and the

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community-based social workers are therefore supportive of the offenders release at this juncture.

8. Accordingly, the Board directed release on licence conditions which it deemed lawful, necessary and proportionate to manage the offender's level of risk in the community.